



**ORANGE COUNTY**  
PLANNING DIVISION  
**2018-2-SESSION IV**  
**ADOPTION**  
**AMENDMENTS**

2010 - 2030 COMPREHENSIVE PLAN

**BOARD OF COUNTY**  
**COMMISSIONERS**

**JUNE 4, 2019**  
**ADOPTION PUBLIC HEARING**

**PREPARED BY:**  
ORANGE COUNTY PLANNING, ENVIRONMENTAL  
AND DEVELOPMENT SERVICES

PLANNING DIVISION  
COMPREHENSIVE PLANNING SECTION





Interoffice Memorandum

June 4, 2019

TO: Mayor Jerry L. Demings  
-AND-  
Board of County Commissioners (BCC)

FROM: Alberto A. Vargas, MArch., Manager, Planning Division *OK for AV*

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

SUBJECT: Adoption Public Hearings – 2018-2 Regular Cycle Comprehensive Plan  
Amendment and Concurrent Substantial Change Request – Session IV

The 2018-2 Session IV Regular Cycle Comprehensive Plan Amendments and where applicable, concurrent substantial change and rezoning requests are scheduled for a BCC adoption public hearing on June 4, 2019. Fourteen amendments were heard by the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) at an adoption hearing on October 18, 2018. The report is also available under the Amendment Cycle section of the County's Comprehensive Planning webpage. See:

<http://www.orangecountyfl.net/PlanningDevelopment/ComprehensivePlanning.aspx>.

The four 2018-2 Session IV **Regular Cycle – State-Expedited** Review amendments scheduled for consideration on June 4 includes three privately-initiated Future Land Use Map Amendments located in District 1, two of which have a concurrent substantial change request (2018-2-A-1-4) and a rezoning request (2018-2-A-1-6), and one staff-initiated text amendment. Each of the proposed Future Land Use Map Amendments entails a change to the Future Land Use Map for properties greater than ten acres in size. The text amendment may include changes to the Goals, Objectives, and/or Policies of the Comprehensive Plan.

The 2018-2 Session IV **Regular Cycle-State-Expedited** Review Amendments were heard by the PZC/LPA at a transmittal public hearing on June 21, 2018, and by the BCC at a transmittal public hearing on July 10, 2018. The amendments have been reviewed by the Department of Economic Opportunity (DEO), as well as other state and regional agencies. On August 28, 2018, DEO issued a comment letter, which did not contain any concerns about the amendments undergoing the State-Expedited Review process. Pursuant to 163.3184, F.S., the proposed amendments must be adopted within 180 days of the comment letter. The Regular Cycle Amendments undergoing the State-Expedited Review process will become effective 31 days after DEO notifies the County that the plan amendment package is complete. These amendments are expected to

become effective in July 2019, provided no challenges are brought forth for any of the amendments.

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](mailto:Alberto.Vargas@ocfl.net) or Greg Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or [Gregory.Golgowski@ocfl.net](mailto:Gregory.Golgowski@ocfl.net).

AAV/sw

Enc: 2018-2 Regular Cycle Amendments – BCC Adoption Binder – Session IV

c: Christopher R. Testerman, AICP, Assistant County Administrator  
Joel Prinsell, Deputy County Attorney  
Roberta Alfonso, Assistant County Attorney  
Whitney Evers, Assistant County Attorney  
Gregory Golgowski, AICP, Chief Planner, Planning Division  
Olan D. Hill, AICP, Assistant Manager, Planning Division  
Eric P. Raasch, AICP, Chief Planner, Planning Division  
Read File

# 2018 SECOND REGULAR CYCLE

## AMENDMENTS TO THE 2010-2030 COMPREHENSIVE PLAN

### BOARD OF COUNTY COMMISSIONERS ADOPTION BOOK

#### SESSION IV

### INTRODUCTION

This is the Board of County Commissioners (BCC) adoption public hearing book for the fourth session of the proposed Second Regular Cycle Amendments (2018-2) to the Future Land Use Map (FLUM) and Comprehensive Plan (CP). Due to the number of applications received, this cycle has been divided into four sessions. The adoption public hearings for the Session IV amendments were conducted before the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) on October 18, 2018, and are scheduled before the Board of County Commissioners (BCC) on June 4, 2019.

Four Regular Cycle Amendments scheduled for BCC consideration on June 4 were heard by the PZC/LPA at an adoption public hearing on October 18, 2018.

Please note the following modifications to this report:

KEY TO HIGHLIGHTED CHANGES	
Highlight	When changes made
Blue	Following DEO transmittal (by staff)
Pink	Following the LPA adoption public hearing (by staff)

The 2018-2 Session IV Regular Cycle – State-Expedited Review amendments scheduled for consideration on June 4 includes three privately-initiated Future Land Use Map Amendments located in District 1, two of which involve a concurrent substantial change (2018-2-A-1-4) and rezoning request (2018-2-A-1-6), and one staff-initiated text amendment. Each of the proposed Future Land Use Map Amendments entails a change to the Future Land Use Map for properties greater than ten acres in size. The text amendment includes changes to the Goals, Objectives, and/or Policies of the Comprehensive Plan.

The Regular Cycle – State-Expedited Review Amendments have been reviewed by the Department of Economic Opportunity (DEO), as well as other state and regional agencies. On August 28, 2018, DEO issued a comment letter, which did not contain any concerns about the amendments undergoing the State-Expedited Review process. Pursuant to 163.3184, F.S., the proposed amendments must be adopted within 180 days of the comment letter. The Regular Cycle Amendments undergoing the State-Expedited Review process will become effective 31 days after DEO notifies the County that the adopted plan amendment package is complete. If adopted, these amendments are expected to become effective in July 2019, provided no challenges are brought forth for any of the amendments.

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](mailto:Alberto.Vargas@ocfl.net) or Greg Gologowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or [Gregory.Gologowski@ocfl.net](mailto:Gregory.Gologowski@ocfl.net).

**2018-2 Regular Cycle State Expedited Review Comprehensive Plan Amendments  
Privately Initiated Future Land Use Map and Text Amendments**

Amendment Number	Concurrent Rezoning or Substantial Change	Owner	Agent	Tax ID Number(s)	General Location / Comments	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:	Zoning Map Designation FROM:	Zoning Map Designation TO:	Acreage	Project Planner	Staff Rec	LPA Rec
District 1													
2018-2-A-1-2 (Lake Austin)	LUP-18-08-255	BB Groves, LLC	Kathy Hattaway, Poulos & Bennett, LLC	30-24-27-0000-00-003 (portion of) and 31-24-27-0000-00-036	Generally located west of Avalon Rd., and north and south of Grove Blossom Wy.	Growth Center/ Resort/Planned Development (GC/R/PD)	Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR)	PD (Planned Development District)(Lake Austin PD) and A-2 (Farmland Rural District)	PD (Planned Development District)(BB Groves South PD)	108.03 gross ac./96.29 developable ac.	Sue Watson	Adopt	Adopt (8-1)
2018-2-A-1-4 (Kerina Parkside)	CDR-18-04-110	Kerina Wildwood, Inc., Kerina Village, Inc., Kerina Inc., and Kerina Parkside Master, Inc.	Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A.	10-24-28-0000-00-005/053, 10-24-28-6670-11-000, 15-24-28-5844-00-050/071/130/142, and 15-24-28-5844-00-211 (portion of)	Generally located east and west of S. Apopka-Vineland Rd., south of Buena Vista Woods Blvd., and north of Lake St.	Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R)	Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/ MDR/LDR/Senior Living/CONS)	PD (Planned Development District) (Kerina Parkside PD/LUP)	PD (Planned Development District) (Kerina Parkside PD/LUP)	FLUM Amendment: 215.67 gross ac.; PD/LUP Substantial Change: 485.10 gross ac.	Jennifer DuBois	Adopt	Adopt (5-3)
2018-2-A-1-6 (Hannah Smith)	LUPA 18-05-175	M.L. Carter Services, Inc., as Successor Trustee of the Carter-Orange 105 Sand Lake Land Trust, Daryl M. Carter, Trustee, Carter-Orange 105 Sand Lake Land Trust	Erika, Hughes, VHB, Inc.	11-24-28-0000-00-020, 14-24-28-0000-00-012/018/027, 14-24-28-1242-60-000/66-000/66-001, 15-24-28-7774-00-023/024, and 14-24-28-1242-71-350/380	Generally located north of Interstate 4 and south of Fenton St.	Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR)	Planned Development-Commercial Medium-High Density Residential (PD-C/MHDR)	A-2 (Farmland Rural District) and PD (Planned Development District) (Hannah Smith Property PD)	PD (Planned Development District) (Hannah Smith Property PD)	86.84 gross ac./84.04 developable ac.	Sue Watson	Adopt	Adopt (9-0)

**2018-2 Regular Cycle Comprehensive Plan Amendments  
Staff Initiated Comprehensive Plan Map and Text Amendments**

Amendment Number	Sponsor	Description of Proposed Changes to the 2010-2030 Comprehensive Plan (CP)	Project Planner	Staff Rec	LPA Rec
2018-2-B-FLUE-2	Planning Division	Text amendments to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County	Misty Mills	Adopt	Adopt (8-1)

**ABBREVIATIONS INDEX:**

**ABBREVIATIONS INDEX:** IND-Industrial; C-Commercial; O-Office; LDR-Low Density Residential; LMDR-Low-Medium Density Residential; MDR-Medium Density Residential; MHDR-Medium-High Density Residential; HDR-High Density Residential; PD-Planned Development; V-Village; CONS-Wetland/Conservation; PR/OS-Parks/Recreation/Open Space; OS-Open Space; GB-Greenbelt; SPA-Special Planning Area; R-Rural/Agricultural; TS-Timeshare; RS-Rural Settlement; ACMU-Activity Center Mixed Use; ACR-Activity Center Residential; GC-Growth Center; R-Resort; PD-Planned Development; USA-Urban Service Area; WB-Water Body; CP-Comprehensive Plan; FLUM-Future Land Use Map; FLUE-Future Land Use Element; TRAN-Transportation Element; GOPS-Goals, Objectives, and Policies; OBJ-Objective; LUP-Land Use Plan; LUPA-Land Use Plan Amendment; CDR- Change Determination Request; PD-Planned Development District; A-2- Farmland Rural District; A-1-Citrus Rural District; SR-State Road; AC-Acres

# TABLE OF CONTENTS

**Introduction** ..... **Tab 1**

**Regular Cycle Amendments** ..... **Tab 2**

**Privately-Initiated Regular Cycle Future Land Use Map (FLUM) Amendments**

Amendment		Page
1.	2018-2-A-1-2 Lake Austin	1
2.	2018-2-A-1-4 Kerina Parkside	15
	-and-	
	Substantial Change CDR-18-04-110	

Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR)

Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R) to Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)

Substantial Change Request to the Kerina Parkside PD to revise the development program of PD Tracts 4, 7, and 8, in association with Future Land Use Map Amendment #2018-2-A-1-4, to allow for the development of up to 301 single-family dwelling units, 400 multi-family dwelling units, 200 senior living units, 150,000 square feet of retail and office uses, and a 5.0 acre park.

Also requested are twenty-five (25) waivers from Orange County Code:

- 1) A waiver from Section 24-4(a)(2)a to permit specimen palms along the northern boundary of Tract 7 lying outside of the BVN District, in addition to shade trees, to meet the vehicular use area requirements, with no more that 25% of the shade tree requirement being met with specimen palms, in lieu of limiting allowable trees to shade trees;
- 2) A waiver from Section 24-5(3) to allow for neighborhood commercial uses to be located 7.5 feet from any single-family zoned property internal to the planned development within Tract 7, in lieu of fifteen (15) feet. A 7.5-foot landscape buffer shall be provided with hedges and trees consistent with Type C landscape buffer requirements in lieu of a fifteen (15)-foot landscape buffer;
- 3) A waiver from Section 38-79(20)(f) to allow neighborhoods comprised of buildings that contain only two (2), three (3), or four (4) units within Tract 4, in lieu of the requirement that at least seventy-five (75) percent of the attached units to be in buildings containing five (5) or more units;
- 4) A waiver from Section 38-79(20)(p) to allow for attached units with rear alley access a minimum front setback of ten (10) feet and a minimum rear

# TABLE OF CONTENTS

	<p>setback of nine (9) feet as measured from the alley tract or alley easement within Tract 4, in lieu of minimum front and rear yard building setbacks of twenty (20) feet; 5) A waiver from Section 38-1254(2)e to allow a minimum side street setback of fifteen (15) feet for all single-family unit types and a minimum front setback of ten (10) feet and a minimum rear setback of nine (9) feet as measured from the alley tract or alley easement for single-family units with rear alley access within Tract 4, in lieu of minimum setback to local rights-of-way of twenty (20) feet; 6) A waiver from Section 38-1258(a) to allow a multifamily building with a maximum height of sixty (60) feet/four (4) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within the northern portion of Tract 7 outside of the BVN District, in lieu of the single-story height requirement where the multifamily buildings are located within one hundred (100) feet of single-family zoned property; 7) A waiver from Section 38-1258(b) to allow a multifamily building with a maximum height of sixty (60) feet/four (4) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within the northern portion of Tract 7 outside of the BVN District, in lieu of the varying building height where the multifamily buildings are located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned properties; 8) A waiver from Section 38-1258(c) to allow a multifamily building with a maximum height of sixty (60) feet/four (4) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within the northern portion of Tract 7 outside of the BVN District, in lieu of forty (40) feet/ three (3) stories in height where the multifamily buildings are located within one hundred and fifty (150) feet of single-family zoned properties; 9) A waiver from Section 38-1258(d) to allow a multifamily building with a maximum height of sixty (60) feet/four (4) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within the northern portion of Tract 7 outside of the BVN District, in lieu of forty (40) feet/ three (3) stories in height; 10) A waiver from Section 38-1258(e) to allow for parking and other paved areas for multifamily development to be located 7.5 feet from any single-family zoned property internal to the planned development within Tract 7 and Tract 8, in lieu of twenty-five (25) feet. A 7.5-foot landscape buffer shall be provided with hedges and trees consistent with Type C landscape buffer requirements in lieu of a twenty-five (25)-foot landscape buffer; 11) A waiver from Section</p>	
--	--	--



# TABLE OF CONTENTS

	<p>38-1258(f) to require no wall when a multi-family development is located adjacent to any single-family zoned property internal to the planned development within Tract 7, in lieu of a 6 (six)-foot high masonry, brick, or block wall; 12) A waiver from Section 38-1258(f) to allow a combination of masonry, brick, or block with aluminum fence (rail or picket) when a multi-family development is located adjacent to any single-family zoned property along the southern boundary of Tract 7, in lieu of a masonry, brick, or block wall; 13) A waiver from Section 38-1272(a)(5) to allow a commercial building with a maximum height of sixty (60) feet with a minimum setback of 25 feet from single-family zoned property located in internal or external to the PD within the northern portion of Tract 7 outside of the BVN District, in lieu of a maximum building height of fifty (50) feet or thirty-five (35) feet within one hundred (100) feet of any residential; 14) A waiver from Section 38-1392.1, within the portion of Tract 4 lying within the BVN District, the portion of Tract 7 lying within the BVN District, and Tract 8, to allow minimum building setbacks of twenty-five (25) feet along the southern boundary of Tract 8; twenty-five (25) feet along the western boundary of Tract 8; thirty (30) feet along the northern boundary of Tract 8; and twenty-five (25) feet along the southern boundary of Tract 4 and Tract 7 in lieu of thirty-five (35) feet minimum building setback requirement to lands with residential zoning, residential future land use or physical residential use; and to allow a minimum rear setback of nine (9) feet as measured from the alley tract or alley easement in lieu of a minimum rear yard building setback of fifteen (15) feet. This waiver does not apply to the portion of Tract 7 lying within the BVN District that is within 200 feet of the Ruby Lake PD single-family development; 15) A waiver from Section 38-1392.2(2)c to allow for a minimum landscape strip width of five (5) feet along one side of the pedestrian path within the portion of Tract 7 lying within the BVN District and Tract 8, in lieu of ten (10) feet along one side of the pedestrian path; 16) A waiver from Section 38-1392.2(3)c to allow for a minimum landscape strip width of five (5) feet along one side of the pedestrian path within the portion of Tract 7 lying within the BVN District and Tract 8, in lieu of twelve (12) feet along one (1) side (or six (6)-foot on each side) of the connecting pathway; 17) A waiver from Section 38-1392.5(1) to allow for a minimum landscaped area of eight (8) percent of a parking lot within the portion of Tract 7 lying within the BVN District and Tract 8, in lieu of ten (10) percent and a minimum landscape planter width of ten (10) feet from face of curb to face of curb in lieu of thirteen (13) feet from face of curb to face of curb. Cumulative tree</p>	
--	---	--

# TABLE OF CONTENTS

	<p>caliper inches will be provided per code requirements; 18) A waiver from Section 38-1392.5(2) to allow for a minimum of 1 canopy tree (as defined by BVN code as 4" caliper or greater) for every 10 parking spaces within the portion of Tract 7 lying within the BVN District and Tract 8, in lieu 0.8 caliper inches of canopy trees for every parking space. It is also requested to permit specimen palms, in addition to canopy trees, to meet the requirement; 19) A waiver from Section 38-1393, within the portion of Tract 7 lying within the BVN District and Tract 8, to allow a multifamily and/or non-residential building with a maximum height of sixty (60) feet / four (4) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within Tract 7 and a senior living building (commercial or multifamily) with a maximum height of ninety (90) feet / six (6) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within Tract 8, in lieu of the graduated building height/setback requirements listed therein. This waiver does not apply to the portion of Tract 7 lying within the BVN District that is within 200 feet of the Ruby Lake PD single-family development; 20) A waiver from Section 38-1394(1)(c) to permit specimen palms in addition to canopy trees and palms in addition to understory trees within the portion of Tract 4 within the BVN District, the portion of Tract 7 within the BVN district, and Tract 8, in lieu of three (3) shade trees for every one hundred (100) feet, four-inch caliper, 14-foot height minimum; or five (5) under-story trees in tree-wells for every one hundred (100) feet. Palms may comprise no more than 25% of the required shade trees or understory trees; 21) A waiver from Section 38-1394(2) within the portion of Tract 4 within the BVN district, the portion of Tract 7 within the BVN District, and Tract 8 to allow for specimen palms in lieu of laurel oaks and in addition to live oaks as streetscape shade trees. Palms may comprise no more than 25% of the required streetscape shade trees; 22) A waiver from Section 38-1394.1(a) to allow for the green space around the base of each single-story building to be zero feet (0') if abutted by a sidewalk within the portion of Tract 7 within the BVN District and Tract 8, in lieu of ten feet (10') around the base of each single-story building within the commercial or vertical mixed-use developments; 23) A waiver from Section 38-1394.1(a)(2) to allow for tree planting requirements around the base of multi-family and non-residential buildings per Section 24-4(d) within the portion of Tract 7 within the BVN District and Tract 8, in lieu of (1) canopy tree for each one hundred (100) square feet of green space; 24) A waiver from Section 38-</p>	
--	--	--

