



The Interoffice Memorandum

October 21, 2024

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

FROM: Tanya Wilson, AICP, Director  
Planning, Environmental, and Development Services Department

CONTACT PERSON: **Joseph C. Kunkel, P.E., DRC Chairman**  
**Development Review Committee**  
**Public Works Department**  
**(407) 836-7971**

SUBJECT: November 19, 2024– Public Hearing  
Applicant(s): David Taylor, Harris Civil Engineers, LLC  
Project Name: Lake Vista Village Planned Development (PD)  
Project No.: CDR-24-03-075 / District 1

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of September 25, 2024, to approve the Lake Vista Village Planned Development. The subject property is located north of World Center Drive and east of Interstate 4. The request is to increase the development program from 1,438 resort hotel / timeshare units to 2,204 hotel rooms with an additional 70,730 square feet of event space, and 240,000 square feet of tourist commercial uses.

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 documents and the plans may be found in the Planning Division for further reference.

**ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan and approve Lake Vista Village Planned Development (CDR-24-03-075) dated "Received August 12, 2024", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 1**

TW/JCK/bs

Attachments

**CASE # CDR-24-03-075**

Commission District: # 1

**GENERAL INFORMATION**

<b>APPLICANT</b>	David Taylor, Harris Civil Engineers, LLC
<b>OWNER</b>	PAM Orlando, LLC
<b>PROJECT NAME</b>	Lake Vista Village Planned Development (PD)
<b>PARCEL ID NUMBER(S)</b>	28-24-28-0000-00-002, 28-24-28-0000-00-014 (affected parcels)
<b>TRACT SIZE</b>	49.7 acres (affected area)
<b>LOCATION</b>	North of World Center Drive / East of Interstate 4
<b>REQUEST</b>	To increase the development program from 1,438 Resort Hotel / Timeshare units to 2,204 hotel rooms with 70,730 square feet event space, and 240,000 square feet of tourist commercial uses.
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing extended beyond 1500 feet. Chapter 30-40(c)(3)(a) of Orange County Code requires the owners of the property within three hundred (300) feet of the subject property to be notified at least 10 days prior to the date of the hearing. Forty-six (46) notices were mailed to those property owners in the mailing area.

**IMPACT ANALYSIS**

**Project Overview**

The Lake Vista Village Planned Development (PD) was originally approved on May 24, 1983, for 688 multifamily dwelling units. The PD is currently entitled for 1,438 resort hotel/timeshare units. The site is located north of World Center Drive and east of Interstate 4, and is surrounded by similar resort, multi-family, and tourist commercial uses.

Through this request, the applicant is seeking to increase the development program from 1,438 resort hotel / timeshare units to 2,204 hotel rooms with an additional 70,730 square feet of event space, and 240,000 square feet of tourist commercial uses.

**Land Use Compatibility**

The proposed development program is compatible with existing development in the area and would not adversely affect any adjacent properties.

**Comprehensive Plan (CP) Consistency**

The subject property has an underlying Future Land Use Map (FLUM) designation of Activity Center Mixed Use (ACMU) on the Future Land Use Map and is zoned Planned Development (PD). The proposal appears to be consistent with the Comprehensive Plan.

**Overlay Ordinance**

The subject property is located in the Tourist Commercial Signage Overlay District.

**Rural Settlement**

The subject property is not located within a Rural Settlement.

**Joint Planning Area (JPA)**

The subject property is not located within a JPA.

**Environmental**

This environmental review only addresses Orange County environmental regulatory code, however, the project shall also obtain and comply with all other existing environmental permits and applicable environmental regulations of, but not limited to: the Army Corps of Engineers, the Florida Department of Environmental Protection, and the applicable Water Management District, the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC). It is possible that one of the other agencies could deny the request even if the County approves it. It is imperative that this proposed plan be addressed on a multi-agency basis. The permittee must comply with the most stringent requirements.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled species (endangered, threatened, or species of special concern). The applicant is responsible to determine the presence of these concerns and to verify and obtain, if necessary, any required habitat permitting of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC). This site has soil that is suitable for gopher tortoise habitat. There is an increased likeliness for presence of gopher tortoise burrows. The applicant shall comply with the Florida Fish & Wildlife Conservation Commission (FWC) regulations. Forward any related permits to the Orange County Environmental Protection Division.

