



Interoffice Memorandum

WITHDRAWN

09-17-19P04:15 RCVD

DATE: September 11, 2019

TO: Katie A. Smith, Deputy Clerk of the Board of County Commissioners, County Comptroller's Office

THROUGH: Cheryl Gillespie, Supervisor, Agenda Development Office

FROM: Lisette M. Egipciaco, Development Coordinator Planning Division

CONTACT PERSON(S): **Lisette M. Egipciaco,**
Development Coordinator
Planning Division 407-836-5684
Lisette.Egipciaco@ocfl.net

SUBJECT: Request for Board of County Commissioners Public Hearing

SEP17 19 4:10PM

Project Name: Polo Glen Planned Development / Polo Glen at Lake Betty Development Plan
Case # DP-18-02-050

Type of Hearing: Development Review Committee Appeal

Appellant(s): Christopher Roper
Akerman, LLP
420 South Orange Avenue, Suite 1200
Orlando, Florida 32801

Applicant: Dave Schmitt
DSE Dave Schmitt Engineering
12301 Lake Underhill Road, Suite 241
Orlando, Florida 32828

Commission District: 2

General Location: North of Maitland Boulevard / East of South Orange Blossom Trail

LEGISLATIVE FILE #

19-1444

October 22, 2019
@ 2 PM

Parcel ID #(s) 30-21-29-0000-00-001

of Posters: 0

Use: 336 Multi-Family Residential Dwelling Units

Size / Acreage: 45.75

BCC Public Hearing
Required by: Orange County Code, Chapter 34, Article III,
Section 34-69 and Chapter 30, Article III, Section
30-89

Clerk's Advertising
Requirements: No advertising requirements for appeals

Spanish Contact Person: Para más información referente a esta vista
pública, favor de comunicarse con la División de
Planificación (Planning Division) al número 407-
836-8181.

Advertising Language:

This request is an appeal of the Development Review Committee's decision of August 14, 2019, to approve the Polo Glen Planned Development / Polo Glen at Lake Betty Development Plan for 336 multi-family residential dwelling units on 45.75 gross acres; District 2; North of Maitland Boulevard / East of South Orange Blossom Trail.

Material Provided:

- (1) Appeal Letter
- (2) Development Review Committee approved meeting minutes dated August 14, 2019
- (3) Location map
- (4) Site plan sheet

Special Instructions to Clerk (if any):

Unless stated otherwise, the public hearing should be advertised to begin at 2:00 p.m., or as soon thereafter as the matter may be heard.

Please notify Lisette Egipciano and Sapho Vatel of the scheduled date and time.
The Planning Division will notify the applicant.

Attachments (location map and site plan sheet)

akerman

Christopher Paul Roper

Akerman LLP
420 South Orange Avenue
Suite 1200
Orlando, FL 32801-4904

D: 407 419 8458
T: 407 423 4000
F: 407 843 6610

christopher.roper@akerman.com

August 29, 2019

***Sent Via Email Eric.RuaschJr@ocfl.net
and Hand Delivery***

Eric Raasch, AICP | Chief Planner | Development Review Committee Chair
Orange County Government
Planning Division – Current Planning
201 S. Rosalind Avenue
Orlando, FL 32801

**Re: Northrop Grumman Systems Corporation ("NGSC") Appeal of the
Development Review Committee ("DRC") Decision on DP-18-02-050; Polo
Glen at Lake Betty DP ("DP")**

Dear Eric,

Pursuant to Section 38-1203(3)(d), *Orange County Code*, NGSC hereby appeals the August 14, 2019, decision of the DRC approving the above-referenced DP.

Appellant NGSC

NGSC is a subsidiary of Northrop Grumman Corporation, a global aerospace and defense company traded under the ticker symbol NOC on the New York Stock Exchange. NOC employs over 70,000 people, including the capacity to employ up to 850 people at the NGSC Property. A major high-tech employer in this area, NOC is ranked on the 2018 Forbes list for America's Best Employers, Best Employers for New Grads, and Best Employers for Women. NOC, through its heritage company Grumman Corporation, designed the Lunar Module used in early space exploration, including the successful Apollo Space Mission. Currently, NOC plays a vital role in developing technology that is critical for NASA's Mission to Mars.