# TABLE OF CONTENTS

		<p>1396.1(2) to allow light fixtures other than the acorn-style fixtures within the portion of Tract 4 within the BVN District, the portion of Tract 7 within the BVN district, and Tract 8, in lieu of limiting all light fixtures to acorn-style; and 25) A waiver from Section 38-1501 to allow the minimum single-family detached lot width to be forty (40) feet within Tract 4, in lieu of forty-five (45) feet and a minimum side building setback of four (4) feet in lieu of five (5) feet. Single-family lots proposed within Tract 4 immediately adjacent to Tract 2 will match the lot widths and setbacks currently provided within Tract 2.</p>	
3.	<p>2018-2-A-1-6 Hannah Smith</p>	<p>Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR)</p>	39
	-and-		
	<p>Rezoning LUPA-18-05-175</p>	<p>A-2 (Farmland Rural District) and PD (Planned Development District) to PD (Hannah Smith Property PD).</p> <p>Also requested are twenty-two (22) waivers from Orange County Code:</p> <p>1) A waiver from Section 38-1393 to eliminate the BVN minimum setback/height limitations to allow a multi-family building with a maximum building height of one hundred fifteen (115) feet/nine (9) stories for Tract 1, in lieu of the proximity based requirements; 2) A waiver from Section 38-1254 within Tracts 1, 2, 3 and 4 to allow zero foot setback for internal lot lines, in lieu of the required minimum setback of twenty-five (25) feet; 3) A waiver from Section 38-1393 to allow a maximum height of 150 feet for non-residential development for Tract 4, in lieu of the proximity based requirements; 4) A waiver from Section 38-1394.1(a)(2) to allow for multi-family and non-residential buildings to allow for tree planting requirements around the building base area per Sec. 24-4(d) for all Tracts, in lieu of the one (1) canopy tree for each one hundred (100) square feet of green space; 5) A waiver from Section 38-1272(a)5 to allow the maximum building height to be fifty (50) feet, in lieu of thirty-five (35) feet for any commercial building within Tract 1; 6) A waiver from Section 38-1392.1 to allow a building setback of twenty-five (25) feet for Tracts 1, 2, 4 and 5, in lieu of thirty-five (35) feet minimum building setback requirement to lands with residential zoning, residential future land use or physical residential use; 7) A waiver from Section 38-1392.2(2)c within Tracts 2, 3, and 4 to allow for a minimum landscape strip width of five (5) feet along one side of the pedestrian path, in lieu of ten (10) feet along one</p>	

# TABLE OF CONTENTS

	<p>side of the pedestrian path; 8) A waiver from Section 38-1392.2(3)c is requested within Tracts 2, 3, and 4 to allow for a minimum landscape strip width of five (5) feet along one side of the pedestrian path, in lieu twelve (12) feet along one (1) side (or six (6)-foot on each side) of the connecting pathway; 9) A waiver from Section 38-1391.1 to provide architectural design concepts with Development Plans, in lieu of providing a building architectural design concept or set of design guidelines as part of the planned development process; 10) A waiver from Section 38-1396.1(2) for Tracts 1, 2, 3 and 4 to allow light fixtures other than the acorn-style fixtures; 11) A waiver from Section 24-4(a)(2)a within Tracts 1, 2, 3, and 4 to permit palms, in addition to shade trees, to meet the vehicular use area requirements, with no more that 25% of the shade tree requirement being met with palms, in lieu of limiting allowable trees to shade trees; 12) A waiver from Section 38-1392.5(1) within Tracts 1, 2, 3 and 4 to allow for a minimum landscaped area of eight (8) percent of a parking lot, in lieu of ten (10) percent and a minimum landscape planter width of ten (10) feet from face of curb to face of curb, in lieu of thirteen (13) feet from face of curb to face of curb. Cumulative tree caliper inches will be provided per code requirements; 13) A waiver from Section 38-1392.5(2) within Tracts 1, 2, 3 and 4 to allow for a minimum of one (1) canopy tree (as defined by BVN code as 4" caliper or greater) for every 10 parking spaces, in lieu of 0.8 caliper inches of canopy trees for every parking space. It is also requested to permit specimen palms, in addition to canopy tree; 14) A waiver from Section 38-1272 (a)(1) within Tracts 2,3, and 4 to allow a maximum impervious coverage not to exceed eighty (80) percent of the net land area, in lieu of seventy (70) percent of the net land area; 15) A waiver from Section 38-1394(1)(b) within Tracts 1, 2, 3 and 4 to allow one shade tree every fifty (50) feet at minimum of four-inch (4") caliper with a minimum height of fourteen (14) feet and three (3) ornamental trees every one-hundred (100) feet, in lieu of one (1) shade tree every forty (40) feet at a minimum of four-inch caliper with a minimum height of fourteen (14) feet and 3 ornamental trees every one hundred feet for collector roads. It is also requested to permit specimen palms, in addition to canopy trees, to meet the requirement; 16) A waiver from Section 38-1394(1)(c) within Tracts 1, 2, 3 and 4 to also permit specimen palms as canopy trees and palms as understory trees in reference to three (3) shade trees for every one hundred (100) feet, four-inch caliper, 14-foot height minimum; or five (5) under-story trees in tree-wells for every one hundred (100) feet; 17) A waiver from Section 38-1394(2) within Tracts 1, 2, 3 and 4</p>	
--	---	--

# TABLE OF CONTENTS

		<p>to allow for specimen palms, in lieu of laurel oaks and in addition to live oaks as streetscape shade trees; 18) A waiver from Section 38-1394.1(a) within Tracts 1, 2, 3 and 4 to allow for the green space around the base of each single-story building to be zero feet (0') if abutted by a sidewalk, in lieu of ten feet (10') around the base of each single story building within the commercial or vertical mixed use developments; 19) A waiver from Section 38-1394.1(b) within Tracts 1, 2, 3, and 4 to allow for a minimum ground sign planting area of one times the copy area of the ground sign, in lieu of three times the copy area of the ground sign; 20) A waiver from Section 38-1394.1(c) within Tracts 1, 2, 3 and 4 to allow for zero (0) feet of landscape buffer requirement between land uses internal to the PD; 21) A waiver from Section 38-1286 within Tract 4 to have no minimum lot width, in lieu of one hundred fifty (150) feet; and 22) A wavier from Section 38-1287(1) to allow a minimum building setback from an Arterial to be twenty-five (25) feet for Tract 4, in lieu of sixty (60) feet</p>	
--	--	---	--

**Staff Initiated Regular Cycle Future Land Use Map and Text Amendments.....Tab 3**

4.	2018-2-B-FLUE-2 PD Densities	Text amendments to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County	65
----	---------------------------------	--	----

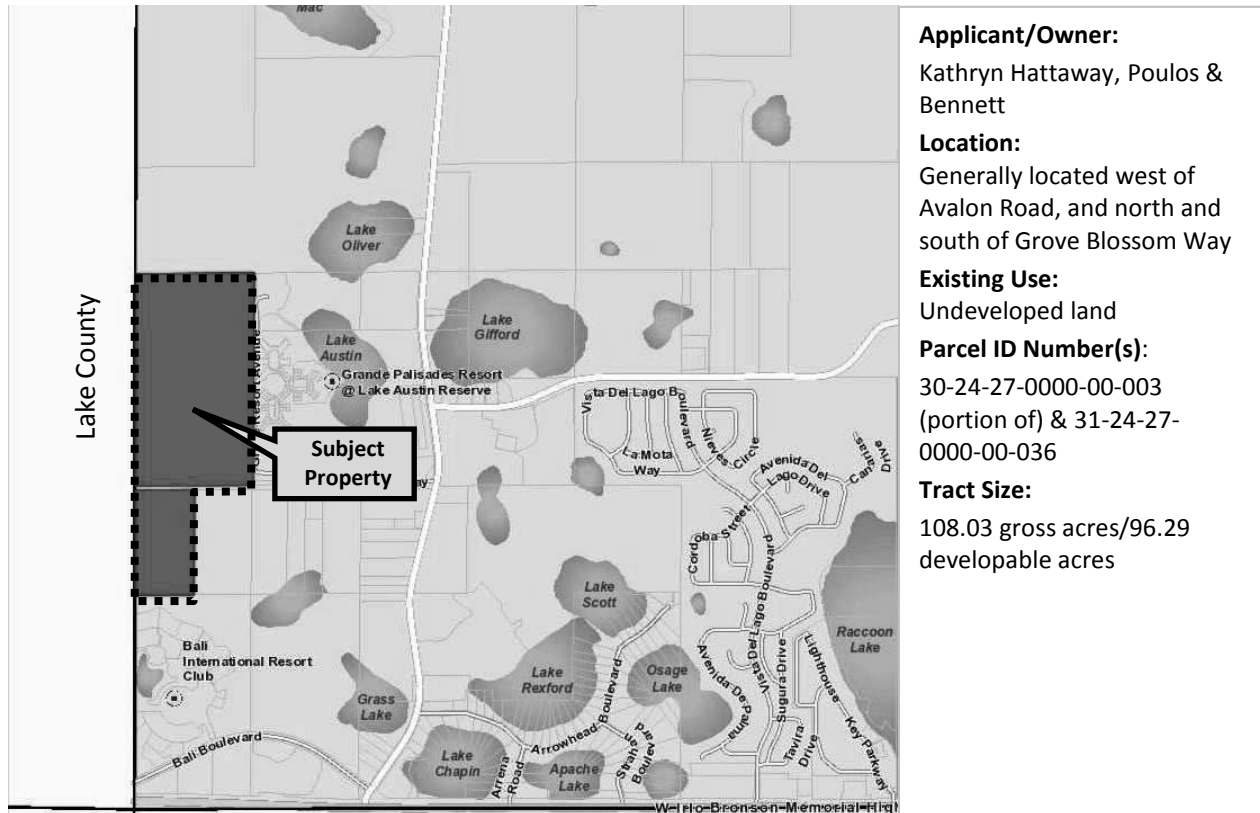
**State Agencies Comments/ORC Report and Response.....Tab 4**

**Community Meeting Summaries.....Tab 5**

**Facilities Analyses.....Tab 6**

**Transportation Analyses.....Tab 7**

**Environmental Analyses .....Tab 8**



**Applicant/Owner:**  
Kathryn Hattaway, Poulos & Bennett

**Location:**  
Generally located west of Avalon Road, and north and south of Grove Blossom Way

**Existing Use:**  
Undeveloped land

**Parcel ID Number(s):**  
30-24-27-0000-00-003 (portion of) & 31-24-27-0000-00-036

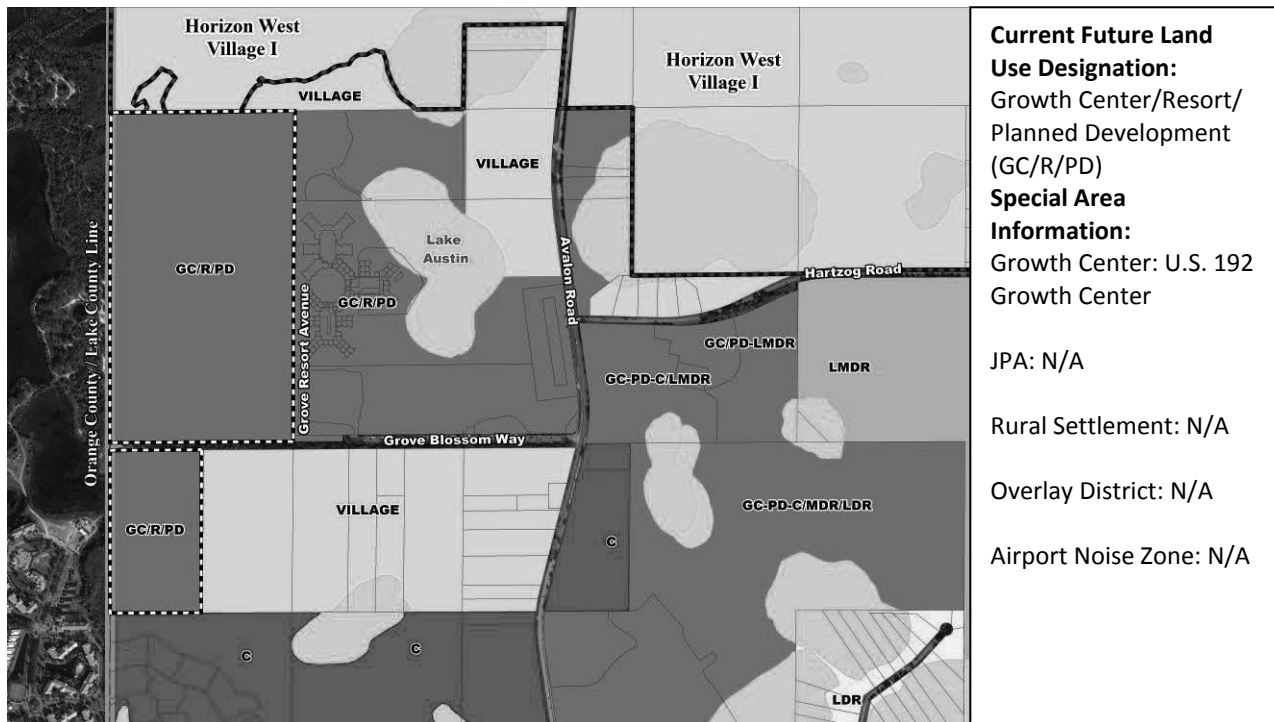
**Tract Size:**  
108.03 gross acres/96.29 developable acres

The following meetings/hearings have been held for this proposal:			Project Information	
Report/Public Hearing		Outcome		
✓	Community Meeting held May 24, 2018, with 3 members of the public in attendance.	Positive	<b>Future Land Use Map Amendment Request:</b> Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR)	
✓	Staff Report	Recommend Transmittal	<b>Proposed Development Program:</b> 500 single-family residential dwelling units (The units may be any combination of age-restricted, short-term rental, or market rate housing.)	
✓	LPA Transmittal June 21, 2018	Recommend Transmittal (8-0)	<b>Public Facilities and Services:</b> Please see the Public Facilities Analysis Appendix for specific analysis of each public facility.	
✓	BCC Transmittal July 10, 2018	Transmit (7-0)	<b>Environmental:</b> CAD 18-02-021 was completed May 3, 2019.	
✓	State Agency Comments August 28, 2018.	FFWCC: Potential for Florida black bears to occur in the project area	<b>Transportation:</b> The proposed use will generate 475 pm peak hour trips resulting in a net decrease of 958 pm peak hour trips over current approvals.	
✓	LPA Adoption October 18, 2018	Recommend Adoption (8-1)	<b>Schools:</b> Capacity Enhancement Agreement (CEA) #OC-18-051 was approved by Orange County School Board February 26, 2019.	
	BCC Adoption June 4, 2019			

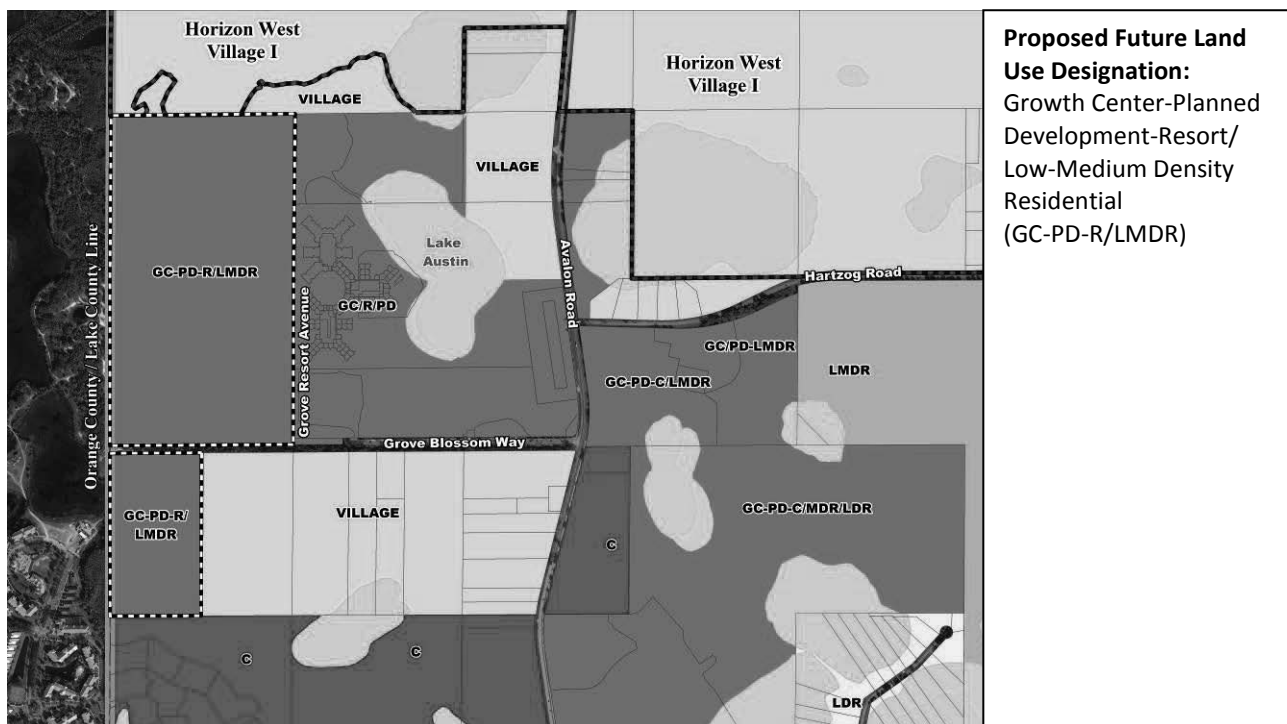
**SITE AERIAL**



**FUTURE LAND USE - CURRENT**



**FUTURE LAND USE - AS PROPOSED**





**ZONING - CURRENT**



**Current Zoning District:**  
 PD (Planned Development District) and A-2 (Farmland Rural District)

**Existing Uses**  
 North: Undeveloped  
 South: Isle of Bali Condominiums/ Timeshares  
 East: The Grove Resort & Spa - Hotel extended stay, undeveloped  
 West: Woodland, Lake County

## Staff Recommendations

Make a finding of **consistency** with the Comprehensive Plan (see Housing Element Goal H1, Housing Element Objective H1.1, Future Land Use Element Objective FLU8.2, and Policies FLU1.1.1, FLU1.1.2.A, FLU1.1.4.F, FLU7.4.4, FLU8.1.4, FLU8.2.1, and FLU8.2.2), determine that the amendment is in compliance, and **ADOPT** Amendment 2018-2-A-1-2, Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR).

## Analysis

### 1. Background Development Program

The applicant has requested to change the Future Land Use Map (FLUM) designation of the 108.03-acre site from Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR). The applicant's original FLUM Amendment application entailed two requests that involved the South Parcel (GC/R/PD to GC-PD-R/LMDR) and the North Parcel. The North Parcel's FLUM Amendment request was to change the FLUM designation of the 9.83-acre parcels from Village (V) to Horizon West, Village I Special Planning Area (SPA) Greenbelt (GB). The North Parcels would not have an associated development program; they would be used for open space and stormwater for the South Parcels. Orange County Planning Division's Senior Staff determined that the North Parcels' FLUM Amendment request was not necessary. Senior Staff determined that the North Parcels could be aggregated into the existing Lake Austin Planned Development (PD) through a Land Use Plan Amendment (LUPA). The subject parcels would be rezoned from A-2 (Farmland Rural District) to PD (Planned Development District) and would be designated as open space/stormwater.

The subject parcels are part of the 210.98-acre Lake Austin PD which was originally approved on April 17, 2001, by the Board of County Commissioners (BCC). On July 12, 2016, the BCC approved a substantial change (CDR-16-01-027) to the Lake Austin PD to revise the use description from "Timeshare" to "Short Term Rental" and increase those entitlements from 4,159 units to 4,831 units (consistent with the previously approved DRI/DO); modify project phasing dates and amount of development per phase; revise traffic generation calculations; expand list of approved recreational facilities; identify previously dedicated road right-of-way; add two (2) parcel identification numbers not previously identified; modify and renumber existing notes on the plan; add Notes 11-22, some of which transfer DRI/DO environmental and transportation conditions; and add a Master Sign Plan (MSP) with three (3) related waivers from Orange County Code, that primarily relate to signage. Concurrent with the PD substantial change, the BCC rescinded the Grand Palisades Resort DRI/DO.

