





Interoffice Memorandum

DATE: June 13, 2019

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: July 2, 2019 – Public Hearing
Applicant: Constance Owens, Tri3 Civil Engineering Design Studio,
Inc.
South Orlando Urban Center Planned Development / Sandlake
Station Preliminary Subdivision Plan / Development Plan
Case # PSP-18-05-173

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of June 12, 2019, to approve the South Orlando Urban Center Planned Development / Sandlake Station Preliminary Subdivision Plan / Development Plan to subdivide 18.04 acres in order to construct 196 multi-family dwelling units on Lot 1, 38,000 square feet of commercial (19,000 square feet retail / commercial on the first floor and 19,000 square feet professional office on the second floor) on Lot 2, and future development of townhomes on Tract 1 and Tract 2.

In addition, a waiver from Orange County Code Section 34-171(7) is requested to allow a sidewalk on only one side of the street (on the proposed townhome side) in lieu of both sides.

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 PSP 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 South Orlando Urban Center Planned Development / Sandlake Station Preliminary Subdivision Plan / Development Plan dated "Received June 14, 2019", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 3**

JVW/EPR/lme
Attachments

CASE # PSP-18-05-173

Commission District # 3

1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of June 12, 2019, to approve the South Orlando Urban Center Planned Development (PD) / Sandlake Station Preliminary Subdivision Plan (PSP) / Development Plan (DP) to subdivide 18.04 acres in order to construct 196 multi-family dwelling units on Lot 1, 38,000 square feet of commercial (19,000 square feet retail / commercial on the first floor and 19,000 square feet professional office on the second floor) on Lot 2, and future development of townhomes on Tract 1 and Tract 2.

In addition, a waiver from Orange County Code Section 34-171(7) is requested to allow a sidewalk on only one side of the street (on the proposed future townhome side) in lieu of both sides.

2. PROJECT ANALYSIS

- A. Location: East of South Orange Avenue / North of Sand Lake Road
- B. Parcel IDs: 25-23-29-0000-00-054, 25-23-29-0000-00-126,
25-23-29-6924-00-380, 25-23-29-0000-00-143,
25-23-29-0000-00-144
- C. Total Acres: 18.04
- D. Water Supply: Orlando Utilities Commission
- E. Sewer System: Orange County Utilities
- F. Schools: Pershing Pine Castle ES – Capacity: 421 / Enrolled: 438
Walker MS – Capacity: 1,163 / Enrolled: 999
Oak Ridge HS – Capacity: 2,242 / Enrolled: 2,517
- G. School Population: 97
- H. Parks: Warren Park – 2.2 Miles
- I. Proposed Uses: 196 Multi-Family Dwelling Units
19,000 Square Feet Retail / Commercial Uses
19,000 Square Feet Office Uses
Townhome Future Development Tracts (Tracts 1 and 2)
- J. Site Data: Maximum Building Height: 50' (4-stories)
Building Setbacks:
15' Front
5' Front

10' Rear
25' Rear
50' Side
5' Major Street
50' NHWE

- K. Fire Station: 70 – 1027 East Wallace Street
- L. Transportation: This project is located in the Alternative Mobility Area and the Sand Lake Station Transit Oriented Development Overlay District.

3. COMPREHENSIVE PLAN

This project has a Future Land Use designation of PD-O/C/MDR (Planned Development-Commercial/Medium Density Residential) and the request is therefore consistent with the Future Land Use Map and the Comprehensive Plan.

4. ZONING

PD (Planned Development District) (South Orlando Urban Center PD)

5. REQUESTED ACTION:

Approval subject to the following conditions:

1. Development shall conform to the South Orlando Urban Planned Development; Orange County Board of County Commissioners (BCC) approvals; Sandlake Station Preliminary Subdivision Plan / Development Plan dated "Received June 14, 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. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the preliminary subdivision plan dated "Received June 14, 2019," 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 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 preliminary subdivision plan / 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. This project is located in the Alternative Mobility Area (AMA) and, therefore, shall be required to provide for alternative mobility strategies related to the development. The applicant must submit a Mobility Analysis to be reviewed and

approved by the Transportation Planning Division prior to obtaining a building permit.