Any miscellaneous regulated solid waste found or generated onsite including land clearing debris, construction and demolition debris, tires, garbage, and hazardous waste shall be properly managed through recycling and/or off-site disposal in accordance with local, state, and federal regulations.

This site is located within the Lake Okeechobee Basin Management Action Plan (BMAP) Area and must comply with the applicable requirements of Section 373.811 and Section 403.067, Florida Statutes, as amended; Within a BMAP Area, the installation of new

onsite sewage treatment and disposal systems (OSTDS) is prohibited where connection to a central wastewater system is available as defined in s. 381.0065(2)(a).

On lots of one acre or less within a BMAP Area, where a central wastewater system is not available, the installation of enhanced nutrient-reducing OSTDS that achieve at least 65 percent overall nitrogen reduction is required. Contact the Florida Department of Health (FDOH) for individual determination and details of this enhanced OSTDS. Contact the utility provider regarding options to connect to sewer.

### **Transportation Planning**

Existing/Valid transportation capacity entitlements not found. This development will require transportation capacity via a Capacity Encumbrance Letter (CEL) Application. **IMPORTANT NOTE:** If this development is located near failing roadway(s) within Orange County. This deficiency will require a Transportation Capacity Analysis to be submitted with the CEL Application Submittal Package. Please refer to the Submittal Requirements on the CEL Application for further information. The owner will have the option to remedy the deficiencies by entering into a Proportionate Share Agreement with Orange County (OC Code: Chapter 30, Sections 30-620 thru 30-624). Please contact the Concurrency Management Office at 407-836-6110 for more information.

Based on the Concurrency Management database (CMS) dated 04/02/2024, there are multiple failing roadway segments within the project's impact area. Vineland Ave, from Winter Garden-Vineland Rd / Kissimmee Vineland / SR 535 to Little Lake Bryan Pkwy (1 segment(s)), Winter Garden-Vineland Rd, from Interstate 4 to Apopka-Vineland Rd, (1 segment(s)), and along Winter Garden-Vineland Rd / Kissimmee Vineland / SR 535, from Osceola County Line to SR 536 / World Center Pkwy Pkwy (1 segment(s)), are failing. This information is dated and subject to change.

Pursuant to Article XII, Chapter 30, Orange County Code, as may be amended, 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 properties must obtain concurrency prior to approval of the plat; non-residential properties that are required to plat must obtain concurrency for any lot with an assigned use prior to approval of the plat (lots without an assigned use shall be labeled as "future development") and non-residential 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.

LTEC provided a draft TIA methodology memorandum to Transportation Planning (TP), and TP is working with the Applicant to schedule a traffic methodology meeting.

### **Community Meeting Summary**

A community meeting was not required for this request.

**Schools**

Orange County Public Schools has reviewed this plan and did not identify any outstanding issues or concerns.

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

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

**ACTION REQUESTED**

**Development Review Committee (DRC) Recommendation – (September 25, 2024)**

**Make a finding of consistency with the Comprehensive Plan and approve the substantial change to the Lake Vista Village PD dated “Received August 12, 2024”, subject to the following conditions:**

1. Development shall conform to the Lake Vista Village Planned Development (PD) dated "Received August 12, 2024," 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 August 12, 2024," 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 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, as may be amended, 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, as may be amended, must be executed and recorded in the Public Records of Orange County, Florida, prior to issuance of any permits associated with this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.
7. Prior to approval of the first construction plan associated with this Land Use Plan (LUP), a Master Drainage Plan for the entire LUP area consistent with Orange County Code 30-282 and/or 34-229 must be submitted and approved as a separate E-Plan. Certification with supporting calculations shall be submitted

with any and all construction plan(s) which states that the project is consistent with the approved master drainage plan for this planned development.