The subject parcels are identified as Phase Three on the currently-approved Lake Austin PD. Presently, Phase Three is approved for 3,332 short-term rental units, 10,000 square feet of commercial uses, and 20,000 square feet of administration uses. The applicant is now proposing a development program of 500 single-family residential dwelling units. (The units may be any combination of age-restricted, short-term rental, or market rate housing.)

The undeveloped subject property consists of two parcels located west of Avalon Road, north and south of Grove Blossom Way, immediately west of the Grand Palisades Resort, now known as The Grove Resort & Spa, and east of the Lake County Boundary. The subject site is located in an area where nearby properties in the U.S. 192 Growth Center have recently obtained approved FLUM Amendments:

- On June 28, 2016, the BCC approved FLUMA 2016-1-A-1-8 to change the FLUM designation of the 23.94-acre site located across the street at the corner of Avalon Road and Hartzog Road, east of the subject site, from Growth Center-Commercial (GC-C) to Growth Center-Planned Development-Commercial/Low-Medium Density Residential (GC-PD-C/LMDR). The proposed development program consists of up to 220 single-family dwelling units (attached and detached) and 20,000 square feet of retail commercial uses. The site is also known as the Island Reef PD.
- On December 16, 2014, the BCC approved FLUMA 2014-2-A-1-2 (fka 2013-2-A-1-4) to change the FLUM designation of the 139.88-acre property located across the street on Avalon Road, east of the subject property, from Growth Center-Commercial (GC-C) and Growth Center-Low Density Residential (GC-LDR) to Growth Center-Planned Development-Commercial/Medium Density Residential/Low Density Residential (GC-PD-C/MDR/LDR). The proposed development program consists of 700 single-family residential units (attached and detached) and 20,000 square feet of retail uses and is also known as the Sutton Lakes PD.
- On November 19, 2013, the BCC approved FLUMA 2013-2-A-1-3 to change the FLUM designation from Growth Center-Commercial (GC-C) to Growth Center-Planned Development-Low-Medium Density Residential (GC-PD-LMDR) for a 13.88-acre parcel also located across the street on Hartzog Road, east of the subject site. The development program is for up to 139 single-family dwelling units. The site is also known as the Groves of West Orange PD which the BCC approved the rezoning (LUP-14-01-009) on October 20, 2015, for a development program consisting of 108 single-family detached and attached (townhome) residential dwelling units.

If the currently proposed amendment is adopted by the BCC, a LUPA will be required to aggregate the North Parcels into the approved Lake Austin PD Land Use Plan and to allow for the single-family residential dwelling units. Instead of submitting a LUPA, the applicant has submitted a rezoning application to create a new PD, Case LUP-18-08-255, BB Groves South Planned Development/Land Use Plan (PD/LUP). The request is to add 109.06 acres from the Lake Austin PD (CDR-18-08-254) and to rezone 9.83 acres (North Parcels) from A-2 (Farmland Rural District) to PD (Planned Development District). At the time of this writing, the application is proceeding through the Development Review Committee review process.

A community meeting was held for this proposed amendment on May 24, 2018, with three (3) residents in attendance. The applicant, Ms. Kathy Hattaway, gave an overview of the proposed amendment request and stated the proposed development program would consist of 500 single-family dwelling units. Ms. Hattaway stated that the units may be any combination of age-restricted, short-term rentals, or market rate housing. She stated she was asking for the LMDR FLUM designation which allows for a maximum ten (10) dwelling units per acre, but she is limiting the development to about five (5) dwelling units per acre. One resident asked if the proposed project warrants signalization at Avalon Road and Grove Blossom Way. Orange County Engineer, Ms. Diana Almodovar, stated that a traffic study, paid for by the property owner, would need to be done by the Orange County Traffic Engineering Division, but as it stands today, the proposed development does not warrant signalization. Another resident asked why change from short-term rentals and the existing uses. Ms. Hattaway stated that the new property owner has a different business model. Ms. Hattaway informed the residents in attendance that she could not tell them the specific number of unit types (age-restricted, short-term rental, and market rate housing) at this time but they will be determined when the Lake Austin PD Land Use Plan Amendment package is submitted, if the BCC recommends to transmit the proposed amendment. The residents in attendance responded positively to the request.

## 2. Future Land Use Map Amendment Analysis

### *Consistency*

The requested FLUM amendment appears to be consistent with the applicable Goals, Objectives, and Policies of the Comprehensive Plan. The subject property lies within the U.S. 192 Growth Center. Future Land Use Element **Policy FLU1.1.4F** states that Growth Centers are a Future Land Use designation implemented through Joint Planning Area agreements with an outside jurisdiction. These agreements provide at a minimum that the County will not incur initial capital costs for utilities. The subject property is located within Orange County Utilities' (OCU's) potable water, wastewater, and reclaimed water service areas. Per OCU, there is a 24-inch potable water main, a 15-inch gravity sewer main, and a 12-inch reclaimed water main located in Grove Blossom Way right-of-way to service the subject property. According to OCU, there is sufficient plant capacity to serve the proposed amendment and capacity will be reserved upon payment of capital charges in accordance with County resolutions and ordinances.

In accordance with **Policy 1.1.2.A**, the applicant has specified the maximum desired development program for the project, proposing 500 single-family residential dwelling units (The units may be any combination of age-restricted, short-term rental, or market rate housing.) under the Low-Medium Density Residential (LMDR) FLUM designation, which allows for residential development at a maximum density of ten (10) dwelling units per acre. **Policy FLU7.4.4** states that urban intensities shall be permitted in designated Growth Centers when urban services are available from other sources, as approved by Orange County, consistent with the appropriate policies of the Comprehensive Plan. **Policy FLU7.4.4** also states that if services and facilities sufficient to maintain adopted level of service standards are not available concurrent with the impacts of development, the development will be phased such that the services and facilities will be available when the impacts of development occur or the development orders and permits will be denied.

The subject property is located in an area characterized by a variety of housing types—including residential/agricultural home sites, conventional single-family subdivision development (Hartzog Subdivision), and a manufactured home development (the 925-unit Vista Del Lago Manufactured Home Park). The applicant's intent to develop 500 single-family residential dwelling units, with a mix of age-restricted, short-term rental, and market rate housing, is consistent with Housing Element **GOAL H1** and **Objective H1.1**, which state that the County will promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated housing needs. **Policy FLU8.2.2** states that continuous stretches of similar housing types and density of units shall be avoided. The proposed amendment will contribute to the mix of available housing options in an area of the County deemed appropriate for urban uses, as set forth in **Policy FLU1.1.1**. Staff notes that if this requested amendment is adopted, the development standards will be determined during the LUPA process.

Future Land Use Element **Policy FLU8.1.4** lists the development program 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 staff-initiated text amendment (Amendment 2018-2-B-FLUE-1). The maximum development program for Amendment 2018-2-A-1-2, if adopted, would be as follows: 500 single-family dwelling units (may be any combination of age-restricted, short-term rental, or market rate housing.)

Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
<u>2018-2-A-1-2</u>	<u>Growth Center-Planned Development-Resort/Low-Medium Density Residential GC-PD-R/LMDR</u>	<u>500 single-family dwelling units (may be any combination of age-restricted, short-term rental, or market rate housing)</u>	<u>2018-</u>

**Compatibility**

The proposed FLUM amendment appears to be **compatible** with the existing development and development trend of the surrounding area. Future Land Use Element **Objective FLU8.2** states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development pattern and development trends in the area. As stated above, the subject property is located in an area characterized by residential development and undeveloped land (much of which is due to the decreased demand for previously-approved commercial resort development on those properties). It is staff’s belief that the proposed project is compatible with the existing mix of residential/agricultural home sites, conventional single-family subdivision development, and manufactured home uses within the U.S. 192 Growth Center.

**Division Comments: Environmental, Public Facilities and Services**

**Environmental Protection Division**

Orange County Conservation Area Determination CAD 07-119 delineated the wetlands and surface waters on the subject parcels but this determination expired in 2013. A new CAD must be completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD) prior to submittal of a subdivision, development plan, or permit application, in accordance with Orange County Code Chapter 15, Article X, Wetland Conservation Areas. **Staff notes that CAD-18-02-021 was completed May 3, 2019, with an expiration date of May 3, 2024.**

Until wetland permitting is complete, the net developable acreage is only an approximation. The net developable acreage is the gross acreage less the wetlands and surface waters acreage. The buildable area is the net developable acreage less protective buffer areas if required to prevent adverse secondary impacts. The applicant is advised not to make financial decisions based upon development within the wetland or the upland protective buffer areas. Any plan showing development in such areas without Orange County and other jurisdictional governmental agency wetland permits is speculative and may not be approved.

Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from EPD. Please reference Comprehensive Plan Policy FLU1.1.2 C.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

Development of the subject properties shall comply with all state and federal regulations regarding wildlife or plants listed as endangered, threatened, or species of special concern. The applicant is responsible for determining the presence of listed species and obtaining any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC). The ecological assessment dated February 14, 2018 submitted with this request reported the presence of listed species on site, including numerous gopher tortoise burrows and sand skink habitat, among others.

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

#### **Transportation Planning Division**

The applicant is requesting to change a total of 117.86 acres, divided into the South and North Parcels as follows: South Parcel from Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center/Resort/Low-Medium Density Residential/Planned Development (GC/R/LMDR/PD) and North Parcel from Village (V) to Horizon West, Village I Special Planning Area (SPA)-Greenbelt (GB) and approval to develop 500 single family dwelling units.

- The subject property is not located within the County's Alternative Mobility Area or along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the approved future land use will generate 1,433 pm peak hour trips.
- The proposed use will generate 475 pm peak hour trips resulting in a net decrease of 958 pm peak hour trips.
- The subject property is located adjacent to Avalon Road, a two-lane collector. This facility currently has two (2) deficient roadway segments from US 192 to Hartzog Road and from Hartzog Road to Seidel Road within the project impact area.
- The traffic study did not include Hartzog Road segment from Avalon Road to Western Way, which falls within the project's one-mile impact area. A revision was requested to include an analysis of this segment to be included. Nonetheless, this segment is currently operating within its adopted capacity and will not be impacted by the proposed FLUM change.
- Based on the concurrency management system database dated 05-01-2018, the following two (2) roadway segments are operating below the adopted level of service standard within the project area:
  - Avalon Road, from US 192 to Hartzog Road
  - Avalon Road, from Hartzog Road to Seidel Road

This information is dated and subject to change

- Analysis of the short-term (interim year) 2023 and long-term (horizon year) 2030 conditions indicates that these deficiencies will continue with or without the proposed amendment.

Amending the FLUM for this property will decrease the number of trips generated by this development.

- 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.

### Utilities

The subject property is located within Orange County Utilities' (OCU's) potable water, wastewater, and reclaimed water service areas. Per OCU, there is a 24-inch potable water main, a 15-inch gravity sewer main, and a 12-inch reclaimed water main located in Grove Blossom Way right-of-way.

### OCPS

On February 26, 2019, the School Board approved the Capacity Enhancement Agreement (CEA) associated with this requested amendment, #OC-18-051.

## 3. Policy References

**GOAL H1** – Orange County's goal is to promote and assist in the provision of an ample housing supply, within a broad range residents have the opportunity to purchase or rent standard housing.

**OBJ H1.1** – The County will continue to support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

**OBJ FLU8.2 – COMPATIBILITY.** Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following polices shall guide regulatory decisions that involve differing land uses.

**FLU1.1.1** – Urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay (Scenario 5), Growth Centers, and to a limited extent, Rural Settlements.

**FLU1.1.2.A** – The Future Land Use Map shall reflect the most appropriate maximum and minimum densities for residential development. Residential development in Activity Centers and Mixed Use Corridors, the Horizon West Village and Innovation Way Overlay (Scenario 5) and Growth Centers may include specific provisions for maximum and minimum densities. The densities in the International Drive Activity Center shall be those indicated in the adopted Strategic Development Plan.

**FLU1.1.4.F – GROWTH CENTER(S)** – Growth Centers are a Future Land Use designation implemented through Joint Planning Area agreements with an outside jurisdiction. These agreements provide at a minimum that the County will not incur initial capital costs for utilities. Orange County has two Growth Centers – one in the northwest referred to as the Northwest Growth Center and one in the southeast referred to as Growth Center/Resort/PD.

**FLU7.4.4** – Urban intensities shall be permitted in designated Growth Centers when urban services are available from other sources as approved by Orange County, consistent with the appropriate policies of the Comprehensive Plan. If services and facilities sufficient to maintain adopted level of service standards are not available concurrent with the impacts of development, the development

will be phased such that the services and facilities will be available when the impacts of development occur or the development orders and permits will be denied.

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

**FLU8.2.1** – Land use changes shall be required to be compatible with the 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** – Continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.



Site Visit Photos

Subject Site –Undeveloped



North – Undeveloped



South – Timeshare Resort



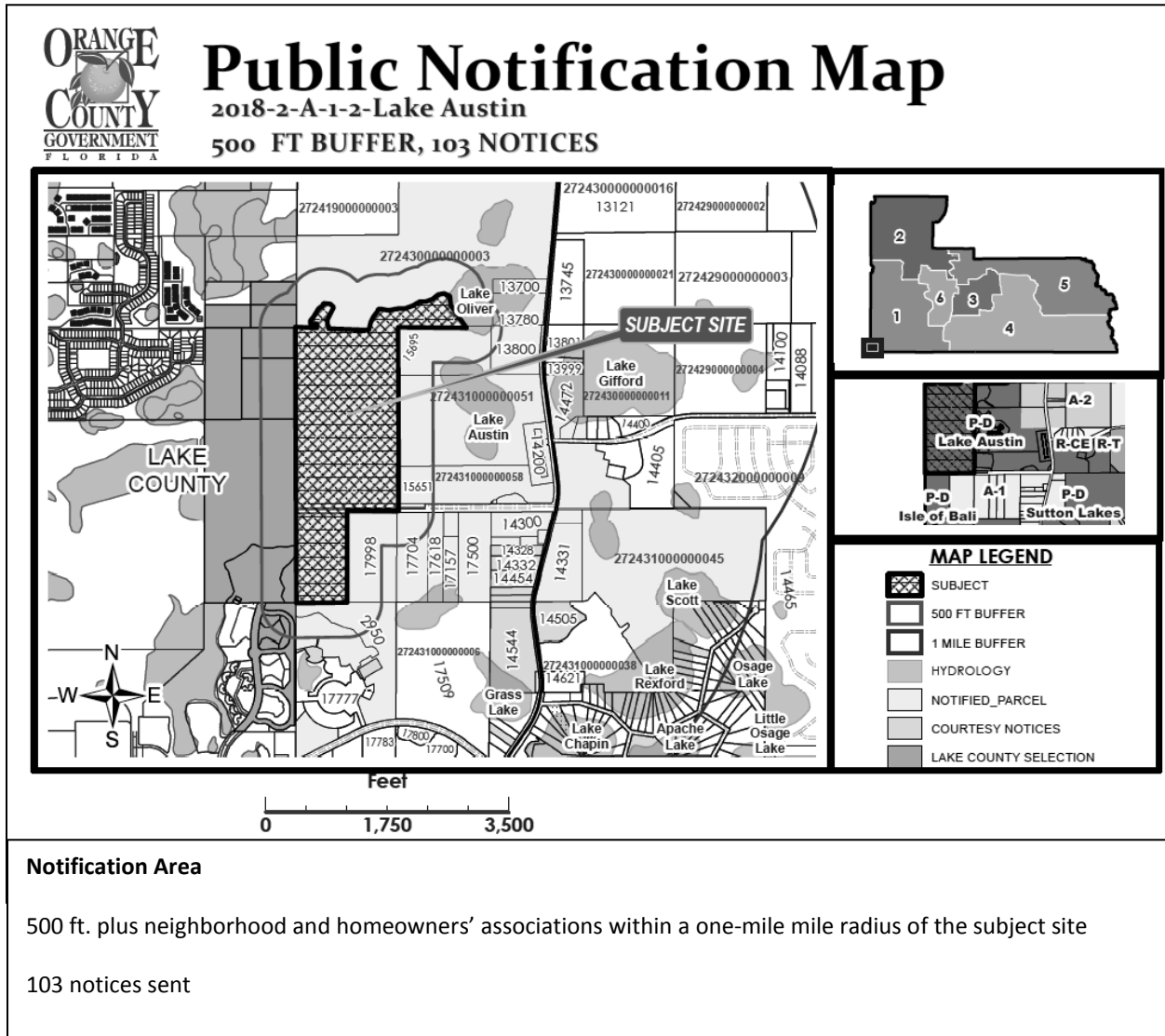
West – Lake County



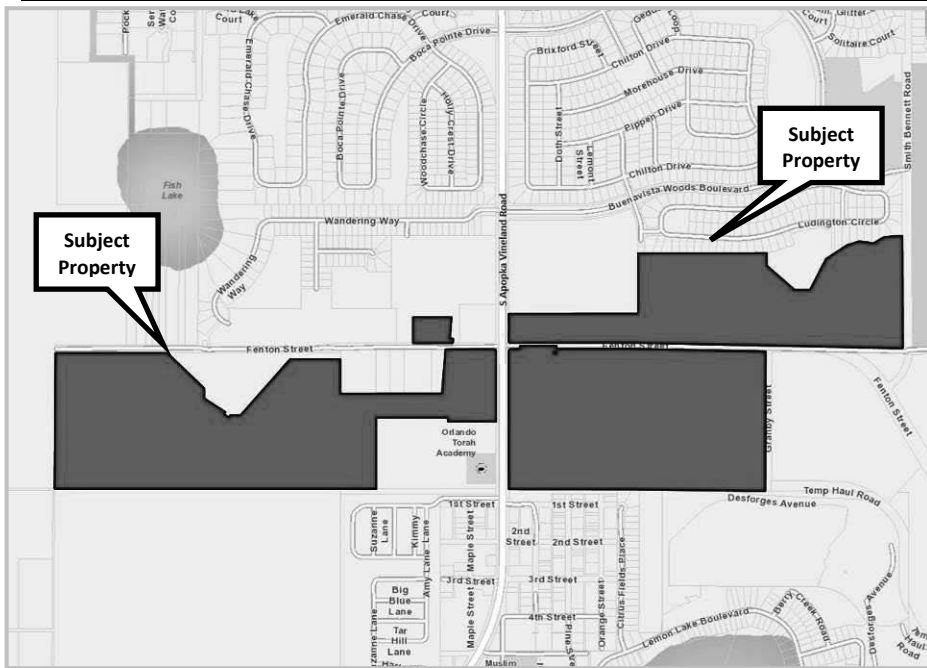
East – Timeshare Resort



**PUBLIC NOTIFICATION MAP**







**Applicant/Owner:**  
 Miranda F. Fitzgerald, Esq.,  
 Lowndes, Drosdick, Doster, Kantor  
 & Reed, P.A. / Kerina Wildwood,  
 Inc., Kerina Village, Inc., Kerina Inc.,  
 and Kerina Parkside Master, Inc.

**Location:**  
 Generally located east and west of  
 S. Apopka-Vineland Road, south of  
 Buena Vista Woods Boulevard, and  
 north of Lake Street.