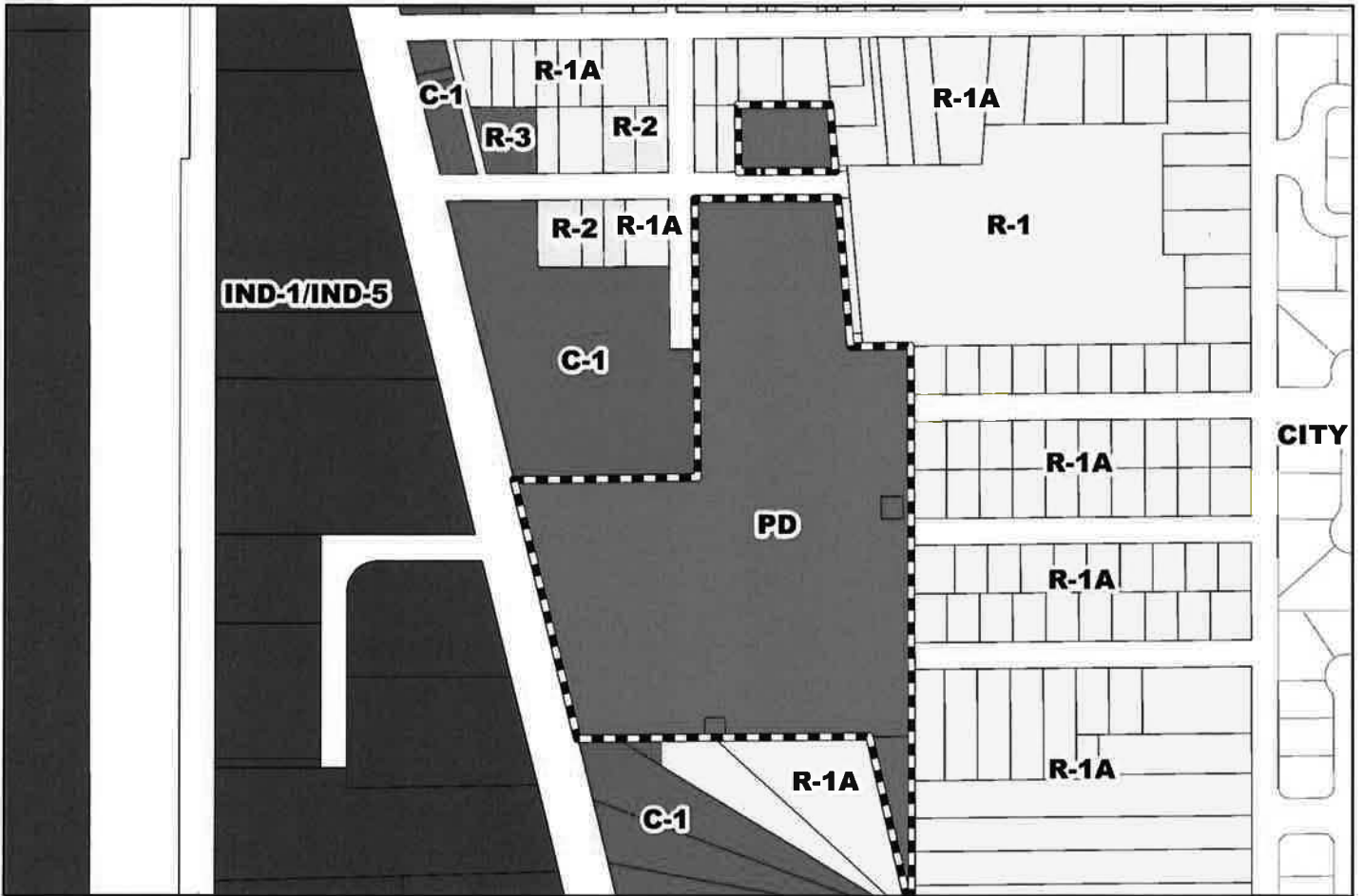
7. Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.
8. 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.
9. 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.
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. 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.
12. No development permits, including, but not limited to, construction plans, may be issued until a Conservation Area Impact (CAI) Permit is issued. In the event there are inconsistencies between the PSP and the CAI Permit, the PSP shall be amended to match the CAI Permit prior to issuance of any development permits, including, but not limited to, construction plans.
13. Construction plans within this PD shall be consistent with an approved and up-to-date Master Utility Plan. The MUP and amendments to the approved MUP shall

