



Interoffice Memorandum

DATE: November 29, 2022

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

THROUGH: Jon V. Weiss, P.E., Director
Planning, Environmental, and Development Services Department

FROM: Alberto A. Vargas, MArch., Manager, Planning Division

SUBJECT: Adoption Public Hearing – November 29, 2022, Small-Scale Future Land Use Map Amendment and Concurrent Rezoning Request
Applicant: Ali Tehrani, Tehrani Consulting Engineering, LLC
SS-22-04-023 and RZ-22-04-024

Please find the attached staff report and associated back-up material for the **Small-Scale Future Land Use Map Amendment** scheduled for a Board adoption public hearing on November 29, 2022.

The subject property is located at 803 W. Oak Ridge Road, or generally on the north side of Oak Ridge Road, east of S. Orange Blossom Trail. The request is to change the Future Land Use Map designation from Low Density Residential to Office and change the zoning from R-1AA (Single-Family Dwelling District) to P-O Restricted (Professional Office District) subject to six restrictions in order to allow for office uses. A community meeting was held on October 18, 2022, with four residents in attendance with concerns for lake access, compatibility, and loitering.

The adoption public hearing for Small-Scale Development Amendment SS-22-04-023 (and concurrent rezoning RZ-22-04-024) was conducted before the Planning and Zoning Commission / Local Planning Agency on October 20, 2022.

If the Board adopts the proposed amendment, the Small-Scale Development Amendment will become effective 31 days after the public hearing, provided no challenges are brought forth for this amendment.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division, at 407-836-5802 or Alberto.Vargas@ocfl.net, or Jason Sorensen, AICP, Chief Planner, Current Planning Section, at 407-836-5602 or Jason.Sorensen@ocfl.net.

**ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan and adopt the Office (O) Future Land Use map designation, approve the associated ordinance, and approve the P-O Restricted (Professional Office District) zoning subject to six restrictions as listed under PZC Recommendation in the staff report.
District 3**

JVW/AAV/jhs

- c: Christopher R. Testerman, AICP, Deputy County Administrator
- Joel Prinsell, Deputy County Attorney
- Whitney Evers, Assistant County Attorney
- Roberta Alfonso, Assistant County Attorney
- Jason Sorensen, AICP, Chief Planner, Planning Division
- Olan D. Hill, AICP, Assistant Manager, Planning Division
- Nik Thalmueller, AICP, Planning Administrator, Planning Division

**Rezoning and Small-Scale Amendment Staff Report
Orange County Planning Division
BCC Hearing Date: November 29, 2022**

CASE # SS-22-04-023

RZ-22-04-024

Commission District: # 3

GENERAL INFORMATION

APPLICANT	Ali Tehrani, PE; Tehrani Consulting Engineering, LLC
OWNERS	Shrey Patel & Biren Dattani
HEARING TYPE	Planning and Zoning Commission / Local Planning Agency
FLUM REQUEST	Low Density Residential (LDR) to Office (O)
ZONING REQUEST	R-1AA (Single-Family Dwelling District) to P-O Restricted (Professional Office District)
LOCATION	803 W. Oak Ridge Road; generally located on the north side of W. Oak Ridge Road, and east of S. Orange Blossom Trail.
PARCEL ID NUMBER	23-23-29-0000-00-081
TRACT SIZE	2.45 gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing was 700 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred fifty-seven (257) notices were mailed to those property owners in the mailing area.
COMMUNITY MEETING	A community meeting was held for this request on October 18th and is summarized further in this report.
PROPOSED USE	Professional Office Uses

STAFF RECOMMENDATION

PLANNING

Future Land Use Map Amendment

Make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of the requested Office (O) Future Land Use.

Rezoning

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested P-O Restricted (Professional Office District) zoning, subject to the following restrictions:

1. A Type D landscape buffer shall be provided along the eastern and western property boundary lines adjacent to single-family residences;
2. New billboards and pole signs shall be prohibited;
3. A vinyl fence six (6) feet in height shall be installed along the western property boundary adjacent to residential zoned properties, but not further north than the northern boundary of Parcel 23-23-29-8180-00-040 (5809 Shelburn Court). The fence shall connect to the western side of any building constructed on the western portion of the property;
4. A vinyl fence six (6) feet in height shall be installed along the eastern portion of the property on the western side of the canal adjacent to residential zoned properties, but not any further north than the northern boundary of Parcel 23-23-29-0000-00-032 (5816 Padgett Circle);
5. Building height shall be limited to one (1) story or a maximum of twenty-five feet (25'); and
6. Access to Lake Jessamine shall be prohibited. A black vinyl clad chain link fence six (6) feet in height shall be installed, connecting to the vinyl fences to be installed on the eastern and western portions of the site, so as to prevent access to the rear of the site except that a gate may be provided for maintenance purposes.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is seeking a Small-Scale Land Use Map Amendment to change the Future Land Use of the 2.45 gross acre subject property from Low Density Residential (LDR) to Office (O) and to rezone from R-1AA (Single-Family Dwelling District) to P-O Restricted (Professional Office District), in order to allow for office uses.