**Existing Use:**  
 Undeveloped land and wetlands

**Parcel ID Numbers:**  
 10-24-28-0000-00-005/053, 10-24-  
 28-6670-11-000, 15-24-28-5844-00-  
 050/071/130/142, and 15-24-28-  
 5844-00-211 (portion of)

**Tract Size:** Amendment: 215.67  
 gross/123.07 net acres; CDR:  
 485.10 gross/392.5 net acres

The following meetings and hearings have been held:			Project Information	
Report/Public Hearing		Outcome	Request:	Proposed Development Program:
✓	Community meeting held May 15, 2018, with 95 residents in attendance	<b>Negative</b> – Attendees voiced objection to the proposed commercial and office components of the project, traffic, and safety.	Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R) to Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)	Up to 301 single-family dwelling units featuring a mix of housing types, 400 multi-family dwelling units, 200 senior living units, 150,000 square feet of neighborhood retail and/or office uses, 5.0-acre park, and 93.0 acres of conservation land/open space
✓	Staff Report	Recommend Transmittal	<b>Public Facilities and Services:</b> Please see the Public Facilities & Services Appendix for specific analyses of each public facility.	<b>Environmental:</b> Conservation Area Determinations (CADs) have been completed for the Kerina Parkside PD since the late 1980s, including CAD 05-028 and CAD.05-283. <b>Transportation:</b> Construction of the four-lane Daryl Carter Parkway Extension is scheduled to commence in August 2019, with completion expected in August 2021. Per Transportation Planning, an updated traffic study is also required.
✓	LPA Transmittal June 21, 2018	Recommend Transmittal (5-4)	<b>Schools:</b> The First Amendment to Capacity Enhancement Agreement 05-023 (Kerina Parkside Project) was approved by the Orange County School Board on December 11, 2018.	
✓	BCC Transmittal July 10, 2018	Transmit (7-0)	<b>Concurrent PD/LUP Substantial Change:</b> Case CDR-18-04-110 will be considered in conjunction with the requested Future Land Use Map Amendment.	
✓	State Agency Comments August 28, 2018.	No comments or concerns were identified by any state agency.		
✓	LPA Adoption October 18, 2018	Recommend Adoption (5-3)		
	BCC Adoption	June 4, 2019		

**SITE AERIAL**



**FUTURE LAND USE – CURRENT**



**Current Future Land Use:**  
 Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R)

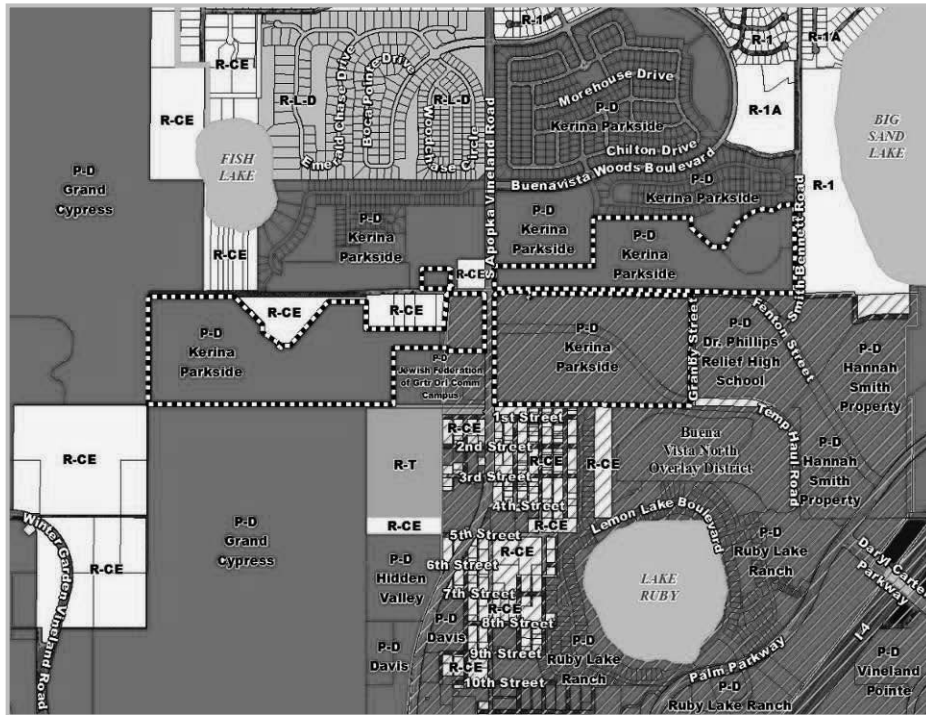
**Special Area Information**  
 Overlay District: The subject property is located within the Dr. Phillips Urban Preservation District and partially lies within the Buena Vista North Overlay District.  
 Rural Settlement: N/A  
 JPA: N/A  
 Airport Noise Zone: N/A

**FUTURE LAND USE – PROPOSED**



**Proposed Future Land Use:**  
 Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)

**ZONING - CURRENT**



**Current Zoning District:**  
 PD (Planned Development District) (Kerina Parkside PD/LUP)

**Existing Uses:**  
 North: Parkside (single-family residential subdivision), future public middle school site, Phillips Grove (single-family residential subdivision under construction), single-family homes, Duke Energy substation, and wetlands  
 South: Temple Ohalei Rivka and Rosen Jewish Community Center, Hidden Valley Mobile Home Park, single-family homes, and wetlands  
 East: Dr. P. Phillips Community Park and Dr. Phillips Relief High School site  
 West: Wetlands

## Staff Recommendations

If the requested Future Land Use Map Amendment is approved, the Board will then take action on the requested PD/LUP substantial change. These items must be considered as distinct actions by the Board.

1. **FUTURE LAND USE MAP AMENDMENT:** Make a finding of **consistency** with the Comprehensive Plan (see Housing Element Goal H1 and Objective H1.1; Future Land Use Element Goal FLU.2, Objectives FLU2.2 and FLU8.2, and Policies FLU1.1.1, FLU1.4.4, FLU8.2.1, FLU8.2.10, and FLU8.2.2; and Conservation Element Objective C1.4 and Policy C1.4.1), determine that the amendment is in compliance, and **ADOPT** Amendment 2018-2-A-1-4, Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R) to Planned Development - Commercial / Office / Medium Density Residential / Low Density Residential / Senior Living / Conservation (PD-C/O/MDR/LDR/Senior Living/CONS).

### 2. PD/LUP SUBSTANTIAL CHANGE:

**(April 24, 2019, DRC Recommendation):** Make a finding of consistency with the Comprehensive Plan and **APPROVE** the Kerina Parkside Planned Development/Land Use Map (PD/LUP), dated "Received March 19, 2019", subject to the following twenty-four (24) conditions:

1. Development shall conform to the Kerina Parkside PD Land Use Plan (LUP) dated "Received March 19, 2019," 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 March 19, 2019," 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 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. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan / preliminary subdivision plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
7. The project shall comply with the terms and conditions of that certain Palm Parkway to Apopka-Vineland Connector Road Agreement recorded at Official Records Book/Page 8387/3416, Public Records of Orange County, Florida, as may be amended.
8. Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.
9. The following Education Condition of Approval shall apply:

- a) Developer shall comply with all provisions of the Capacity Enhancement Agreement entered into with the Orange County School Board as of October 18, 2005, and as amended on December 11, 2018.
  - b) Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for any residential units in excess of the 822 residential units allowed under the zoning existing prior to the approval of the PD zoning. The County may again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.
  - c) Developer, and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's rights.
  - d) Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement.
  - e) Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.
10. Unless a Conservation Area Impact (CAI) permit is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland Conservation Areas", prior to Construction Plan approval, no conservation area or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect conservation area impacts.
11. 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 & Wildlife Conservation Commission (FWC).
12. The following waivers are granted from Orange County Code:
- a) A waiver from Section 24-4(a)(2)a to permit specimen palms along the northern boundary of Tract 7 lying outside of the BVN District, in addition to shade trees, to meet the vehicular use area requirements, with no more than 25% of the shade tree requirement being met with specimen palms, in lieu of limiting allowable trees to shade trees.
  - b) A waiver from Section 24-5(3) to allow for neighborhood commercial uses to be located 7.5 feet from any single-family zoned property internal to the planned development within Tract 7, in lieu of fifteen (15) feet. A 7.5-foot landscape buffer shall be provided with hedges and trees consistent with Type C landscape buffer requirements in lieu of a fifteen (15)-foot landscape buffer.
  - c) A waiver from Section 38-79(20)(f) to allow neighborhoods comprised of buildings that contain only two (2), three (3), or four (4) units within Tract 4, in lieu of the requirement

- that at least seventy-five (75) percent of the attached units to be in buildings containing five (5) or more units.
- d) A waiver from Section 38-79(20)(p) to allow for attached units with rear alley access a minimum front setback of ten (10) feet and a minimum rear setback of nine (9) feet as measured from the alley tract or alley easement within Tract 4, in lieu of minimum front and rear yard building setbacks of twenty (20) feet.
  - e) A waiver from Section 38-1254(2)e to allow a minimum side street setback of fifteen (15) feet for all single-family unit types and a minimum front setback of ten (10) feet and a minimum rear setback of nine (9) feet as measured from the alley tract or alley easement for single-family units with rear alley access within Tract 4, in lieu of minimum setback to local rights-of-way of twenty (20) feet.
  - f) A waiver from Section 38-1258(a) to allow a multifamily building with a maximum height of sixty (60) feet/four (4) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within the northern portion of Tract 7 outside of the BVN District, in lieu of the single-story height requirement where the multifamily buildings are located within one hundred (100) feet of single-family zoned property.
  - g) A waiver from Section 38-1258(b) to allow a multifamily building with a maximum height of sixty (60) feet/four (4) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within the northern portion of Tract 7 outside of the BVN District, in lieu of the varying building height where the multifamily buildings are located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned properties.
  - h) A waiver from Section 38-1258(c) to allow a multifamily building with a maximum height of sixty (60) feet/four (4) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within the northern portion of Tract 7 outside of the BVN District, in lieu of forty (40) feet/ three (3) stories in height where the multifamily buildings are located within one hundred and fifty (150) feet of single-family zoned properties.
  - i) A waiver from Section 38-1258(d) to allow a multifamily building with a maximum height of sixty (60) feet/four (4) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within the northern portion of Tract 7 outside of the BVN District, in lieu of forty (40) feet/ three (3) stories in height.
  - j) A waiver from Section 38-1258(e) to allow for parking and other paved areas for multi-family development to be located 7.5 feet from any single-family zoned property internal to the planned development within Tract 7 and Tract 8, in lieu of twenty-five (25) feet. A 7.5-foot landscape buffer shall be provided with hedges and trees consistent with Type C landscape buffer requirements in lieu of a twenty-five (25)-foot landscape buffer.
  - k) A waiver from Section 38-1258(f) to require no wall when a multi-family development is located adjacent to any single-family zoned property internal to the planned development within Tract 7, in lieu of a 6 (six)-foot high masonry, brick, or block wall.
  - l) A waiver from Section 38-1258(f) to allow a combination of masonry, brick, or block with aluminum fence (rail or picket) when a multi-family development is located adjacent to any

- single-family zoned property along the southern boundary of Tract 7, in lieu of a masonry, brick, or block wall.
- m) A waiver from Section 38-1272(a)(5) to allow a commercial building with a maximum height of sixty (60) feet with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within the northern portion of Tract 7 outside of the BVN District, in lieu of a maximum building height of fifty (50) feet or thirty-five (35) feet within one hundred (100) feet of any residential.
  - n) A waiver from Section 38-1392.1, within the portion of Tract 4 lying within the BVN District, the portion of Tract 7 lying within the BVN District, and Tract 8, to allow minimum building setbacks of twenty-five (25) feet along the southern boundary of Tract 8; twenty-five (25) feet along the western boundary of Tract 8; thirty (30) feet along the northern boundary of Tract 8; and twenty-five (25) feet along the southern boundary of Tract 4 and Tract 7 in lieu of thirty-five (35) feet minimum building setback requirement to lands with residential zoning, residential future land use or physical residential use; and to allow a minimum rear setback of nine (9) feet as measured from the alley tract or alley easement in lieu of a minimum rear yard building setback of fifteen (15) feet. This waiver does not apply to the portion of Tract 7 lying within the BVN District that is within 200 feet of the Ruby Lake PD single-family development.
  - o) A waiver from Section 38-1392.2(2)c to allow for a minimum landscape strip width of five (5) feet along one side of the pedestrian path within the portion of Tract 7 lying within the BVN District and Tract 8, in lieu of ten (10) feet along one side of the pedestrian path.
  - p) A waiver from Section 38-1392.2(3)c to allow for a minimum landscape strip width of five (5) feet along one side of the pedestrian path within the portion of Tract 7 lying within the BVN District and Tract 8, in lieu of twelve (12) feet along one (1) side (or six (6)-foot on each side) of the connecting pathway.
  - q) A waiver from Section 38-1392.5(1) to allow for a minimum landscaped area of eight (8) percent of a parking lot within the portion of Tract 7 lying within the BVN District and Tract 8, in lieu of ten (10) percent and a minimum landscape planter width of ten (10) feet from face of curb to face of curb in lieu of thirteen (13) feet from face of curb to face of curb. Cumulative tree caliper inches will be provided per code requirements.
  - r) A waiver from Section 38-1392.5(2) to allow for a minimum of 1 canopy tree (as defined by BVN code as 4" caliper or greater) for every 10 parking spaces within the portion of Tract 7 lying within the BVN District and Tract 8, in lieu 0.8 caliper inches of canopy trees for every parking space. It is also requested to permit specimen palms, in addition to canopy trees, to meet the requirement.
  - s) A waiver from Section 38-1393, within the portion of Tract 7 lying within the BVN District and Tract 8, to allow a multifamily and/or non-residential building with a maximum height of sixty (60) feet / four (4) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within Tract 7 and a senior living building (commercial or multifamily) with a maximum height of ninety (90) feet / six (6) stories with a minimum setback of 25 feet from single-family zoned property located internal or external to the PD within Tract 8, in lieu of the graduated building height/setback requirements listed therein. This waiver does not apply to the portion of Tract 7 lying within the BVN District that is within 200 feet of the Ruby Lake PD single-family development.

- t) A waiver from Section 38-1394(1)(c) to permit specimen palms in addition to canopy trees and palms in addition to understory trees within the portion of Tract 4 within the BVN District, the portion of Tract 7 within the BVN district, and Tract 8, in lieu of three (3) shade trees for every one hundred (100) feet, four-inch caliper, 14-foot height minimum; or five (5) under-story trees in tree-wells for every one hundred (100) feet. Palms may comprise no more than 25% of the required shade trees or understory trees.
  - u) A waiver from Section 38-1394(2) within the portion of Tract 4 within the BVN district, the portion of Tract 7 within the BVN District, and Tract 8 to allow for specimen palms in lieu of laurel oaks and in addition to live oaks as streetscape shade trees. Palms may comprise no more than 25% of the required streetscape shade trees.
  - v) A waiver from Section 38-1394.1(a) to allow for the green space around the base of each single-story building to be zero feet (0') if abutted by a sidewalk within the portion of Tract 7 within the BVN District and Tract 8, in lieu of ten feet (10') around the base of each single-story building within the commercial or vertical mixed-use developments.
  - w) A waiver from Section 38-1394.1(a)(2) to allow for tree planting requirements around the base of multi-family and non-residential buildings per Section 24-4(d) within the portion of Tract 7 within the BVN District and Tract 8, in lieu of (1) canopy tree for each one hundred (100) square feet of green space.
  - x) A waiver from Section 38-1396.1(2) to allow light fixtures other than the acorn-style fixtures within the portion of Tract 4 within the BVN District, the portion of Tract 7 within the BVN district, and Tract 8, in lieu of limiting all light fixtures to acorn-style.
  - y) A waiver from Section 38-1501 to allow the minimum single-family detached lot width to be forty (40) feet within Tract 4, in lieu of forty-five (45) feet and a minimum side building setback of four (4) feet in lieu of five (5) feet. Single-family lots proposed within Tract 4 immediately adjacent to Tract 2 will match the lot widths and setbacks currently provided within Tract 2.
13. The proposed pedestrian connection between PD Tract 4 and the Dr. Phillips Community Park shall be evaluated for feasibility during review of the Preliminary Subdivision Plan for PD Tract 4. If permitted, the location of the pedestrian access shall be coordinated with and controlled by Orange County Parks and Recreation.
14. 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 updated MUP must be approved prior to construction plan approval.
15. Tree removal/earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
16. Short term rental shall be prohibited in the residential areas. Length of stay shall be for a minimum of 180 consecutive days.
17. Outside sales, storage, and display shall be prohibited.

18. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code. The properties located within the Buena Vista North Overlay District shall comply with Orange County Code Chapter 31.5 Buena Vista North overlay standards, unless expressly waived by the Board of County Commissioners.
19. All single-family buyers shall be notified at the time of sale of the potential for multi-family adjacency.
20. The Vineland Cemetery (the "Cemetery") shall remain in its current location and shall be preserved, including the existing Civil War graves, granite obelisk and existing fencing. The developer of any site within the PD that is directly contiguous to the Cemetery (the "Site Developer") shall maintain a 10-foot wide landscape buffer outside of the existing fence that establishes the boundary of the Cemetery parcel (the "Cemetery Buffer"). Prior to site development of the contiguous property, the Site Developer shall provide such fencing and barricades at the outer limit of the Cemetery Buffer to ensure protection of the Cemetery during the construction phase. The Site Developer shall provide and maintain within the Cemetery Buffer a continuous shrub hedge at not more than 4 feet in height (except for the cemetery public access point). In addition, the Site Developer shall install and maintain sod on the portions of the Cemetery that do not contain grave markers and the granite obelisk.
21. Any single-family detached lots with less than a five (5) foot side setback shall not place air conditioning units, pool equipment, generators, or other similar equipment in the side yard.
22. Applicant shall provide up to five (5) acres for a park and/or ball fields which shall be located as depicted on the land use plan and shall be buffered appropriately.
23. The north / south road located immediately east of the middle school and park sites, which connects Buena Vista Woods Boulevard and the Connector Road, shall be completed by the developer, by January 1, 2021.
24. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated December 6, 2005 shall apply:
  - a) The developer shall obtain water, wastewater and reclaimed water service from Orange County Utilities.
  - b) The CC&Rs for Tract 4 and 7 for the Adult Only Retirement Community shall have a deed restriction that includes language that at least one member of the residence must be 55 years or older, and that in no case shall any occupant be under 18 years of age.
  - c) The Developer shall be responsible for a proportionate share of any traffic signals that are shown to be warranted by a traffic study, which shall be completed prior to construction plan approval of the first PSP or DP. An agreement for installation of required signals not covered by the Palm Parkway to Apopka-Vineland Connector Road Agreement shall be executed prior to the first PSP Board of County Commissioners approval.
  - d) The park access from Buena Vista Boulevard shall be 60' right-of-way dedicated to Orange County.
  - e) Per agreement with the OCPS, the Middle School site shall be reduced from 30 acres to 25 acres. The reallocation of the five acres shall be distributed into adjacent tracts as determined appropriate at the Preliminary Subdivision/Development Plan state with no increase in the PD development program of 1,557 units.

- f) Access to the Jewish Community Center (JCC) site shall be provided through Tract 8.
- g) With the exception of construction traffic access, this development shall have no permanent access to existing Fenton Road except west of Apopka-Vineland Road.
- h) In conjunction with the first Preliminary Subdivision/Development Plan, an access management plan for Apopka-Vineland Road shall be submitted for approval by the Board of County Commissioners.

