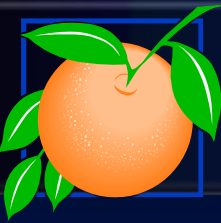


*Board of County Commissioners  
Hearing*

**Small-Scale  
Future Land Use Amendments  
and Concurrent Rezoning**



# SS-24-06-035 and RZ-24-06-036

**Applicant:** Richard Geller, Fishback Dominick

**Future Land Use Map (FLUM) Request:**

**From:** Medium Density Residential (MDR)

**To:** Commercial (C)

**Rezoning Request:**

**From:** R-3 (Multiple-Family Dwelling District)

**To:** C-2 (General Commercial District)

**Location:** 6500 Old Cheney Highway; generally located at the southeast corner of Old Cheney Highway and Farwell Avenue.

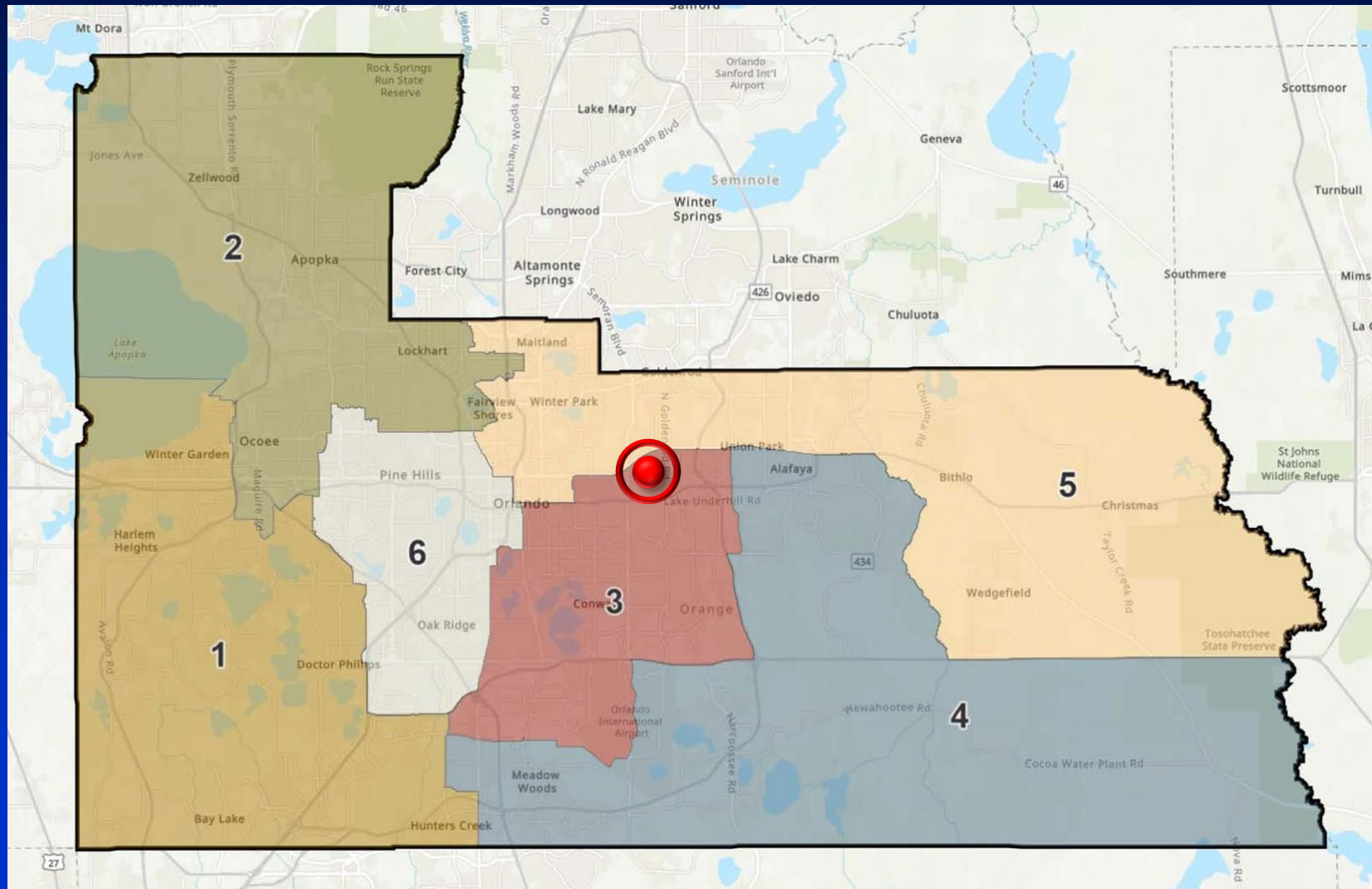
**Acreage:** 0.51 acres

**Proposal:** C-2 Uses including overflow and overnight vehicle parking and storage.



# SS-24-06-035 and RZ-24-06-036

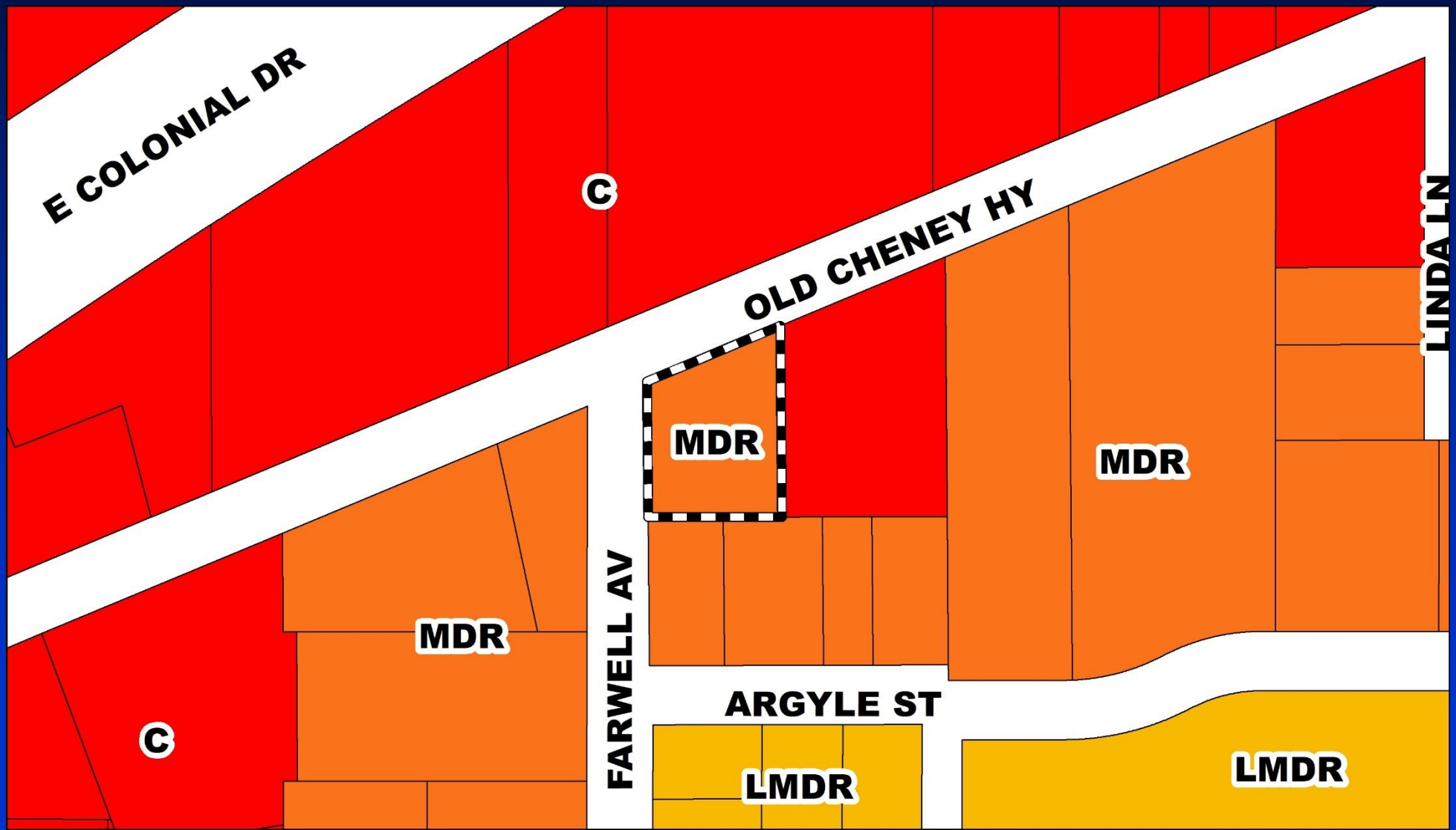
## Location

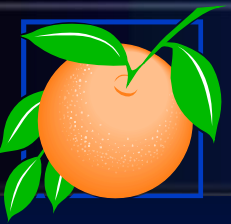




# SS-24-06-035 and RZ-24-06-036

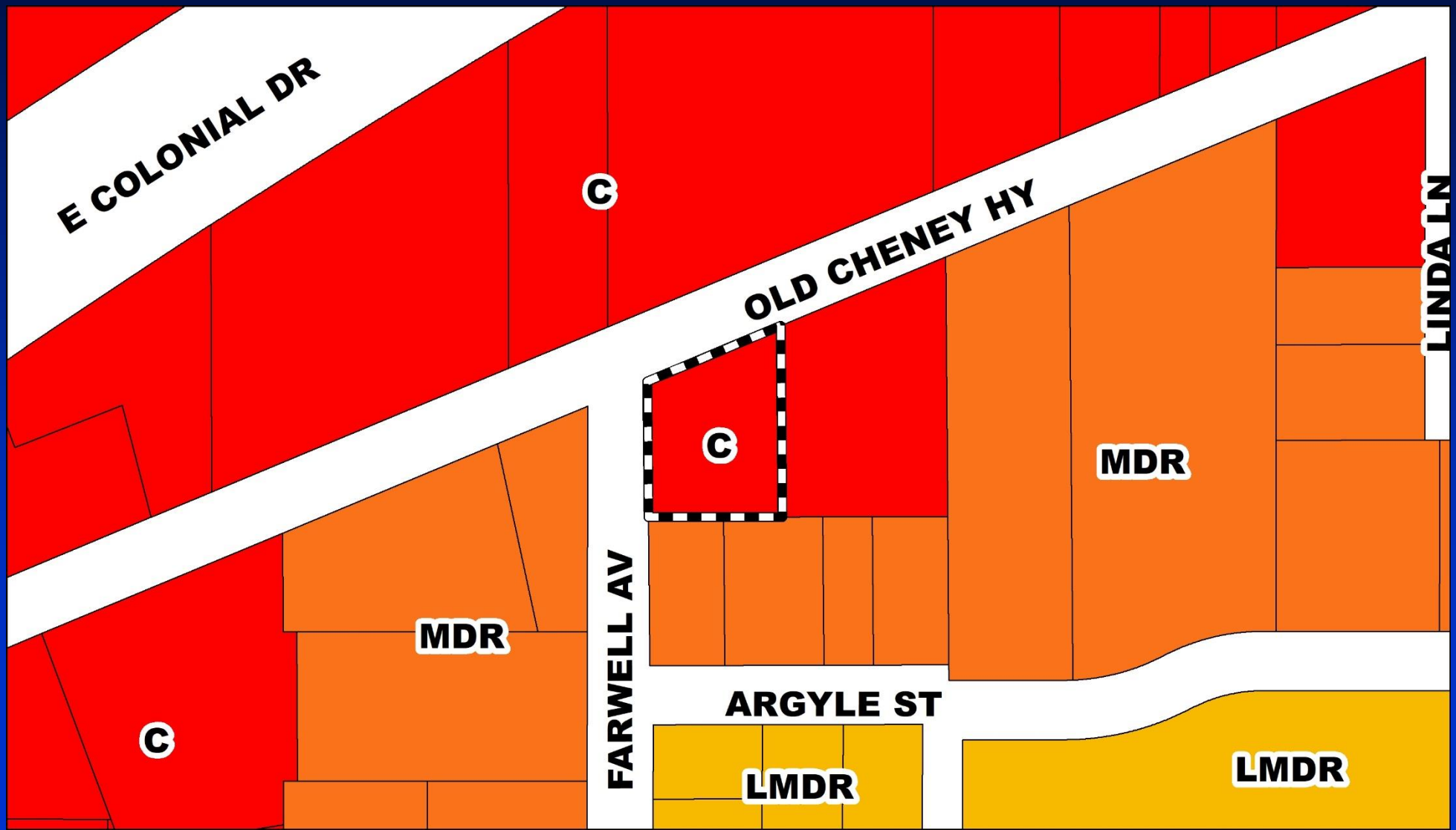
## Future Land Use





# SS-24-06-035 and RZ-24-06-036

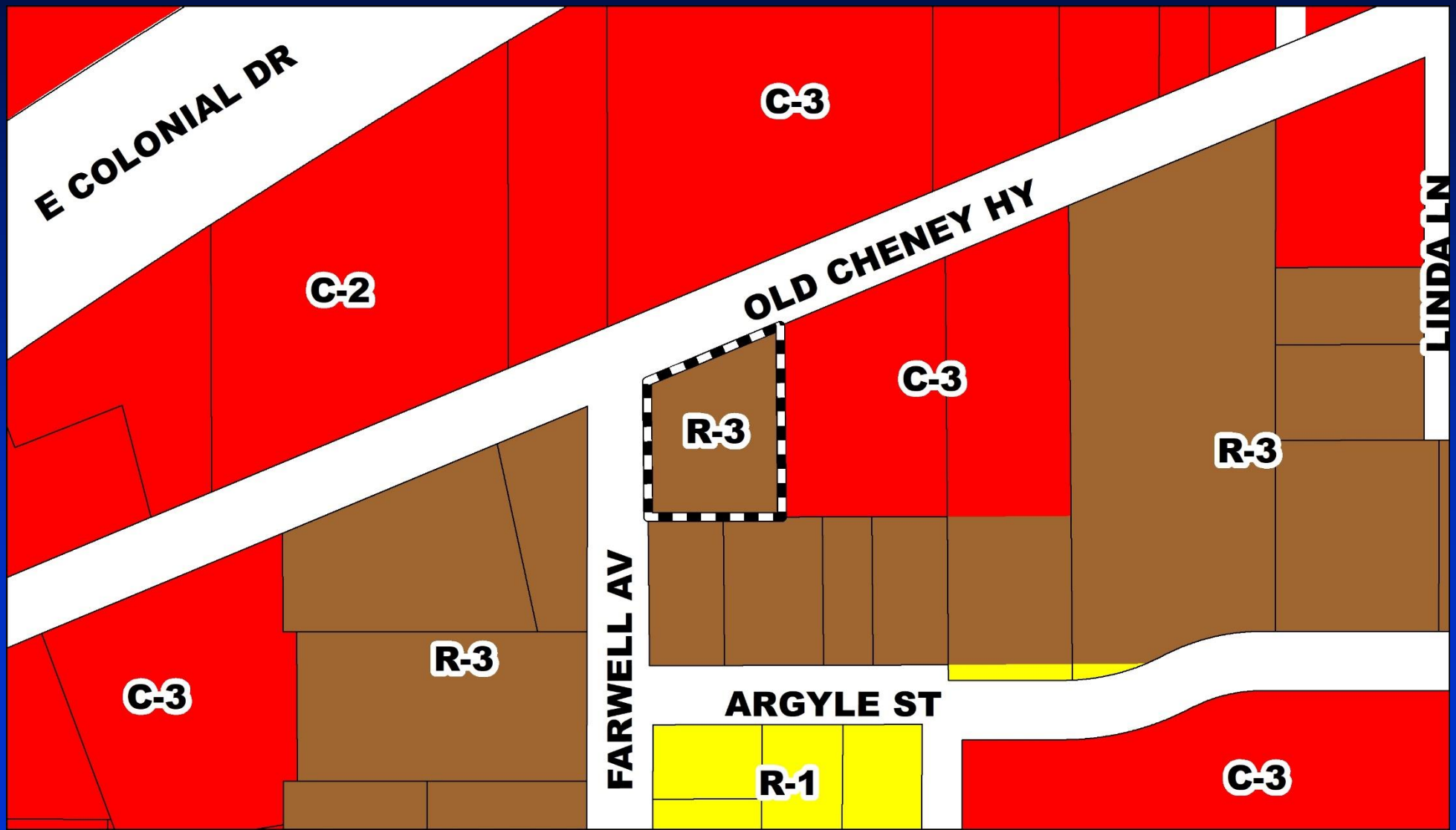
## Proposed Future Land Use

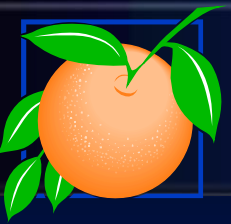




# SS-24-06-035 and RZ-24-06-036

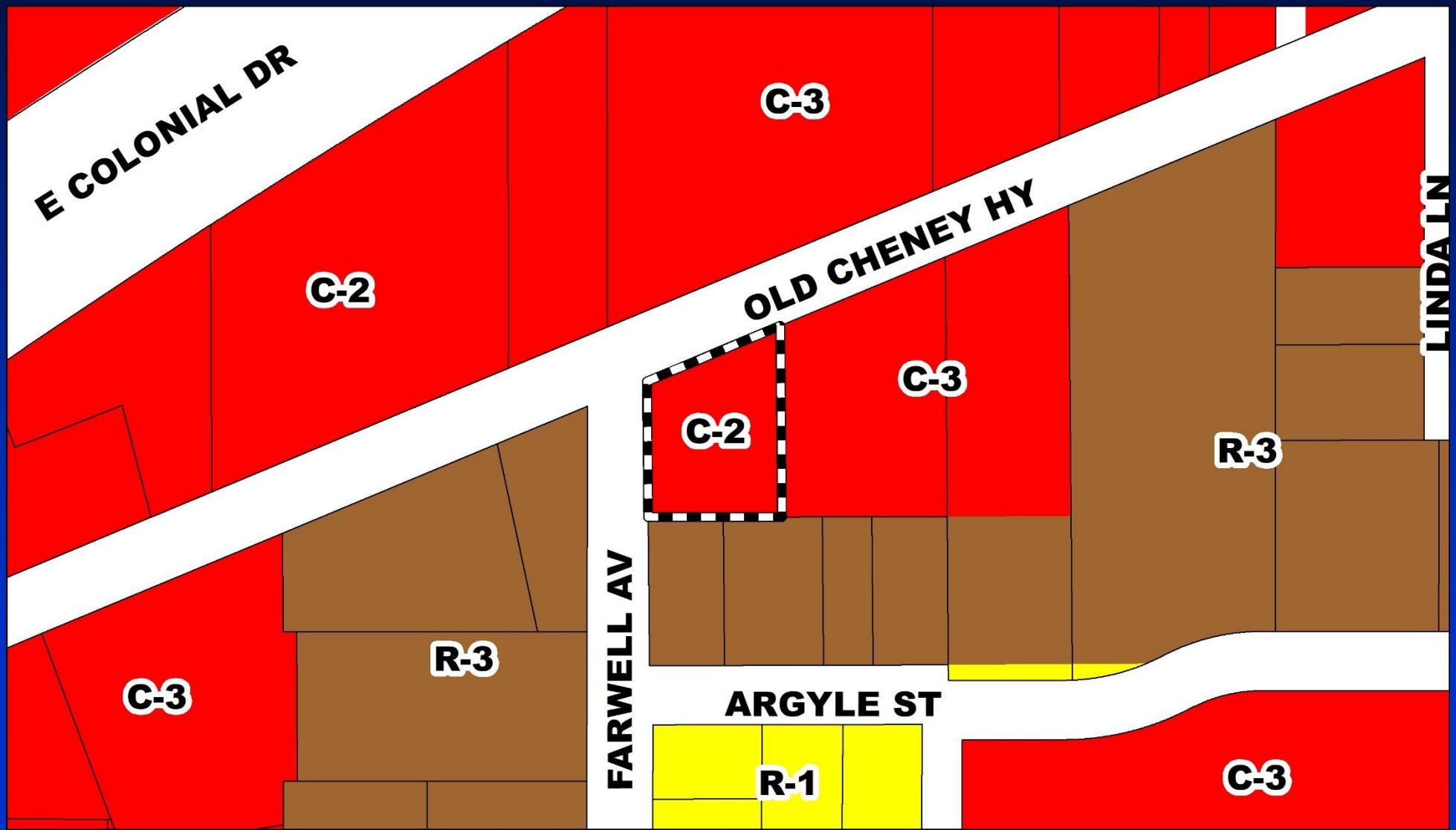
## Zoning





# SS-24-06-035 and RZ-24-06-036

## Proposed Zoning



**Aerial**

**E COLONIAL DR**

**OLD CHENEY HY**

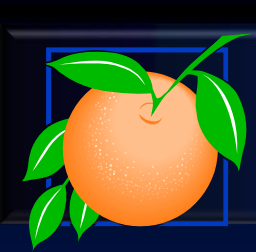
**LINDA LN**

**FARWELL AV**

**ARGYLE ST**







# Community Meeting Summary

**June 24, 2024**

- **Attendance – 3 Residents**
- **Concern for screening of the outdoor storage;**
- **Support for request**



# Added Restrictions

1. A vinyl fence six feet in height shall be installed along the perimeter of the outdoor storage area;
2. Eight Magnolia trees shall be installed along the north and western portions of the property; and
3. A drainage swale shall be constructed along the southern portion of the property.



## Recommended Action

**SS-24-06-035:**

**ADOPT**

**Ordinance:**

**ADOPT**

**RZ-24-06-036:**

**APPROVE**

### **Action Requested:**

- **Make a finding of consistency with the Comprehensive Plan and ADOPT the requested Future Land Use Text Amendment;**