8. 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 and Wildlife Conservation Commission (FWC).
9. Pursuant to Article XII, Chapter 30, Orange County Code, as may be amended, 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 properties must obtain concurrency prior to approval of the plat; non-residential properties that are required to plat must obtain concurrency for any lot with an assigned use prior to approval of the plat (lots without an assigned use shall be labeled as "future development") and non-residential 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.
10. The developer shall obtain water, wastewater, and reclaimed water service from Orange County Utilities subject to County rate resolutions and ordinances.
11. 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. Construction plans within this PD shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The MUP and updates must be approved prior to Construction Plan approval.
12. The proposed development is in the vicinity of an existing Orange County Utilities wellhead. Any development plans or construction plans associated with this development must show and adhere to all wellhead setbacks in accordance with Chapters 62-521 and 62-532, Florida Administrative Code and all other applicable Federal, State, and Local requirements.
13. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code, as may be amended.
14. Length of stay shall not exceed 179 consecutive days.
15. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated August 4, 2015, shall apply:

- a. Concurrency Management System. Upon rescission of the Development Order for the Lake Vista Village DRI, permitting of any development of this property will be subject to review and approval under the 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. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to issuance of the initial certificate of occupancy. However, to the extent the Developer and/or Property Owner have secured any vested rights through the applicable County regulations, the Developer/Property Owner may rely on those vested rights.
  
- b. Proportionate Share. If the results of the transportation concurrency assessment show that improvements must be made to roadway facilities, and if mitigation is not provided as set forth in these conditions, then the Developer, Orange County, and to the extent that its facilities are impacted so as to require mitigation FDOT, may enter into an agreement which ensures that:
  - i) A proportionate share payment is made by the Developer to the appropriate entity/(ies) to mitigate project impacts;
  - ii) Said proportionate share payment shall be used by the appropriate entity only for the design, engineering, right-of-way purchase, permitting, and/or construction of any improvement to the segments/intersections; and
  - iii) Said proportionate share payment by the Developer constitutes adequate provision for the public facilities needed with respect to the road segments to accommodate the impacts of the project for which the proportionate fair share was calculated. Any such proportionate fair share agreement(s) shall be coordinated through Orange County's Road Agreement Committee.
  
- c. Improvements. The transportation system will be re-evaluated for improvements identified to support future phases of the development. The following improvements will be evaluated along with any additional improvements:
  - i) SR 535 / Vineland Avenue Signal Retiming. Prior to the issuance of the first building permit, the developer will provide a Proportionate Share contribution to be used for the necessary studies and staff time required to update the signal timing as required at this location. This contribution will be provided to Orange County as the maintaining agency for this signal responsible for any retiming.



- ii) SR 535 / International Drive. Prior to the issuance of the first building permit, the developer will provide to Orange County a Proportionate Share contribution for the costs of signalization of this intersection.

***09/25/2024: THE PRECEDING CONDITION HAS BEEN MET / SATISFIED***

- iii) SR 535 / Meadow Creek Drive. Prior to the issuance of the first certificate of occupancy, the Developer will:
  - 1) Design, engineer, permit and construct one (1) additional northbound left turn lane in the existing right-of-way, and design, engineer, permit and construct any signal modification or replacements as required for the improved SR 535 / Meadow Creek Drive intersection.
  - 2) SR 535 / 536 Intersection. Prior to the issuance of any Certificate of Occupancy for the 500th hotel / timeshare unit, the developer will:
    - a) Design, engineer, permit, and construct one (1) additional eastbound left-turn lane in the existing right-of-way, and
    - b) Design, engineer, permit, and install new signal heads as required for the improved SR 535 / SR 536 intersection.
- d. Transportation Systems Management. In the interest of safety, and to promote alternative forms of transportation, the Developer shall provide a safe and convenient system for cyclist and pedestrian circulation on site. Such bikeways will be provided in accordance with the current Orange County standards at the time of implementation. Appropriate signage identifying bike routes shall be installed. On-site bicycle systems shall be connected at Project entrances with external bicycle systems. The Developer shall consult with Orange County's Transportation Planning Division and the Orange County Engineer regarding the provisions for pedestrian and bicycle facilities.
- e. Transit Stops. In the event LYNX determines, after consultation with the Developer, that LYNX on-site routes and bus stops are appropriate for the Project, then the provisions in Condition of Approval #9, immediately below, shall apply. If LYNX determines that on-site LYNX routes and bus stops are not appropriate for the Project, then the following provisions shall be followed to the extent that they are appropriate for hotel shuttles and charter buses that may frequent the site. LYNX and the Developer shall work together to determine the extent to which the listed provisions are appropriate for the Project.