## Analysis

### 1. Background and Development Program

The applicant, Miranda Fitzgerald, is seeking to change the Future Land Use Map (FLUM) designation of the 215.67-acre subject property, presently undeveloped, from Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R) to Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS). The property—consisting of approximately 123.07 upland acres and 92.60 acres of wetlands—comprises the undeveloped Tracts 4, 5, 6, 7, 8, and 9 of the 485.10-acre Kerina Parkside Planned Development (PD), formerly known as the Parkside PD.

Initially approved on December 6, 2005 (Case Z-05-014), the Kerina Parkside PD was last amended by the Orange County Development Review Committee (DRC) on February 22, 2017, as a non-substantial change to the PD Land Use Plan (Case CDR-17-01-021). Per the current PD Land Use Plan (LUP), the subject property is presently entitled for up to 575 townhome units, 305 condominium units, a 3.0-acre park, and 93.0 acres of conservation land/open space.

The applicant is now proposing a new development program primarily on Tracts 4, 7 and 8 of up to 301 single-family dwelling units featuring a mix of housing types; 400 multi-family dwelling units; 200 senior living units, which may include independent living, assisted living, memory care, and/or related supporting uses; 150,000 square feet of neighborhood retail and/or office space, with uses limited to those permitted in the C-1 (Retail Commercial) zoning district; a 5.0-acre park; and 93.0 acres of conservation land/open space. A breakdown of the primary tract changes is shown below.

Primary Tract Changes		
Tract Number	Current Entitlements	Proposed Entitlements
4	530 Townhomes	301 Single-Family Attached and Detached Units
7	305 Condominiums	400 Multi-Family Dwelling Units
		150,000 Square Feet of Retail/Office
8	45 Townhomes	200 Senior Living Units

Staff notes that while the residential components of this application are consistent with the current LDR and LMDR FLUM classifications, the requested office and neighborhood commercial uses are

not. The applicant is thus seeking the Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation designation to allow for an expanded mix of uses to reflect changing conditions in the surrounding area.

The impetus for this amendment is the Palm Parkway to Apopka-Vineland Connector Road (formerly Fenton Street, now known as the Daryl Carter Parkway Extension) which, when constructed, will wind through the southeast portion of the PD. As depicted on the aerial photograph, the 1.6-mile four-lane divided urban roadway, to be constructed through a public-private partnership, will provide additional capacity and a new connection between S. Apopka-Vineland Road and Palm Parkway. The project includes widening along S. Apopka-Vineland Road and Palm Parkway for the intersection turn lanes and features bicycle lanes, signalization improvements, and landscaping. Eight-foot-wide sidewalks will be constructed along some segments of the roadway, with the majority to be added by individual developers at a later date, in accordance with the Palm Parkway to Apopka-Vineland Connector Road Agreement, as amended. Design of the Daryl Carter Parkway Extension is slated for completion in July 2018. Construction is scheduled to commence in August 2019, with completion expected in August 2021. It is the applicant's assertion that the Daryl Carter Parkway Extension will change the character of the surrounding area, making the proposed mix of land uses appropriate. The applicant adds that the Florida Department of Transportation's (FDOT's) planned I-4/Daryl Carter Parkway Interchange, an element of the "I-4 Beyond the Ultimate" project, will further transform the area. However, no definitive timeline for its construction has been established to date.

As illustrated on the existing and proposed future land use maps, the majority of the subject site is located within the County's Urban Service Area (USA) boundary. However, the Rural/Agricultural-designated portion of the subject property, comprised entirely of Class I wetlands, lies within the Rural Service Area (RSA). In lieu of seeking an USA Expansion, the applicant proposes to leave this land as undisturbed acreage within the RSA under a corresponding future land use designation of Conservation (CONS). As noted on the survey included in the application package, the wetlands have been placed in a conservation easement—recorded in O.R. Book 4550, Page 2123 and O.R. Book 4768, Page 1473 of the Public Records of Orange County, Florida—to ensure their protection in perpetuity.

In conjunction with this requested amendment, a proposed substantial change to the currently-approved Kerina Parkside PD Land Use Plan (Case CDR-18-04-110), reflecting the proposed revisions to the PD's development program will be considered by the BCC. Staff notes that while the proposed FLUM Amendment encompasses Tracts 4, 5, 6, 7, 8, and 9 of the PD, the requested land use changes are applicable to Tracts 4, 7, and 8, as Tracts 5, 6, and 9 are dedicated conservation and open space tracts. On April 24, 2019, the DRC recommended approval of Case CDR-18-04-110, subject to the twenty-four (24) conditions listed in this report.

### Community Meeting

A community meeting was held for this proposed amendment on May 15, 2018, with 95 area residents in attendance. The majority of attendees expressed their objection to the request, voicing frustration about the traffic and congestion on area roadways, particularly S. Apopka-Vineland Road. Area residents communicated their skepticism that the Daryl Carter Parkway Extension would alleviate the current traffic problem. Several attendees stated that their traffic problems will worsen when the Dr. Phillips Relief High School and middle school open in 2022 and 2026, respectively.



While the meeting attendees did not appear to object to the residential components of the proposed project, including senior living, they voiced their concern about the introduction of commercial and office uses. Area residents expressed their belief that the area already has a preponderance of shopping and dining opportunities; asserting that more are not needed in their community. Several attendees stated that the planned road improvements—including the construction of the Daryl Carter Parkway Extension and the I-4/Daryl Carter Parkway Interchange—should first be completed and evaluated prior to the consideration of new commercial and office development. The tone of the meeting was negative.

## 2. Future Land Use Map Amendment Analysis

### Consistency

The requested FLUM Amendment appears to be **consistent** with the applicable Goals, Objectives, and Policies of the Comprehensive Plan.

The subject property, divided by S. Apopka-Vineland Road, a major collector roadway, is located in an urbanized area characterized by residential and institutional development. The Parkside single-family residential subdivision, the Phillips Grove single-family community (presently under construction), and the site of a future public middle school (with a projected 2026 opening date)—all located within the Kerina Parkside PD—abut the subject property to the north. The property is bounded to the east by the 43-acre Dr. P. Phillips Community Park, which provides active and passive recreation opportunities for residents of and visitors to Orange County, and the site of the future Dr. Phillips Relief High School (expected to open in 2022). Individual single-family homesites, the Rosen Jewish Community Center and Temple Ohalei Rivka, and the Hidden Valley Mobile Home Park border the property to the south, while a large Class I wetland area within the Grand Cypress PD boundary surrounds the western portion of the site.

The subject property also lies in close proximity to several major employers, including Walt Disney World, the Orlando Health Dr. P. Phillips Hospital, Universal Orlando, Sea World, Lockheed Martin, and the Orange County Convention Center, making it ideally situated for residential development. It is staff's belief that the proposed amendment and associated mixed-use development program are consistent with **Future Land Use Element Goal FLU2**, which establishes that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

As discussed above, the subject property is located in an area characterized by a variety of housing types—including conventional single-family subdivision development, individual single-family homesites, and a manufactured home community. The proposed FLUM amendment and associated residential development program are consistent with Orange County's commitment to ensuring that sufficient land is available to meet the identified housing needs of its present and future residents. The applicant's intent to develop a mix of single-family, multi-family, and senior housing is consistent with **Housing Element GOAL H1** and **Objective H1.1**, which state that the County will promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated housing needs. Similarly, **Future Land Use Element Policy FLU8.2.2** directs that continuous stretches of similar housing types and density of units shall be avoided. It is staff's belief that the proposed project will contribute to the mix of available housing options in an area of the

---

County deemed appropriate for urban uses, as set forth in **Future Land Use Element Policy FLU1.1.1**.

Staff further finds the proposed project consistent with **Future Land Use Element Objective OBJ FLU2.2**, which establishes that Orange County shall develop, adopt, and implement mixed-use strategies and incentives as part of its comprehensive plan and land development code efforts, including standards for determining consistency with the Future Land Use Map. Other objectives of mixed-use development include reducing trip lengths, providing for diverse housing types, using infrastructure efficiently and promoting a sense of community. With respect to the project's commercial and office elements, staff is of the opinion that although there is presently no commercial or office activity in the immediate vicinity of the subject property, the construction of the Daryl Carter Parkway Extension and FDOT's future development of the I-4/Daryl Carter Parkway Interchange will likely transform this area of the County, making a diversity of land uses appropriate. It is staff's belief that the incorporation of well-designed retail and office centers into the Kerina Parkside PD would complement neighboring residential development and could reduce the travel distance to purchase goods and services. Staff emphasizes, though, that care must be taken to ensure that any commercial or office use will not negatively impact the residents of these homes, as mandated by **Future Land Use Element Policy FLU1.4.4**, which states that the disruption of residential areas by poorly located and designed commercial activities shall be avoided. Staff further notes that if this requested amendment is adopted, the development standards for both the residential and non-residential elements of this project will be defined via the concurrent substantial change to the Kerina Parkside PD Land Use Plan, including limiting commercial and office uses to those permitted within the C-1 zoning district—the least intense of the County's commercial categories—and addressing the regulations pertaining to the Buena Vista North Overlay District, in which the southeast portion of the site lies, as stipulated in Section 38-1391.1(a) of the Orange County Code.

Finally, as stated earlier, the subject site contains approximately 92.6 acres of Class I wetlands. These wetlands are presently located within recorded conservation easements to ensure their protection in perpetuity. For this reason, the Conservation land use category is proposed for inclusion in the PD future land use designation to ensure consistency with **Conservation Element Objective C1.4**, which mandates that Orange County shall protect identified wetland areas and existing native wildlife, and **Policy C1.4.1**, which requires the County to continue the adoption of regulations that protect and conserve wetlands and include criteria for identifying their significance.

#### **Staff-Initiated Text Amendment**

**Future Land Use Element Policy FLU8.1.4** establishes the development programs for Planned Development (PD) and Lake Pickett (LP) 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 2018-2-B-FLUE-2. The maximum development program for Amendment 2018-2-A-1-4, if adopted, will be as follows:

Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
<u>2018-2-A-1-4</u> <u>Kerina Parkside</u>	Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)	<u>Single-family residential: 301 dwelling units</u> <u>Multi-family residential: 400 dwelling units</u> <u>Senior living: 200 units (may include independent living, assisted living, memory care, and/or related supporting uses)</u> <u>Commercial/Office: 150,000 square feet of neighborhood retail and/or office development, limited to C-1 (Retail Commercial District) uses</u> <u>Park: 5.0 acres</u> <u>Conservation land/open space: 93.0 acres</u>	<u>2019-</u>

**Compatibility**

The requested FLUM amendment appears to be **compatible** with the development trend of the surrounding area.

**Future Land Use Element Objective FLU8.2** states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development pattern and development trends in the area. As discussed earlier, the subject property is located in an urbanized area characterized by residential development with a variety of housing types and institutional uses, including the neighboring 43-acre Dr. P. Phillips Community Park. In addition, it is situated in close proximity to several major employers and regional transportation corridors, both existing and planned, adding to its suitability for further residential development.

Although there is presently no commercial or office activity in the immediate vicinity of the subject property, as noted above, the construction of the Daryl Carter Parkway Extension and FDOT’s future development of the I-4/Daryl Carter Parkway Interchange will likely transform this area of the County, enabling staff to support the requested commercial and office elements of this application. It is staff’s belief that the incorporation of well-designed retail and office centers into the Kerina Parkside PD would complement neighboring residential development and could reduce the travel distance to purchase goods and services. Staff again stresses that care must be taken to ensure that any commercial or office use will not negatively impact the residents of these homes. Although no restrictions or conditions may be imposed on a FLUM Amendment, performance restrictions and/or conditions may be placed on a site through the appropriate subsequent development order to ensure compatibility, as established in **Policy FLU8.2.1**. As stated in **Future Land Use Element Policy FLU8.2.10**, commercial and office uses in residential areas shall be subject to performance standards

including, but not limited to, building height restrictions, compatible architectural designs, floor area ratio limitations, lighting and location requirements, landscaping and buffering requirements, and parking design to ensure land use compatibility. These performance standards will be imposed via the associated substantial change to the Kerina Parkside PD Land Use Plan, Case CDR-18-04-110, slated for concurrent consideration with the requested FLUM Amendment during the adoption public hearing stage.

It is staff's belief that the proposed mixed-use project would contribute to the County's larger goals of promoting compact urban form within the Urban Service Area, providing for a range of living options, efficiently using existing and planned infrastructure, reducing trip lengths, and providing for the protection of environmentally-sensitive land. Staff, therefore, recommends adoption of this requested amendment.

***Division Comments: Environmental, Public Facilities, and Services***

**Environmental Protection Division.** The Orange County Environmental Protection Division (EPD) has informed staff that Conservation Area Determinations (CADs) have been completed for this Planned Development since the late 1980s, including CAD 05-283 and CAD 05-028. Please contact the EPD wetland permitting staff at 407-836-1400 to verify the applicability and validity of historic wetland permits and to determine whether all of the parcels are covered. A CAD must be completed for each property prior to submitting a Preliminary Subdivision Plan, Development Plan, or permit application that includes the property.

All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this request does not authorize any direct or indirect conservation area impacts. The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include, but are not limited to, a 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible for determining the presence of listed species and obtaining any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to pretreat stormwater runoff for pollution abatement purposes, per the Orange County Code, Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

**Transportation Planning Division.** 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 approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.

The Palm Parkway to Apopka-Vineland Connector Road Agreement was approved by the BCC on December 6, 2005, and recorded in OR Book 8387 Page 3416 of the Public Records of Orange County. The agreement is between three Developers, BVC Partners I, LLC, Kerina, Inc., and Sand Lake Investments, LTD, and Orange County for the realignment of Fenton Street from Apopka-Vineland Road to Palm Parkway. The Developers will provide Right-of-Way for the road project and pay for the Design, Engineering, Permitting, and Mitigation costs. Orange County will be responsible for constructing the four-lane roadway within its 10-year Capital Improvement Program. The Developers have the option to construct if County does not. If the Developers construct, they will receive Road Impact Fee Credits. The Developers will receive Vested Rights for Fenton Street from Apopka-Vineland Road to Palm Parkway, including the intersections. The typical section for the four-lane roadway consists of 100 feet of Right-of-Way with a 15-foot Transit/Pedestrian Utility Easement and a 20-foot Pedestrian/Landscape Easement on either side of the roadway. The design speed is 40 m.p.h. Currently, the Project Manager has been selected, the design is 90 percent complete, and certain Right-of-Way has been placed in escrow per the terms of the agreement.

**Utilities.** The subject site lies within Orange County Utilities' (OCU's) potable water, wastewater and reclaimed water service areas. Per OCU, potable water, wastewater, and reclaimed water demands and connection points will be addressed as the project proceeds through the DRC and construction permitting processes.

**Orange County Public Schools.** Per Orange County Public Schools (OCPS), the middle school (Southwest Middle) and high school (Dr. Phillips High) that would currently serve the project are operating over capacity. As directed by OCPS, the original Capacity Enhancement Agreement (CEA) associated with the Kerina Parkside PD, CEA #05-023, has been amended. On December 11, 2018, the Orange County School Board approved the First Amendment to Capacity Enhancement Agreement 05-023 A1, subsequently recorded in the Public Records of Orange County (Doc# 20190082554).

As discussed previously, the subject property lies in the immediate vicinity of two future public schools: the Dr. Phillips Relief High School, scheduled to open in 2022, and a middle school located within the Kerina Parkside PD, slated for a 2026 opening.

**Orange County Parks and Recreation.** Orange County Parks and Recreation have reviewed this plan and have no outstanding issues or concerns. The proposed pedestrian connection to the Dr. Phillips Community Park from PD Tract 4 will be discussed for feasibility during Preliminary Subdivision Plan (PSP) review.

**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.

### 3. Policy References

**Goal FLU2 – URBAN STRATEGIES.** Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

**OBJ FLU2.2 –** Orange County shall develop, adopt, and implement mixed-use strategies and incentives as part of its comprehensive plan and land development code efforts, including standards for determining consistency with the Future Land Use Map. Other objectives of mixed-use

development include reducing trip lengths, providing for diverse housing types, using infrastructure efficiently and promoting a sense of community.

**OBJ FLU8.2** – Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following policies shall guide regulatory decisions that involve differing land uses.

**FLU1.1.1** – Urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay (Scenario 5), Growth Centers, and to a limited extent, Rural Settlements.

**FLU1.4.4** – The disruption of residential areas by poorly located and designed commercial activities shall be avoided. Primary access to single-family residential development through a multi-family development shall be avoided.

**FLU8.2.1** – Land use changes shall be required to be compatible with the 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.

**FLU8.2.10** – To ensure land use compatibility with nearby residential-zoned areas and protection of the residential character of those areas, office and commercial uses within residential neighborhoods shall be subject to strict performance standards, including but not limited to the following:

- A. Building height restrictions;
- B. Requirements for architectural design compatible with the residential units nearby;
- C. Floor area ratio (FAR) limitations;
- D. Lighting type and location requirements;
- E. Tree protection and landscaping requirements including those for infill development; and
- F. Parking design.

**FLU8.2.2**– Continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

**GOAL H1** – Orange County's goal is to promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, to meet current and anticipated housing needs so that all our residents have the opportunity to purchase or rent standard housing.

**OBJ H1.1** – The County will continue to support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

**OBJ C1.4** – Orange County shall protect identified wetland areas and existing native wildlife (flora and fauna) habitats by implementing the following policies.

**C1.4.1** – Orange County shall continue to adopt regulations that protect and conserve wetlands. Such regulations shall include criteria for identifying the significance of wetlands.

Class I conservation areas shall mean those wetland areas that meet at least one of the following criteria:

- A. Any wetland of any size that has a hydrological connection to natural surface water bodies or Floridan aquifer; or

- B. Any wetland of any size that is within a lake littoral zone; or
- C. Any large isolated uninterrupted wetlands forty (40) acres or larger; or
- D. Any wetland of any size that provides critical habitat for federal and/or state listed threatened or endangered species.

Class II conservation areas shall mean those wetland areas that meet any of the following criteria:

- A. Consist of isolated wetlands or formerly isolated wetlands that by way of man's activities have been directly connected to other surface water drainage; and are greater than or equal to five (5) acres; or
- B. Are less than 40 acres and do not otherwise qualify as a Class I conservation area.

Class III conservation areas shall mean those wetland areas that meet all of the following criteria:

- A. Isolated wetlands less than five (5) acres; and do not otherwise qualify as a Class I or Class II conservation area. Stormwater ponds are not considered conservation areas.

The removal, alteration or encroachment within a Class I Conservation Area shall be allowed only 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.

Removal, encroachment or alteration for Class II conservation areas should be presumed to be allowed unless removal, encroachment or alteration is contrary to the public interest. Removal, encroachment or alteration may be allowed in Class III conservation areas.

When encroachment, alteration or removal of a conservation area is permitted, habitat compensation or mitigation as a condition of development approval shall be required. The basis for mitigation shall be determined by using UMAM as the sole basis for evaluation. In the case where a mitigation bank has not been awarded credits using UMAM, the mitigation shall be no less than the following:

Class I conservation areas: case by case basis, but not less stringent than the mitigation requirements for Class II conservation areas.

Class II conservation areas:

- A. Freshwater marshes and wet prairies – 1.5:1.
- B. Cypress wetlands – 2.0:1.
- C. Hydric hammocks, bayheads, and mixed hardwood swamps – 2.5:1.