- **ADOPT the associated Ordinance; and**
- **APPROVE the requested C-2 (General Commercial District) zoning with three (3) restrictions.**



# **SS-24-01-117 & LUP-23-11-319 from August 13<sup>th</sup> Board Hearing**

**Applicant:** Thomas Sullivan

## **Future Land Use Map (FLUM) Request:**

**From:** Rural / Agricultural (R) to

**To:** Planned Development-Commercial (PD-C)

## **Rezoning Request:**

**From:** A-2 (Farmland Rural District) to

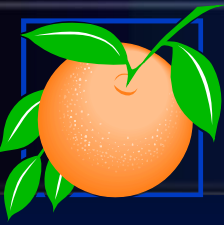
**To:** PD (Planned Development District)

**Location:** South of Beth Road / East of Boggy Creek Road

**Acreage:** 4.56- gross acres

**District:** 4

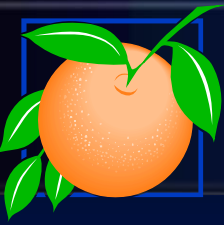
**Proposed Use:** 152,000 sq. ft. Self-Storage Facility and 15,000 sq ft. of C-1 Uses



## **Amendment SS-24-01-FLUE-1 & SS-24-01-FLUE-2 from August 13<sup>th</sup> Board Hearing**

### **Request:**

- **Text Amendment to Future Land Use Element Policy FLU8.1.4 – establishing the maximum density and intensities for proposed Planned Developments within Orange County (Case SS-24-01-FLUE-1)**
- **Text Amendment to Future Land Use Element Policy FLU1.2.4– to Expand the Urban Service Area (USA) (Case SS-24-01-FLUE-2)**



# Recommended Action from August 13<sup>th</sup> Board Hearing

**SS-24-01-117:**

**ADOPT**

**Ordinance:**

**ADOPT**

**LUP-23-11-319:**

**APPROVE**

## **Action Requested:**

- **Make a finding of consistency with the Comprehensive Plan and ADOPT the Planned Development – Commercial (PD-C) Future Land Use;**
- **ADOPT the FLU8.1.4 text amendment;**
- **ADOPT the FLU1.2.4 text amendment;**
- **ADOPT the associated Ordinance; and**
- **APPROVE the 14411 Boggy Creek PD/LUP dated “Received May 17, 2024”, subject to twenty (20) conditions of approval, including one (1) waiver from Orange County Code.**



# Recommended Action

**Ordinance:**

**ADOPT**

**Action Requested:**

- **REPEAL Ordinance 2024-19 and ADOPT Ordinance for Case SS-24-01-117, SS-24-01-FLUE-1 and SS-24-01-FLUE-2.**