The subject property is an undeveloped lot, with frontage on Lake Jessamine. The immediate surrounding area is developed with single-family residences, office uses, and Oak Ridge High School. A Type D landscape buffer is required for Professional Office (P-O) uses adjacent to residential uses. The Type D landscape buffer is required to be completely opaque from the ground up to a height of at least six (6) feet (after three years if landscaping is used) with either landscaping or a wall and shall be a minimum of ten (10) feet wide.

The proposed restrictions were due to the feedback from the four (4) residents at the October 18th community meeting.

Existing FLUM Development Program

The existing development program would allow for single-family residence uses on the subject property permitted under the R-1AA zoning district, and consistent with the Low Density Residential land use designation. A total of eight (8) single-family residences can be developed on the subject property based on the permitted density of four (4) dwelling units per acre.

Proposed FLUM Development Program

The proposed P-O Restricted zoning with the Future Land Use Map designation of Office will allow the applicant to develop the subject property with office uses. Based on Floor Area Ratio of 1.25, a total of 94,526 sq. ft of office uses is permitted under the Office land use designation.

Land Use Compatibility

The Office Future Land Use and P-O Restricted zoning would allow for development that is compatible with the character of the surrounding area, and would not adversely impact adjacent properties. Existing office uses are present along W. Oak Ridge Road, with single-family residences located along Shelburn Court and Padgett Circle. A buffer yard totaling ten (10) feet in width and six (6) feet in height would be required along portions of the eastern and western boundary lines adjacent to single-family residences to ensure a transition between office and residential uses.

Site Analysis

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Comprehensive Plan (CP) Consistency

As mentioned previously, the underlying CP Future Land Use Map (FLUM) designation of the subject property is Low Density Residential, which is consistent with the R-1AA zoning. The proposed P-O Restricted zoning is consistent with the proposed Office land use designation. 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

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S: Oak Ridge High School

P-O (Professional Office District) Development Standards

Min. Lot Area: 10,000 sq. ft.
 Min. Lot Width: 85 ft.
 Max. Height: 35 ft.
 Min. Floor Area: 500 ft.

Building Setbacks

Front: 25 ft.
 Rear: 30 ft.
 Side: 10 ft. for one and two-story buildings

Intent, Purpose, and Uses

The intent and purpose of this P-O (Professional Office District) zoning classification is to provide for and encourage development of a wide variety of high quality functional and attractive professional office centers in accordance with adopted county development plans and policies. The P-O zoning classification establishes standards which will promote high quality site development of individual office structures and larger office centers, both of which are properly oriented towards arterial roads and compatible with adjoining properties.

Specific uses shall be identified by the letter "P" in the use table set forth in Section 38-77 of the Orange County Code.

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sheriff's Department	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Fire Rescue	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Environmental Comments

CAD: An Orange County Conservation Area Determination (CAD) CAD-22-03-059 was completed with a certified survey of the conservation area boundary approved by the Environmental Protection Division (EPD) on Aug 24, 2022. The CAD identified 0.714 ac of a Class I surface water (canal) within the property boundary.

Transportation Comments

Trip Generation (ITE 11th Edition)

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Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Existing Use: Single Family Dwelling Units	8	100%	8
Proposed Use: 93,382 SF of office (1.25 FAR)	157	92%	144
Totals:	149		136
Net New Trips (Proposed Development less Allowable Development): 136			

Future Roadway Network

Road Agreements: No

Planned and Programmed Roadway Improvements: Oak Ridge Road Pedestrian Safety Project: Design and Construction of recommended safety improvements on Oak Ridge Road. At the time of this report, the project is 59% overall complete.