For over 25 years, NGSC (or its subsidiaries) has owned approximately 25 acres in Orange County and operated a major (approximately 158,000+ sq.ft.) Hi-Tech facility with national defense and aeronautical contracts on the property ("**NGSC Property**"). The NGSC Property is located at 2787 S. Orange Blossom Trail and within a large industrial zoning district in the County.¹

¹ **Exhibit A.**

The Project

The proposed Polo Glen apartments project (DP-18-02-050, the "**Project**") is located immediately adjacent to NGSC's Property to the north and east.² Prior to 2006, the Project property had a future land use ("**FLU**") designation of Industrial, consistent with the surrounding area. In November 2006, the developer requested a FLU change to Planned Development Medium Density Residential – Parks and Recreation to allow for development of the Project. The request received a negative recommendation from County staff. Nevertheless, the Orange County Board of County Commissioners ("**BCC**") approved the requested FLU change for the Project based, in part, on the developer's willingness to dedicate a 3 acre park to the County for public use. According to the November 14, 2006 hearing minutes and staff report,³ the "Park" FLU designation applies to 3 acres located in the southeast corner of the Project.

In March 2008, the BCC approved the rezoning of the Project property from Industrial to Planned Development ("PD") to allow the Project to proceed. The Land Use Plan approved with the rezoning to PD includes the following statement: "*The 3-acre park shall be composed entirely of upland area (no wetlands).*"⁴

The Park Insufficiency

As noted above, the FLU and zoning change was conditioned on, among other things, installation of a 3 acre park comprised entirely of uplands. Yet, the DP approved by the DRC shows a park that consists of 2.45 upland acres and 1.45 acres of wetlands (pond), for a total 3.9 acres dedicated to public park use.⁵ Accordingly, the DP is inconsistent with the requirement that the park contain 3 upland acres. Also, by proposing 3.9 acres of public park (only 2.45 acres of which are uplands), the DP is inconsistent with the underlying FLU of the Project, insofar as the "Park" FLU designation covers 3 acres, not 3.9 acres. The additional 0.9 acres of public park that is proposed by the DP has a FLU designation of Medium Density Residential, which is inconsistent with its proposed use as a public park. The BCC should, therefore, overturn the DRC's approval.

Lack of Interconnectivity

The Project property is located within an Alternative Mobility Area ("AMA") of the County,⁶ which makes it exempt from transportation concurrency.⁷ In exchange for this exemption, Policy T2.3.5 of the County Comprehensive Plan requires all development in the AMA to provide safe and convenient movement for all users through strategies that may include, without limitation, cross-access connections/easements or joint driveways. In addition, Policy T3.2.1 requires

² A map of the Project relative to the NGSC Property is attached as **Exhibit B**.

³ Attached as **Exhibit C**.

⁴ **Exhibit D**.

⁵ Sheet 4 of the DP.

⁶ **Exhibit E**.

⁷ Policy T2.3.2 of the Orange County Comprehensive Plan.

developments to provide interconnected street networks through measures including cross-access easements and transportation facility stubouts to adjacent parcels.

The NGSC Property accommodates an existing 158,000+ sq.ft. facility with capacity for up to 850 employees, all of whom are confined to a single access point onto U.S. Highway 441. Even though it is a single access point, it is adequate for NGSC's needs because it allows the full range of turning movements onto the highway. However, the DP approved by DRC for the Project proposes to convert NGSC's access to a directional median on U.S. Highway 441, thus precluding left-outs from the NGSC Property and causing traffic to backup on Laser Drive (a/k/a, Lake Betty Boulevard). The situation will only worsen when traffic from the Project is added to Laser Drive.

Realizing this would be a problem, NGSC and the developer of the Project (at the time it was rezoned) entered into an agreement to acquire an easement to Pemberton Drive that would serve as an alternate access route for the Project and the NGSC Property. The easement was acquired in March 2010 and is recorded at ORB 10017/864. The easement to Pemberton Drive is reflected on the DP as providing an alternate means of access to and from the Project. However, it was always intended for NGSC to also gain access to Pemberton Drive through the Project, so its employees could turn left at the new traffic signal proposed at Pemberton Drive. Trusting that the developer would make good on its promise for interconnectivity, this solution is what NGSC had in mind when it did not object to the Project back at the rezoning stage.⁸ NGSC's reliance was further supported by the fact that the developer at the time executed a Memorandum of Easement Agreement days before the rezoning hearing. The Memorandum of Agreement, recorded at ORB 9632/1240, contains the following language: "[n]otwithstanding the foregoing, the Parties acknowledge and agree that easement rights and obligations created hereby [to Pemberton Drive] may be assigned by Grantee, in whole or in part, to Northrop Grumman Guidance and Electronic Company, Inc., and its successors and assigns."⁹

Yet, thirteen years later, the DP shows the Project will be gated with no interconnectivity being provided to NGSC. Instead, the DP proposes that the Project will be the sole beneficiary of the easement to Pemberton Drive. This is contrary to representations made in conjunction with the rezoning of the Project and the County's Comprehensive Plan, including (but not necessarily limited to), Policies T2.3.5 and T3.2.1, thereof.