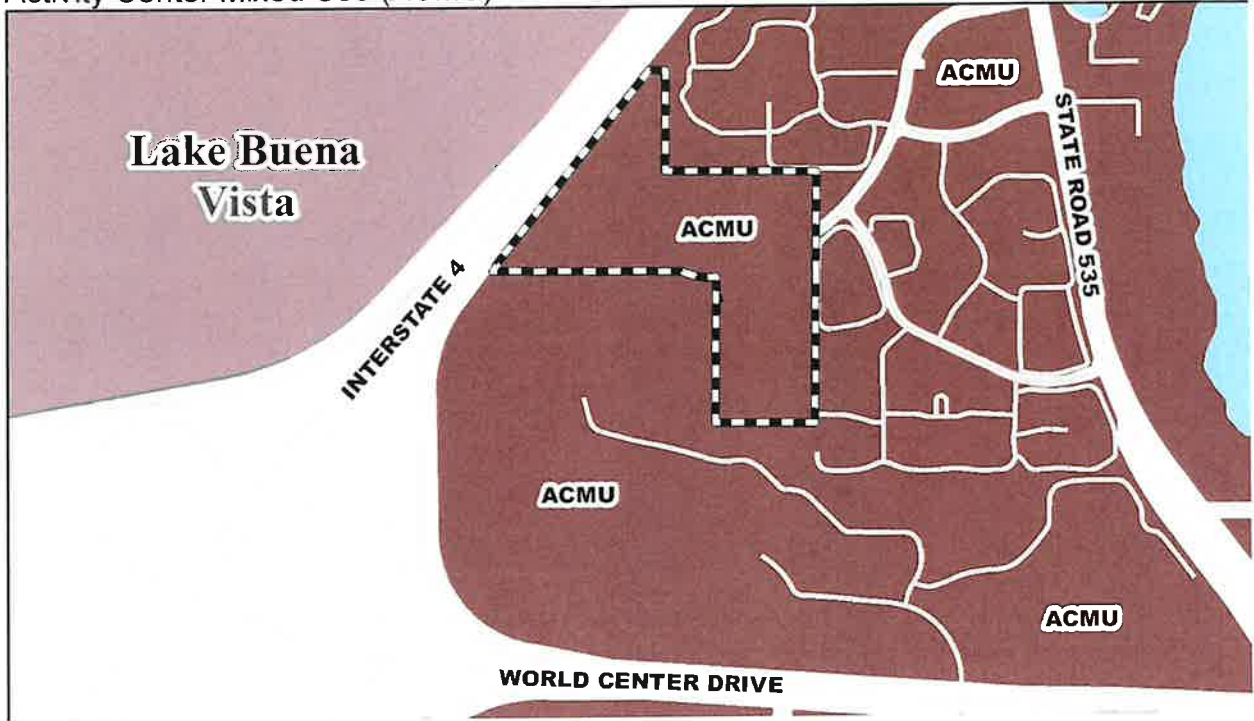
- f. Transit passenger shelters and transit pull-out bays shall be constructed where necessary to augment and facilitate the operation of off-site transit facilities. The Developer shall work with LYNX on the design of bus facilities and amenities, including bus stops, to be located within the Project boundaries, as appropriate. The following transit provisions, as modified by LYNX, will be required of the Developer upon implementation of transit service:
  - i) Access and internal collector and arterial road geometries shall accommodate a 96-inch wide by 40-foot long advance design coach.
  - ii) The Developer shall provide shelters and pull-out bays along the on-site transit route. Shelter locations shall be reasonably accessible via walkways/crosswalks for pedestrian movement to and from buildings and shall meet all regulations required under the Americans with Disabilities Act of 1990 (as it may be amended from time to time).
  - iii) Appropriate signage and sufficient area lighting will be required at all bus stops and shelter locations.
  - iv) Transit schedule and information displays will be provided, at a minimum, at each on-site bus stop.
  - v) Maintenance of transit amenities shall be the responsibility of the Property Owner or the Property Owners' association.
  - vi) Details, standards, and phasing of all transit amenity provisions must be approved by LYNX.
  - vii) Pedestrian movement areas between bus stops shall not exceed 1,300 feet.
  
