




Interoffice Memorandum

December 14, 2023

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

FROM: Andres Salcedo, P.E., Acting Director 
Planning, Environmental, and Development Services
Department

CONTACT PERSON: Jason Sorensen, AICP, Chief Planner
Planning Division
407-836-5602

SUBJECT: Adoption Public Hearing – January 9, 2024, Small-Scale Future
Land Use Map Amendment, Staff Initiated Text Amendment
and PD Substantial Change Request
Applicant: Ryan Abrams
SS-23-04-013, 23-04-FLUE-7 and CDR-23-03-119
District 1

Please find the attached staff report and associated back-up material for the Small-Scale Future Land Use Map Amendment, Staff-Initiated Text Amendment, and Concurrent PD Substantial Change request scheduled for a Board adoption public hearing on January 9, 2024.

The request is to change the map designation from Commercial (C) to Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR) on a 7.05-gross acre site to construct 215 multi-family units (conversion of existing 215 room Hotel) at 9350 Turkey Lake Road; generally bounded by Turkey Lake Road to the east, Sand Lake Commons Boulevard to the south, Big Sand Lake to the west, and Sand Lake Vista Drive to the north. An associated Staff-Initiated Text Amendment to Policy 8.1.4 is also requested to record the proposed development program in the Comprehensive Plan. Additionally, the applicant is requesting a PD substantial change to the Sand Lake Commons PD to update the development program to reflect the conversion to 215 multi-family units and request a waiver from Orange County Code to reduce the minimum living area from 500 square feet to 320 square feet. There is an existing medical office on the property that is proposed to remain.

On October 19, 2023, the Planning and Zoning Commission made a finding of consistency with the Comprehensive Plan and unanimously approved the proposed PD-C/MHDR Future Land Use and approve Staff-Initiated Text Amendment to Policy 8.1.4.

On November 15, 2023, the Development Review Committee recommended approval of the PD substantial change to the Sand Lake Commons PD, subject to thirteen conditions of approval.

A community meeting was held on May 30, 2023, with fourteen members of the public in attendance with concerns about parking availability due to the existing medical office, traffic, affordability of proposed units, and school capacity. The applicant team expressed that these units would be targeted for workforce employees, and they aim to make the units affordable.

If the Board 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 any of the amendments.

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Clerk of the Board, in accordance with the requirements of Ordinance 2008-14. A copy is attached to this report.

ACTION REQUESTED: **Make a finding of consistency with the Comprehensive Plan and adopt the Planned Development - Commercial / Medium-High Density Residential (PD-C/MHDR) Future Land Use map designation (SS-23-04-013) and the staff-initiated text amendment to Policy FLU8.1.4 (23-04-FLUE-7); approve the associated ordinance; and approve the concurrent PD Substantial Change to the Sand Lake Commons PD/LUP (Planned Development / Lane Use Plan) (CDR-23-03-119) subject to thirteen conditions of approval, including one waiver from Orange County Code.**
District 1

JS/js
Attachments

c: Jon V. Weiss, P.E., Deputy County Administrator
 Jeffery Newton, County Attorney
 Whitney Evers, Senior Assistant County Attorney
 Roberta Alfonso, Assistant County Attorney
 Jason Sorensen, AICP, Chief Planner, Planning Division
 Olan D. Hill, AICP, Assistant Manager, Planning Division
 Nicolas Thalmueller, AICP, Planning Administrator, Planning Division

Small-Scale Future Land Use Amendment and PD Substantial Change
Staff Report
Orange County Planning Division
BCC Hearing Date: January 9, 2024

CASE # SS-23-04-013

23-04-FLUE-7

CDR-23-03-119

Commission District: #1

GENERAL INFORMATION

APPLICANT: Ryan Abrams

OWNER: Infiniti Living Turkey Lake, LLC

HEARING TYPE: Planning and Zoning Commission

FLUM REQUEST: **Commercial (C) to
Planned Development-Commercial/Medium-High Density
Residential (PD-C/MHDR)**

**PD SUBSTANTIAL
CHANGE REQUEST:**

A PD substantial change request to modify the Sand Lake Commons Planned Development / Land Use Plan (PD/LUP) to convert 215 existing hotel rooms to 215 multi-family residential units.

In addition, the applicant has requested the following waivers from Orange County Code:

1. A waiver is requested from Orange County Code Section 38-1501 to allow a minimum living area of 320 square feet in lieu of 500 square feet.

Applicant Justification: *The conversion of the existing hotel rooms into studio apartments requires a waiver from Section 38-1501 which states that the minimum living area of multifamily unit shall be 500 square feet. The existing hotel rooms range from a minimum of 326 square feet to a maximum of 384 square feet. In order to convert the rooms on a one-to-one basis, no changes are proposed to existing room size. In accordance with Section 38-1227, the applicant requests a waiver to allow a minimum living area of 320 square feet. Floor plans for the proposed studios are provided on Sheet A-300.*

LOCATION: 9350 Turkey Lake Road; generally bounded by Turkey Lake Road to the east, Sand Lake Commons Boulevard to the south, Big Sand Lake to the west, and Sand Lake Vista Drive to the north

PARCEL ID NUMBERS: 02-24-28-1161-00-010, 02-24-28-1161-00-001,
02-24-28-1161-00-020

SIZE / ACREAGE: 7.05-gross acres

PUBLIC NOTIFICATION: The notification area for this public hearing was 1,400 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred and ten (110) notices were mailed to those property owners in the surrounding area.

COMMUNITY MEETING: An in-person community meeting was held on May 30, 2023, at the Bay Meadows Elementary School and summarized in this staff report.

PROPOSED USE: 215 Multi-Family Units (Conversion of existing 215 Room Hotel) and 32,400 square feet of commercial/office uses (medical office) (existing).

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of the requested Planned Development Commercial / Medium-High Density Residential (PD-C/MHDR) zoning.