Easement Encroachments

In 1984, NGSC's predecessor was granted an access and utilities easement at Laser Drive which is recorded at ORB 3502/2538, in the Public Records of Orange County, Florida (the "**NGSC Easement**").¹⁰ The NGSC Easement provides in pertinent part:

⁸ See also, the staff report attached as **Exhibit C** which states, on page 78: "The applicant ... will be working with Northrop Grumman to get a traffic light at the entrance off US 441 (aka Orange Blossom Trail)."

⁹ **Exhibit F.**

¹⁰ A copy of the easement is attached as **Exhibit G.**

TOGETHER WITH a perpetual, non-exclusive easement for ingress and egress and utilities over the Northerly 30 feet of the following described easement . . .

The Project proposes to construct a fence, landscape buffer, sprinkler heads and other improvements (collectively, the "**Encroachments**") within NGSC's easement, thereby creating a conflict with NGSC's property rights to use that area for access (and utilities) purposes.¹¹ After all, a principal effect of a fence is that it prevents others from accessing the other side. Accordingly, the Encroachments would be a clear, abject violation of the NGSC Easement and DRC should not have approved the Project with the Encroachments without NGSC's written consent (which has not been given). Otherwise, the parties are merely inviting civil litigation that will not benefit any party and will merely involve unnecessary costs and delay.

The Encroachments also violate Orange County Code, including, but not necessarily limited to, Section 24-4(a)(1) (requiring a min. 7' landscape buffer adjacent to parking areas, etc.) and Section 24-5(a)(2) (requiring a min. 25' buffer adjacent to I-2 zoning, etc.). Further, pursuant to Section 25-5, none of the required buffer may be located within any private street or right-of-way. The Encroachments are in direct violation of this regulation because the entire landscape buffer proposed by the Project along the private road (Laser Drive) are located within the private road easement. Instead, the Code requires the entire buffer to be located outside of the easement, quite possibly to avoid the very same litigation and code enforcement issues mentioned above. The Encroachments will only invite litigation and code enforcement issues if left uncured. Accordingly, the BCC should overturn the DRC's approval.

Failure to Plat

The zoning for the Project was approved by the Board of County Commissioners for the County on March 18, 2008. Condition of approval # 7 unequivocally states as follows, "***Prior to construction plan approval, the property shall be platted.***" Condition of approval # 17, as approved by DRC, would exempt the Project from the platting requirement if such exemption is allowed by Code. However, that would be an impermissible rewriting of the Board's condition of approval # 7, which requires platting regardless. The DRC's action in this regard should be overturned.

Traffic Signal

On July 11, 2019, the Florida Department of Transportation ("FDOT") requested a warrant and related studies regarding the construction of the proposed signal at Laser Drive in lieu of at Pemberton Drive. NGSC and the Project applicant have agreed to jointly fund those studies, which are currently underway. Because the DP for the Project requires the signal to be installed at

¹¹ An illustration of the Encroachments is attached as **Exhibit H**.

Eric Raasch, DRC Chair

August 29, 2019

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Pemberton Drive instead, the DRC's approval should be overturned in case FDOT approves the relocation of the signal to Laser Drive.

Requested Relief

NGSC respectfully requests the BCC overturn the DRC's approval of the Project and instruct the DRC to condition any future approval on cure and satisfaction of the issues addressed herein.

NGSC thanks you for your consideration of this Appeal. We request that the BCC provide notice of the date and time that this matter will be considered by the BCC

Sincerely,



Christopher Roper

cc: Tala Gardner, Esq. (Northrop Grumman Systems Corporation)

**APPROVED MEETING MINUTES
AUGUST 14, 2019**

**27. DP-18-02-050 - DISTRICT 2 (TAB 26)
POLO GLEN PD / POLO GLEN AT LAKE BETTY DP**

Present for discussion were Andy Hogshead, Trippe Cheek, Dave Schmitt, and Chris Roper. Taylor Jones presented the TRG Summary Report to the DRC.

This item has been postponed from the June 12, 2019, April 24, 2019, and the February 27, 2019, DRC Meetings to work out access issues.