Class III conservation areas: 1:1.







For off-site, unlike, or other mitigation proposals, ratios shall be determined on a case-by-case basis. The regulation shall stipulate that the following types of mitigation shall be given priority:

- A. Restoration of non-functional wetlands;
- B. Off-site preservation of wetland and upland systems;
- C. Creation of type-for-type mitigation areas adjacent to preserved Class I Conservation Areas or that connect Class I, II and/or III conservation areas; and,

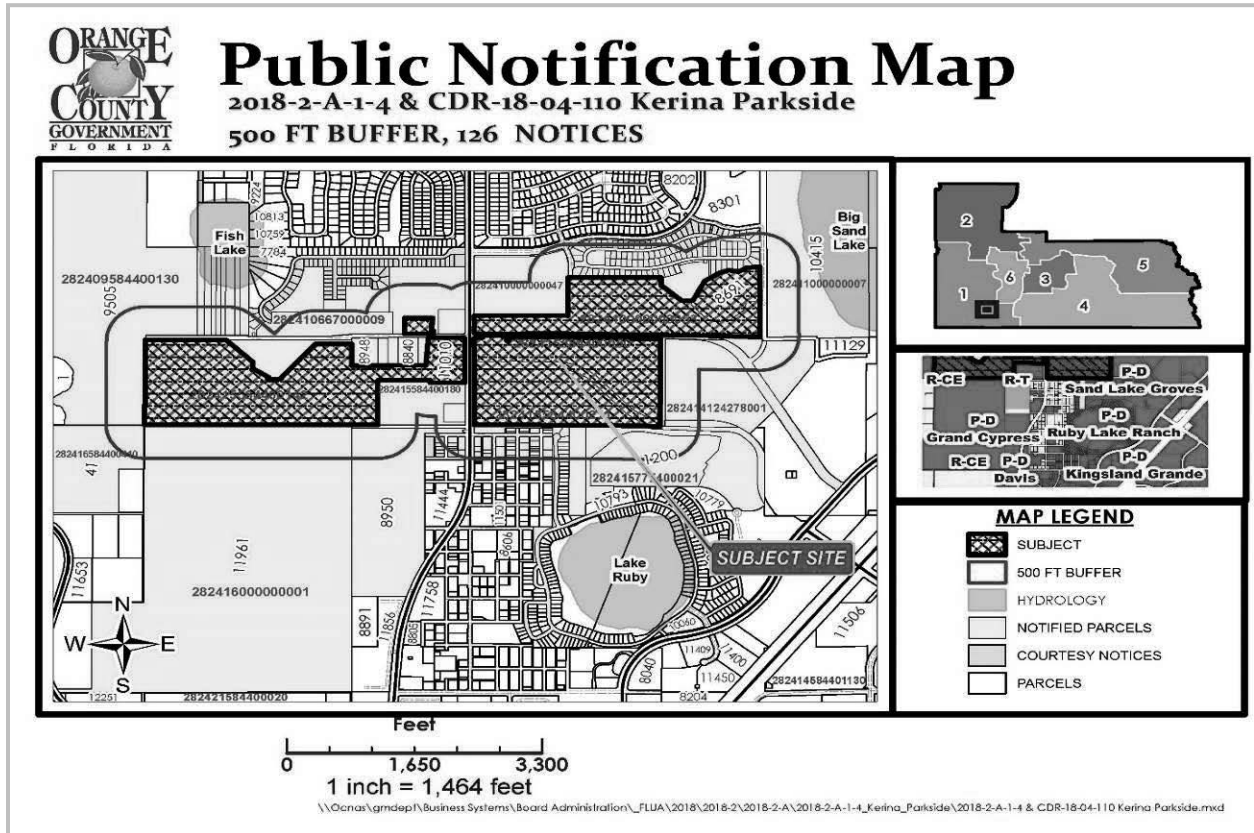
Creation of type-for-type mitigation areas.



Site Visit Photos

<b>Subject Site</b>	
	
<b>North of Subject Site</b>	<b>South of Subject Site</b>
	
<b>South of Subject Site</b>	<b>East of Subject Site</b>
	

**PUBLIC NOTIFICATION MAP**

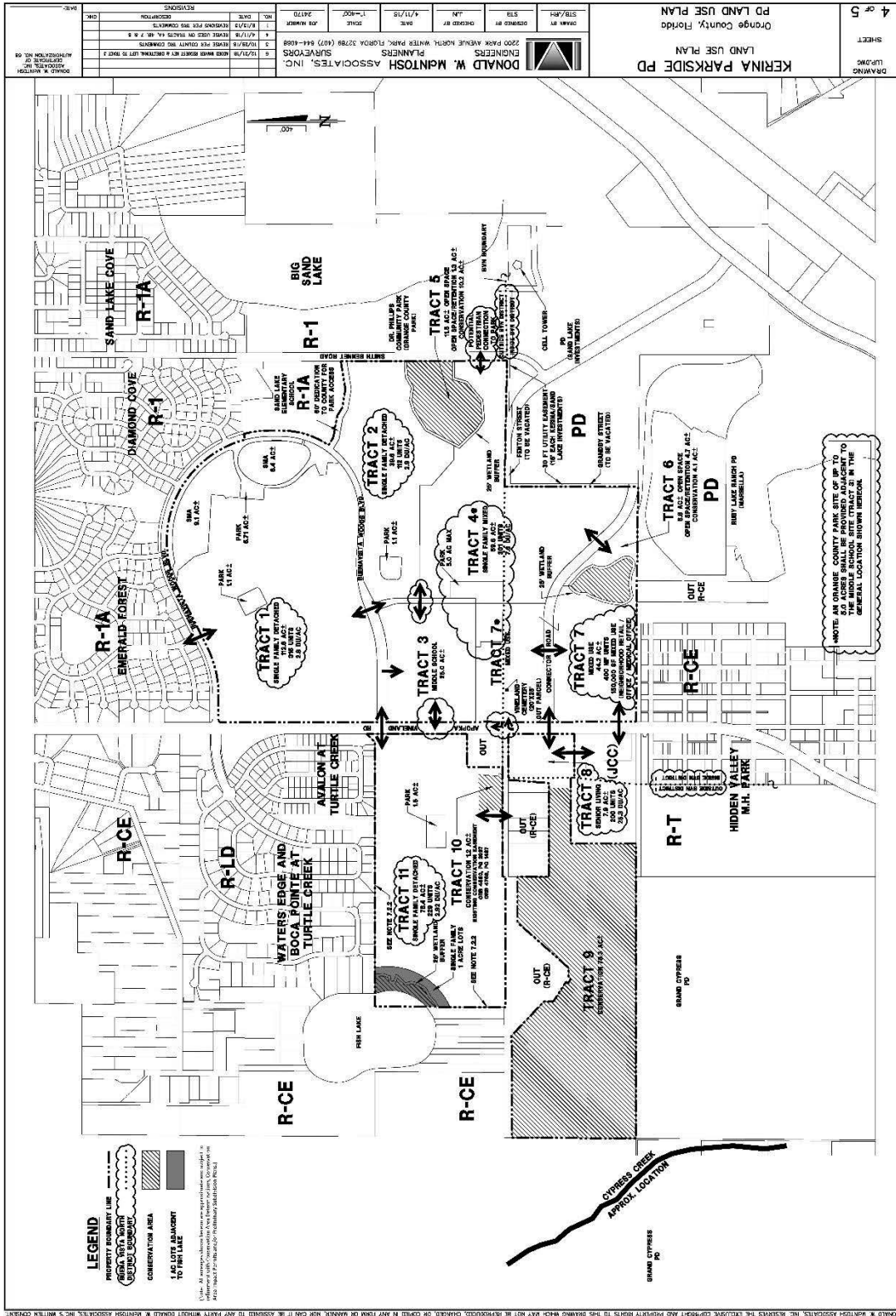


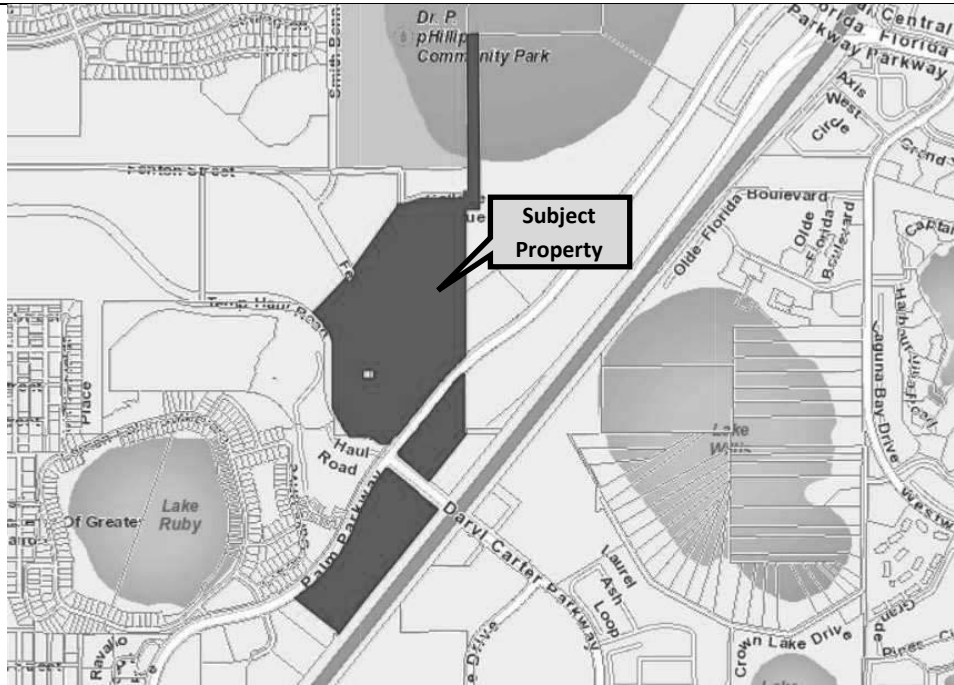
**Notification Area**

500 feet plus neighborhood and homeowners' associations within a one-mile radius of the subject site

126 notices sent

Kerina Parkside PD/LUP





**Applicant/Owner:**  
 VHB, Inc.

**Location:**  
 Generally located north of Interstate 4 and south of Fenton Street

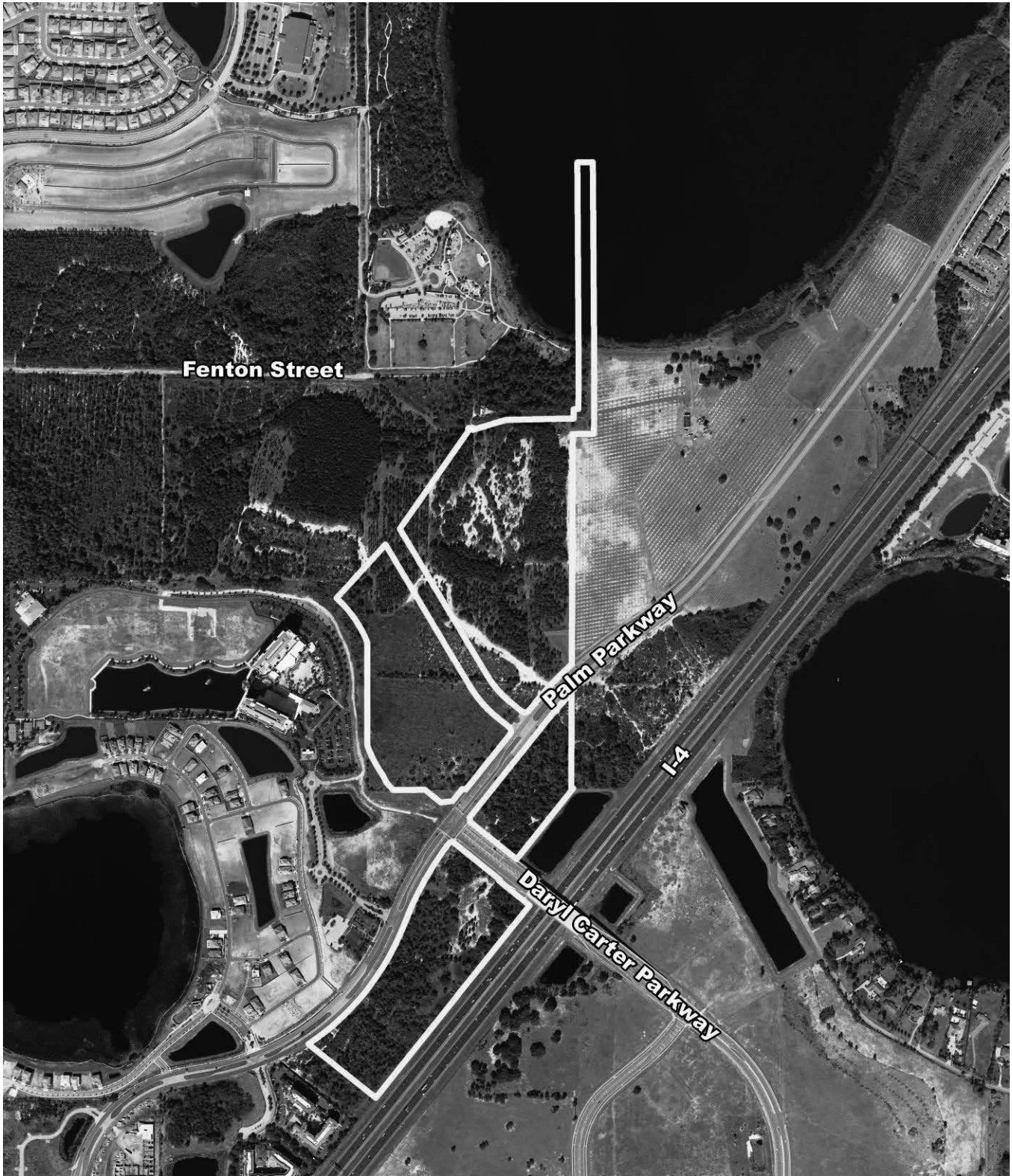
**Existing Use:**  
 Undeveloped land

**Parcel ID Number(s):**  
 11-24-28-0000-00-020;  
 14-24-28-0000-00-012/018/027  
 14-24-28-1242-60-000  
 14-24-28-1242-66-000  
 14-24-28-1242-66-001 (portion of)  
 14-24-28-1242-71-350/380  
 15-24-28-7774-00-023/024

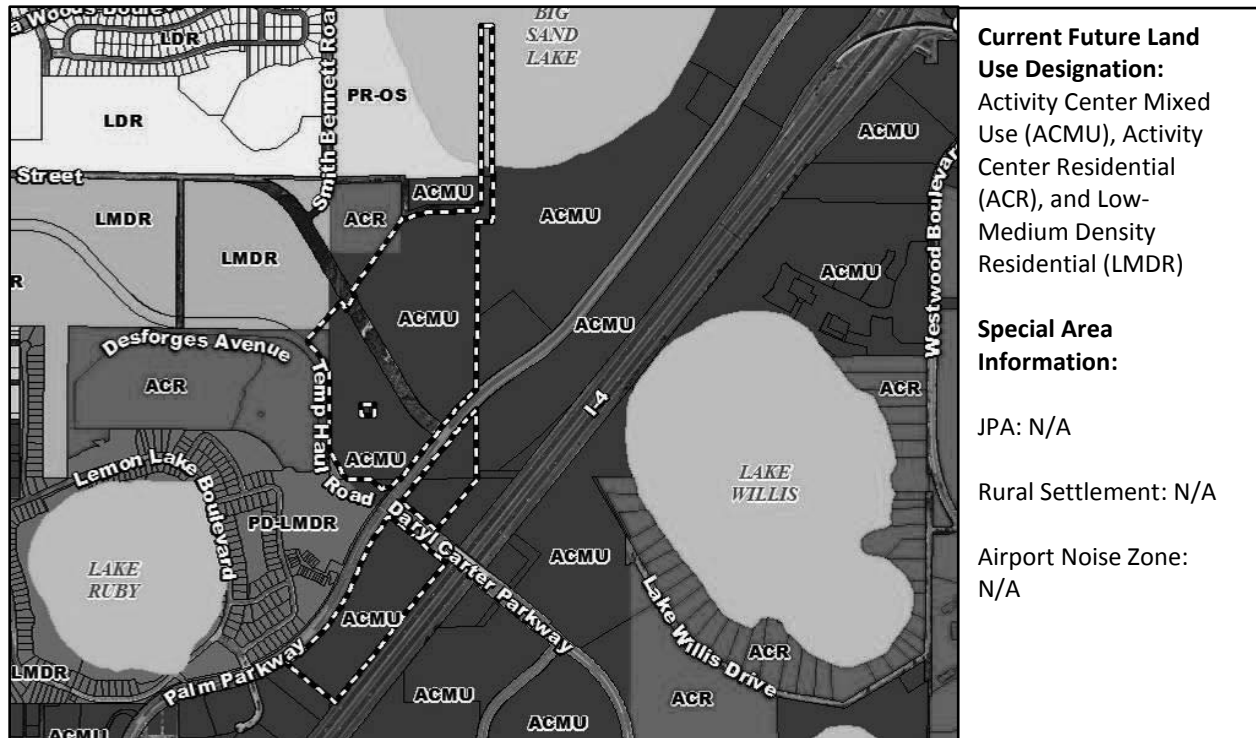
**Tract Size:**  
 86.84 gross acres/84.04 net developable acres

+The following meetings and hearings have been held for this proposal:				Project Information	
Report/Public Hearing		Outcome			
✓	Community Meeting held May 23, 2018, with 29 members of the public in attendance.	Negative		<b>Future Land Use Map Amendment Request:</b> Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential to Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR)	
✓	Staff Report	Recommend Transmittal		<b>Proposed Development Program:</b> Up to 1,800 residential dwelling units and up to 415,142 square feet of commercial uses.	
✓	LPA Transmittal June 21, 2018	Recommend Transmittal (8-1)		<b>Public Facilities and Services:</b> Please see the Public Facilities Analysis Appendix for specific analysis on each public facility. <b>Environmental:</b> A Conservation Area Determination (CAD) is required. <b>Transportation:</b> The proposed use will generate 1,942 peak hour trips resulting in no change in the number of pm peak hour trips generated.	
✓	BCC Transmittal July 10, 2018	Transmit (7-0)		<b>Orange County Public Schools:</b> Capacity Enhancement Agreement (CEA) #OC-18-009 was approved by the Orange County School Board on December 11, 2018.	
✓	State Agency Comments August 28, 2018.	No comments			
✓	LPA Adoption October 18, 2018	Recommend Adoption (8-0)			
	BCC Adoption June 4, 2019			<b>Concurrent Rezoning: LUPA-18-05-175</b> Land Use Plan Amendment Rezoning Case LUPA-18-05-175, a request to add the A-2 (Farmland Rural District)-zoned parcels to the currently-approved Hannah Smith Property PD.	