SUBJECT PROPERTY ANALYSIS

Overview

Through this rezoning request the applicant is seeking to amend the Future Land Use Map from Commercial (C) to Planned Development Commercial / Medium-High Density Residential (PD-C/MHDR) to convert the existing 215-unit hotel into 215 multi-family residential units and keep the 32,400 square feet of commercial use (medical office). This request is concurrent with a PD substantial change request (PD-CDR) to the existing Sand Lake Commons PD (Case CDR-23-03-119) which designates the subject property as commercial use for the existing 215-room hotel.

The subject property has been zoned as PD since April 18, 1985, as the Sand Lake Commons PD and platted in 1988. Unit 1 consists of a 215-room hotel and has its own Parcel ID # 02-24-28-1161-00-010 which encompasses just the building area. Unit 2 is a medical office which is Parcel ID # 02-24-28-1161-00-020. The overall parcel is where the parking is located (Parcel ID # 02-24-28-1161-00-001). The surrounding area of the subject property is developed with commercial uses to the north and east, medical offices to the west and hospital to the south of the subject property.

For the conversion of hotel rooms to multi-family units, site improvements may be required. The applicant may need to provide a site plan to demonstrate compliance with

Orange County Code requirements and PD requirements (including parking and landscaping) at the time of permitting.

Land Use Compatibility

The Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR) Future Land Use would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

Site Analysis

Rural Settlement

The subject property is not located in a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is not located in an Overlay District.

Airport Noise Zone

The subject property is not located in an Airport Noise Zone.

Code Enforcement

No cases found.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Commercial (C). The proposed Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR) FLUM designation is consistent with the existing Planned Development (PD) zoning district. The proposed request is consistent with the following Comprehensive Plan provisions:

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

FLU1.4.4 states that the disruption of residential areas by poorly located and designed commercial activities shall be avoided.

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.

FLU8.2.2 states that continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

H1.3.8 states that in order to stabilize and improve existing neighborhoods, Orange County shall continue to support compatible infill development in existing neighborhoods where infrastructure already exists.

FLU8.2.11 states that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

Staff-Initiated Text Amendment – Case # 23-04-FLUE-7

Establish Development Program for PD's

Future Land Use Element Policy FLU8.1.4 establishes the development programs for Planned Development (PD) FLUM designations adopted since January 1, 2007. The development program for this requested amendment is proposed for incorporation into Policy FLU8.1.4 via a corresponding staff-initiated text amendment, Amendment 23-04-FLUE-7.

The maximum development program for Amendment SS-23-04-013, if adopted, would be as follows:

Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
<u>SS-23-04-013</u> <u>(Sand Lake Commons PD)</u>	<u>Planned Development-Commercial / Medium-High Density Residential</u> <u>(PD-C/MHDR)</u>	<u>Up to 215 Multi-Family Units and up to 32,400 square feet of commercial and office uses.</u>	<u>2024-</u>

SITE DATA

Existing Use Condo - Hotel/Motel 215 units

Adjacent Zoning N: Turkey Lake Plaza Planned Development (PD) 1985

E: C-2 (General Commercial District) 1978

W: Sand Lake Commons Planned Development (PD) 1985
S: Sand Lake Commons Planned Development (PD) 1985
Adjacent Land Uses N: Vacant
E: Hotels
W: Surface Parking
S: Public Hospital

PD-C/MHDR Development Standards

PD Perimeter Setback 25-feet
Maximum Building Height: 3 stories/35-feet
Minimum Living Area 320 square feet *waiver requested
Minimum Open Space 25%

** These regulations may not reflect the actual requirements for all situations; see the Orange County Zoning Code for actual regulations for site requirements for this zoning district.*

SPECIAL INFORMATION

Staff Comments

Environmental

Demolition - 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. Reference OC Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 4 Asbestos requirements, Sec.108 Notification procedure and requirements, Subsection A(1)

Dust Control - No person shall cause, let, suffer, allow, or permit the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities, such as loading, unloading, storing, or handling; without taking reasonable precautions to prevent such emissions including but not limited to application of water, dust suppressants, planting of vegetation, point of activity controls (hoods, filters, etc.) and other measures. Reference OC Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 2 Rules, Section 89.1 Air Pollution Prohibited, Subsection B

Erosion Control - Use caution to prevent erosion during construction along the boundary of the property, into wetlands and buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control. Minimize the extent of area exposed at one time, apply perimeter controls where necessary, and perform maintenance checks every seven (7) days and after every 1/2 inch rain. The construction entry area shall be designed to prevent trucks from tracking

soil onto local roads and the affected storm drainage system shall be protected. This may require periodic street sweeping. Reference OC Code Chapter 34 Subdivision Regulations, Article VII Stormwater Management, Division 2 General Design Criteria, Sec. 250 Open Drainage Facilities, (g).

Delineated Groundwater Contamination Area - The project site is located within a delineated area of groundwater contamination of ethylene dibromide (EDB) as defined by the Florida Department of Environmental Protection (FDEP). EPD may request a Phase I Environmental Site Assessment (ESA) to be submitted prior to any plan or permit approvals.

MSTU - Big Sand Lake has an established Municipal Service Taxing Unit (MSTU) for the purpose of funding lake management services. To the extent this project is part of the taxing district or benefits from Big Sand Lake, this project shall be required to be a participant.

Solid Waste Disposal - 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. Recycling of materials is encouraged if applicable. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

Transportation / Access

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed residential use will result in a decrease in the number of pm peak trips by 8 trips and therefore will not impact the area roadways.