be submitted to Orange County Utilities at least thirty (30) days prior to construction plan submittal and must be approved prior to construction plan approval.

14. A utility and access easement between Watts Avenue and the Orange County parcel for Pump Station #3222 shall be dedicated to Orange County prior to or concurrent with the first plat within this PSP.
15. There shall be no motorized watercraft on Bearhead Lake.
16. This development shall not have a community boat dock or ramp.
17. Short term/transient rental is prohibited within the multi-family and single-family portion of this PSP. Length of stay shall be for 180 consecutive days or greater.
18. Outside sales, storage, and display shall be prohibited.
19. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
20. Unless otherwise specified to the County's satisfaction in the PSP, a Development Plan, in conformance with the requirements of Section 34-131(b) (20), including the appropriate group type, is required for the park / recreation tract(s) within this Preliminary Subdivision Plan (PSP), or phase thereof, as appropriate. Regardless of whether the park / recreation tract is included in the PSP or approved via a separate Development Plan, the park / recreation area tract(s) shall be constructed as part of the subdivision infrastructure and completed prior to issuance of the Certificate of Completion (C of C) for the infrastructure for the phase in which the park / recreation tract(s) is located.
21. This property is located within the South Orange Avenue Corridor Overlay District. This overlay prohibits certain uses as called out in Orange County Code Section 38-1054 and the Land Use Plan.
22. 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.
23. A Municipal Service Benefit Unit (MSBU) shall be established for the standard operation and maintenance of street lighting inventory including leasing, fuel, and energy costs for this project. Street lighting fixtures, poles, and luminaries used in this project shall be selected from the approved inventory list supplied by the Orange County Comptroller. Street lighting fixtures, poles, and luminaries used

in this project shall be supplied and installed by the utility company that services the area of the project, as authorized by law or agreement, and thereafter maintains the street lighting inventory. The developer shall obtain approval of the street lighting fixtures, poles, and luminaries from the Orange County Comptroller Special Assessments Department via a "Letter of Commitment" prior to the installation of the street lighting fixtures, poles, and luminaries and prior to the plat being recorded by Orange County Comptroller Official Records section. All installation costs and street lighting operational costs prior to the effective date of the MSBU approval by the Orange County Board of County Commissioners shall be the sole responsibility of the developer.

24. Unless otherwise allowed by County Code, the property shall be platted prior to the issuance of any vertical building permits.
25. 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.
26. Roads and drainage system(s), including any retention pond(s), will be owned and maintained by Orange County with a Municipal Service Benefit Unit (MSBU) established for stormwater system functionality. Routine maintenance, including mowing, beyond that provided by the County, shall be the responsibility of the Homeowners' Association.
27. A waiver from Orange County Code Section 34-171(7) is granted to allow sidewalk on only one side of the street (on the proposed townhome side) in lieu of both sides.
28. All perpendicular parking located partially within the Orange County right-of-way shall be maintained by the POA.
29. 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.