This request proposes to construct 336 multi-family residential dwelling units on a total of 45.75 acres.

Discussion ensued regarding the status of the private agreement between the applicant, DOT, and Northrop for access.

The proposed plan shows a directional turn lane and a signal at Pemberton Drive, however, if DOT warrants the signal moving to Laser Drive, a change determination will be required to update the development plan to show the new location of the signal.

A traffic study was submitted to DOT, which warranted the signal, however the timing analysis has not been completed.

MOTION by Lindy Wolfe, seconded by Tim Boldig, TO APPROVE THE POLO GLEN AT LAKE BETTY DEVELOPMENT PLAN, subject to the following conditions of approval, as amended, and to placing this item on the DRC Consent for final approval.

1. Development shall conform to the Polo Glen Planned Development; Orange County Board of County Commissioners (BCC) approvals; Polo Glen at Lake Betty Development Plan dated "Received June 24, 2019"; and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC.
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

**APPROVED MEETING MINUTES
AUGUST 14, 2019**

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 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 development 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. Development plan (DP) approval by the DRC (or BCC, as applicable), shall automatically expire if construction plans are required and have not been submitted and approved within two (2) years from DP approval; if construction plans are not required, such DP shall expire two (2) years from approval unless a building permit has been obtained within such two-year period. The foregoing notwithstanding, the DRC may, upon good cause shown, grant successive one (1) year extensions to the expiration date of a DP if the developer makes written request to the DRC chair prior to the expiration date.
7. Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement. Unless the property is otherwise vested or exempt, the applicant shall be subject to school concurrency and required to go through the review process prior to platting.

**APPROVED MEETING MINUTES
AUGUST 14, 2019**

8. Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.
9. 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).
10. The site shall be stabilized following grubbing, clearing, earth work or mass grading to establish a dense stand of grass, or shall incorporate other approved Best Management Practices, on all disturbed areas if development does not begin within 7 days. Final stabilization shall achieve a minimum of seventy percent (70%) coverage of the disturbed land area and shall include a maintenance program to ensure minimum coverage survival and overall site stabilization until site development. Prior to clearing or grubbing, or approval of mass grading or constructions plans a letter of credit or cash escrow acceptable to the County shall be submitted to guarantee the required site stabilization and maintenance of all disturbed areas. The County Engineer shall establish the amount of the letter of credit or cash escrow.
11. Approval of this plan does not constitute approval of a permit for the construction of a boat dock, boardwalk, observation pier, fishing pier, community pier or other similar permanently fixed or floating structures. Any person desiring to construct any of these structures shall apply to the Orange County Environmental Protection Division, as specified in Orange County Code Chapter 15 Environmental Control, Article IX Dock Construction, prior to installation, for an Orange County Dock Construction Permit, as well as to any other Orange County Division(s) for any other applicable permits.

12. Prior to issuance of any certificate of completion, all storm drain inlets shall have metal medallion inlet markers installed. Text on the marker shall read "No Dumping, Only Rain in the Drain." Specification detail will be provided within all plan sets. Contact the National Pollutant Discharge Elimination System (NPDES) Supervisor at the Orange County Environmental Protection Division for details.
13. 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.
14. 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.
15. Short term and transient rental shall be prohibited. Length of stay shall be for a minimum of 180 consecutive days.

**APPROVED MEETING MINUTES
AUGUST 14, 2019**

16. New Billboards and pole signs shall be prohibited. Ground and fascia signs shall comply with Orange County Code Chapter 31.5.
17. Unless otherwise allowed by County Code, the property shall be platted prior to the issuance of any vertical building permits.
18. The stormwater management system shall be designed to retain the 100-year/24-hour storm event onsite, unless documentation with supporting calculations is submitted which demonstrates that a positive outfall is available. If the applicant can show the existence of a positive outfall for the subject basin, then in lieu of designing for the 100-year/24-hour storm event, the developer shall comply with all applicable state and local stormwater requirements and regulations. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas.
19. A mandatory pre-application/sufficiency review meeting for the plat shall be required prior to plat submittal and concurrent with construction plan submittal. The applicant shall resolve, to the County's satisfaction, all items identified in the pre-application/ sufficiency review meeting prior to formal submittal of the plat to the County.
20. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Construction Plan submittal and must be approved prior to Construction Plan approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.
21. There shall be no watercraft permitted on Lake Betty.
22. A stormwater pond sharing agreement between the Orange County Parks and Recreation Division and the Developer shall be recorded prior to platting.
23. No vertical building permits shall be issued until Orange County has received the final decision from FDOT on the relocation of the traffic signal currently anticipated to be located at Pemberton Drive.