Roadway Capacity Analysis - A Traffic Study was not submitted with the case for review and comment. The subject property is bounded by Turkey Lake Road to the east, Sand Lake Commons Boulevard to the south, Big Sand Lake to the west, and Sand Lake Vista Drive to the north. Based on existing conditions, there are multiple failing segments of Turkey Lake Rd within the impact area. Turkey Lake Rd from Central Florida Parkway to Sand Lake Commons Boulevard and from Sand Lake Commons Boulevard to Sand Lake Rd. This information is dated and subject to change.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

Schools

Orange County Public School (OCPS) staff provided a Capacity Determination (OC-23-029) which shows that capacity is not available for the project. It is projected that 61.5 students would be generated from this development, if approved. The elementary school (Sand Lake) currently has an adjusted utilization of 119.3% and if this project is approved, the adjusted utilization would increase to 123.0%. The middle school

(Southwest) currently has an adjusted utilization of 110.3% and if this project is approved, the adjusted utilization would increase to 111.3%. The high school (Lake Buena Vista) has capacity available. This determination expires April 25, 2024.

Parks and Recreation

No comments.

Community Meeting Summary

A community meeting was held on May 30, 2023, at the Bay Meadows Elementary School cafeteria with fourteen (14) residents in attendance with concerns about parking availability due to the existing medical office, traffic, affordability of proposed units and school capacity. The applicant's team answered questions and expressed that these units would be targeted for workforce employees, and they aim to make these units affordable. Additionally, traffic would not be a concern as the proposed residential use would result in a decrease in the number of pm peak trips by 8 trips and therefore will not impact the area roadways. School capacity may require mitigation for this proposed use as well.

Utilities Service Area (Availability of services may vary):

Water: OUC

Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

Detailed Utility Information:

This property is within Orlando Utilities Commission Water Service Area.

This property is within Orange County Utilities Wastewater and Reclaimed Water Service Areas. In accordance with Orange County Code Chapter 37:

Wastewater: Development within this property will be required to connect to Orange County Utilities wastewater system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Reclaimed Water: Development within this property will be required to connect to Orange County Utilities reclaimed water system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

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.

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – October 19, 2023

Make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of the requested Planned Development Commercial / Medium-High Density Residential (PD-C/MHDR) Future Land Use Designation.

Staff-Initiated Text Amendment:

Make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of Amendment 23-04-FLUE-7.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of the proposed Planned Development Commercial / Medium-High Density Residential (PD-C/MHDR) Future Land Use Designation and make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of Staff-Initiated Text Amendment 23-04-FLUE-7.

The applicant was present and agreed with the staff recommendation. Zero members of the public appeared during the public comment portion of the hearing.

Staff indicated that one hundred ten (110) notices were sent to property owners and residents in a 1400 ft radius surrounding the property, and that staff had received zero (0) response in favor, and zero (0) response in opposition of the request.

After a brief discussion about proposed use, short term rentals, school age children living in the proposed units and occupancy living concerns. A motion was made by Commissioner Boers and seconded by Commissioner Spears to recommend ADOPTION of the proposed Planned Development Commercial / Medium-High Density Residential (PD-C/MHDR) Future Land Use Designation and make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of Staff-Initiated Text Amendment 23-04-FLUE-7. The motion carried unanimously.

Motion / Second

David Boers / Gordon Spears

Voting in Favor

Gordon Spears, David Boers, Walter Pavon, Michael Arrington, Camille Evans, Nelson Pena, and Eddie Fernandez

Voting in Opposition

None

Absent

George Wiggins and Evelyn Cardenas

DRC RECOMMENDATION

Development Review Committee – (November 15, 2023)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Sand Lake Commons Planned Development / Land Use Plan (PD/LUP), dated "Received November 22, 2023", subject to the following thirteen (13) conditions of approval, including one (1) waiver from Orange County Code:

1. Development shall conform to the Sand Lake Commons Planned Development Land Use Plan dated "Received November 22, 2023," 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 November 22, 2023," 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. If applicable, an Acknowledgement of Contiguous Sustainable Agricultural Land pursuant to Section 163.3163, Florida Statutes, must be executed and recorded in the Public Records of Orange County, Florida, prior to final approval of this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.
7. Pursuant to Article XII, Chapter 30, Orange County Code, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential, and non-residential properties which are required to plat, must obtain concurrency prior to approval of the plat and nonresidential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.

8. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing wastewater, and reclaimed water systems have been designed to support all development (including hydraulically dependent development) within the PD.
9. The developer shall obtain wastewater and reclaimed water service from Orange County Utilities subject to County rate resolutions and ordinances.
10. Short term/transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.
11. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code.
12. A waiver from Orange County Code Section 38-1501 is granted to allow a minimum living area of 320 square feet in lieu of 500 square feet.
13. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated March 26, 1996 shall apply:
 - a. Prior to construction plan approval, certification with supporting calculations shall be submitted which states that this project is consistent with the approved master drainage plan for this PD.
 - b. Cross easements for access, drainage, and utilities shall be recorded for proposed improvements.

SAND LAKE COMMONS SHEET INDEX	
COVER SHEET	CURRENT LIST
LUMP	LUMP
LUMP	LUMP

LAND USE PLAN SAND LAKE COMMONS PD

CDR-23-03-119
ORANGE COUNTY, FLORIDA
PARCEL ID: 02-24-28-1161-00-001,
02-24-28-1161-00-010, and 02-24-28-1161-00-020

PROJECT LOCATION



PD NARRATIVE:

1. CHANGE DETERMINATION REQUEST FOR THE LAND USE PLAN (LUP) FOR THE SAND LAKE COMMONS LAND USE PLAN CONCURRENT WITH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT TO PD-C-MR.
2. THE SAND LAKE COMMONS PD WILL COMPLY WITH THE PROPOSED FUTURE LAND USE DESIGNATION OF PD-C-MR.