 Subject Parcel



 Subject Property

Zoning Map

ZONING: PD (Planned Development District)

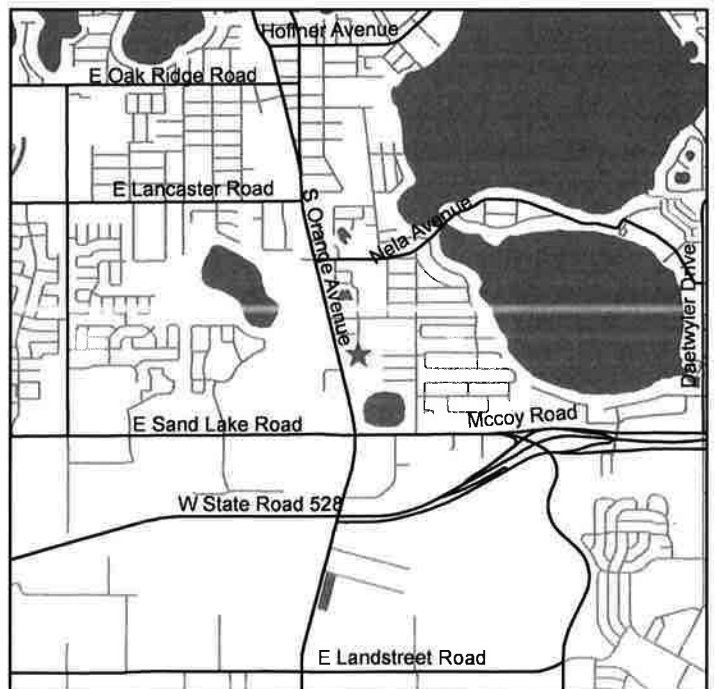
APPLICANT: Constance A. Owens, Tri3 Civil Engineering Design Studios, Inc.