- 16. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated April 5, 1994, shall apply:
  - a. Prior to construction plan approval, a revised master drainage plan shall be submitted for approval addressing additional property.
  - b. As applicable, cross access easements and drainage easements between internal tracts shall be recorded prior to platting.
  - c. To facilitate compliance with the consistency provisions of the Comprehensive Policy Plan ("CPP"), the following additional conditions are added to these conditions of approval:
    - i) Land uses shall be limited to those stated in Policy 1.1.3 of the International Drive Activity Center Plan. Furthermore, Policy 1.1.6

of the International Drive Activity Center Plan dealing with prohibited uses applies to development approval.

- ii) If the housing linkage program is in place prior to development plan approval, development of non-residential development shall be conditioned upon the development of residential units within the area designated as Activity Center Residential on the Future Land Use Map.
  - iii) The Development Guidelines of the International Drive Activity Center shall apply to the subject property if they are established prior to development plan submittal, including but not limited to lighting standards, sign regulations, open space regulation, trip reduction program, access management controls, transit access design standards, building orientation and location of parking lots.
  - iv) As applicable, the property owner shall be required to participate in an owner's association upon its creation.
  - v) Stormwater management facilities shall be designed as an aesthetic feature, except where determined by the County Engineer to be technically unfeasible.
  - vi) The development plan shall provide for interconnection of adjacent developments either by cross access easements or public rights-of-way.
  - vii) Electrical distribution lines shall be underground.
  - viii) Participation in a shuttle service connecting area attractions, major transportation centers and on-site development shall be required.
17. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated May 7, 1991, June 19, 1983, and May 24, 1983, shall apply:
- a. The centerline alignment of all roads shall be designed in accordance with the Manual on Uniform Standards for Design, Construction and Maintenance for Streets and Highways, State of Florida. At the time of plan submittal, the engineer of record shall submit certification that the project complies with the minimum standards for street design.
  - b. Internal Road system shall terminate at the traffic signal at Meadowcreek Drive in Phase II, or as approved by the County.

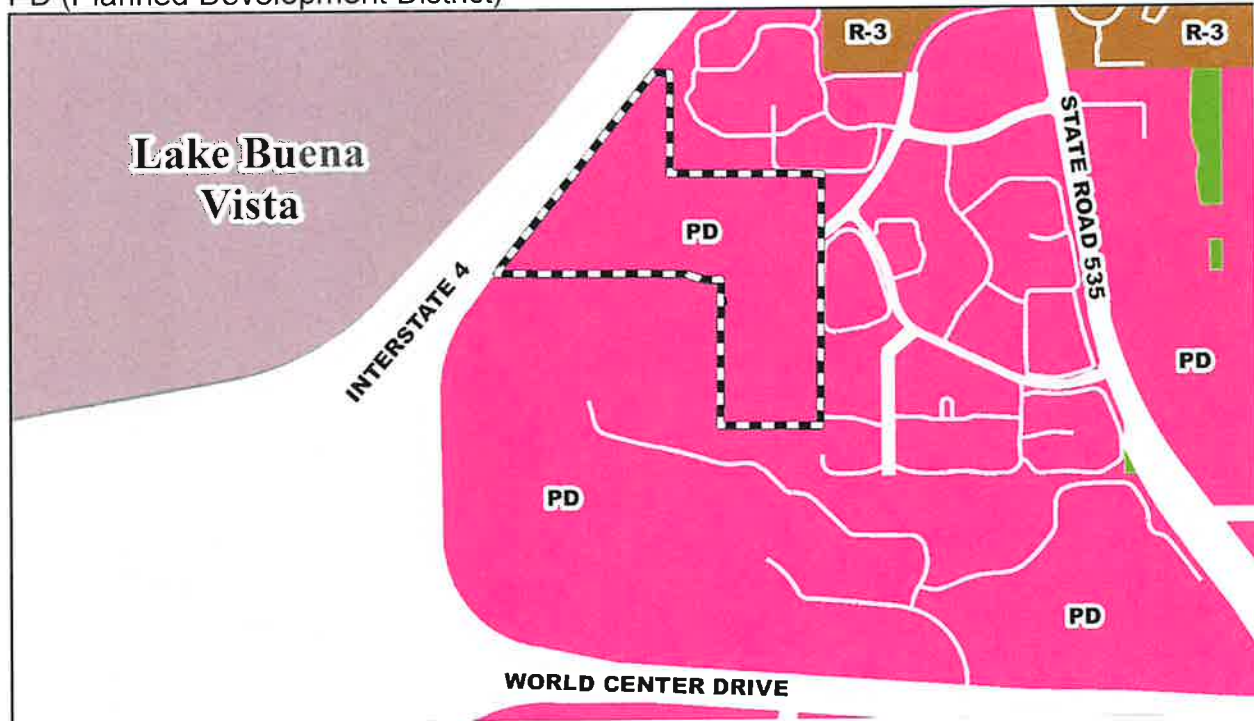
**FUTURE LAND USE**

Activity Center Mixed Use (ACMU)