Right of Way Requirements: No

Summary:

The applicant is requesting to change ~2.429 acres from LDR to Office and rezone from R1AA & P-O to P-O only to permit for the construction of office buildings.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed 93,382 SF of office will result in an increase in the number of 136 pm peak trips and therefore will impact the area roadways.
Roadway Capacity Analysis

A traffic Study was not submitted with the case for review and comment. The subject property is located adjacent to Oak Ridge Road. Based on existing conditions, capacity exists within the project's impact area. This information is dated and subject to change.

Please be aware since this change generates more than 50 PM peak trips, a traffic study will be required at concurrency prior to obtaining a building permit approval.

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.

Community Meeting Summary

A community meeting was held on October 18, 2022, with four (4) residents in attendance expressing concerns for lake access, compatibility, and loitering.

Utilities

Water: Orlando Utilities Commission

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Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

Detailed Utility Information:

This property is within Orlando Utilities Commission's 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: There are no reclaimed water mains within the vicinity of this property. Reclaimed water is considered not available. Connection is not required.

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 20, 2022)

Make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of the requested Office (O) Future Land Use and APPROVAL of the requested P-O Restricted (Professional Office District) zoning, subject to the following restrictions:

1. A Type D landscape buffer shall be provided along the eastern and western property boundary lines adjacent to single-family residences;
2. New billboards and pole signs shall be prohibited;
3. A vinyl fence six (6) feet in height shall be installed along the western property boundary adjacent to residential zoned properties, but not further north than the northern boundary of Parcel 23-23-29-8180-00-040 (5809 Shelburn Court). The

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fence shall connect to the western side of any building constructed on the western portion of the property;

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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 APPROVAL of both applications for the requested Office (O) Future Land Use Designation, and the P-O Restricted (Professional Office District) zoning subject to six restrictions. The applicant was present and agreed with the staff recommendation.

After discussion addressing stormwater retention and the proposed fence and buffering restrictions, a motion was made on the Future Land Use Map Amendment and Rezoning by Commissioner Abdallah, and seconded by Commissioner Wiggins to recommend ADOPTION of the requested Office (O) Future Land Use designation and APPROVAL of the requested P-O Restricted (Professional Office District) zoning subject to the six restrictions in the staff report. The motion carried on a 7-0 vote.

Motion / Second

Mohammed Abdallah / George Wiggins

Voting in Favor

George Wiggins, Jaja Wade, Mohammed Abdallah, Nelson Pena, Gordon Spears, Trevor Sorbo, and Evelyn Cardenas

Voting in Opposition

None

Absent

Eddie Fernandez and Walter Pavon

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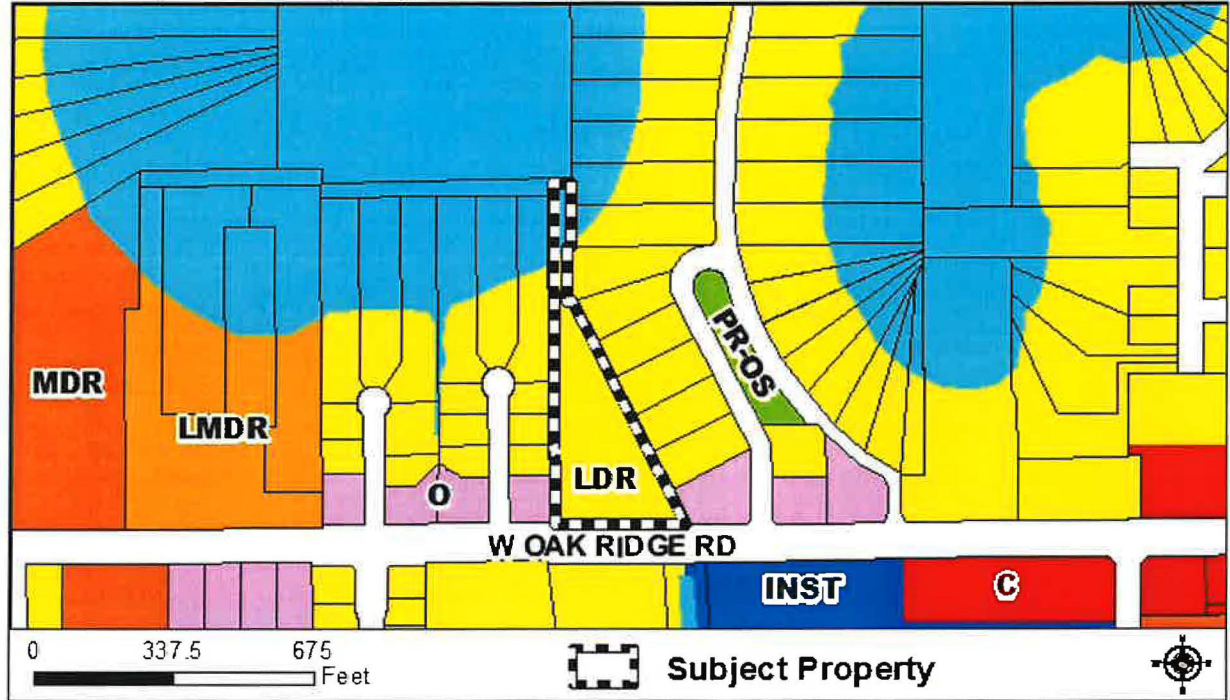
 Subject Property