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 24 SOUTH RANGE 28 EAST, DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 2, FOR A POINT OF REFERENCE, THENCE RUN SOUTH 89°15'00" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 35.00 FEET, THENCE RUN NORTH 00°00'00" WEST, 548.93 FEET, THENCE RUN SOUTH 89°59'04" WEST, 903.6 FEET TO THE POINT OF BEGINNING, THENCE RUN SOUTH 00°00'00" WEST, 371.21 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTH, THENCE RUN SOUTH 10°00'00" WEST, 96.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, THENCE RUN SOUTHWESTERLY, ALONG SAID CURVE, HAVING A RADIUS LENGTH OF 127.81 FEET, A CENTRAL ANGLE OF 15°09'48" AN ARC LENGTH OF 34.93 FEET, A CHORD LENGTH OF 34.80 FEET AND A CHORD BEARING OF SOUTH 67°34'54" WEST, THENCE RUN SOUTH 80°00'00" WEST, 96.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, THENCE RUN SOUTHWESTERLY, ALONG SAID CURVE, HAVING A RADIUS LENGTH OF 151.00 FEET, A CENTRAL ANGLE OF 29°12'30" AN ARC LENGTH OF 84.56 FEET, A CHORD LENGTH OF 83.39 FEET AND A CHORD BEARING OF SOUTH 74°55'49" WEST, THENCE RUN SOUTH 00°00'00" EAST, 102.78 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, THENCE RUN NORTHEASTERLY, ALONG SAID CURVE, HAVING A RADIUS LENGTH OF 173.00 FEET, A CENTRAL ANGLE OF 60°00'00" AN ARC LENGTH OF 187.45 FEET, A CHORD LENGTH OF 179.00 FEET AND A CHORD BEARING OF NORTH 11°50'00" WEST, THENCE RUN NORTH 30°00'00" WEST, 141.35 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, THENCE RUN NORTHWESTERLY, ALONG SAID CURVE, HAVING A RADIUS LENGTH OF 283.00 FEET, A CENTRAL ANGLE OF 80°00'00" AN ARC LENGTH OF 401.86 FEET, A CHORD OF 383.00 FEET AND A CHORD BEARING OF NORTH 02°18'22" WEST, THENCE RUN SOUTH 82°51'38" WEST, 440.86 FEET, THENCE RUN NORTH 00°00'00" WEST, 73.00 FEET, THENCE RUN SOUTH 89°51'30" WEST, 39.37 FEET, THENCE RUN NORTH 00°00'00" WEST, 265.00 FEET, THENCE RUN NORTH 89°59'04" EAST, 1086.34 FEET, THENCE RUN SOUTH 00°00'00" EAST, 300.00 FEET, THENCE RUN NORTH 89°59'04" EAST, 781.06 FEET TO THE POINT OF BEGINNING.
THE ABOVE DESCRIBED PARCELS OF LAND LIE IN ORANGE COUNTY, FLORIDA AND CONTAINS 19.422 ACRES, MORE OR LESS.

WAIVER FOR ORANGE COUNTY CODE

A WAIVER IS REQUESTED FROM ORANGE COUNTY CODE, SEC. 38-1501 TO ALLOW A MINIMUM LIVING AREA OF 320 SQUARE FEET IN LIEU OF 500 SQUARE FEET.

WAIVER JUSTIFICATION STATEMENT

THE CONVERSION OF THE EXISTING HOTEL ROOMS INTO STUDIO APARTMENTS REQUIRES A WAIVER FROM SEC. 38-1501 WHICH STATES THAT THE MINIMUM LIVING AREA OF MULTIFAMILY UNIT SHALL BE 500 SQUARE FEET. THE EXISTING HOTEL ROOMS RANGE FROM A MINIMUM OF 326 SQUARE FEET TO A MAXIMUM OF 384 SQUARE FEET. IN ORDER TO CONVERT THE ROOMS ON A ONE-TO-ONE BASIS, NO CHANGES ARE PROPOSED TO EXISTING ROOM SIZE. IN ACCORDANCE WITH SEC. 38-1227, THE APPLICANT REQUESTS A WAIVER TO ALLOW A MINIMUM LIVING AREA OF 320 SQUARE FEET. FLOOR PLANS FOR THE PROPOSED STUDIOS ARE PROVIDED ON SHEET A-300.

PROJECT TEAM:

ARCHITECT	SURVEY	REPRESENTATIVE	DEVELOPER
ARCHITECTURAL DESIGN PLUS ASSOC., INC. ARCHITECT CORP. FL. A-67000150 901 E 10TH STREET, SUITE 4 DIAMOND BEACH, FL 32114 386.676.2965	AMERICAN SURVEYING & MAPPING, INC. 3111 MAJOR BLVD, SUITE 200 ORLANDO, FL 32830 (407) 429-7979	ABRAMS LAW FIRM, P.A. 586 SE 3RD AVE., SUITE 600 FORT LAUDERDALE, FL 33316	INFINITE LIVING TURKEY LAKE LLC C/O MANUELO ARAIMO 5729 MAJOR BLVD, SUITE 510 ORLANDO, FL 32810