***Board of County Commissioners***

**2023-3 Regular Cycle Amendment and  
Concurrent PD/LUP Rezoning**

**Privately-Initiated**

**Future Land Use Map Amendment 2023-3-A-1-1**

**and**

**Rezoning Case LUP-23-06-183**

***Adoption Public Hearing***

**October 8, 2024**





# 2023-3 REGULAR CYCLE AMENDMENT PROCESS

## Community Meetings

- **September 6, 2023**
- **March 18, 2024**

## Transmittal Public Hearings

- **LPA – February 15, 2024**
- **BCC – March 26, 2024**

## State and Regional Agency Comments

- **May 9, 2024 – No concerns or objections were raised**

## Adoption Public Hearings

- **LPA – September 19, 2024**
- **BCC – October 8, 2024**



# AMENDMENT 2023-3-A-1-1 REZONING CASE LUP-23-06-183

**Agent:** Jose Morales, Walt Disney Imagineering

**Owner:** Walt Disney Parks and Resorts U.S., Inc. and ARDC–Ocala 201, LLC

## FUTURE LAND USE MAP REQUEST:

**From:** *No Designation*  
(Former Reedy Creek Improvement District property)

**To:** Village (V)  
(Expansion of the Horizon West Village H Special Planning Area (SPA) boundary)

## REZONING REQUEST:

**From:** *No Designation*

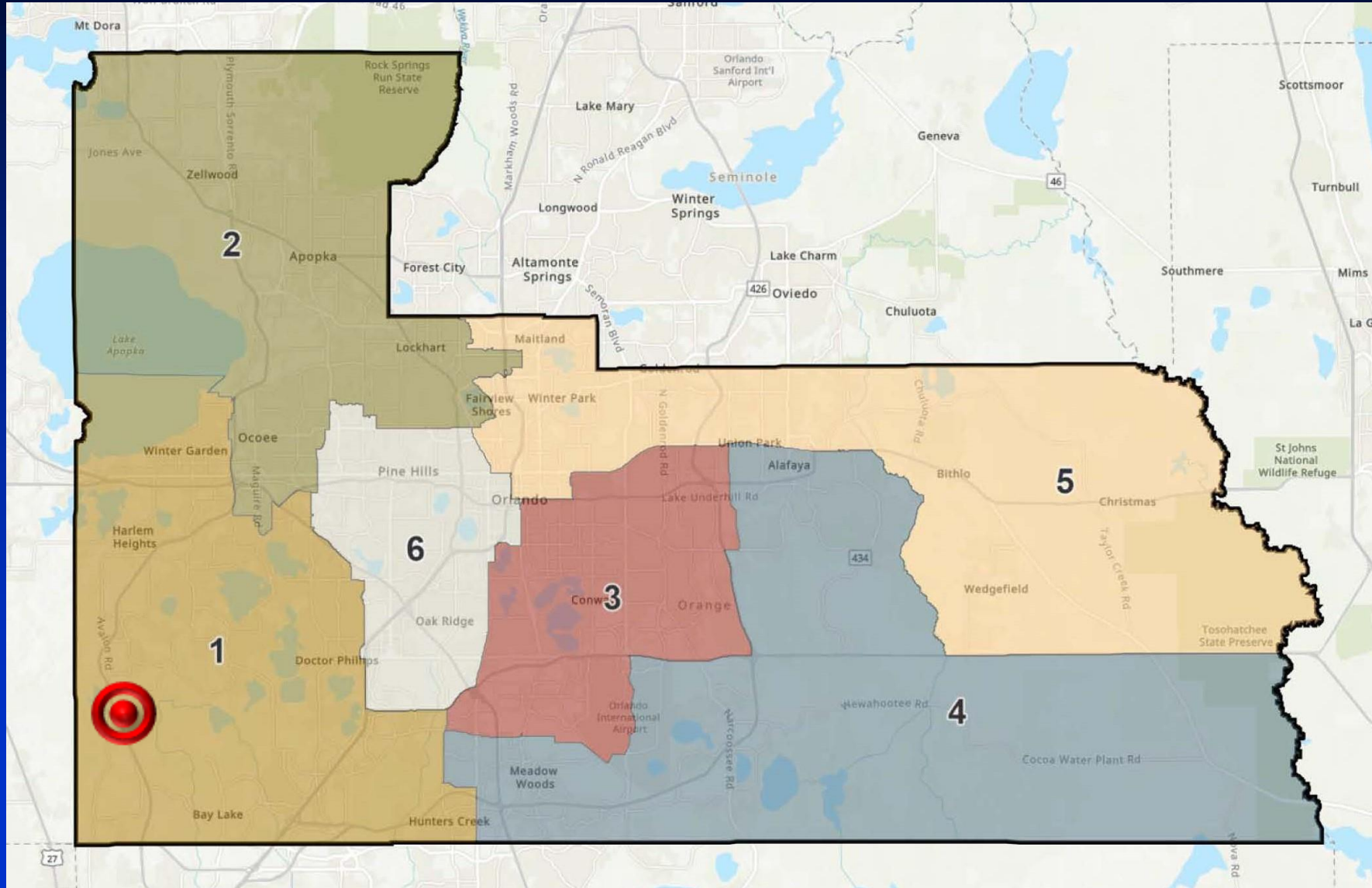
**To:** PD (Planned Development District) (Hartzog Road Attainable Housing Community PD/LUP)  
(Apartment District and Wetland Special Planning Area Land Use Map (SPALUM) designations)

**Acreage:** ±114.23 Gross / ±75.20 Net Developable Acres

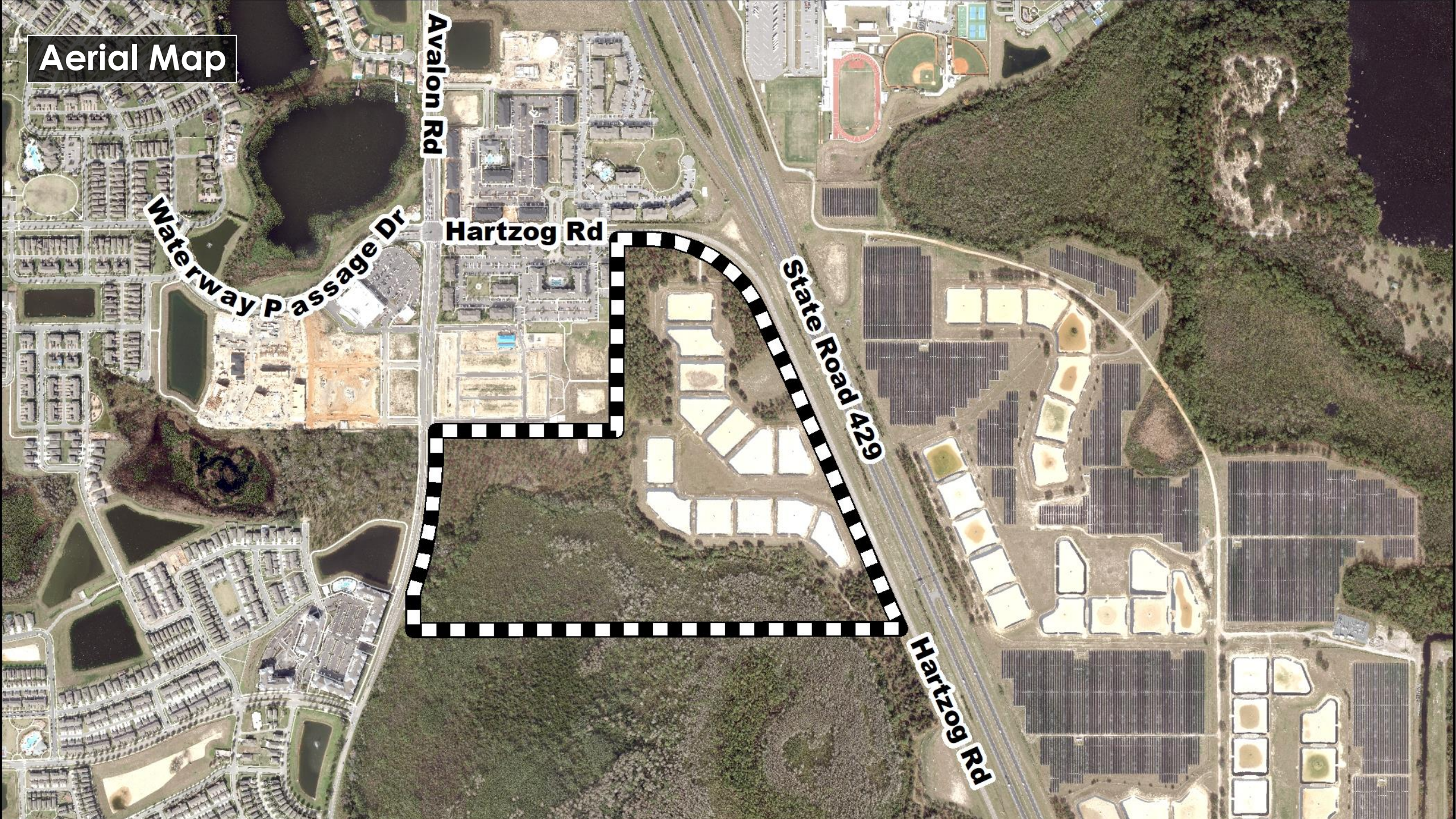
**Proposed Use:** Up to 1,410 Multi-Family Dwelling Units  
(mixed-income community with 75 percent of the units meeting the County's definition of Affordable Housing and the remainder to be leased at market rate)