LOCATION: East of S. Orange Avenue / North of Sand Lake Road

TRACT SIZE: 18.03 gross acres

DISTRICT: 3

S/T/R: 25/23/29



SANDLAKE STATION

Orlando, Florida
ENGINEER'S SEAL

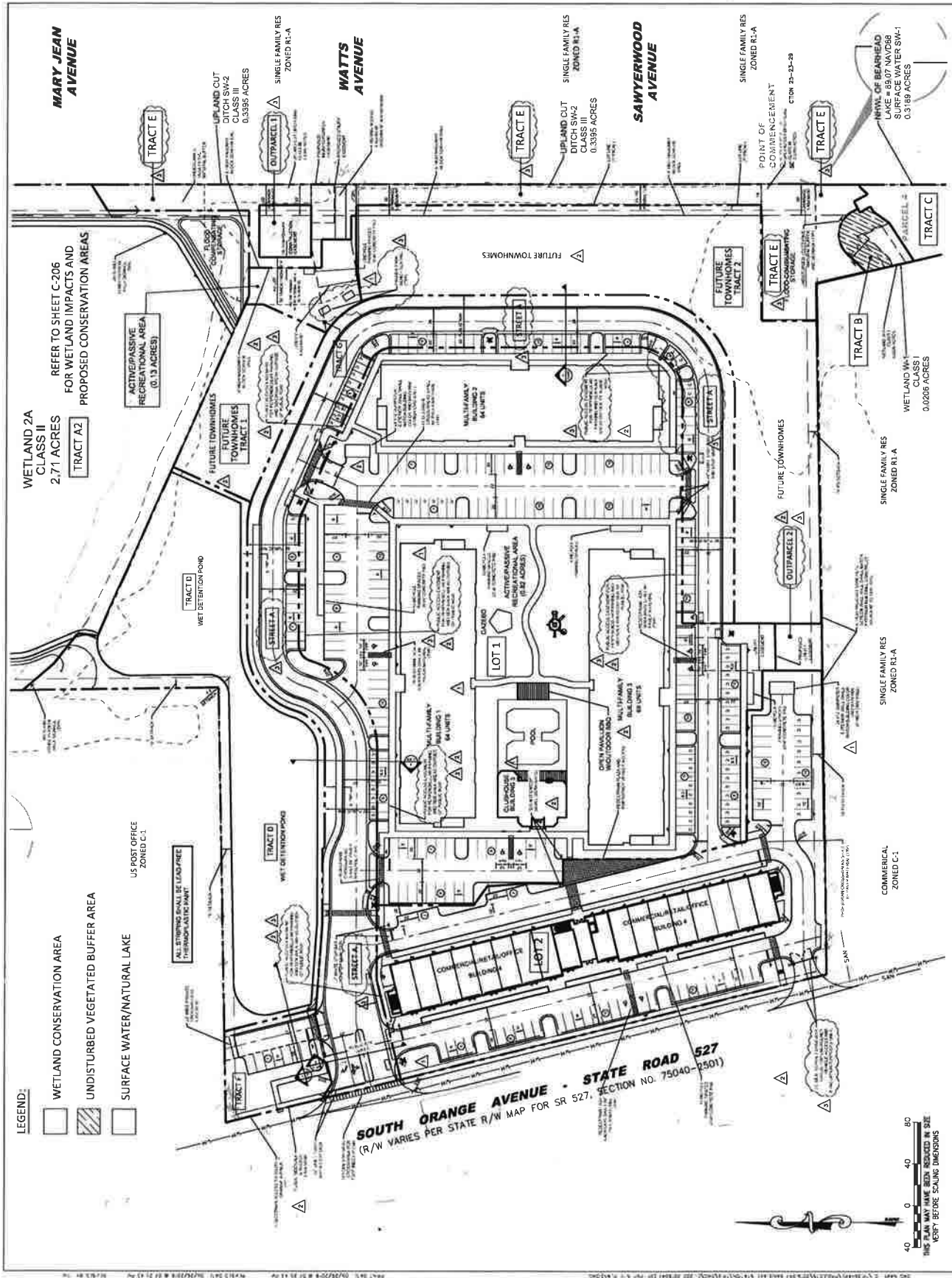
| REV. | DATE | DESCRIPTION |
|------|----------|-------------------|
| 1 | 12/13/15 | ORANGE COUNTY DDC |
| 2 | 12/03/16 | ORANGE COUNTY DDC |
| 3 | 12/29/16 | ORANGE COUNTY DDC |

DP/PSP
SITE PLAN

| JOB NO. | SCALE | DATE | DESIGN | DRAWN | CHECKED |
|----------|----------|----------|--------|-------|---------|
| AS SHOWN | AS SHOWN | 03/07/18 | CAO | CAO | RB |