PREPARED BY



Richard
Brookfield

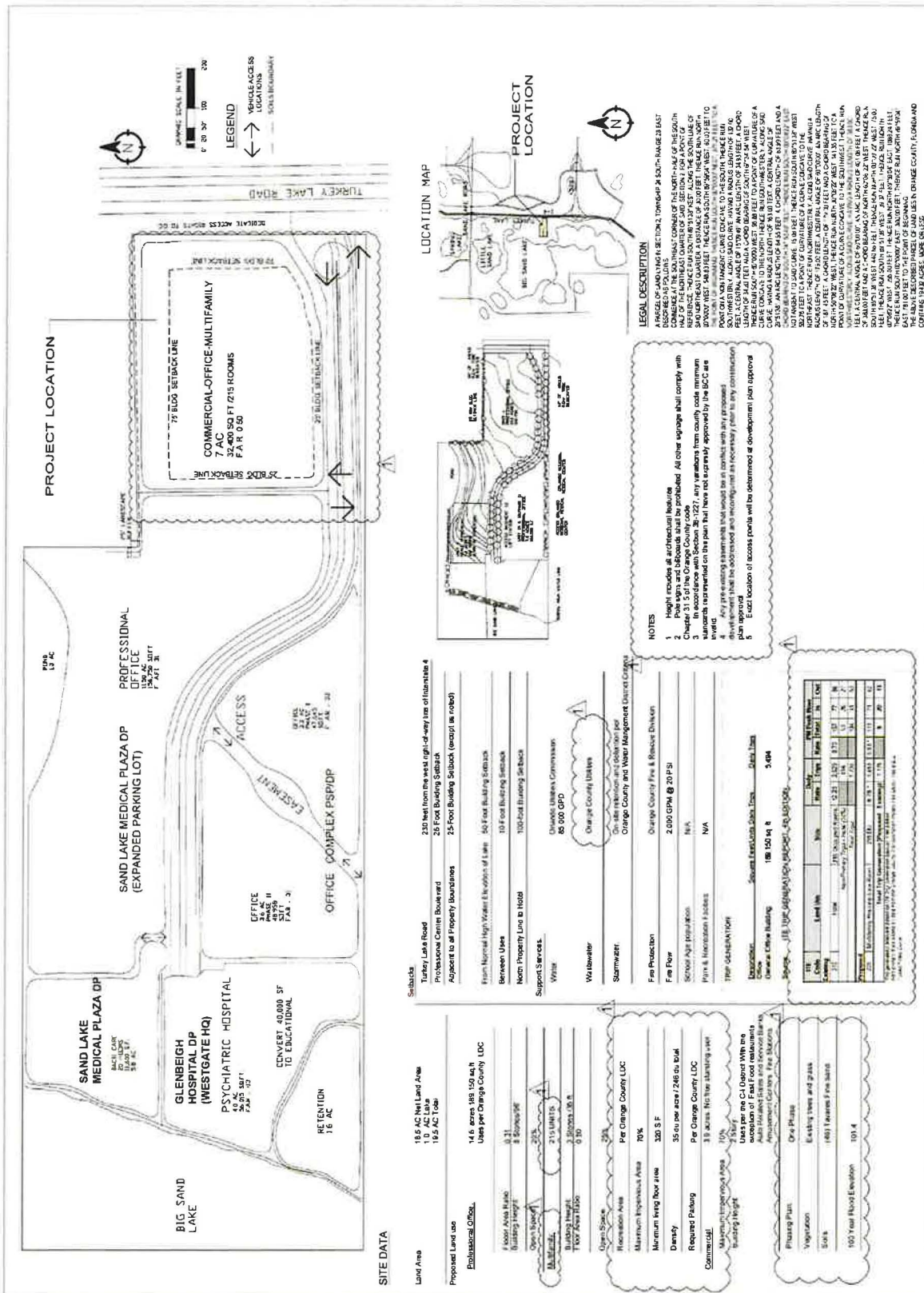
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Date: 2023.11.20 12:36:10 -05'00'

RECEIVED
By DRC Office at 8:57 am, Nov 22, 2023

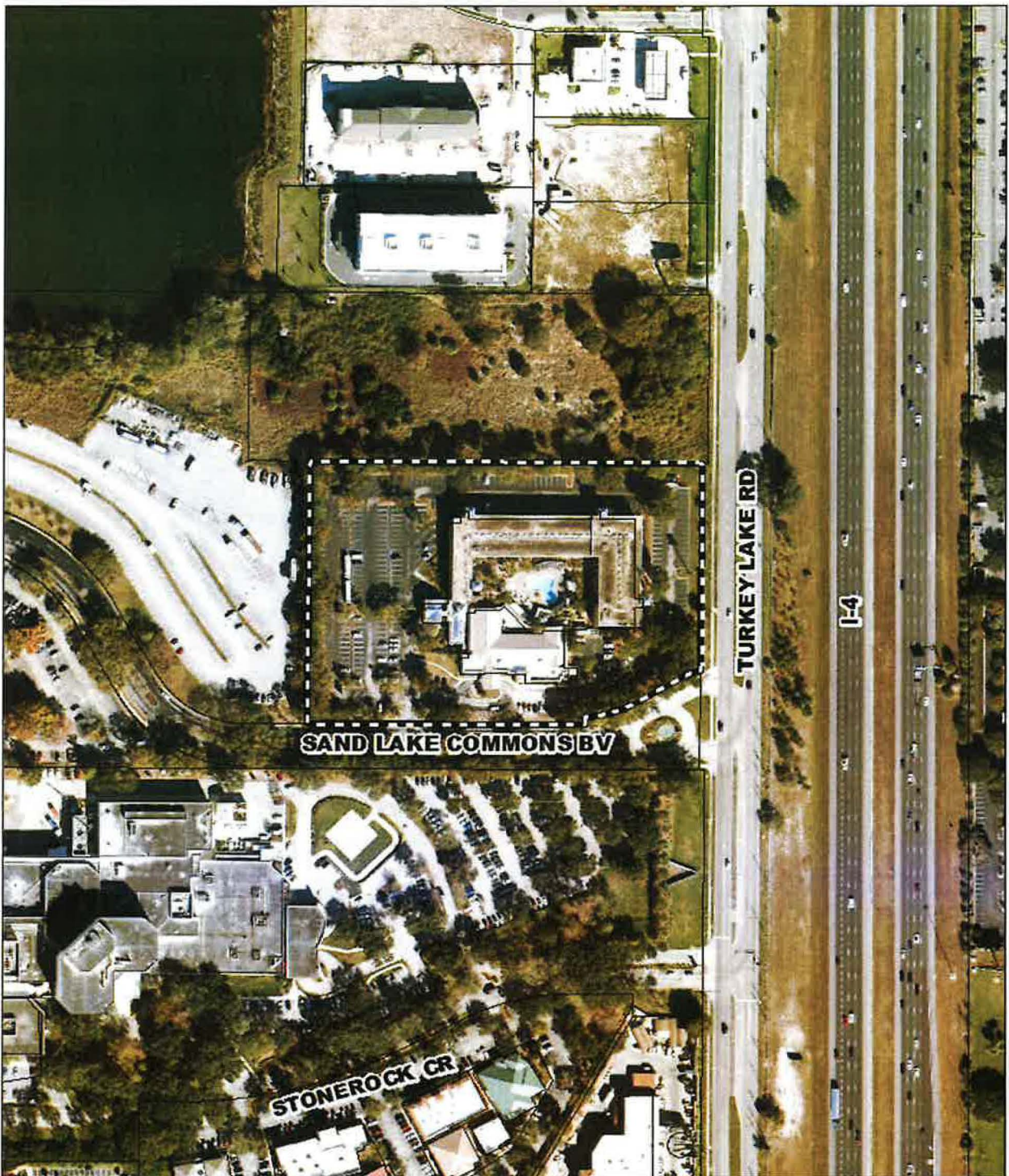
Sand Lake Commons PD – Cover Sheet

Case # SS-23-04-013, 23-04-FLUE-7 & CDR-23-03-119
Orange County Planning Division
BCC Hearing Date: January 9, 2024