# LOCATION MAP



**Aerial Map**



**Avalon Rd**

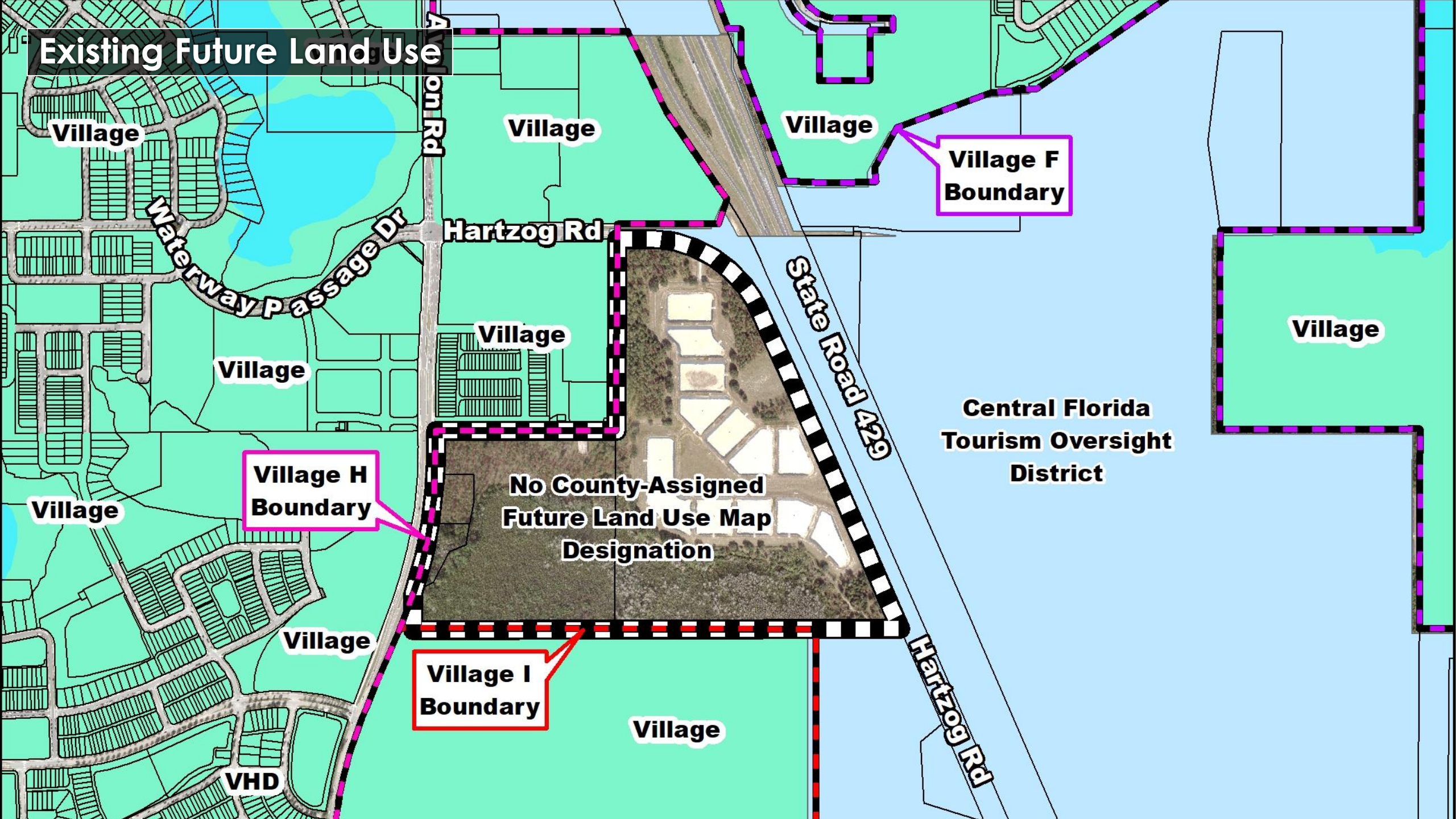
**Waterway Passage Dr**

**Hartzog Rd**

**State Road 429**

**Hartzog Rd**

**Existing Future Land Use**



Village

Village

Village

Village F Boundary

Village

Central Florida  
Tourism Oversight  
District

Village

Village

Village H  
Boundary

No County-Assigned  
Future Land Use Map  
Designation

Village

Village

Village I  
Boundary

Village

VHD

Waterway Passage Dr

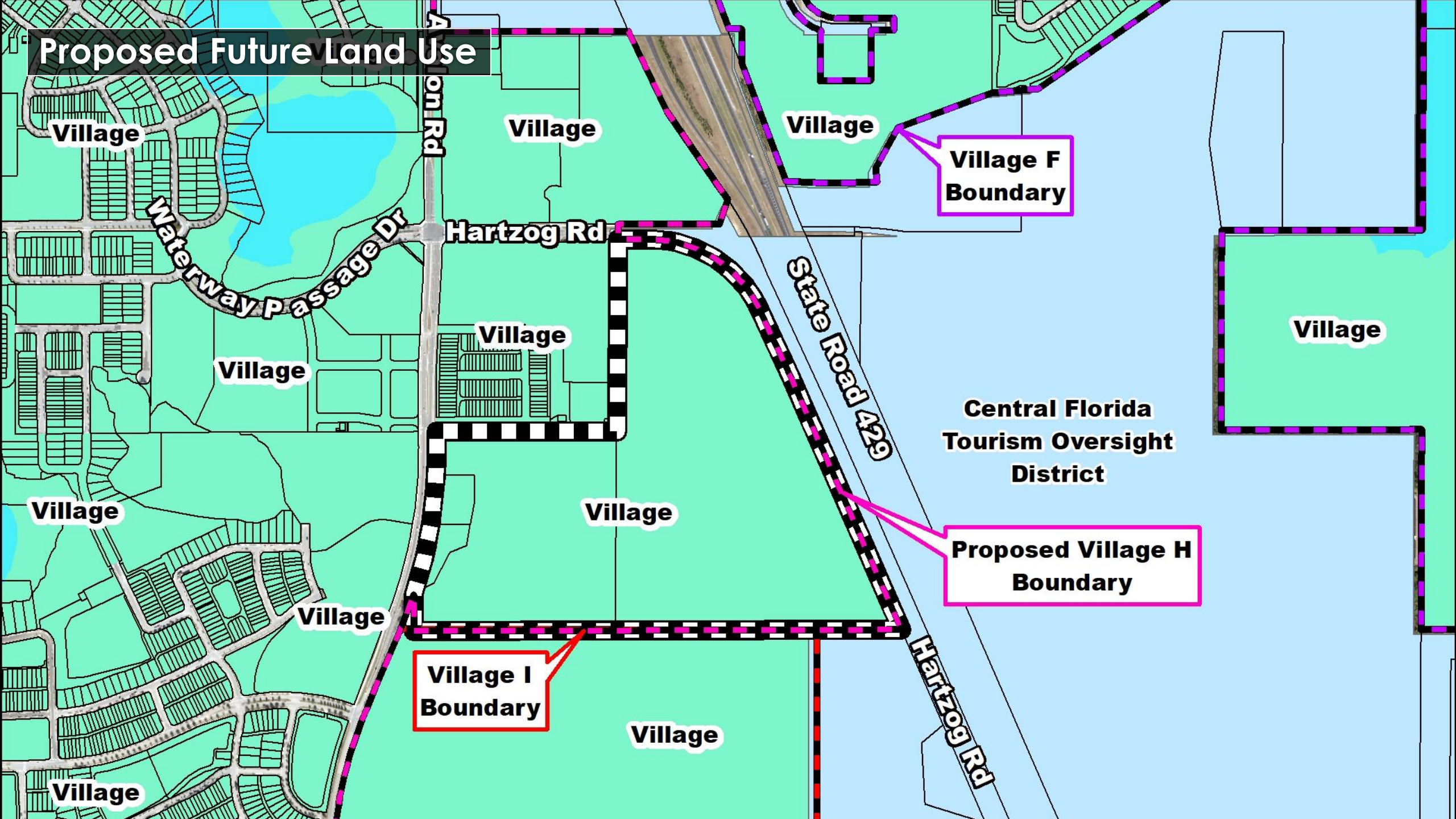
Hartzog Rd

State Road 429

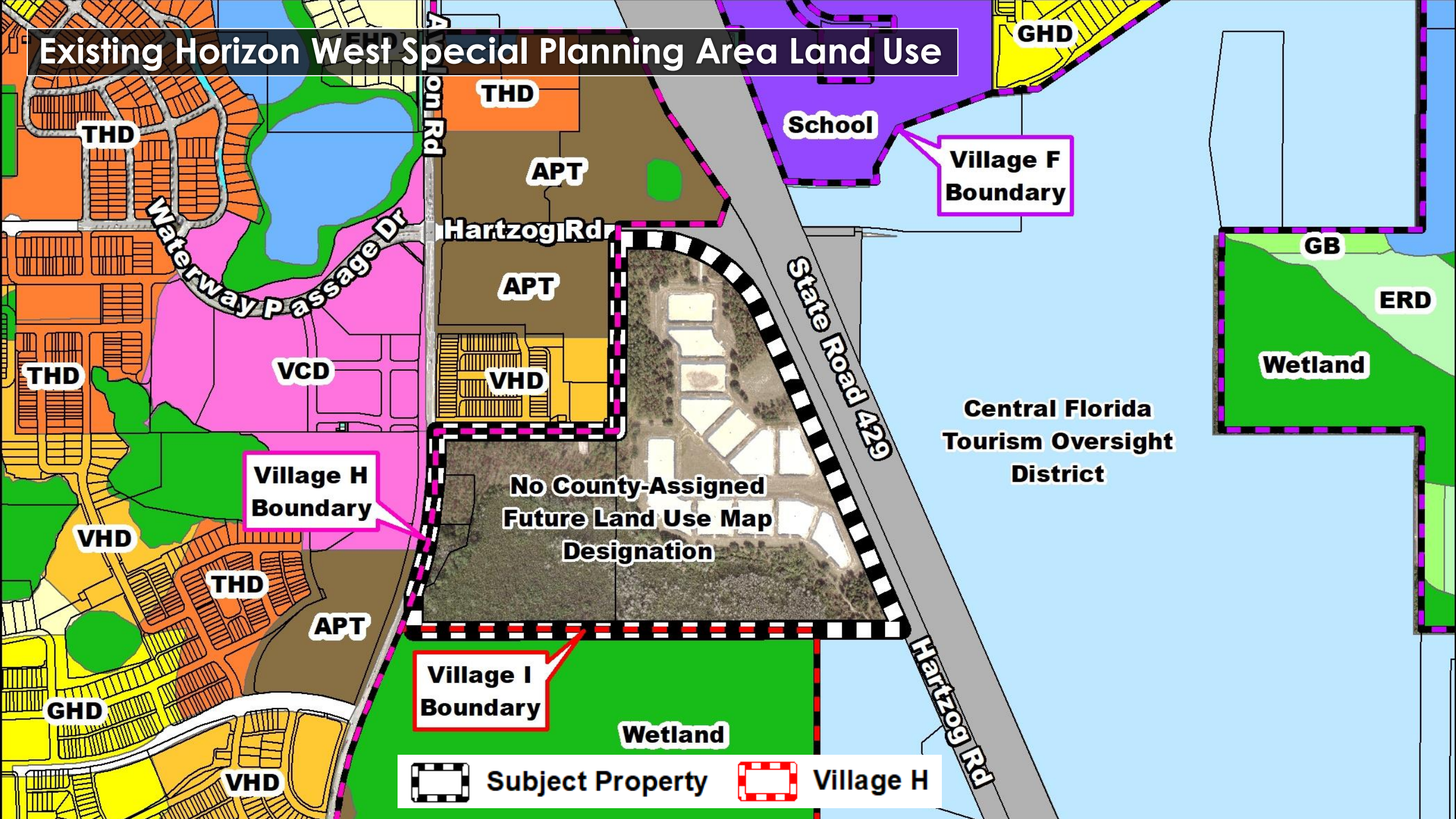
Hartzog Rd

Aron Rd

# Proposed Future Land Use

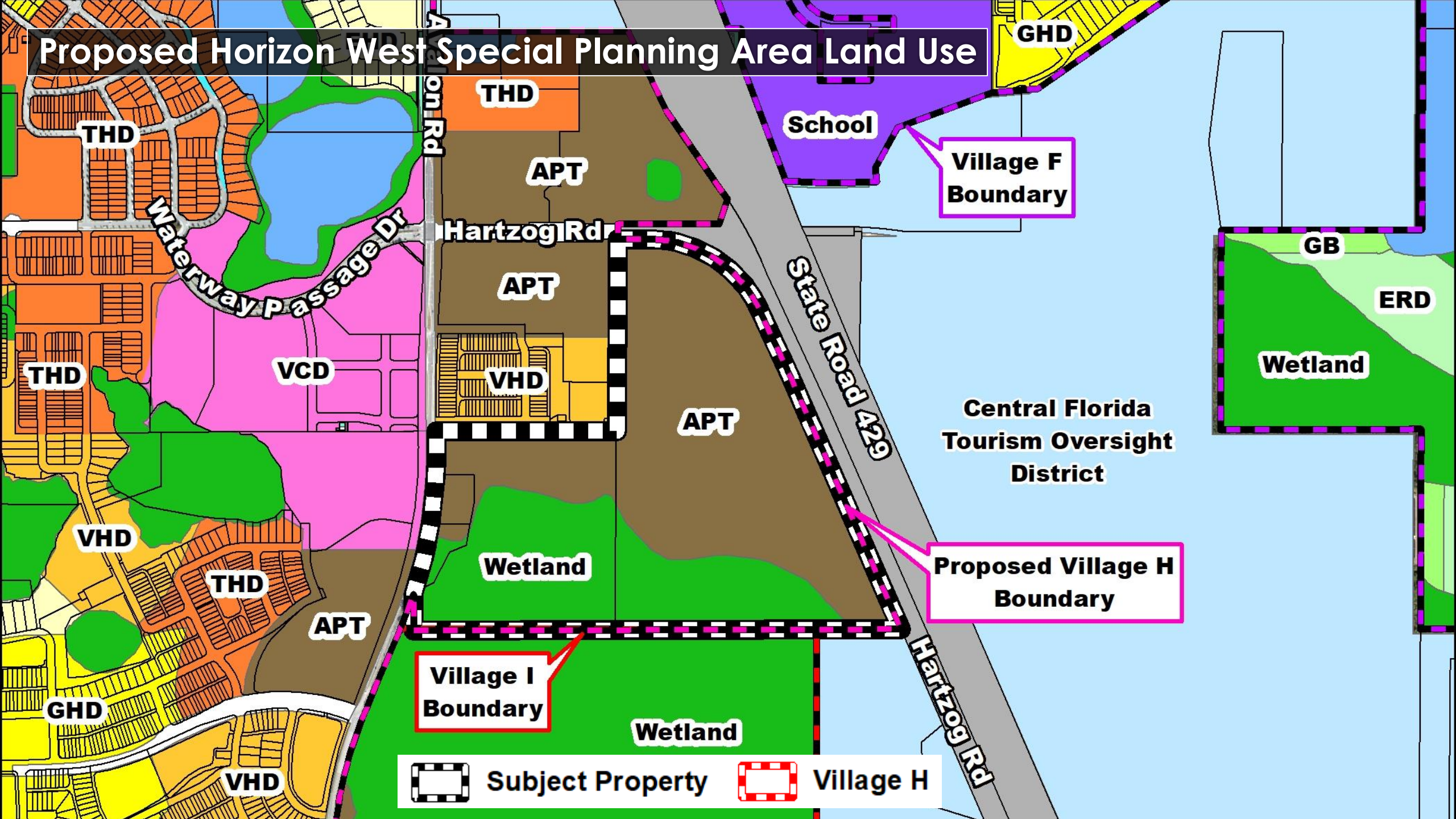


# Existing Horizon West Special Planning Area Land Use



 Subject Property  Village H

# Proposed Horizon West Special Planning Area Land Use



GHD

THD

THD

School

Village F Boundary

APT

Hartzog Rd

APT

State Road 429

GB

ERD

Wetland

THD

VCD

VHD

APT

Central Florida Tourism Oversight District

VHD

THD

Proposed Village H Boundary

APT

Wetland

Village I Boundary

Wetland

Hartzog Rd

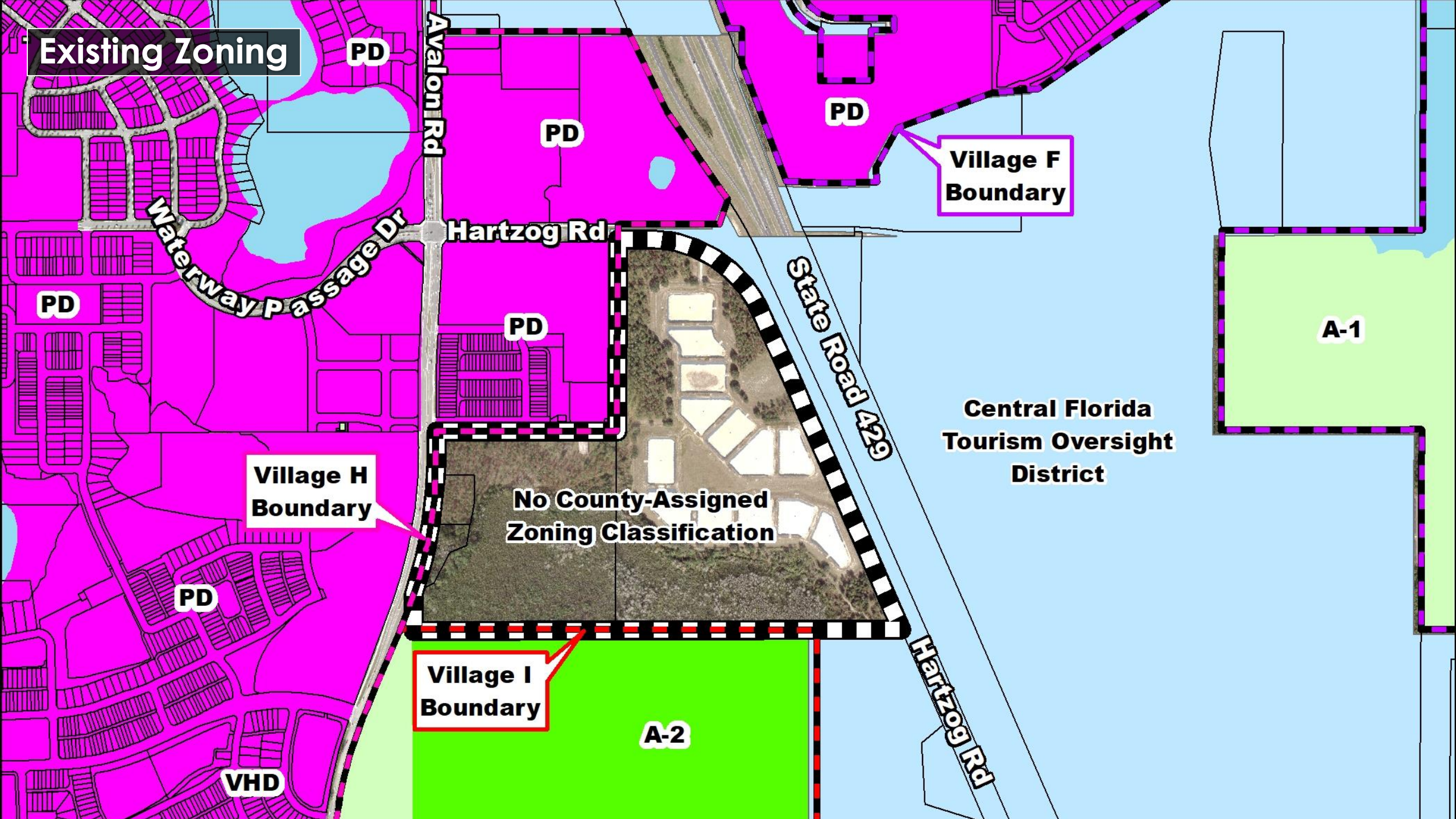
GHD

VHD

Subject Property      Village H



**Existing Zoning**



PD

PD

PD

PD

PD

A-1

Village H  
Boundary

No County-Assigned  
Zoning Classification

Central Florida  
Tourism Oversight  
District

Village I  
Boundary

A-2

PD

VHD

Avalon Rd

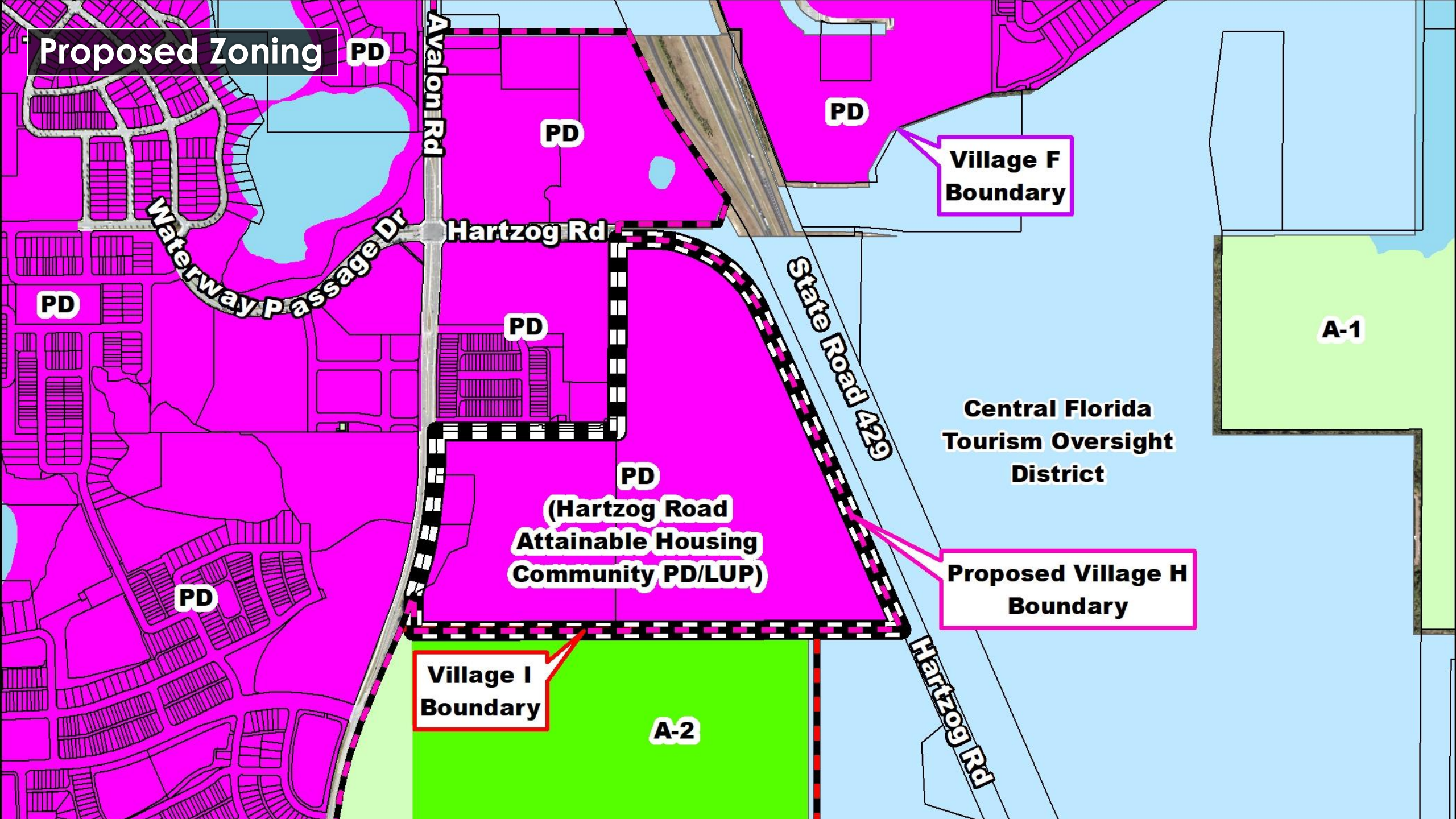
Hartzog Rd

State Road 429

Hartzog Rd

Village F  
Boundary

**Proposed Zoning PD**



**Village F Boundary**

**A-1**

**Central Florida  
Tourism Oversight  
District**

**Proposed Village H  
Boundary**

**PD  
(Hartzog Road  
Attainable Housing  
Community PD/LUP)**