1 inch = 300 feet

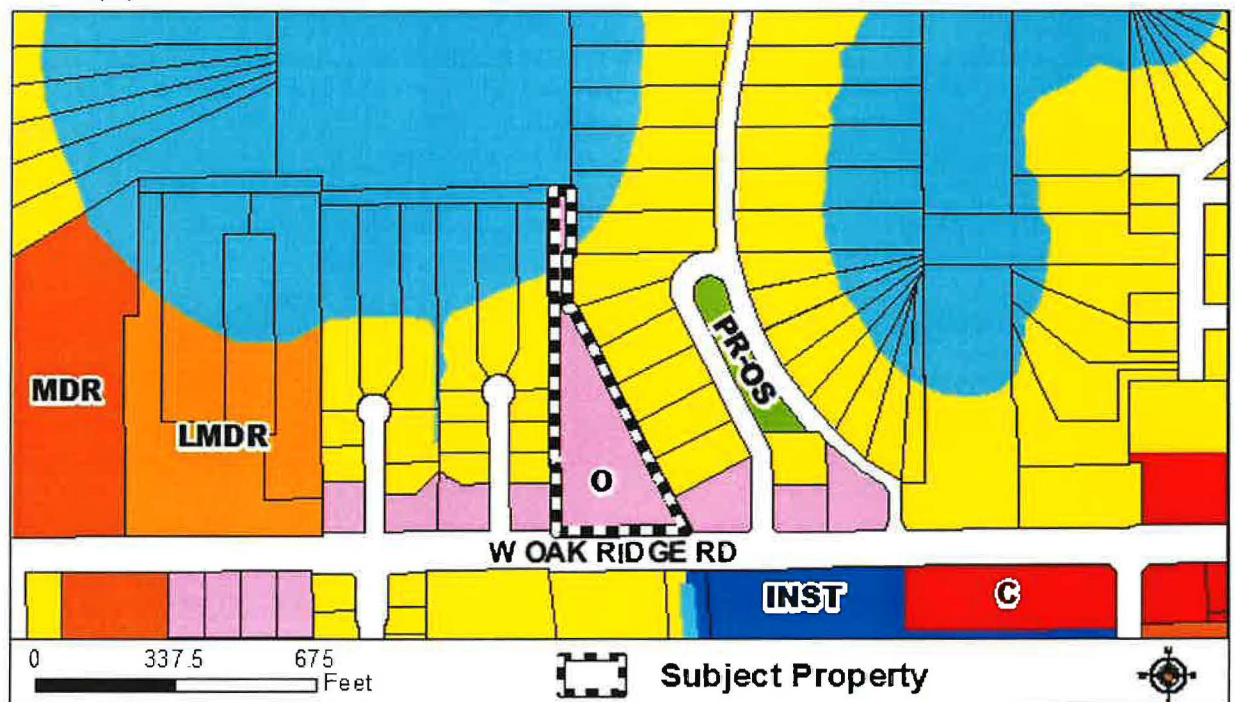
FUTURE LAND USE - CURRENT

Low Density Residential (LDR)