Sand Lake Commons PD – Land Use Plan



SS-23-04-013



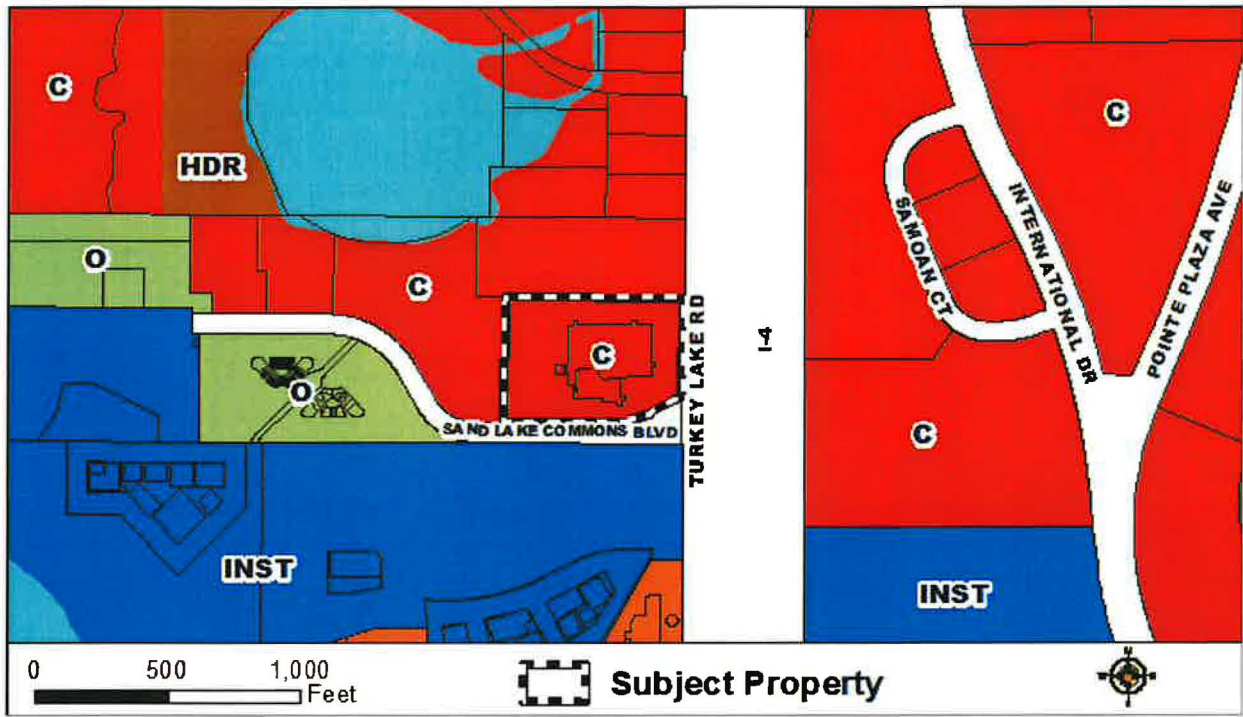
 Subject Property



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Feet

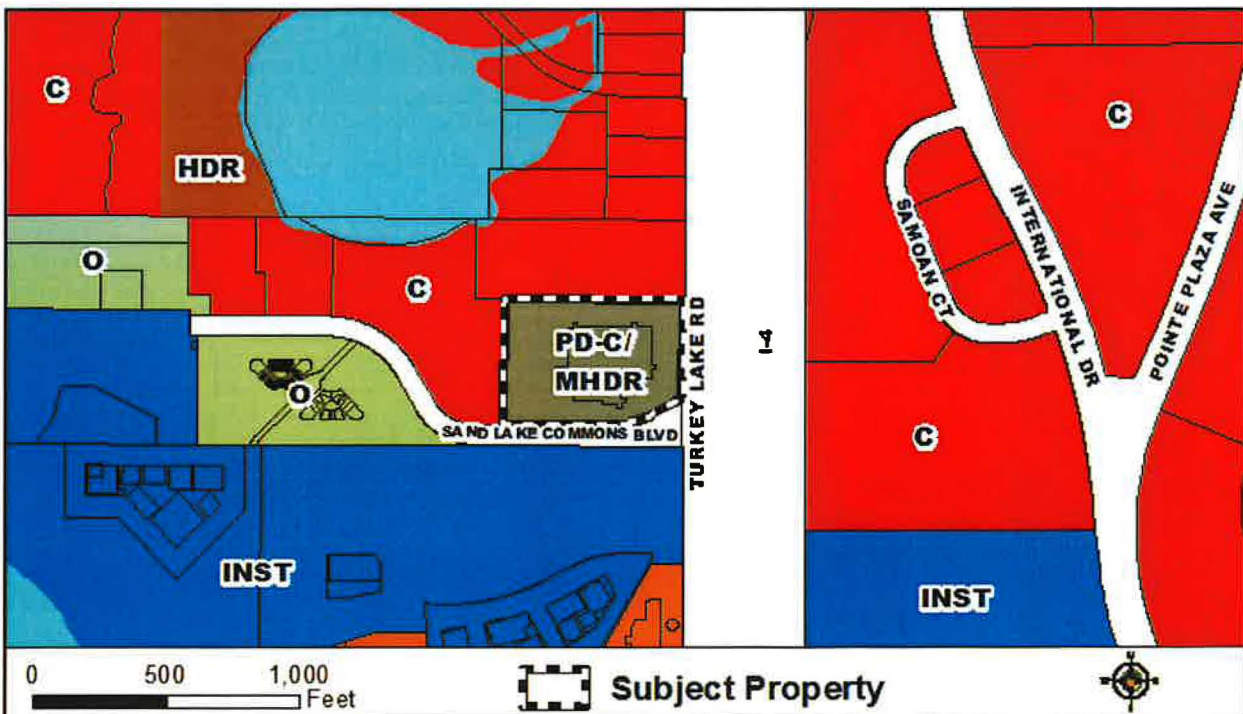
