

Received: July 14, 2022 @ 12:50pm
Fiscal & Operational Support Division will
publish display advertisement in local
newspaper



Interoffice Memorandum

DATE: July 11, 2022

TO: Katie A. Smith, Deputy Clerk of the
Board of County Commissioners (BCC),
County Comptroller's Office

THRU: Agenda Development BCC

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

CONTACT PERSON: Alberto A. Vargas, MArch, Manager
Planning Division
(407) 836-5354 or Alberto.Vargas@ocfl.net

SUBJECT: Request Public Hearing on August 9, 2022

**Ordinance/Comprehensive Plan – Adoption of Regular Cycle Amendments,
Ordinance, and Concurrent Substantial Change Request**

TYPE OF HEARING: Adoption of Future Land Use Map Amendment,
FLU8.1.4 Text Amendment, Ordinance, and
Concurrent Substantial Change Request

APPLICANT/AGENT: Jonathan P. Huels, Lowndes, Drosdick, Doster,
Kantor & Reed, P.A., for CJD Property Hold CO,
LLC; Alafaya TH Tract 4, LLC; Alafaya COM Tract 7,
LLC; and Alafaya TH Tract 9, LLC

AMENDMENT: 2022-1-A-4-1: **Mixed Use Tract:** Planned
Development-Commercial/Low-Medium Density
Residential/Parks and Recreation/Open Space (PD-
C/LMDR/PR-OS), Planned Development-
Commercial (PD-C), Commercial (C), and Low-
Medium Density Residential (LMDR) to Planned
Development-Commercial/Low-Medium Density
Residential/Medium Density Residential/Parks and
Recreation/Open Space (PD-C/LMDR/MDR/PR-OS)
Multi-Family Tract: Planned Development-Low-
Medium Density Residential/Medium Density
Residential (PD-LMDR/MDR) and Low-Medium
Density Residential (LMDR) to Medium Density
Residential (MDR)

AND

2022-1-B-FLUE-1: Text Amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Development within Orange County

AND

Ordinance for Proposed Amendment

AND

**CONCURRENT
SUBSTANTIAL CHANGE
REQUEST:**

CDR-21-04-131: To increase multi-family units from 950 to 1,750 and add 100 townhomes through a conversion from 100,000 square feet of commercial uses; combine Tracts 4A and 4B into a single Tract 4; revise access points; allow for 40' wide single-family lots and reduce lot size to 4,200 square feet; revise the layout for the Park Tract and decrease the Park acres; and request to remove Condition of Approval #24 from December 16, 2008 which provided the development program maximums. Also requested are Twelve (12) waivers from Orange County Code:

- 1) A waiver from Section 38-1258(a) is requested to allow for a maximum building height of 60 feet (4 stories) for multi-family buildings located within 20 feet of single-family zoned property on Tract 4, in lieu of single story in height located within 100 feet of single-family zoned property;
- 2) A waiver from Section 38-1258(b) is requested to allow for a maximum building height of 60 feet (4 stories) for all multi-family buildings located within 20 feet of single-family zoned property within Tract 4, in lieu of varying building height with a maximum of 50% of the buildings being three-stories (not to exceed 40 feet) in height with the remaining buildings being one story or two stories in height located between 100+ feet to 150 feet of single-family zoned property;
- 3) A waiver from Section 38-1258(c) to allow for a maximum building height of 60 feet for multi-family buildings located within 20 feet of single-family zoned property within Tract 4, in lieu of three stories, 40 feet in height located within 150 feet of single-family zoned property;

- 4) A waiver from Section 38-1258(d) to allow for a maximum building height of 60 feet (4 stories) for multi-family buildings on Tract 4 and Tract 9, in lieu of 3-stories or 40 feet;
- 5) A waiver from Section 38-1258(j) to allow for a minimum building separation of 20 feet between all multi-family buildings on Tract 4 with no increase in proportion to additional structural height, in lieu of 30 feet for two-story buildings, and 40 feet for buildings three-stories, and separation increases in proportion to additional structural height;

Waivers 6 through 9 are for detached single-family dwellings on Tract 1, 2, 3 and 5:

- 6) A waiver from Section 38-1501 to allow a minimum lot size of 4,200 square feet for a detached, rear loaded, single-family dwelling, in lieu of 4,500 square feet;
- 7) A waiver from Section 38-1501 to allow a minimum lot width of 40 feet for a detached, rear loaded, single-family dwelling, in lieu of 45 feet;
- 8) A waiver from Section 38-1501 to allow for a minimum front yard setback of 15 feet for a detached, rear loaded, single-family dwelling, in lieu of 20 feet;
- 9) A waiver from Section 38-1501 to allow a minimum side street setback of 10 feet for a detached, rear loaded, single-family dwelling, in lieu of 15 feet;

Waiver 10 and 11 are for townhome buildings on Tracts 1, 2, 3, 4 and 5:

- 10) A waiver from Section 38.79(20)(j) to allow for a minimum distance of 40 feet between buildings, front to front or rear to rear, in lieu of 60 feet;
- 11) A waiver from Section 38.1501 to allow a minimum side street setback of 10 feet for townhome buildings, in lieu of 15 feet; and

Waiver 12 is for all tracts:

12) A waiver from Section 30-248(b)(2)(P) to allow a full access intersection separation of 660+/- feet along Alafaya Trail, in lieu of 1/2-mile, or 2,640 feet.

DISTRICT #:

4

**ESTIMATED TIME REQUIRED
FOR PUBLIC HEARING:**

2 minutes

HEARING CONTROVERSIAL:

Yes

**HEARING REQUIRED BY
FL STATUTE OR CODE:**

Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 38, Article VIII, Division 1, Section 38-1207

**ADVERTISING
REQUIREMENTS:**

Fiscal & Operational Support Division will publish display advertisement in local newspaper of general circulation at least fifteen (15) days prior to the public hearing.

ADVERTISING TIMEFRAMES:

At least fifteen (15) days prior to public hearing

**APPLICANT/ABUTTERS
TO BE NOTIFIED:**

N/A. Fiscal & Operational Support Division will send notices to all affected property owners.

**MATERIALS BEING SUBMITTED
AS BACKUP FOR PUBLIC
HEARING REQUEST:**

Fiscal & Operational Support Division will provide the Clerk's Office with proof of publication the Wednesday prior to the Public Hearing.

The staff report binder will be provided under separate cover seven (7) days prior to the public hearing.

SPANISH CONTACT PERSON:

Para más información en español acerca de estas reuniones públicas o de cambios por ser efectuados, favor de llamar a la División de Planificación, al 407-836-5600.

SPECIAL INSTRUCTIONS TO

CLERK (IF ANY):

Please schedule the public hearing concurrent with the Ordinance for the proposed amendment and the concurrent substantial change request.

- c: Chris Testerman, AICP, Deputy County Administrator
Joel Prinsell, Deputy County Attorney, County Attorney's Office
Jon Weiss, P.E., Director, Planning, Environmental, and Development Services
Department
Nicolas Thalmueller, AICP, Planning Administrator, Planning Division
Gregory Golgowski, AICP, Chief Planner, Planning Division
Olan Hill, AICP, Assistant Manager, Planning Division