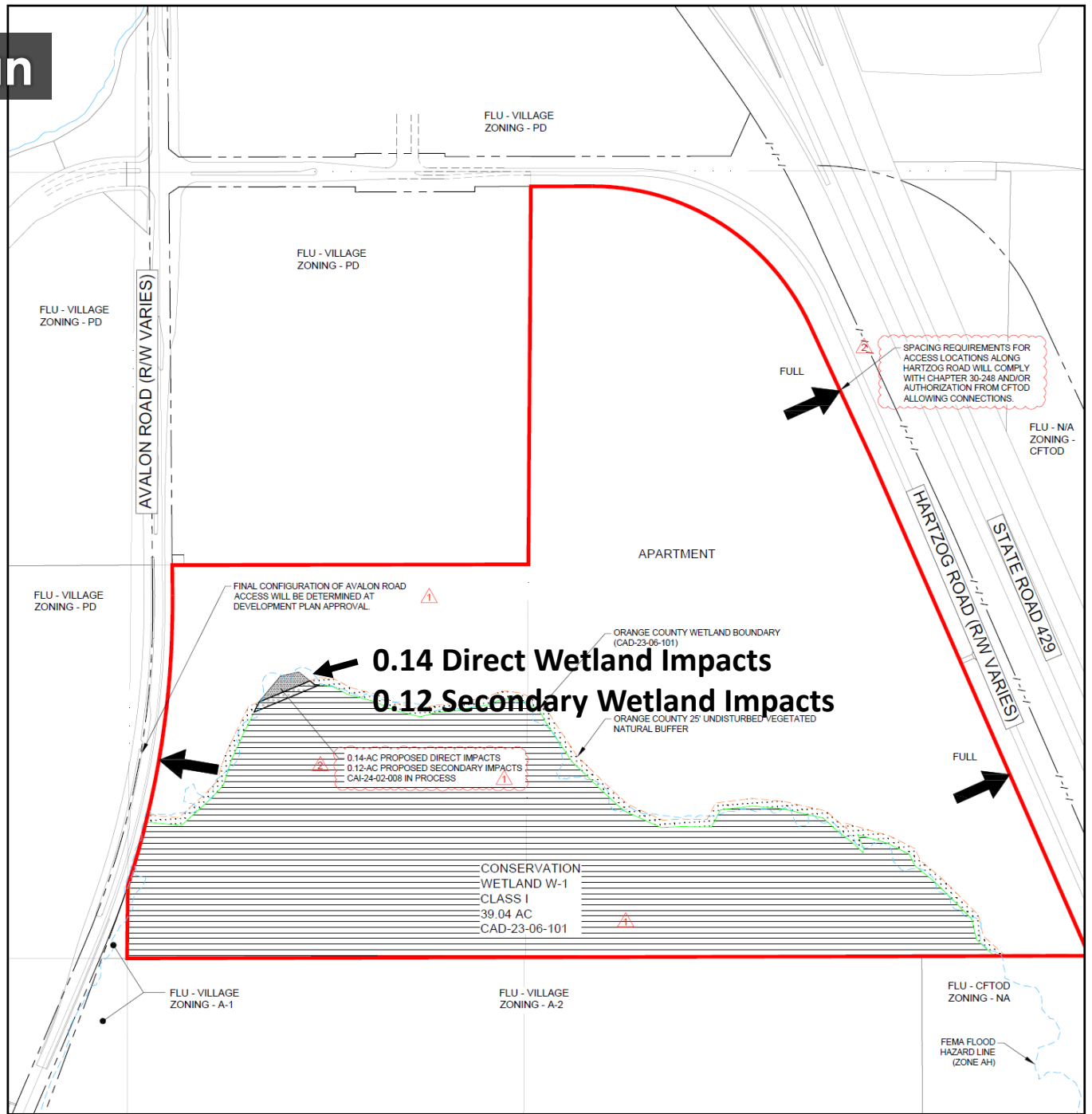
**Village I  
Boundary**

**A-2**

# PD Land Use Plan

## One Waiver Requested:

1.3 parking spaces for studio and 1 bedroom units, in lieu of 1.5 spaces for efficiencies and 1 bedroom units; and  
 1.8 spaces for 2 bedroom and larger units, in lieu of the 2.0 spaces.



LEGEND

- PD BOUNDARY
- RIGHT OF WAY
- PD ACCESS
- ORANGE COUNTY 25' UNDISTURBED VEGETATED NATURAL BUFFER
- CAD WETLAND AREA
- ORANGE COUNTY WETLAND BOUNDARY CAD-23-06-101
- ORANGE COUNTY WETLAND BUFFER
- FEMA FLOOD HAZARD LINE SEE SHEET C-001 FOR INFORMATION
- WETLAND IMPACT
- SECONDARY IMPACT

PROJECT: HORIZON VILLAGE HARTZOG ROAD ATTAINMENT HOUSE COMMUNITY

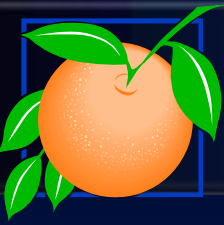
10901 AVALON RD W FL 3477

UNDESIGNED PROJ# 612110

REVISION / IS	
NO.	DESCRIPTION
	TRG SUBMITT
1	TRG RESPON
2	TRG RESPON

DESIGNED BY: BF  
 DRAWN BY: EG  
 CHECKED BY: BF

SCALE



## ADDITIONAL CONDITION OF APPROVAL

24. “Prior to plat recording for the Property, a restriction shall be recorded against the Property for the benefit of the County as follows:

- At least 75% of all multi-family units available for rent on the Property shall be reserved for residents earning between 50% and 100% of the Median Family Income (AMI) for the Orlando-Kissimmee-Sanford, FL Metropolitan Statistical Area.

Such restriction may be included in a restrictive declaration made by the fee owner of the property provided that such declaration provides that such restriction may not be changed, waived, or rescinded by the declarant without the prior written approval of the County Administrator or its designee for a period of twenty (20) years after recording.”