C-202

PSP-1803-173
C-176-173

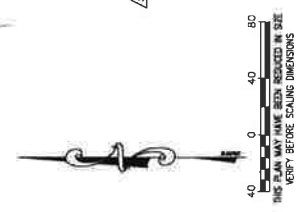


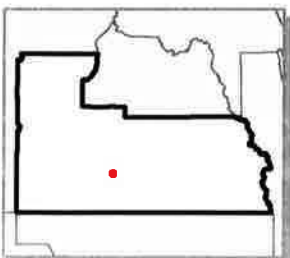
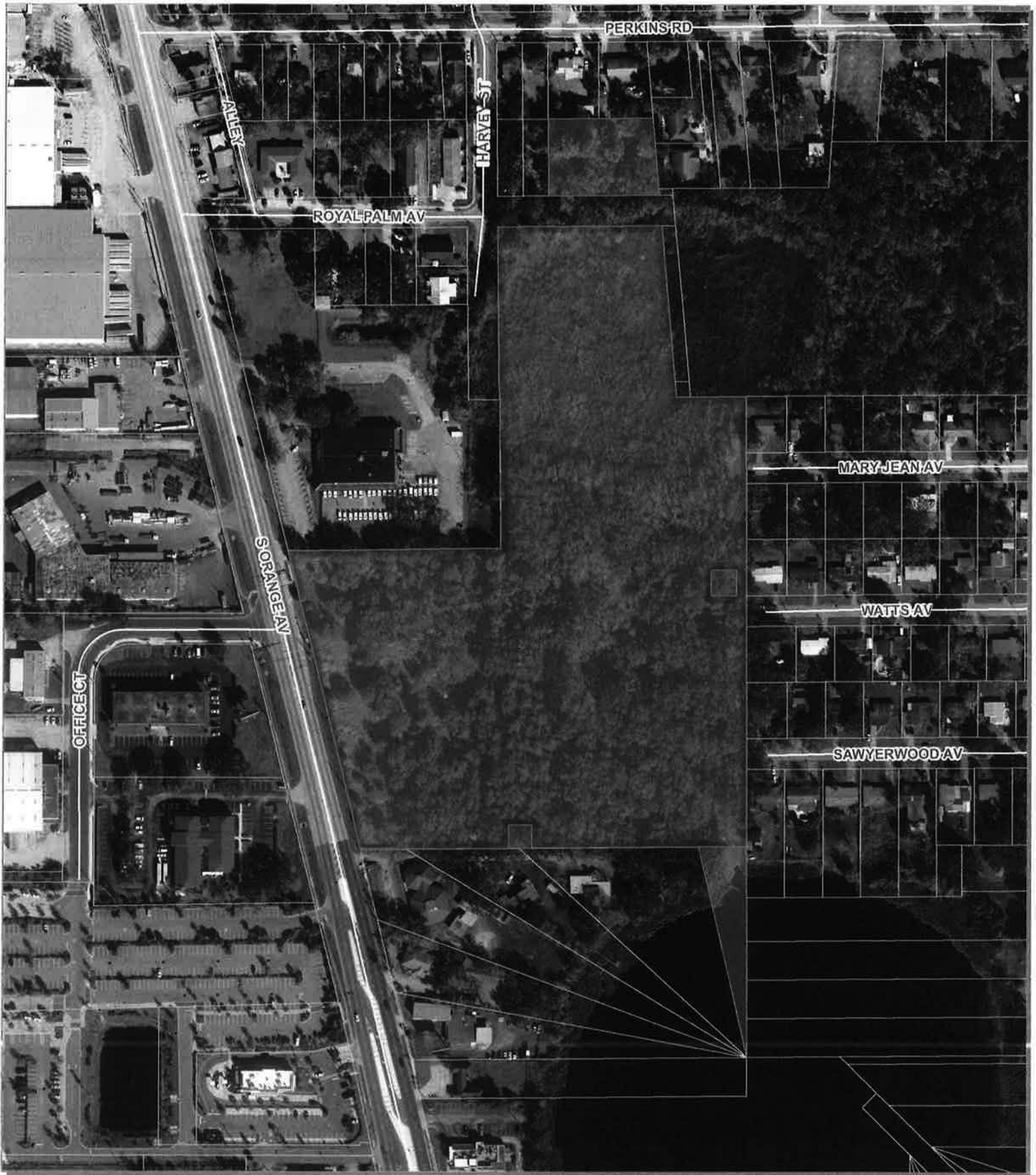
WETLAND 2A
CLASS II
2.71 ACRES
TRACT A2

REFER TO SHEET C-206
FOR WETLAND IMPACTS AND
PROPOSED CONSERVATION AREAS

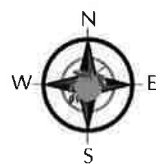
- LEGEND:**
-  WETLAND CONSERVATION AREA
 -  UNDISTURBED VEGETATED BUFFER AREA
 -  SURFACE WATER/NATURAL LAKE
 -  US POST OFFICE ZONED C-1
 -  WET DETENTION POND
 -  WET INTERCEPTOR POND
 -  ALL STRIPING SHALL BE LEAD-FREE THROUGH-OUT PLANTATION

SOUTH ORANGE AVENUE - STATE ROAD 527
(R/W VARIES PER STATE R/W MAP FOR SR 527, SECTION NO. 75040-2501)





South Orlando Urban Center PD/ Sandlake Station PSP/DP



1 : 3,000
1 in : 250 ft