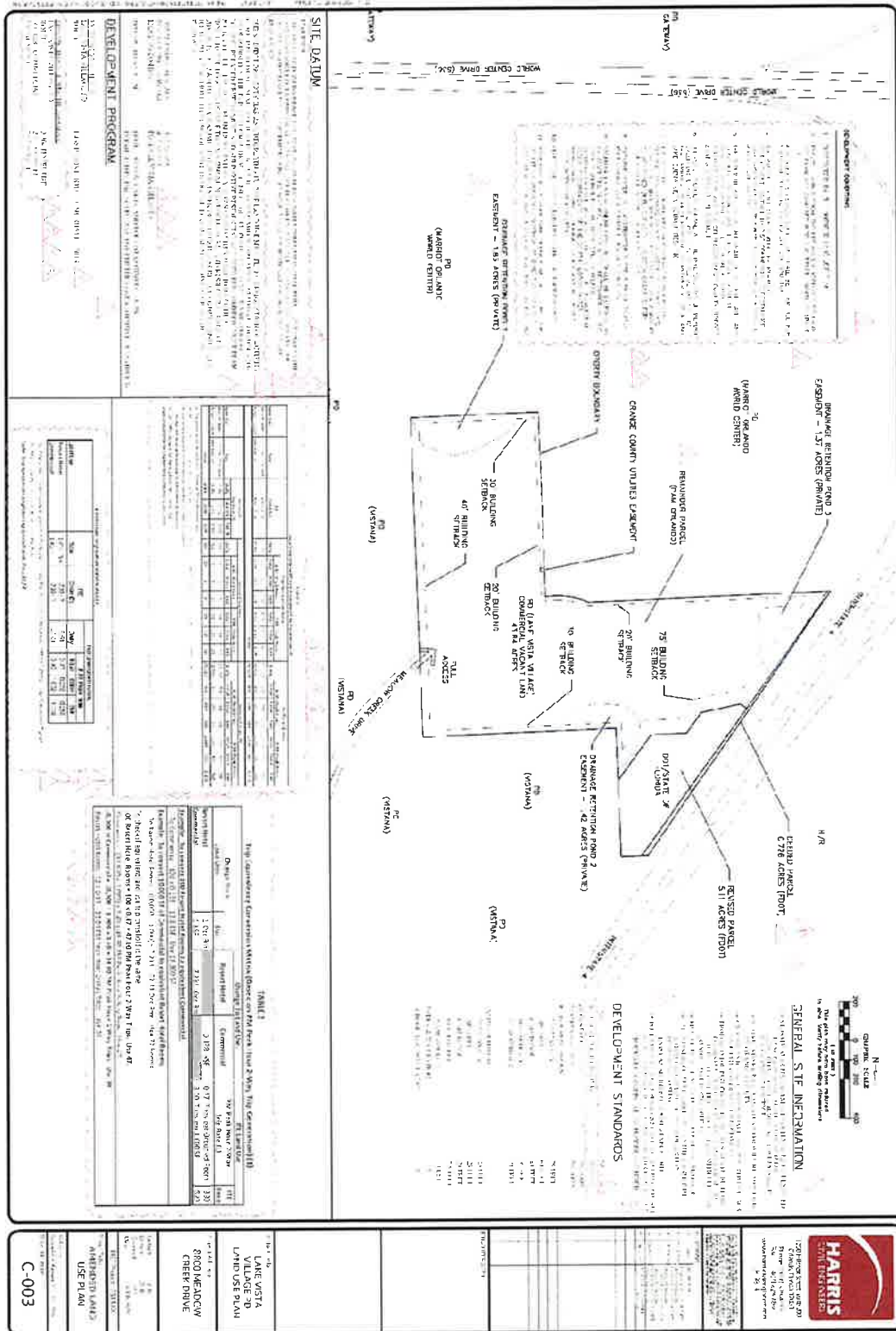


**ZONING**

PD (Planned Development District)