# TARGET INCOME GROUPS

AREA MEDIAN INCOME AND HOME PRICE CAPS

**\$90,400**

AREA MEDIAN INCOME (2024)\*

**Affordable  
Housing**

**30% - 50% AMI (Very Low Income)**  
Earn between \$28,950 – \$48,250 annually

= Rent Limit (0-3 bedrooms)  
**\$507- \$1,255**

**50% - 80% AMI (Low Income)**  
Earn between \$48,250 – \$77,200 annually

= Rent Limit (0-3 bedrooms)  
**\$845 - \$2,008**

**Attainable  
Housing**

**80% - 120% AMI (Moderate Income)**  
Earn between \$77,200 – \$115,800 annually

= Rent Limit (0-3 bedrooms)  
**\$1,352 - \$3,012**

**120% - 140% AMI (Middle Income)**  
Earn between \$115,800 – \$135,100 annually

= Rent Limit (0-3 bedrooms)  
**\$2,028 - \$3,514**

\*Source: U.S. Department of Housing & Urban Development (HUD)

# TARGET INCOME GROUPS

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Earn between \$115,800 – \$135,100 annually

= Rent Limit (0-3 bedrooms)  
**\$2,028 - \$3,514**

# Industry and Affordability

## Scenario

*One couple, working in the  
Tourism Industry, living in  
Orange County*

Accommodation and  
Food Services



\$36,352

Leisure and  
Hospitality



\$40,933

2022 Average  
Annual Wage  
(2023 USD)

Combined  
Income  
**\$77,285**

Maximum  
Affordable Rent  
30% of Income

\$23,185  
**\$1,932**  
/month

## Rent Ranges by AMI



**\$823** (50% AMI)  
to  
**\$1,647** (100% AMI)



**\$988** (50% AMI)  
to  
**\$1,977** (100% AMI)

Source:

Florida Housing Finance Corporation 2023 Income Limits and Rent Limits  
Florida Housing Data Clearinghouse Shimberg Center for Housing Studies

*Board of County Commissioners*

**Conservation Area Impact Permit  
Application**

**CAI-24-02-008**

**Applicants:**

**Walt Disney World Parks and Resorts US, Inc.  
and ARDC-Ocala 201, LLC**

**October 8, 2024**





# Existing Conditions



Depiction of approximate extent of onsite wetland.

Wetland delineation was approved under CAD-24-06-101.

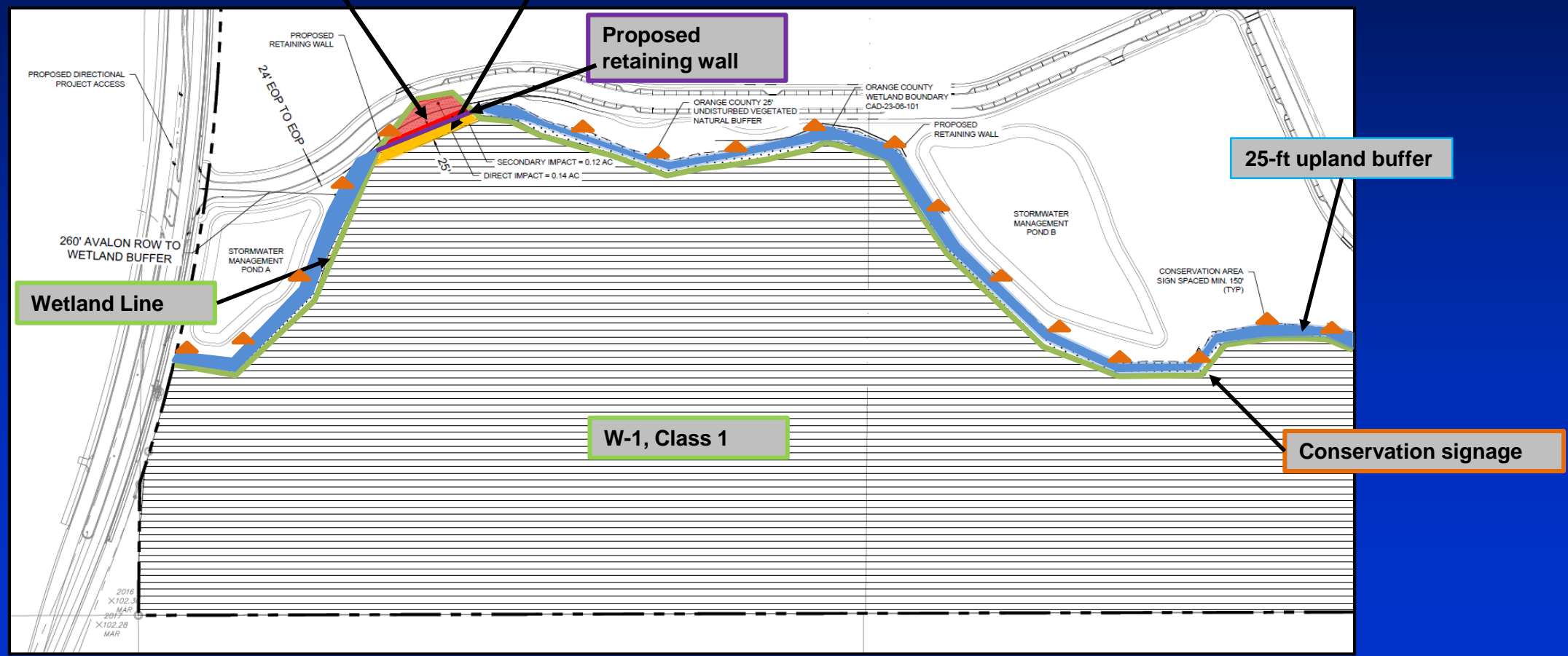
Wetland (W-1)	39.03 ac.
Upland	75.19 ac.
Total	114.23 ac.



# Current Site Plan

**0.14 ac. Direct Wetland Impacts**

**0.12 ac. Secondary Wetland Impacts**





# Site Conditions





## Mitigation

- To offset the 0.14-acre direct wetland impacts and the 0.12-acre secondary wetland impacts, the applicants have proposed to purchase 0.09 Freshwater Uniform Mitigation Assessment Method (UMAM) mitigation bank credits from the Southport Ranch Mitigation Bank, located in Osceola County, which services the project area.
- EPD has determined that the mitigation is appropriate and sufficient to offset adverse impacts to wetlands that will occur as a result of the project.



## Chapter 15, Article X – Review Criteria

- Pursuant to Chapter 15, Article X, adopted 1987, Section 15-362(5), *“Where wetlands serve a significant and productive environmental function, the public health, safety and welfare require that any alteration or development affecting such lands should be so designed and regulated as to minimize or eliminate any impact upon the beneficial environmental productivity of such lands, consistent with the development rights of property owners.”*
- Additionally, Section 15-396(3)(a) states, *“The removal, alteration or encroachment within a Class I conservation area shall only be allowed in cases where no other feasible or practical alternatives exist that will permit a reasonable use of the land or where there is an overriding public benefit. The protection, preservation and continuing viability of Class I conservation areas shall be the prime objective of the basis for review of all proposed alterations, modifications, or removal of these areas. When encroachment, alteration or removal of Class I conservation areas is permitted, habitat compensation or mitigation as a condition of development approval shall be required.”*



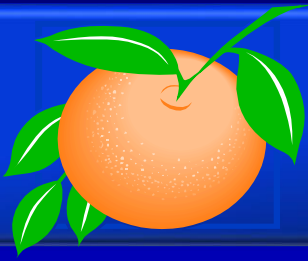
## Chapter 15, Article X – Review Criteria

- The applicants have designed the site to avoid and minimize impacts to Class I wetlands to the greatest extent practicable within the constraints of the available space.
- The direct impacts of Class I wetlands have been limited to only a small area on the northwest edge of the wetland system where there are encroaching invasive species.
- Therefore, impacts to the overall environmental productivity of the Class I wetlands is anticipated to be minimal, and the applicants will offset any adverse impacts with appropriate mitigation.



## Finding

- EPD staff has made a finding that the request is consistent with Orange County Code, Chapter 15, Article X, adopted 1987, Sections 15-362(5) and 15-396(3)(a) and recommends approval of CAI Permit No. CAI-24-02-008, subject to the conditions listed in the staff report.



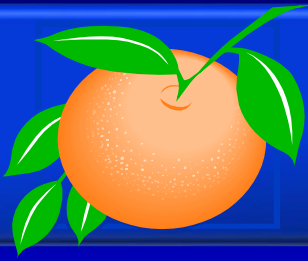
# Transportation Analysis

## Development impact on transportation network

- Applicant's traffic report reviewed and findings are acceptable
- Summary of development program
  - Up to 1,410 attainable multi-family units
  - 6,401 new daily vehicle trips
  - 609/550 AM/PM Peak Hour trips
- Summary of road impacts
  - Avalon Road: Western Way to Water Springs Boulevard
  - Avalon Road and Hartzog Road Intersections
  - Developer to construct
    - #2 – NB/SB right/left turn lanes on Avalon Road
      - Install new traffic signal
    - #3 – Reduce length of NB left turn lanes on Avalon Road
    - #6 & 7 – NB left turn lane on Hartzog Road and SB right turn lane on Hartzog Road



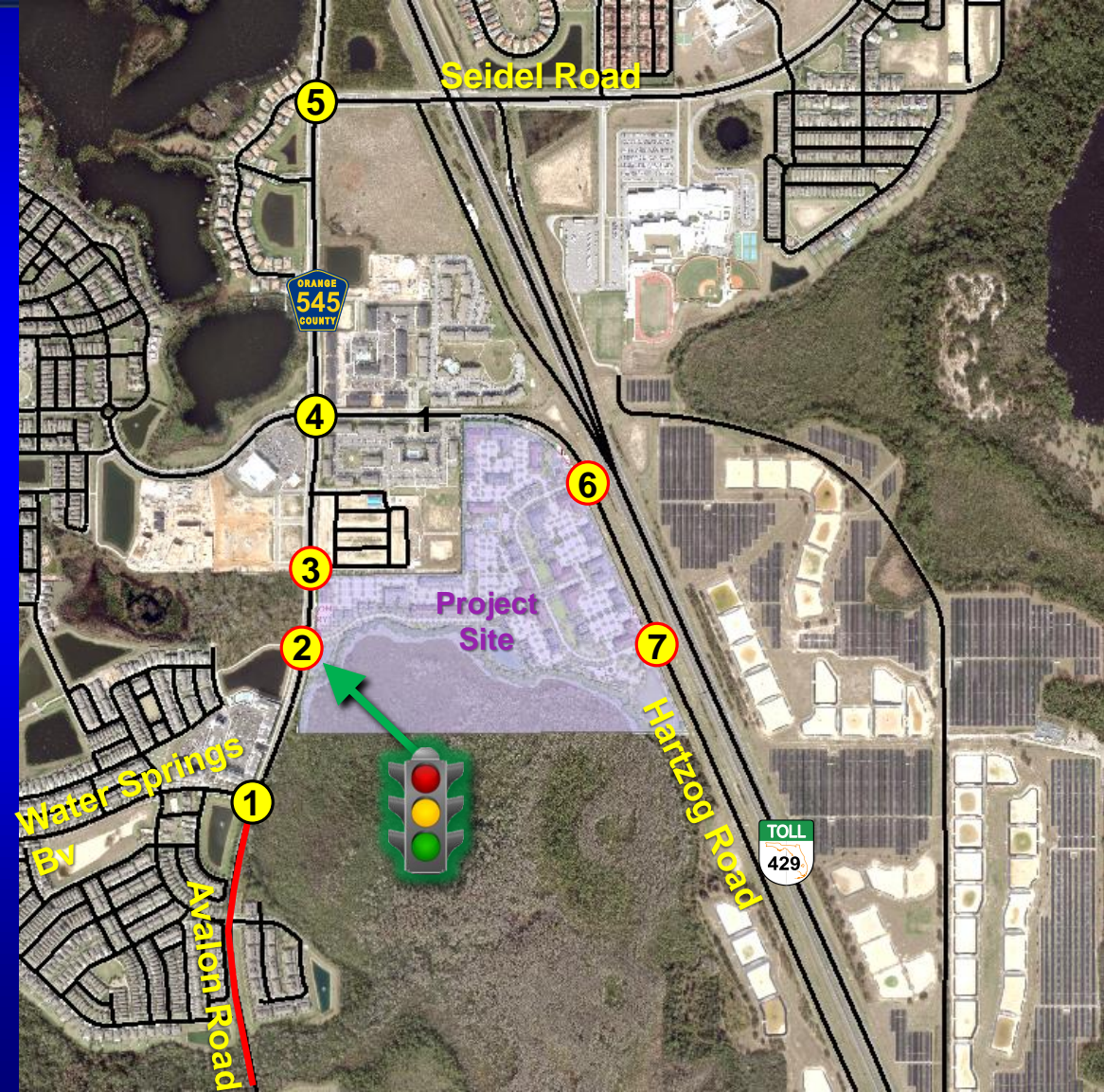


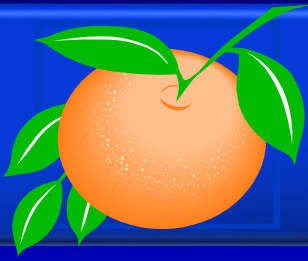


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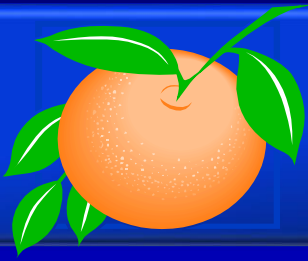