FUTURE LAND USE – CURRENT

Commercial (C)



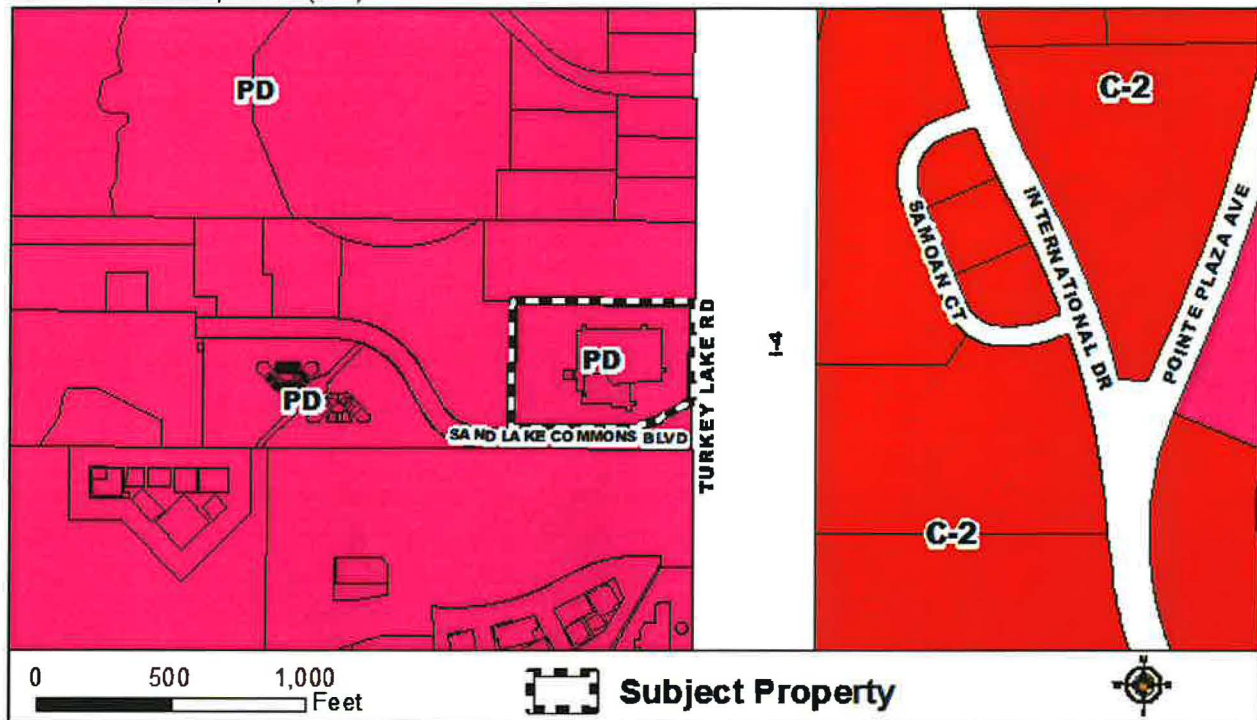
FUTURE LAND USE – PROPOSED

Planned Development-Commercial/Medium/high Density Residential (PD-C/MHDR)



ZONING – CURRENT

Planned Development (PD)