MOTION CARRIED.

**28. CDR-19-05-166 – DISTRICT 1 (TAB 27)
HAMLIN PD - UNP**

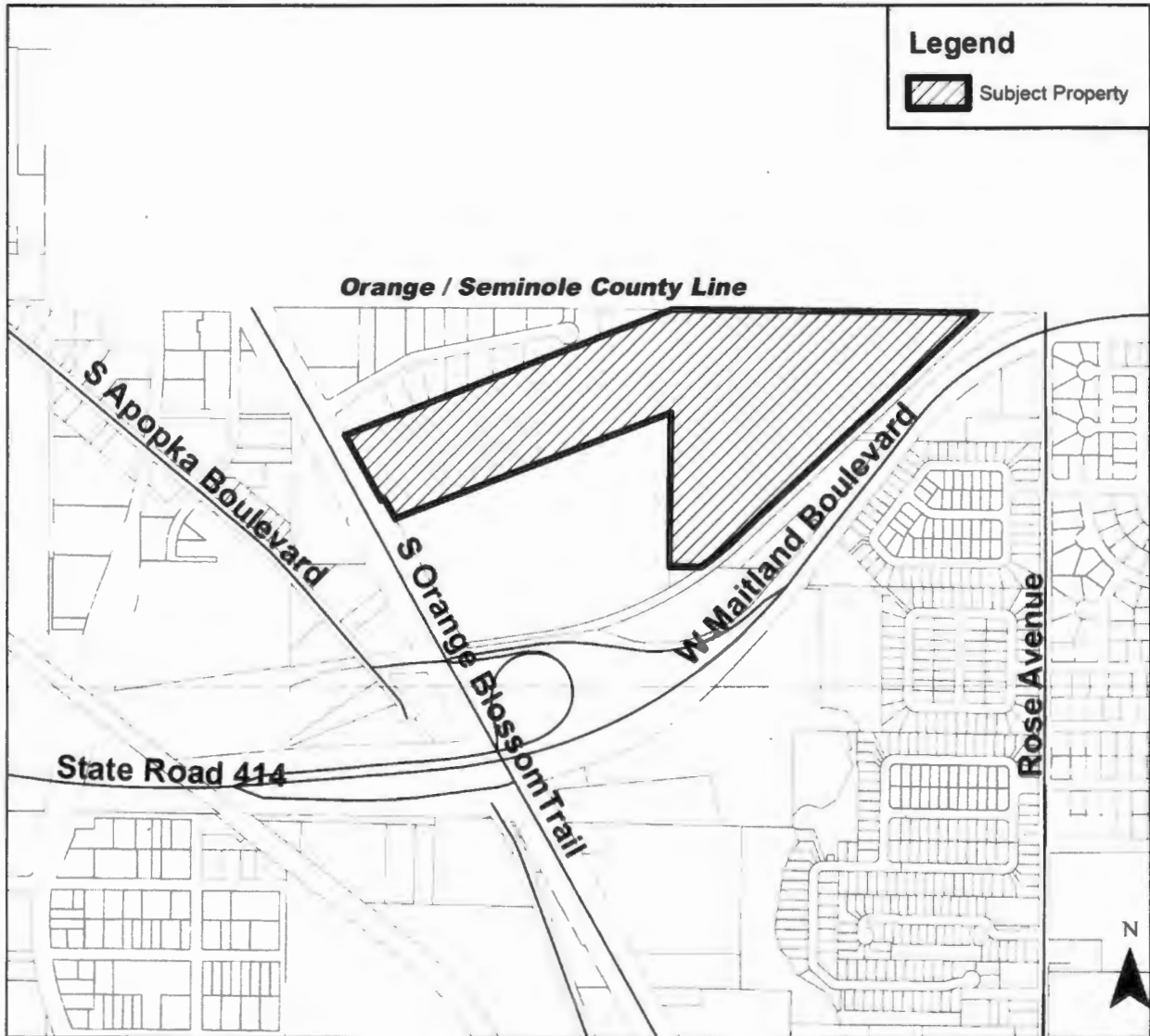
Present for discussion were Scott Gentry, Dennis Seliga, and Alden Baker. Nathaniel Wicke presented the TRG Summary Report to the DRC.