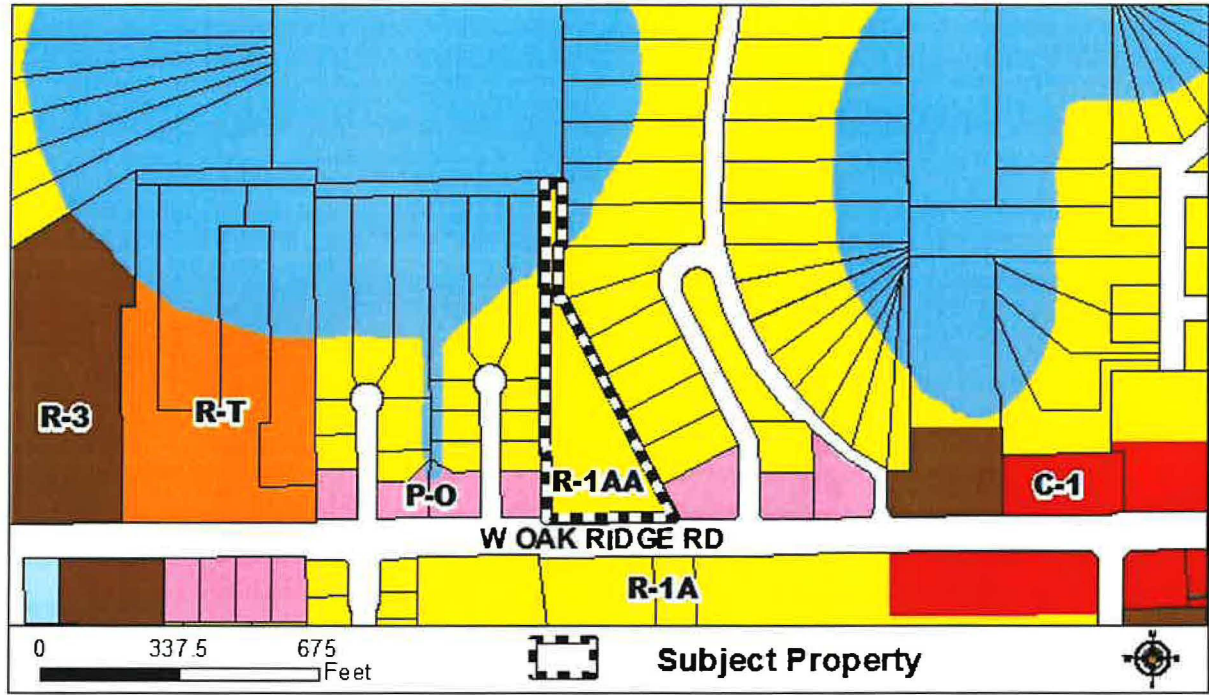
FUTURE LAND USE - PROPOSED

Office (O)



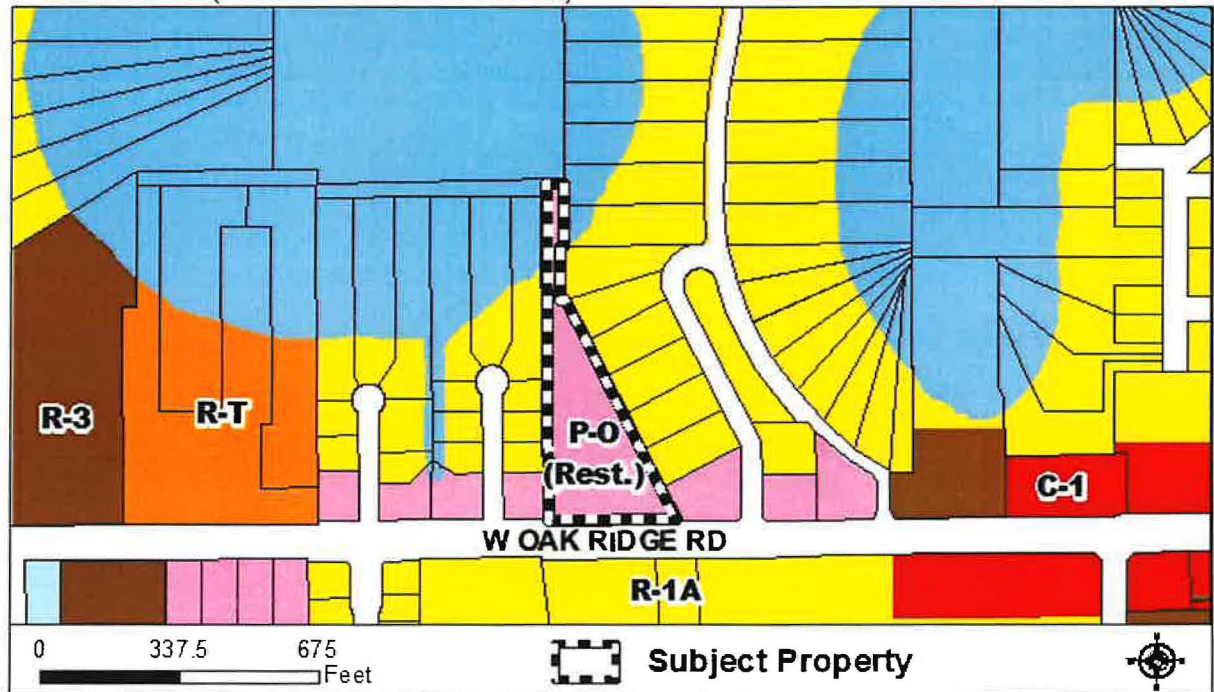
ZONING – CURRENT

R-1AA (Single-Family Dwelling District)