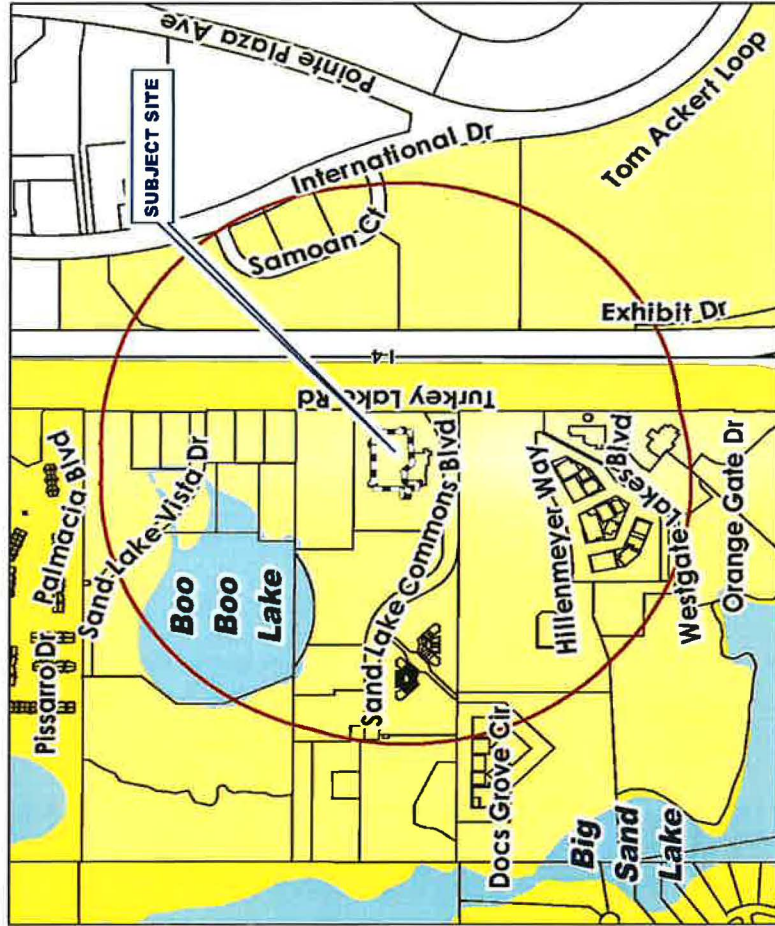


NOTIFICATION MAP



Public Notification Map

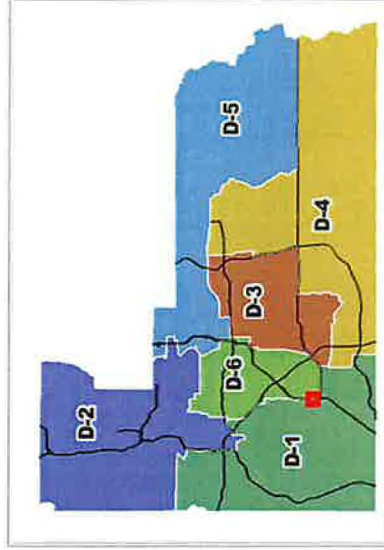
SS-23-04-013



MAP LEGEND

	SUBJECT_SITE		HYDROLOGY
	1400_FT_BUFFER		NOTIFIED PARCELS
	1_MILE_BUFFER		COURTESY
	PARCELS		Dr. Phillips

BUFFER DISTANCE: 1400
OF NOTICES: 110



\\technet\GMDepth\Business Systems\Board Administration\2_PZC\2023\6-JUNE\SS-23-04-013\SS-23-04-013.mxd

ORDINANCE NO. 2024-_____

AN ORDINANCE PERTAINING TO COMPREHENSIVE
PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING
THE ORANGE COUNTY COMPREHENSIVE PLAN,
COMMONLY KNOWN AS THE “2010-2030
COMPREHENSIVE PLAN,” AS AMENDED, BY ADOPTING
A SMALL SCALE DEVELOPMENT AMENDMENT
PURSUANT TO SECTION 163.3187, FLORIDA STATUTES;
AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
ORANGE COUNTY:

Section 1. Legislative Findings, Purpose, and Intent.

a. Part II of Chapter 163, Florida Statutes, sets forth procedures and requirements for
a local government in the State of Florida to adopt a comprehensive plan and amendments to a
comprehensive plan;

b. Orange County has complied with the applicable procedures and requirements of
Part II of Chapter 163, Florida Statutes, for amending Orange County’s 2010-2030 Comprehensive
Plan; and

c. On January 9, 2024, the Board of County Commissioners held a public hearing on
the adoption of the proposed amendments to the Comprehensive Plan, as described in this
ordinance, and decided to adopt it.

Section 2. Authority. This ordinance is adopted in compliance with and pursuant to
Part II of Chapter 163, Florida Statutes.

Section 3. Amendment to Future Land Use Map. The Comprehensive Plan is hereby
amended by amending the Future Land Use Map designation as described at **Appendix “A,”**

attached hereto and incorporated herein.

* * *

Section 4. Amendment to the Text of the Future Land Use Element. The Comprehensive Plan is hereby further amended by amending the text of the Future Land Use Element to read as follows, with underlines showing new numbers and words, and strike-throughs indicating repealed numbers and words. (Words, numbers, and letters within brackets identify the amendment number and editorial notes, and shall not be codified.)

* * *

[Amendment 23-04-FLUE-7:]

FLU8.1.4 The following table details the maximum densities and intensities for the Planned Development (PD) and Lake Pickett (LP) Future Land Use designations that have been adopted subsequent to January 1, 2007.

Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
<u>SS-23-04-013</u> <u>(Sand Lake Commons PD)</u>	<u>Planned Development- Commercial / Medium-High Density Residential</u> <u>(PD-C/MHDR)</u>	<u>Up to 215 Multi-Family Units and up to 32,400 square feet of commercial and office uses.</u>	<u>2024-</u>

Such policy allows for a one-time cumulative density or intensity differential of 5% based on ADT within said development program.

* * *

Section 5. Effective Dates for Ordinance and Amendments.

(a) This ordinance shall become effective as provided by general law.

(b) Pursuant to Section 163.3187(5)(c), Florida Statutes, the small scale development amendments adopted in this ordinance may not become effective until 31 days after adoption.

52 However, if an amendment is challenged within 30 days after adoption, the amendment that is
53 challenged may not become effective until the Department of Economic Opportunity or the
54 Administration Commission issues a final order determining that the adopted amendment is in
55 compliance.

56 (c) In accordance with Section 163.3184(12), Florida Statutes, any concurrent zoning
57 changes approved by the Board are contingent upon the related Comprehensive Plan amendment
58 becoming effective. Aside from any such concurrent zoning changes, no development orders,
59 development permits, or land uses dependent on this amendment may be issued or commence
60 before the amendment has become effective.

61
62 ADOPTED THIS 9th DAY OF JANUARY, 2024.

63
64 **ORANGE COUNTY, FLORIDA**
65 By: Board of County Commissioners
66

67
68
69 By: _____
70 Jerry L. Demings
71 Orange County Mayor
72

73 ATTEST: Phil Diamond, CPA, County Comptroller
74 As Clerk to the Board of County Commissioners
75

76
77
78 By: _____
79 Deputy Clerk

APPENDIX “A”

FUTURE LAND USE MAP AMENDMENT

<i>Appendix A*</i>		
<i>Privately Initiated Future Land Use Map Amendment</i>		
Amendment Number	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:
SS-23-04-013	Commercial (C)	Planned Development – Commercial / Medium-High Density Residential (PD- C/MHDR)
*The Future Land Use Map (FLUM) shall not depict the above designation until such time as it becomes effective.		