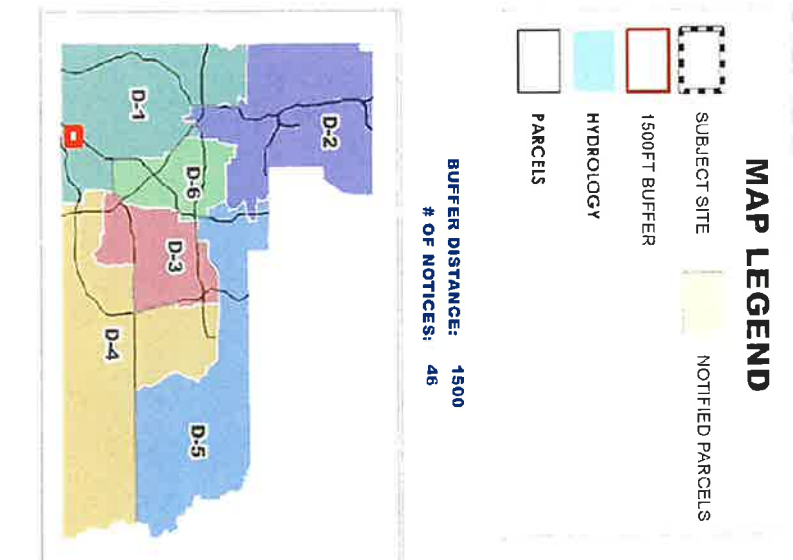
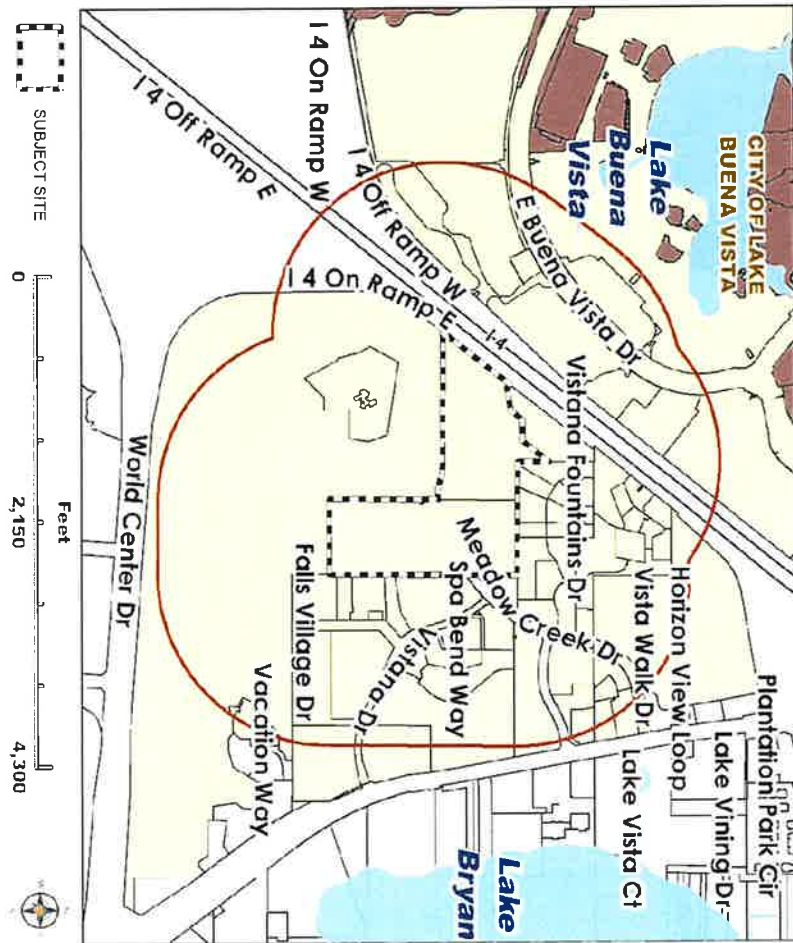


Site Plan Sheet





## Notification Map



# Public Notification Map

CDR-24-03-075

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