ZONING – PROPOSED

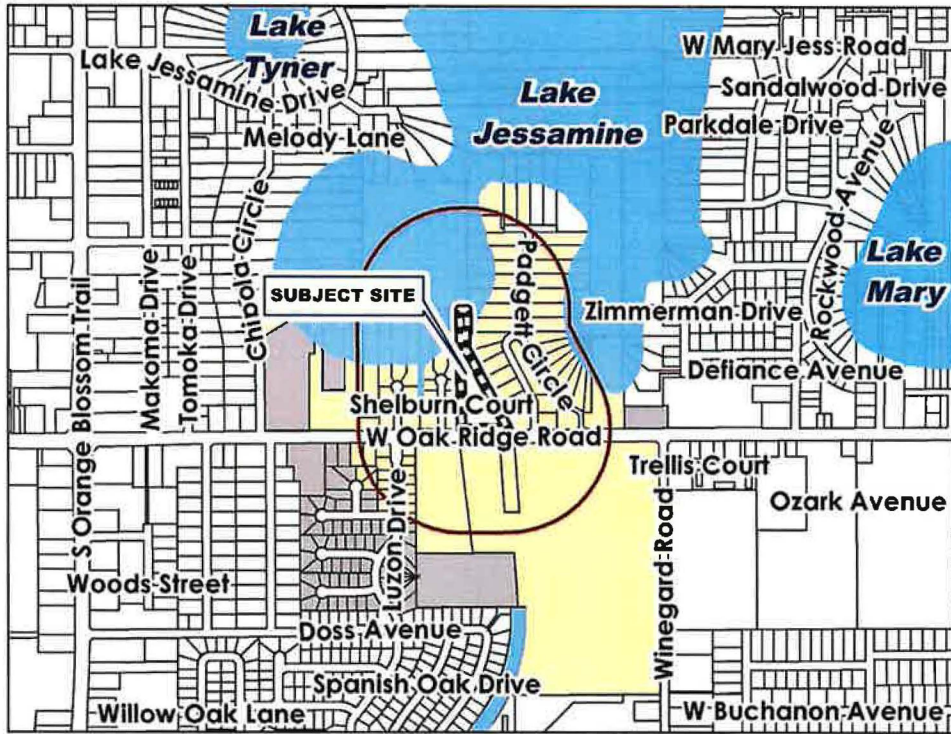
P-O Restricted (Professional Office District)



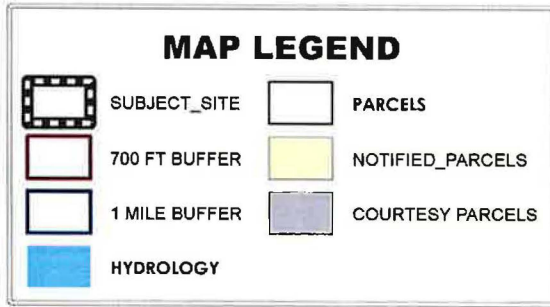
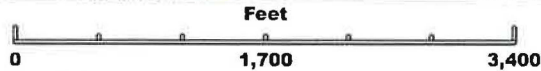


Public Notification Map

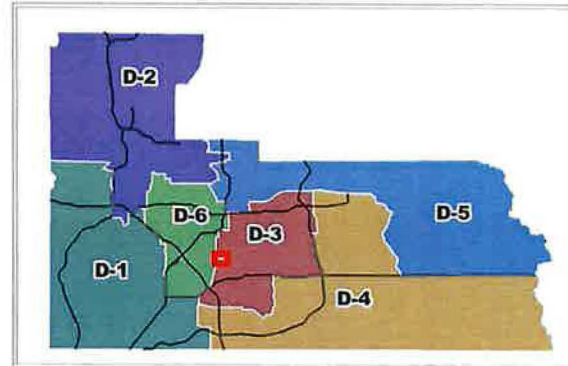
SS-22-04-023 & RZ-22-04-024



SUBJECT_SITE



BUFFER DISTANCE: 700
OF NOTICES: 257



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Notification Map

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