# Transportation Analysis

## Development impact on transportation network

- **Proportionate Share agreement**
  - Pulled from Consent Agenda and being considered during this hearing
  - Agreement occurring earlier than required by Code (zoning versus vertical permitting)
  - Fee calculated to mitigate deficient segment of CR 545 from Western Way to Water Springs Boulevard
  - Prior to building permit a fee of \$3,245,340 will be collected
- **Transportation Impact Fees**
  - Fee based on type and amount of development approved
  - Collected at time of vertical permitting
  - Amount: \$8,172,204.90
- **Fees will be used to accelerate acquisition of uncontrolled rights-of-way and construction of CR 545 in Village I**

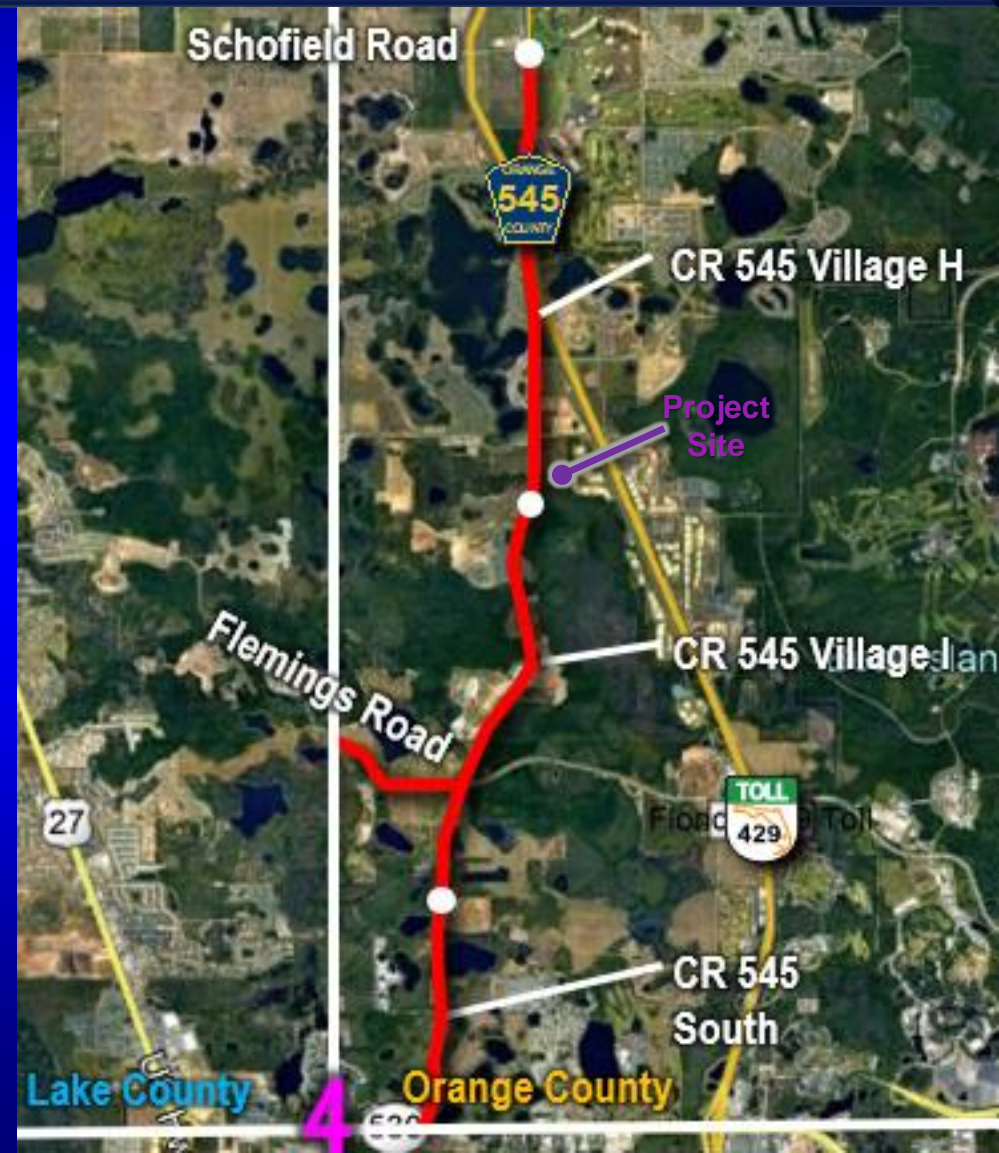


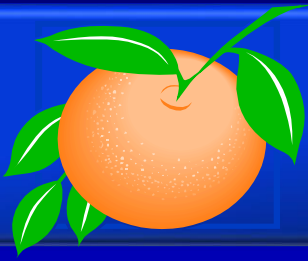


# Transportation Analysis

## Orange County Road Projects

- All Horizon West major roads
  - Partnership projects in LRTP
  - Subject to Board approved road network agreements
  - Includes performance thresholds that regulate development permitted versus road infrastructure delivered
- CR 545 (Avalon Road)
  - Village H
  - Village I (includes Flemings Road)
  - South Segment (outside Horizon West)

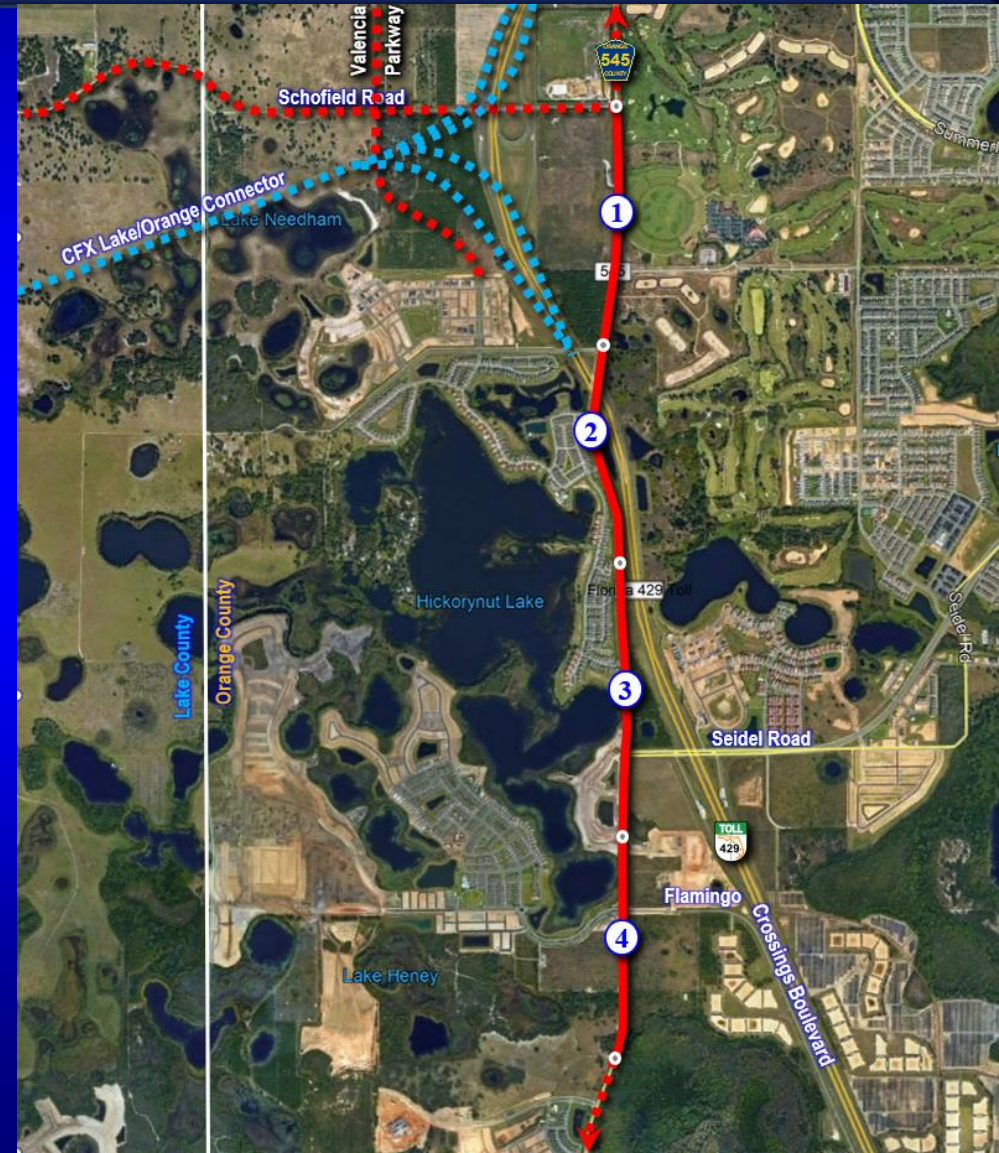


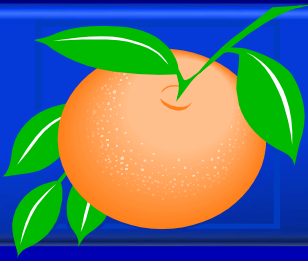


# Transportation Analysis

## Orange County Road Projects

- CR 545 Village H
  - Public/private partnership
  - 4-lane widening from South of Hartzog Road to Schofield Road
    - Segment 1 completed January 2023
    - Segment 2 completed January 2021
    - Segment 3 completed July 2021
    - Segment 4 completed December 2021

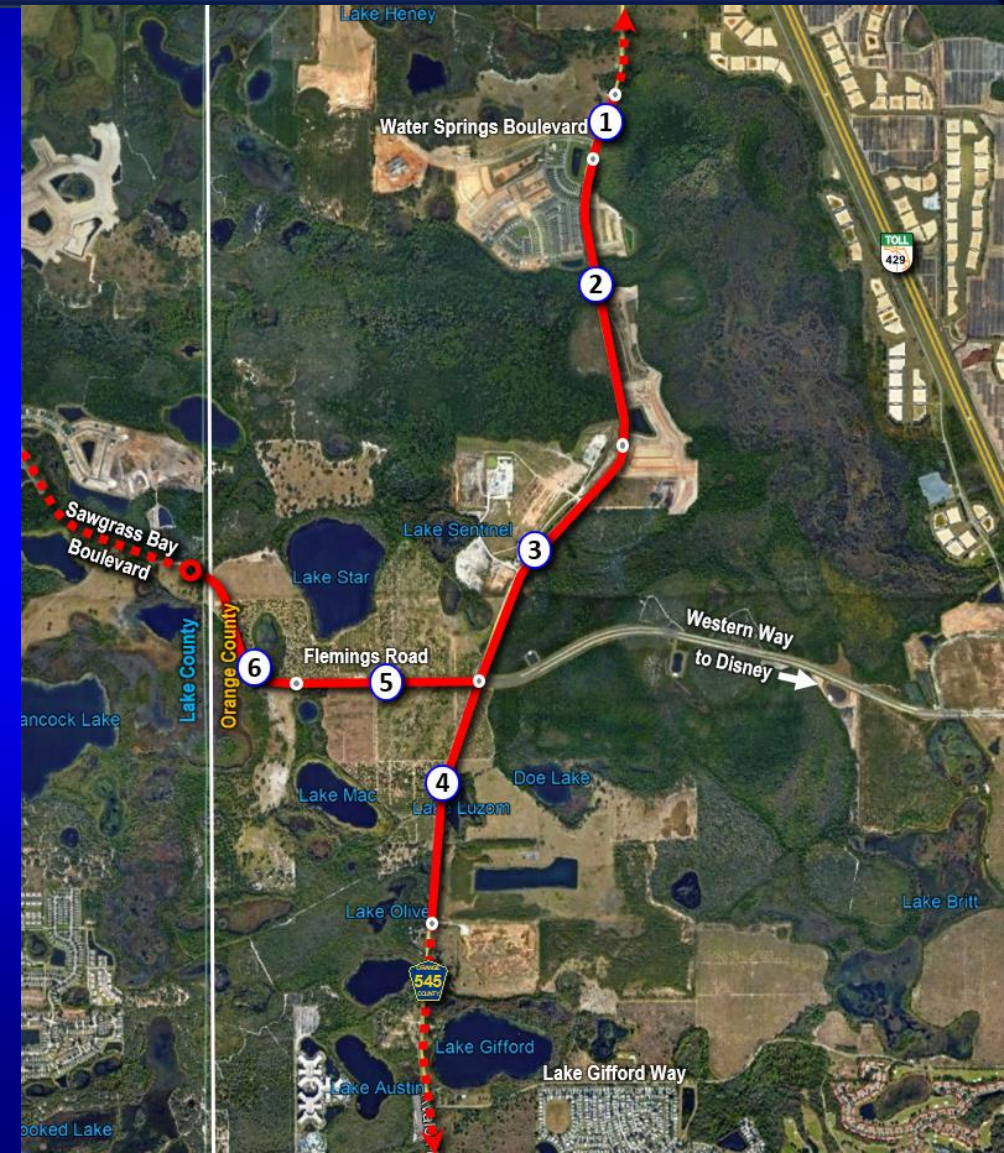


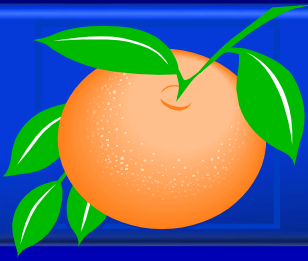


# Transportation Analysis

## Orange County Road Projects

- **CR 545 Village I**
  - Public/private partnership
  - 4-lane widening from “New” Hartzog Road to north of Water Springs Boulevard
  - Six road segments includes four-lane Flemings Road
  - **Segments 1, 2 & 3:**
    - Currently the design plans are at 30% and comments submitted to developer’s consultant
    - Final design & permitting completion July 2025
  - **Segment 4:**
    - Currently waiting on 90% design plan submittal
    - Final design & permitting completion June 2025
    - Right-of-way acquisition December 2024 to April 2026
    - Construction start in May 2025
  - **Segment 5 & 6 (Flemings Road):**
    - Currently waiting on 100% design plan submittal
    - Final design & permitting completion December 2024
    - Right-of-way acquisition May 2024 to September 2025
    - Construction start in Q1/Q2 2025