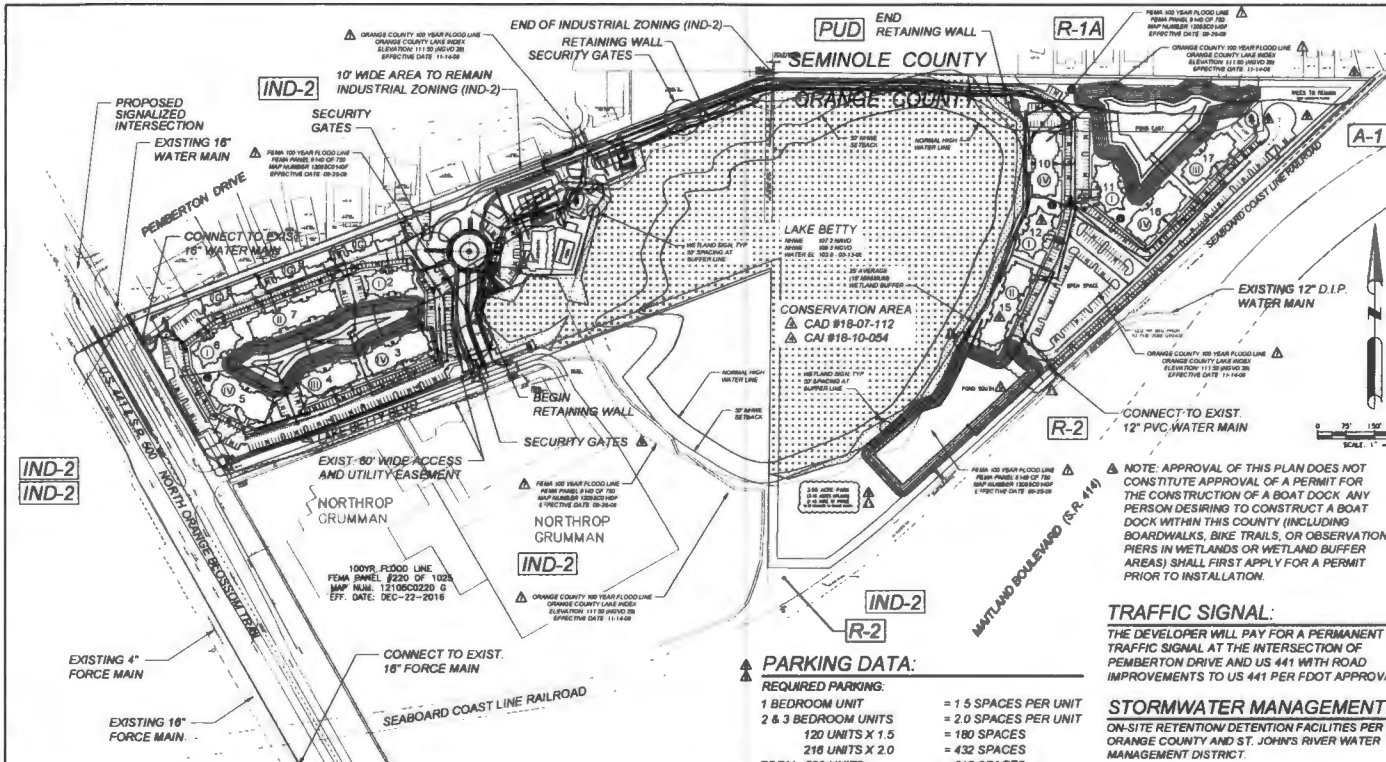
A change determination was requested to the previously approved Hamlin PD – UNP to reallocate and convert entitlements, including converting 29,919 square feet of non-residential entitlements to

For questions regarding this map, please call Lisette Egipciaco at 407.836.5684

Location Map

Appeal of DP-18-02-050





SITE DATA:

▲▲ TOTAL AREA:	45.734 ACRES
▲▲ CONSERVATION AREA:	17.05 ACRES
▲▲ WETLAND IMPACT (CLASS 1):	0.37 ACRES
▲▲ WETLAND IMPACT (CLASS 3):	0.30 ACRES
▲▲ DEVELOPABLE AREA:	28.70 ACRES
EXISTING ZONING:	PD (MDR)
EXISTING USE:	VACANT
PROPOSED USE:	MULTIFAMILY APARTMENTS
SCHOOL BOARD CAPACITY ENHANCEMENT AGREEMENT:	MAXIMUM UNITS = 480 (CE A08-004)
▲▲ PROPOSED APARTMENTS:	336 UNITS
▲▲ RESIDENTIAL BUILDINGS:	15
▲▲ MAXIMUM DENSITY:	UP TO 20 DU/AC
▲▲ PROPOSED DENSITY:	11.71 DU/AC
▲▲ MAXIMUM BUILDING HEIGHT:	45 FT. (3-STORIES) VARIANCE
▲▲ MINIMUM LIVING AREA:	806 SF (UNDER HEAT/AIR)
▲▲ BUILDING FOOTPRINT AREA:	2.95 AC = 10.3%
BUILDING SETBACKS: (MINIMUM)	
▲ FRONT:	50'
▲ REAR:	25'
▲ SIDE:	5'
▲ PERIMETER:	25'
▲ US 441:	50'
▲ NORTH RESIDENTIAL ZONING:	100' FOR 2-STORY (UP TO 50% CAN BE 3-STORY)
▲ NORTH RESIDENTIAL ZONING:	150' FOR 3-STORY
▲ N.W. LAKE BETTY:	50'
▲ RAILROAD ROW:	25'
PARKING SETBACKS: (MINIMUM)	
▲ PUBLIC STREET/RAILROAD ROW:	7'
▲ ADJACENT NON-RESIDENTIAL USES:	7'
▲ ADJACENT RESIDENTIAL ZONING:	25'

- NOTES:**
- NOTE REMOVED
 - ALL ON-SITE UTILITIES, DRAINAGE SYSTEMS AND PONDS WILL BE PRIVATELY OWNED AND MAINTAINED.
 - EXISTANT DRAINAGE FACILITIES WILL BE SHOWN ON THE FINAL ENGINEERING PLANS.
 - DETAILED CONSTRUCTION PLANS WILL BE SUBMITTED AFTER DEVELOPMENT PLAN APPROVAL.
 - OPEN SPACE WILL COMPLY WITH ORANGE COUNTY CODE SEC. 38-1234. IN ADDITION, A MINIMUM OF 25% MUST COME FROM CATEGORY A. CATEGORIES B AND C OPEN SPACE CANNOT EXCEED 75% OF THE REQUIRED AMOUNT.
 - BILLBOARD SHALL BE REMOVED UPON ITS LEASE EXPIRATION OF 2021.
 - ALL OTHER SIGNAGE SHALL COMPLY WITH ORANGE COUNTY CH. 31.5.
 - SECURITY GATES TO BE PROVIDED WITH SIREN OPERATED SENSOR WITH BATTERY BACKUP FOR ACCESS BY EMERGENCY VEHICLES IN CASE OF EMERGENCY.
 - FENCING SURROUNDING THE RECREATIONAL AMENITIES WILL BE EXTRUDED ALUMINUM WITH A WROUGHT IRON LOOK.

- APPROVED VARIANCES:**
- SECTION 38-1254:
 30' SEPARATION WILL BE PROVIDED FOR 3-STORY BUILDINGS ON THE EASTERN PORTION OF THE PROJECT.
 28' SEPARATION WILL BE PROVIDED FOR 3-STORY BUILDINGS ON THE WESTERN PORTION OF THE PROJECT.
 THE EASTERN AND WESTERN PORTIONS OF THE PROJECT ARE SEPARATED BY LAKE BETTY.
 SECTION 38-1258:
 MAXIMUM OF 45' BUILDING HEIGHT IS APPROVED FOR 3-STORY BUILDINGS.

TRAFFIC SIGNAL:
 THE DEVELOPER WILL PAY FOR A PERMANENT TRAFFIC SIGNAL AT THE INTERSECTION OF PEMBERTON DRIVE AND US 441 WITH ROAD IMPROVEMENTS TO US 441 PER FDOT APPROVAL.

STORMWATER MANAGEMENT:
 ON-SITE RETENTION/DETENTION FACILITIES PER ORANGE COUNTY AND ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT.

UTILITIES:
 POWER: PROGRESS ENERGY
 SEWER: ORANGE COUNTY UTILITIES
 WATER: ORANGE COUNTY UTILITIES

FIRE PROTECTION:
 ORANGE COUNTY FIRE RESCUE - STATION #40
 5570 WEST BEGGS ROAD
 ORLANDO, FLORIDA 32810
 NFF = 2000 GPM
 FIRE HYDRANTS WILL BE INSTALLED TO MEET THE DESIGN AND CALCULATION REQUIREMENTS OF ANNEX H & I OF NFPA 1 & 101, 2015 EDITION. ▲
 FIRE HYDRANTS SHALL HAVE A CLEARANCE OF 7'-4" IN FRONT OF AND TO THE SIDES WITH A 4" CLEARANCE TO THE REAR. ALL FDC'S WILL BE ASSIGNED BUILDING NUMBERS. BUILDING CONST. TYPE 5A & 5B WINFPA 13R SPRINKLER SYSTEMS. MAXIMUM BUILDING AREA 40,942 SQ. FT.