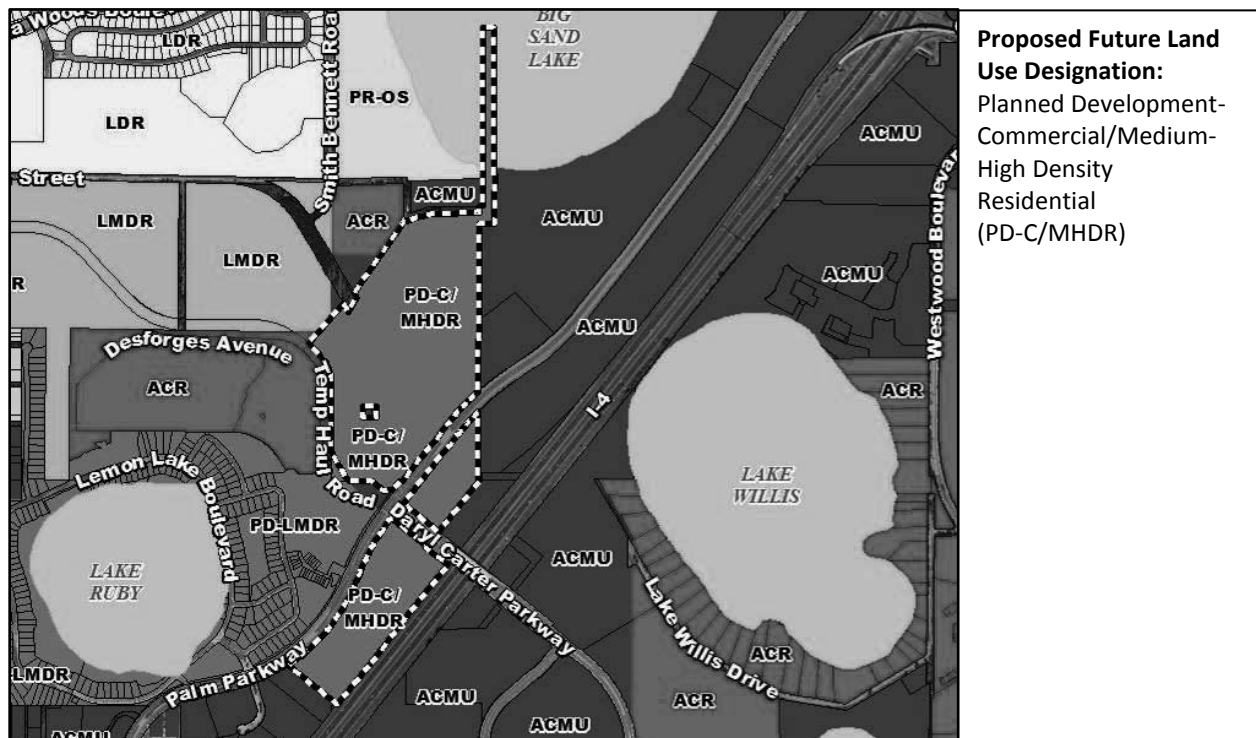
**SITE AERIAL**



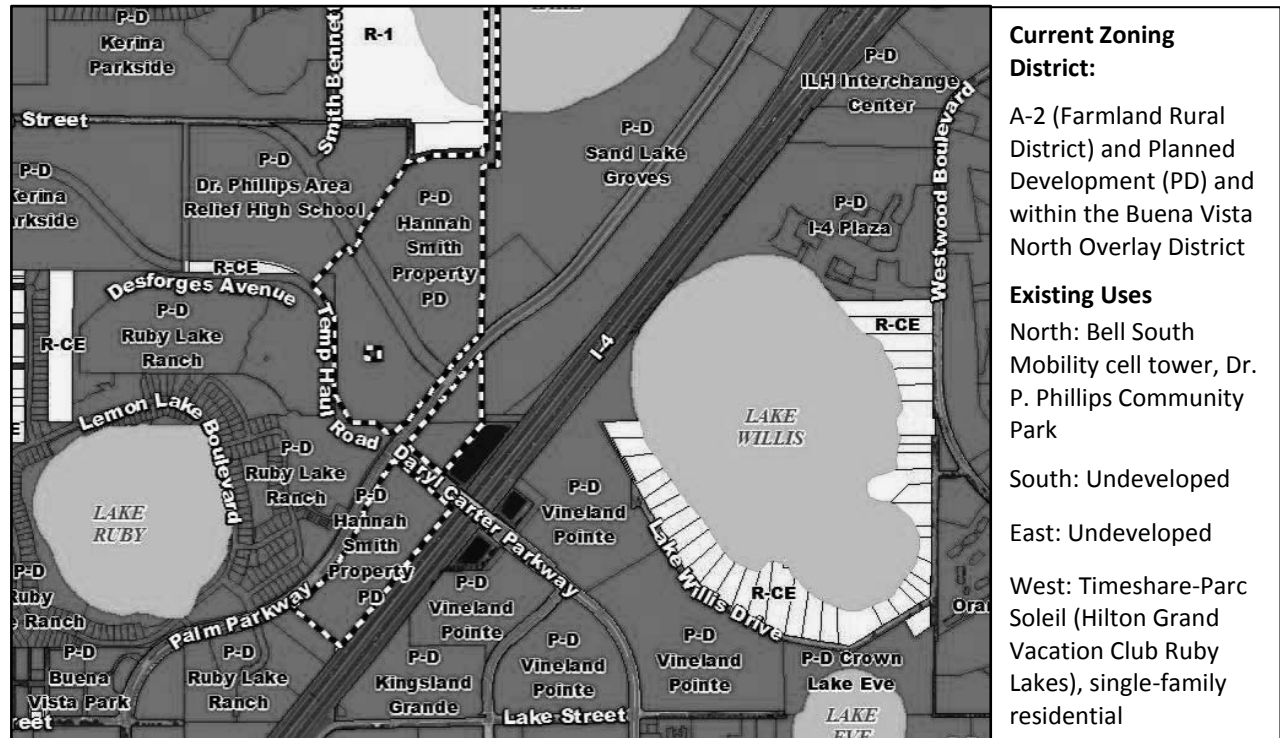
**FUTURE LAND USE - CURRENT**



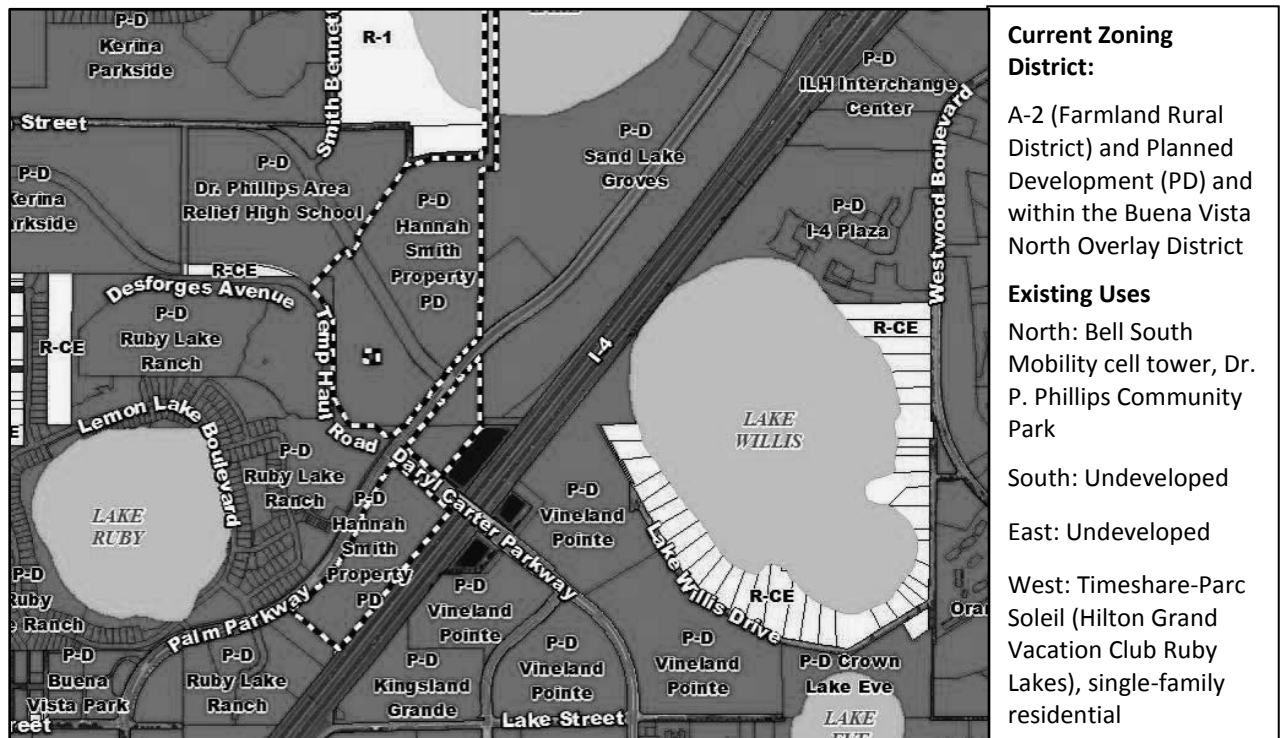
**FUTURE LAND USE - AS PROPOSED**



**ZONING – CURRENT**



**ZONING – PROPOSED**



## Staff Recommendations

If the requested Future Land Use Map Amendment is approved, the Board would then need to take action on the requested rezoning. These items need to be addressed as two separate motions by the Board. Below are the staff recommendations for each of these items.

**FUTURE LAND USE MAP AMENDMENT:** Make a finding of **consistency** with the Comprehensive Plan (see International Drive Element Goal 1 and 3; Housing Element Goal H1 and Objective H1.1; and Future Land Use Element Objectives FLU2.2 and FLU8.2 and Policies FLU1.1.1, FLU1.1.2A, FLU1.1.4D, FLU1.4.2, FLU1.4.4, FLU8.2.1, and FLU8.2.2), determine that the amendment is in compliance, and **ADOPT** Amendment 2018-2-A-1-6, Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR).

### PD REZONING / LAND USE PLAN AMENDMENT:

**(April 19, 2019 PZC Recommendation):** Make a finding of consistency with the Comprehensive Plan and **APPROVE** the Hannah Smith Property Planned Development/Land Use Plan (PD/LUP), dated "Received March 28, 2019", subject to the following fifteen (15) conditions:

1. Development shall conform to the Hannah Smith Property Planned Development (PD) dated "Received March 28, 2019," 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 March 28, 2019," 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 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. The project shall comply with the terms and conditions of that certain Palm Parkway to Apopka-Vineland Connector Road Agreement recorded at Official Records Book/Page 8387/3416, Public Records of Orange County, Florida, as may be amended.
7. The following Education Condition of Approval shall apply:
  - a) Developer shall comply with all provisions of the Capacity Enhancement Agreement (CEA #OC-18-009) entered into with the Orange County School Board as of December 11, 2018.
  - b) Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for any residential units in excess of the 250 residential units allowed under the zoning existing prior to the approval of the PD zoning.

The County may again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.

- c) Developer, and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's rights.
- d) Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement.

Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.

- 8. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or capacity reservation certificate.
- 9. 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 & Wildlife Conservation Commission (FWC).
- 10. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.
- 11. The following waivers are granted from Orange County Code:
  - a) A waiver from Section 38-1393 is requested to eliminate the BVN minimum setback/height limitations to allow a multi-family building with a maximum building height of one hundred fifteen (115) feet/nine (9) stories for Tract 1, in lieu of the proximity based requirements.
  - b) A waiver from Section 38-1254 within Tracts 1, 2, 3 and 4 to allow zero foot setback for internal lot lines, in lieu of the required minimum setback of twenty-five (25) feet.

- c) A waiver from Section 38-1393 is requested to allow a maximum height of 150 feet for non-residential development for Tract 4, in lieu of the proximity based requirements.
- d) A waiver from Section 38-1394.1(a)(2) is requested to allow for multi-family and non-residential buildings to allow for tree planting requirements around the building base area per Sec. 24-4(d) for all Tracts, in lieu of the one (1) canopy tree for each one hundred (100) square feet of green space.
- e) A waiver from Section 38-1272(a)5 is requested to allow the maximum building height to be fifty (50) feet, in lieu of thirty-five (35) feet for any commercial building within Tract 1.
- f) A waiver from Section 38-1392.1 is requested to allow a building setback of twenty-five (25) feet for Tracts 1, 2, 4 and 5, in lieu of thirty-five (35) feet minimum building setback requirement to lands with residential zoning, residential future land use or physical residential use.
- g) A waiver from Section 38-1392.2(2)c is requested within Tracts 2, 3, and 4 to allow for a minimum landscape strip width of five (5) feet along one side of the pedestrian path, in lieu of ten (10) feet along one side of the pedestrian path.
- h) A waiver from Section 38-1392.2(3)c is requested within Tracts 2, 3, and 4 to allow for a minimum landscape strip width of five (5) feet along one side of the pedestrian path, in lieu of twelve (12) feet along one (1) side (or six (6)-foot on each side) of the connecting pathway.
- i) A waiver from Section 38-1391.1 is requested to provide architectural design concepts with Development Plans, in lieu of providing a building architectural design concept or set of design guidelines as part of the planned development process.
- j) A waiver from Section 38-1396.1(2) is requested for Tracts 1, 2, 3 and 4 to allow light fixtures other than the acorn-style fixtures.
- k) A waiver from Section 24-4(a)(2)a. is requested within Tracts 1, 2, 3, and 4 to permit palms, in addition to shade trees, to meet the vehicular use area requirements, with no more than 25% of the shade tree requirement being met with palms, in lieu of limiting allowable trees to shade trees.
- l) A waiver from Section 38-1392.5(1) is requested within Tracts 1, 2, 3 and 4 to allow for a minimum landscaped area of eight (8) percent of a parking lot, in lieu of ten (10) percent and a minimum landscape planter width of ten (10) feet from face of curb to face of curb, in lieu of thirteen (13) feet from face of curb to face of curb. Cumulative tree caliper inches will be provided per code requirements.
- m) A waiver from Section 38-1392.5(2) is requested within Tracts 1, 2, 3 and 4 to allow for a minimum of one (1) canopy tree (as defined by BVN code as 4" caliper or greater) for every 10 parking spaces, in lieu of 0.8 caliper inches of canopy trees for every parking space. It is also requested to permit specimen palms, in addition to canopy tree.

- n) A waiver from Section 38-1272 (a)(1) is requested within Tracts 2,3, and 4 to allow a maximum impervious coverage not to exceed eighty (80) percent of the net land area, in lieu of seventy (70) percent of the net land area.
  - o) A waiver from Section 38-1394(1)(b) is requested within Tracts 1, 2, 3 and 4 to allow one shade tree every fifty (50) feet at minimum of four-inch (4") caliper with a minimum height of fourteen (14) feet and three (3) ornamental trees every one-hundred (100) feet, in lieu of one (1) shade tree every forty (40) feet at a minimum of four-inch caliper with a minimum height of fourteen (14) feet and 3 ornamental trees every one hundred feet for collector roads. It is also requested to permit specimen palms, in addition to canopy trees, to meet the requirement.
  - p) A waiver from Section 38-1394(1)(c) is requested within Tracts 1, 2, 3 and 4 to also permit specimen palms as canopy trees and palms as understory trees in reference to three (3) shade trees for every one hundred (100) feet, four-inch caliper, 14-foot height minimum; or five (5) under-story trees in tree-wells for every one hundred (100) feet.
  - q) A waiver from Section 38-1394(2) is requested within Tracts 1, 2, 3 and 4 to allow for specimen palms, in lieu of laurel oaks and in addition to live oaks as streetscape shade trees.
  - r) A waiver from Section 38-1394.1(a) is requested within Tracts 1, 2, 3 and 4 to allow for the green space around the base of each single-story building to be zero feet (0') if abutted by a sidewalk, in lieu of ten feet (10') around the base of each single story building within the commercial or vertical mixed use developments.
  - s) A waiver from Section 38-1394.1(b) is requested within Tracts 1, 2, 3, and 4 to allow for a minimum ground sign planting area of one times the copy area of the ground sign, in lieu of three times the copy area of the ground sign.
  - t) A waiver from Section 38-1394.1(c) is requested within Tracts 1, 2, 3 and 4 to allow for zero (0) feet of landscape buffer requirement between land uses internal to the PD.
  - u) A waiver from Section 38-1286 is requested within Tract 4 to have no minimum lot width, in lieu of one hundred fifty (150) feet.
  - v) A wavier from Section 38-1287(1) is requested to allow a minimum building setback from an Arterial to be twenty-five (25) feet for Tract 4, in lieu of sixty (60) feet.
12. 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 updated MUP must be approved prior to construction plan approval.
13. Transient and short term rental shall be prohibited within residential development. Length of stay shall be for a consecutive 180 days or greater, within a 12 month period.

14. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal and must be approved prior to Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.
15. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated November 13, 2018 shall apply:
  - a) Approval of this plan does not constitute approval of a permit for the construction of a boat dock, boardwalk, observation pier, fishing pier, community pier or other similar permanently fixed or floating structures. Any person desiring to construct any of these structures shall apply to the Orange County Environmental Protection Division, as specified in Orange County Code Chapter 15 Environmental Control, Article IX Dock Construction, prior to installation, for an Orange County Dock Construction Permit, as well as to any other Orange County Division(s) for any other applicable permits.
  - b) Big Sand Lake has an established Municipal Service Taxing Unit (MSTU) or Municipal Service Benefit Unit (MSBU) 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.
  - c) A waiver from Section 38-1394.1(a)(2) is granted for Parcel 14-24-28-0000-00-027 to allow for multi-family developments to have tree planting requirements around the building base area per Section 24-4(d)(2), in lieu of one (1) canopy tree for each one hundred (100) square feet of green space.
  - d) 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 updated MUP must be approved prior to construction plan approval.
  - e) Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated March 6, 2018 shall apply:
    - 1) The following Education Condition of Approval shall apply:
      - a) Developer shall comply with all provisions of the Capacity Enhancement Agreement (CEA #OC-17-020) entered into with the Orange County School Board as of October 30, 2017.
      - b) Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for any residential units in excess of the zero (0) residential units allowed under the zoning existing prior to the approval of the PD zoning. The County may again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer

is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.

- c) Developer, and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's rights.
- d) Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement.

Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.

- 2) No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.
- 3) No motorized watercraft shall be permitted onto Big Sand Lake from this development. (Condition from BCC 2/20/2001).
- 4) The developer shall obtain water, wastewater, and reclaimed water service from Orange County Utilities.
- 5) 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. The MUP must be approved prior to Construction Plan approval.
- 6) Outside sales, storage, and display shall be prohibited.
- 7) Billboards and pole signs shall be prohibited. Ground and fascia signs shall comply with Orange County Code Chapter 31.5 Buena Vista North Standards.

- 8) Development shall comply with the Buena Vista North overlay standards unless waivers have been explicitly approved by the BCC.
- 9) Tree removal/earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
- 10) A waiver from Orange County Code Section 38-1393 is granted to allow for a maximum building height of 75 feet (6-stories) for multi-family buildings internal to the PD with a separation of 20 feet from single-family uses, in lieu of the proximity based requirements.
- 11) A waiver from Orange County Code Section 38-1258(j) is granted to require a minimum building separation of 20 feet between all multi-family buildings internal to the PD with no increase in proportion to additional structural height; in lieu of a minimum separation of 30 feet for two-story buildings, 40 feet for three-story buildings, and proportionate separation increases for additional building heights.
- 12) A waiver from Orange County Code Section 38-1287(1)(b) is granted to allow for a minimum 40-foot building setback for all buildings internal to the PD from an abutting arterial right-of-way, in lieu of a minimum 60-foot building setback from a abutting arterial right-of-way.
- 13) A waiver from Orange County Code Section 38-1251(b) is granted to allow the maximum coverage of all buildings to not exceed 75% of the gross land area internal to the PD, in lieu of the maximum coverage of all buildings not exceeding 30% of the gross land area.