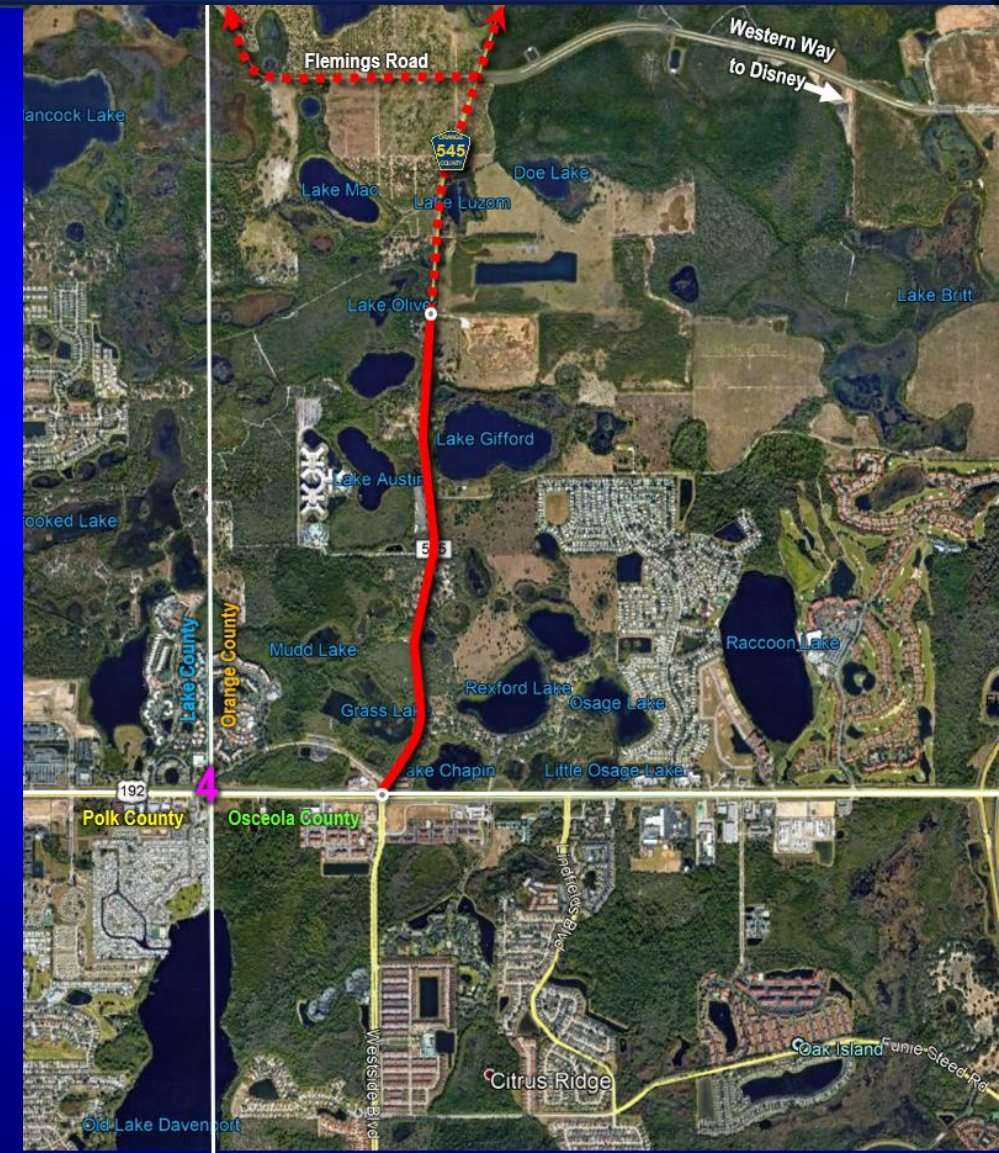




# Transportation Analysis

## Orange County Road Projects

- **CR 545 South**
  - Public Works CIP
  - 4-lane widening from US 192 to Hartzog Road
  - Currently finalizing design contract, complete December 2024
  - Final design & permitting completion January 2027
  - Right-of-way acquisition January 2027 to January 2029
  - Construction start in July 2030





# Community Meeting Summary

**September 6, 2023**

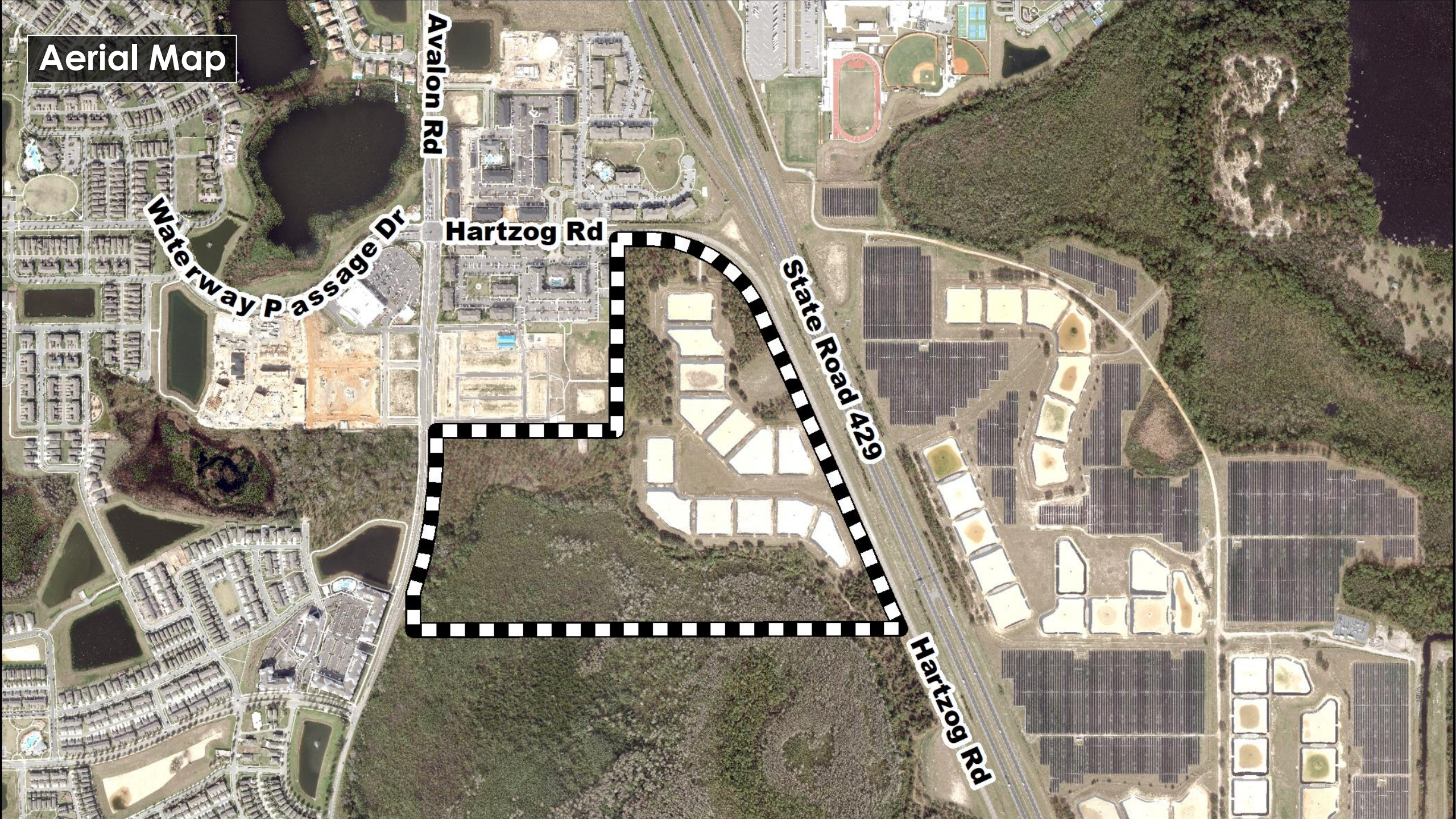
**March 18, 2024**

**Water Spring Elementary School**

**Horizon High School**

- **Attendance – 70 & 105 residents**
  
- **Concerns:**
  - **Traffic**
  
  - **Overdevelopment of apartments in the area**
  
  - **School impacts**

**Aerial Map**



**Avalon Rd**

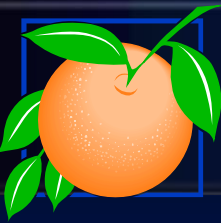
**Waterway Passage Dr**

**Hartzog Rd**

**State Road 429**

**Hartzog Rd**





## ADDITIONAL CONDITION OF APPROVAL

24. “Prior to plat recording for the Property, a restriction shall be recorded against the Property for the benefit of the County as follows:

- At least 75% of all multi-family units available for rent on the Property shall be reserved for residents earning between 50% and 100% of the Median Family Income (AMI) for the Orlando-Kissimmee-Sanford, FL Metropolitan Statistical Area.

Such restriction may be included in a restrictive declaration made by the fee owner of the property provided that such declaration provides that such restriction may not be changed, waived, or rescinded by the declarant without the prior written approval of the County Administrator or its designee for a period of twenty (20) years after recording.”



## AMENDMENT 2023-3-A-1-1 & LUP-23-06-183

**2023-3-A-1-1:**

**ADOPT**

**Ordinance:**

**ADOPT**

**LUP-23-06-183:**

**APPROVE**

### **Action Requested:**

- **Make a finding of consistency with the Comprehensive Plan;**
- **Determine that the proposed amendment is in compliance;**
- **ADOPT Amendment 2023-3-A-1-1, a request to expand the Horizon West Village H Special Planning Area (SPA) boundary and apply the Village (V) Future Land Use Map designation to the subject property;**
- **ADOPT the associated Ordinance for the proposed Future Land Use Map Amendment; and**
- **Make a finding of consistency with the Comprehensive Plan and APPROVE Rezoning Case LUP-23-06-183, *Hartzog Road Attainable Housing Community Planned Development/Land Use Plan (PD/LUP)*, dated "Received June 11, 2024", subject to the twenty-three (23) conditions listed in the staff report, including one (1) requested waiver from Orange County Code, and 1 additional condition as presented.**



## **AGREEMENTS**

### **Action Requested:**

#### **Adequate Public Facility Agreement (APF-24-08-206)**

- **Approve and Execute the Adequate Public Facilities Agreement for Hartzog Road Attainable Housing Community PD by and between Walt Disney Parks and Resorts U.S., Inc. and ARDC-Ocala 201, LLC and Orange County (APF-24-08-206)**

#### **Adequate Public Facility Agreement (APF-24-08-206)**

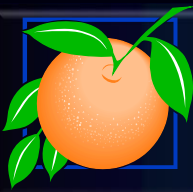
- **Approve and Execute the Proportionate Share Agreement for Hartzog Road Attainable Housing Community Avalon Road by and among ARDC-Ocala 201, LLC, Walt Disney Parks and Resorts U.S., Inc., and Orange County for a proportionate share payment in the amount of \$3,245,340.**



## **CONSERVATION AREA IMPACT PERMIT CAI-24-02-008**

### **Action Requested:**

- **Acceptance of the findings and recommendation of the Environmental Protection Division staff and approval of Conservation Area Impact Permit CAI-24-02-008 for Walt Disney Parks and Resorts U.S., Inc. and ARDC-Ocala 201, LLC, subject to the conditions listed in the staff report.**



# HARTZOG ROAD ATTAINABLE HOUSING COMMUNITY

## Requested Action:

- **Adopt:** **Amendment 2023-3-A-1-1**
- **Adopt:** **Regular Cycle Ordinance**
- **Approve:** **Rezoning Case LUP-23-06-183**
- **Approve and Execute:** **Adequate Public Facilities Agreement APF-24-08-206**
- **Approve and Execute:** **Proportionate Share Agreement for Hartzog Road Attainable Housing Community Avalon Road**
- **Approve:** **Conservation Area Impact Permit CAI-24-02-008**