PARKING DATA:

REQUIRED PARKING:	
1 BEDROOM UNIT	= 1.5 SPACES PER UNIT
2 & 3 BEDROOM UNITS	= 2.0 SPACES PER UNIT
120 UNITS X 1.5	= 180 SPACES
216 UNITS X 2.0	= 432 SPACES
TOTAL 336 UNITS	= 612 SPACES
PROVIDED PARKING:	
9X20' SURFACE	= 511 SPACES ▲
12X20' HANDICAP	= 15 SPACES
MAINTENANCE	= 2 SPACES
TOTAL	= 628 SPACES ▲

PARKS & RECREATION FACILITIES:
 PER ARTICLE XXIX OF THE ORANGE COUNTY ZONING RESOLUTION REQUIRED:
 2.5 ACRES PER 1000 POPULATION USING 2.1 PERSONS PER MULTIFAMILY UNIT. (336 MFU X 2.1) / 1000 X 2.5 = 1.78 AC
 PROVIDED:
 ▲ 2.83 AC WHICH INCLUDES VOLLEYBALL COURT, POOL FACILITIES, PLAYGROUNDS, AND JOGGING PATHS WITH EXERCISE EQUIPMENT EVERY 500 FEET.

OPEN SPACE:
 ▲ SEE SHEET BC FOR OPEN SPACE CALCULATIONS.

SCHOOLS:

LOCKHART ELEMENTARY SCHOOL	ELEMENTARY SCHOOL AGE POPULATION (50% OF TOTAL) = 40
LOCKHART MIDDLE SCHOOL	MIDDLE SCHOOL AGE POPULATION (23% OF TOTAL) = 18
WEKIVA HIGH SCHOOL	HIGH SCHOOL AGE POPULATION (27% OF TOTAL) = 21
	336 MULTIFAMILY UNITS X 0.235 STUDENTS PER UNIT = 79

SCHOOLS:

▲▲ TOTAL PROJECTED SCHOOL AGE POPULATION

BUILDING DATA:

BLDG. NO.	TYPE	SQ. FT.	BLDG.	UNITS	1 BR	2 BR	3 BR
2,6,11,12	I	8,720	4	24	24	0	0
1,8,9	IG	4,410	3	8	8	0	0
7,15	II	13,820	2	36	0	36	0
4,17	III	9,070	2	24	0	24	0
3,5,10,16	IV	10,850	4	24	0	12	12
	TOTALS		15	336	120	168	48

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DAVE SCHMITT ENGINEERING, INC.
 12301 LAKE UNDERHILL ROAD
 SUITE 241
 ORLANDO, FL 32826
 407-207-9088 FAX 407-207-9099
 Certification of Authorization #27471

CONTRACTOR "AS-BUILT"

I hereby state that these "As-Built" were furnished to me by the contractor listed below, I, or an employee under my direct supervision have reviewed these "As-Built" and believe them to be in compliance with the knowledge of what was actually constructed. This statement is based upon the observations of the contractor.

Contractor: _____
 Date: _____

DATE		BY	DESCRIPTION	DATE	BY	DESCRIPTION
08-12-19	MDM	REV. PER DRC COMMENTS	▲	11-05-19	MDM	REV. PER DRC COMMENTS
02-13-19	MDM	REV. PER DRC COMMENTS	▲	10-15-19	MDM	REV. PER DRC COMMENTS
01-30-19	MDM	REV. PER DRC COMMENTS	▲	09-24-19	TM	REV. PER DRC COMMENTS DATED 09-23-19
01-14-19	MDM	REV. PER DRC COMMENTS	▲	07-26-19	TM	REV. PER DRC COMMENTS DATED 07-26-19
12-08-18	MDM	REV. PER CLIENT / DRC COMMENTS	▲	08-30-19	TM	REV. PER DRC COMMENTS DATED 08-23-19

OVERALL DEVELOPMENT PLAN
POLO GLEN PD
 POLO GLEN AT LAKE BETTY DEVELOPMENT PLAN
 ORANGE COUNTY, FLORIDA

DATE: JANUARY 2010
 PROJECT NO. LBD-1
 DRAWN BY: DLS
 CHECKED BY: DMS
 SCALE: 1"=150'
 SHEET: 4 OF 8