## Analysis

### 1. Background Development Program

The applicant has requested to change the Future Land Use Map (FLUM) designation of the ~~82.3~~ 86.84-acre site from Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR). The entire subject site is zoned Planned Development and consists of parcels that are located within the existing Hannah Smith Planned Development (PD), which was originally approved by the Board of County Commissioners (BCC) on February 20, 2001. Recently, on March 6, 2018, a Land Use Plan Amendment (LUPA-17-05-165) was approved by the Orange County Board of Commissioners (BCC) to expand the existing Hannah Smith PD by aggregating 23.60 acres and 301,963 square feet of commercial entitlements from Lot 10 of the Ruby Lake PD. The Hannah Smith PD development program was also updated to include residential uses with the conversion of 9,921 square feet of commercial uses into 250 multi-family residential dwelling units. The applicant is now proposing a development program of 1,800 residential dwelling units and up to 415,142 square feet of commercial uses.

The undeveloped subject property is located in the International Drive Activity Center as well as the Buena Vista North Overlay District. It is located in an area with a variety of tourist-oriented uses, including hotels, resorts, timeshares, shopping areas, as well as near the entrance to Walt Disney World. Staff notes that the majority of the subject property has an ACMU future land use

designation which is intended to provide for a combination of tourist-oriented development and supporting residential activity. The Orange County Comprehensive Plan stipulates that no more than 30 percent of a site designated ACMU shall be utilized for residential purposes. A small portion (0.7 acres) of the subject property is designated ACR and a tiny sliver is designated LMDR. The MHDR future land use designation would allow the applicant to develop residential dwelling units at a density of up to 35 units per acre and allow the proposed residential portion of the development to occur on the subject property.

The requested amendment would remove the subject property from the International Drive Activity Center and would no longer be subject to the various development standards outlined in the International Drive Activity Center Element of the Comprehensive Plan, such as lighting, signage, landscaping, and open space. However, the subject site is within the Lake Buena Vista North Overlay District and will be subject to the development standards set forth in Article VII, Division 9, Buena Vista North District Standards, of the Orange County Code. Of note, Section 38-1391.1(a) requires projects occurring in the Buena Vista North Overlay District, but outside of an activity center land use classification, to establish a set of design guidelines as part of the planned development process.

The subject property is located north of Interstate 4 and south of Fenton Street. A Bell South Mobility cell tower and the Dr. P. Phillips Community Park are located north of the subject site. The cell tower has an ACMU Future Land Use Map designation and the park site has a Parks Recreation/Open Space (PR/OS) Future Land Use Map designation. A proposed high school site, Dr. Phillips Area Relief High School PD, currently undeveloped, is located northwest of the subject property, possesses FLUM designations of LMDR and ACR. The Parc-Soleil (Hilton Grand Vacation Club Ruby Lakes), an approved 1,200-unit timeshare resort is located immediately west of the subject site, possesses an ACR Future Land Use Map designation, and is located within the Ruby Lake PD. Also, the Overlook at Ruby Lake Subdivision, a 132 townhome-unit subdivision, and the Ruby Lake Subdivision, a 237-unit single-family residential subdivision are located west and southwest of the subject site. Both subdivisions possess PD-LMDR Future Land Use Map designations, and both subdivisions are located within the Ruby Lake PD. Undeveloped property, located east of the subject property, possesses an ACMU Future Land Use Map designation, and is located within the Sand Lake Groves PD. The Sand Lake Groves PD development program consists of convention center hotel, hotel, timeshare, commercial, and multi-family residential uses. The Vineland Pointe PD, located across the street on Daryl Carter Parkway, south of the subject property, possesses an ACMU Future Land Use Map designation. The Vineland Pointe PD development program consists of tourist commercial, commercial, hotel, townhomes, and multi-family uses.

A community meeting was held for this proposed amendment on May 23, 2018, with 29 residents in attendance. The applicant, Mr. Chuck Whittal, Unicorp National Developments, Inc., presented a PowerPoint presentation and gave an overview of the proposed project. Mr. Whittal stated that the proposed project will be named O-Town West. He stated he wanted the proposed development to be a sense of place for living, entertainment, and shopping. Some of the proposed uses include a boardwalk, restaurants, an entertainment complex, retail establishments, a grocery store, multi-family and single-family residential dwelling units (townhomes), and a parking garage. Some of the residents' concerns were traffic and how the increased residential density would affect their property values. Mr. Whittal told the residents that he is proposing an upscale apartment project and the proposed single-family homes would be owner-occupied, not rentals. He also stated that the Crossroads of Lake Buena Vista Shopping Center, a shopping center located south of the proposed project at the intersection of S. Apopka-Vineland Road and Palm Parkway, is closing



because of the Interstate 4 expansion and the proposed O-Town West project would provide retail, restaurant, and entertainment replacement options. Mr. Whittal addressed the traffic issue by stating that he is timing the proposed O-Town project with the Daryl Parkway road expansion which is set to begin construction in November 2018 and will take approximately two (2) years to complete.

In association with this requested amendment, the applicant has submitted a proposed ~~substantial change~~ Land Use Plan Amendment, LUPA-18-05-175, to rezone 0.293 acres from A-2 (Farmland Rural District) to PD (Planned Development District), aggregate those parcels into the Hannah Smith Property PD, and to update the development program by converting 72,623 square feet of commercial uses, 182 hotel rooms, and 444 timeshare units into 1,550 multi-family dwelling units. The Hannah Smith Property PD will contain 1,800 multi-family dwelling units overall.

The changes to the development program are explained in detail below:

Land Use	Approved PD	Proposed PD	Difference
Hotel (rooms)	282	100	-182
Timeshare (units)	564	120	-444
Multi-Family Residential (units)	250	1,800	1,550
Commercial (SF)	487,765	415,142	-72,623

**APPLICABLE PD DEVELOPMENT STANDARDS**

Residential

PD Perimeter Setback                      25 feet

Maximum Building Height:              115 feet / 9-stories

Minimum Living Area:                    500 Square Feet (under HVAC)

Minimum Building Separation:        40 feet

Minimum Building Setbacks

Front Setback:                              20 feet

Rear Setback:                                20 feet

Side Setback:                                20 feet

Corner/Side Street:                        15 feet

Normal High Water Elevation:        50 feet

Residential Roadway Setbacks

From Palm Parkway:	20 feet
From Interstate 4:	75 feet
From Daryl Carter Parkway:	25 feet

Non-Residential

PD Perimeter Setback	25 feet
----------------------	---------

Maximum Building Height:	50 feet (2-stories) / 150 feet – Tract 4
Maximum Building Coverage:	70%
Maximum Impervious Surface:	80%

Minimum Building Setbacks

Normal High Water Elevation:	50 feet
------------------------------	---------

On April 18, 2019, The Orange County Planning and Zoning Commission (PZC) recommended approval of the Hannah Smith Property Land Use Plan Amendment, subject to the fifteen (15) conditions of approval listed above and the requested twenty-two waivers.

## 2. Future Land Use Map Amendment Analysis

### *Consistency*

The requested FLUM amendment appears to be consistent with the applicable Comprehensive Plan Goals, Objectives, and Policies of the Comprehensive Plan. As discussed above, the subject property is located within the International Drive Activity Center, an area characterized by a variety of tourist-oriented uses. The ACMU and ACR FLUM designations are specific to the International Drive Activity Center. Orange County adopted an optional element into its Comprehensive Plan to address the unique nature of the International Drive area. According to **International Drive Element Goal 1**, the intent of the the Activity Center is to promote tourism by the development of an economically viable, well planned tourist-oriented area. As a result, the County assigned the ACMU and ACR FLUM designations to permit a mixture of tourism related uses in the International Drive Activity Center. **International Drive Element Goal 3** states that Orange County shall facilitate residential development in proximity to employment areas of the Activity Center in order to minimize travel distance and time between the uses. The subject property is located in close proximity to major employers in the area, including Walt Disney World, Sea World, hotels, resorts, and Orlando Vineland Premium Outlets Mall. The proposed amendment will allow for a mix of housing options near the large employers in the Activity Center, and shorten commuting times for workers.

**Policy FLU1.1.4.D** states that ACMU is a mixture of tourist-related development and supportive residential activity that allows up to thirty (30) dwelling units per acre with a maximum of thirty (30) percent of the site used for residential purposes. The proposed PD-C/MHDR designation would allow the mix of tourist related development as well as allow residential development at a maximum density of thirty-five (35) dwelling units per acre. The currently-approved Hannah Smith PD (LUPA-17-05-165) has existing entitlements for 250 multi-family dwelling units and 487,765 square feet of commercial uses. The applicant is now proposing to develop an additional 1,550 residential dwelling units—~~1,250~~ 1,550 multi-family dwelling units ~~and 300 townhomes~~ and up to 415,142 square feet of commercial uses.

In accordance with **Policy FLU1.1.2.A**, the applicant has specified the maximum desired development program for the residential portion of the project, proposing a mix of 1,800 multi-family dwelling units which includes the previously approved 250 multi-family dwelling units and 300 townhomes under the MHDR FLUM designation. The MHDR FLUM designation allows for residential development at a maximum density of thirty-five (35) dwelling units per acre. The applicant is also proposing up to 415,142 square feet of commercial uses with tourist-related development. Some of the proposed uses include a boardwalk, restaurants, an entertainment complex, retail establishments, and a grocery store.

The subject property is located in an area characterized by a variety of housing types—conventional single-family subdivision developments—Overlook at Ruby Lake Subdivision, a 132-unit townhome-unit subdivision and Ruby Lake Subdivision, a 237-unit single-family residential subdivision, and existing and proposed multi-family apartment complexes. With the proposal to develop 1,500 multi-family dwelling units and 300 townhome units, the proposed FLUM amendment is consistent with **Housing Element GOAL H1** and **Objective H1.1**, which state that the County will promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated housing needs. **Policy FLU8.2.2** states that continuous stretches of similar housing types and density of units shall be avoided. The proposed amendment will contribute to the mix of available housing options in an area of the County deemed appropriate for urban uses, as set forth in **Policy FLU1.1.1**.

The proposed project is consistent with Future Land Use Element Objective **OBJ FLU2.2**, which establishes that Orange County shall develop, adopt, and implement mixed-use strategies and incentives as part of its comprehensive plan and land development code efforts, including standards for determining consistency with the Future Land Use Map. Other objectives of mixed-use development include reducing trip lengths, providing for diverse housing types, using infrastructure efficiently and promoting a sense of community. In regards to the project's proposed commercial element, the proposed 415,142 square feet of commercial uses would be allowed under the current ACMU designation. It is staff's belief that well-designed neighborhood serving retail establishments incorporated into the project would complement the neighboring residential development and could reduce the travel distance to purchase goods and services. To ensure that the existing residential neighborhoods are not adversely impacted by the commercial uses, **Policy FLU1.4.4** states that the disruption of residential areas by poorly located and designed commercial activities shall be avoided. The applicant is proposing the commercial development and the apartments along Palm Parkway. Staff notes that if this requested amendment is adopted, the development standards for both the commercial and residential elements of this project will be determined during the substantial change process.

**Policy FLU8.1.4** lists the development program 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 the corresponding staff-initiated text amendment (Amendment 2018-2-B-FLUE-1). The maximum development program for Amendment 2018-2-A-1-6, if adopted would be as follows: 1,800 residential dwelling units and up to 415,142 square feet of commercial uses.

Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
<u>2018-2-A-1-6</u>	<u>Planned Development-Commercial/Medium-High Density Residential PD-C/MHDR</u>	<u>Residential – 1,800 dwelling units</u> <u>Commercial – 415,142 square feet</u>	<u>2018-</u>

**Compatibility**

The proposed FLUM amendment appears to be compatible with the existing development and development trend of the surrounding area. **Future Land Use Element Objective FLU8.2** states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development pattern and development trends in the area. As stated above, the subject property is located in an area characterized by existing and proposed tourist-oriented development as well as single-family and multi-family residential uses. It is staff’s belief that the proposed project is compatible with the existing mix of tourist-oriented uses, commercial, single-family residences, and multi-family dwelling units. The requested amendment and the applicant’s intent to subsequently develop up to 1,800 residential dwelling units and up to 415,142 square feet of commercial uses are compatible with this development pattern. The Parc Soleil (Hilton Grand Vacation Club-Ruby Lakes) timeshare resort is located immediately west of the subject site as well as two recently-approved single-family residential subdivisions, Overlook at Ruby Lake Subdivision and Ruby Lake Subdivision. The Sand Lake Groves PD, located immediately east of the subject site has an approved development program of 1,231 convention center hotel rooms, 650 hotel rooms, 1,730 timeshare units, 359,531 square feet of commercial uses, 103,500 square feet of mini-warehouse square feet, and 345 multi-family dwelling units. The Vineland Pointe PD, located across the street on Daryl Carter Parkway, south of the subject site, has an approved development program of 630,000 square feet of tourist commercial uses, 245 hotel rooms, and 680 townhouse/multi-family dwelling units.

If the requested FLUM amendment is adopted, provisions must be taken to ensure that any future development of the subject site for commercial and multi-family residential use will not adversely impact the existing single-family residential communities in the surrounding area. Although no restrictions or conditions may be imposed during the FLUM amendment stage, performance restrictions and/or conditions may be placed on the property through the appropriate subsequent development order to ensure compatibility, as established in **Policy FLU8.2.1**. At the May 23, 2018, community meeting, the applicant’s PowerPoint presentation showed that the proposed commercial portion of the request would be oriented near the intersection of Palm Parkway and Daryl Carter Parkway. The entertainment complex (The Boardwalk at O-Town West) will be located at the southwest corner of Palm Parkway and Daryl Carter Parkway, the proposed retail (O-Town West Retail) will be located at the southeast corner of Palm Parkway and Daryl Carter Parkway and at the northeast corner of the proposed intersection on Palm Parkway and Daryl Carter Parkway. The proposed apartments will be located along Palm Parkway (The Village at O-Town West).

The requested PD-C/MHDR FLUM designation is consistent with **Policy FLU1.4.2** that states that Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods. The proposed commercial uses will serve the current and future residents of the area. Approval of the FLUM Amendment request from ACMU, ACR, and LMDR to PD-C/MHDR would be compatible with the existing development pattern and uses in the area.

***Division Comments: Environmental, Public Facilities and Services***

**Environmental Protection Division**

The subject property is predominately uplands with one 3.0-acre parcel in Big Sand Lake. Prior to submittal of a subdivision, development plan, or permit application, the Environmental Protection Division (EPD) will require a completed Conservation Area Determination (CAD), consistent with Orange County Code Chapter 15, Article X Wetland Conservation Areas.

All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this request does not authorize any direct or indirect conservation area impacts.

Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. The net developable land area is defined as the gross land area, less surface waters and wetland areas. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from EPD. Please reference Comprehensive Plan Policy FLU1.1.2 C. Approval of this request does not authorize any direct or indirect conservation area impacts.

The Normal High Water Elevation (NHWE) of Big Sand Lake was established at 89.03 feet NAVD 88 in the Lake Index of Orange County. Clearly label and indicate the NHWE contour of the lake on all plans or permit applications, in addition to any wetland, floodplain and setback lines.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include, but are not limited to, 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

Approval of this request does not grant permission for the construction or alteration of boat ramps, docks, observation piers, lakeshore vegetation, or seawalls on the lake. Any person desiring these types of structures or to perform shoreline alterations shall first apply for a permit from EPD prior to commencement of such activities.

The Board of County Commissioners (BCC) condition of approval #3 from February 20, 2001 states that no motorized watercraft shall be permitted onto Big Sand Lake from this development.

Development of the subject property shall comply with all state and federal regulations regarding wildlife or plants listed as endangered, threatened, or species of special concern. The applicant is responsible for determining the presence of listed species and obtaining any required habitat

---

permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

This area has rare upland scrub (dry prairie) and rare species per the Florida Natural Areas Inventory (FNAI). If the habitat survey identifies threatened and endangered plants, and removal is permissible, then the applicant may contact the Florida Native Plant Society (FNPS) or other similar non-profit agency to grant access to the site for removal of the threatened and endangered plants and/or collect seeds. This will preserve the genetic material and provide plants for restoration of other areas. Either the FNPS, similar nonprofit or the Developer shall secure all appropriate permits for these activities.

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

If this site had a prior agricultural land use that resulted in soil or groundwater contamination due to spillage of petroleum products, fertilizer, pesticide or herbicide, then prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading, or construction plans, the applicant shall provide documentation to ensure compliance with the Florida Department of Environmental Protection (FDEP) Regulation 62-777, Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations, to EPD and the Development Engineering (DE) Division.

#### **Transportation Planning Division**

The applicant is requesting to change 84.32 acres from Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium Density Residential (PD-C/MDR) and approval to develop a mixture of 1,800 residential units and 415,142 sq. ft. of commercial uses.

- The subject property is not located within the County's Alternative Mobility Area or along a backlogged/constrained facility or multimodal corridor. It is located within the I-Drive Activity Center and the development must comply with the goals, objectives and policies defined in the I-Drive Element of the Comprehensive Plan.
- The allowable development based on the approved future land use will generate 1,942 pm peak hour trips.
- The proposed use will generate 1,942 pm peak hour trips resulting in no change in the number of pm peak hour trips generated.
- There is a vested rights certificate #98-104 on file for several parcels within the Ruby Lake Ranch PD. However, vesting documentation is required for those parcels not within Ruby Lake.
- The applicant has indicated that vesting from transportation concurrency was approved for the Hannah Smith PD through the Turkey Lake Road Network Agreement, which was approved by the Board of County Commissioners on September 24, 1996 and recorded at OR Book/Page 5138/1988. However, the 89,721 vested trips as indicated in the summary provided could not be verified. The applicant should provide additional documentation to support this entitlement.
- 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.

- The following agreements apply to this project:
  - The Palm Parkway to Apopka-Vineland Connector Road Agreement was approved by the BCC on 12/06/2005 and recorded at OR Book 8387 Page 3416. The agreement is between three Developers, BVC Partners I, LLC, Kerina, Inc. and Sand Lake Investments, LTD and Orange County for the realignment of Fenton Street from Apopka-Vineland Road to Palm Parkway. The Developers will provide Right-of-Way for the road project and pay for the Design, Engineering, Permitting and Mitigation costs. Orange County will be responsible for constructing the four-lane roadway within its 10-year Capital Improvement Program. Developers have the option to construct if County does not. If Developers construct they will receive Road Impact Fee Credits. Developers will receive Vested Rights for Fenton Street from Apopka-Vineland Road to Palm Parkway including the intersections. The typical section for the four-lane roadway consists of 100 feet of Right-of-Way with a 15-foot Transit/Pedestrian Utility Easement and a 20-foot Pedestrian/Landscape Easement on either side of the roadway. The design speed is 40 m.p.h. Currently, the Project Manager has been selected and the design is 90% complete and certain Right-of-Way has been placed in escrow per the terms of the agreement.
  - The Third Supplemental to the Palm Parkway to Apopka-Vineland Connector Road Agreement ("Third Supplemental") by and among Daryl M. Carter, not individually but as Trustee under a Florida land trust known and designated as "Carter-Orange 105 Sand Lake Trust"; Kerina, Inc.; Kerina Village, LLC; Kerina Wildwood, LLC; Pulte Home Corporation (collectively "Owners") and Orange County provides for a modification of the terms of the landscaping, irrigation and street lighting requirements as provided for in the Palm Parkway to Apopka-Vineland Connector Road Agreement as approved by the Board of County Commissioners on 12/05/2005 and recorded at OR Book/Page 8387/3416. The Third Supplemental designates the Connector Road as a collector road rather than a thoroughfare, a distinction important for the Buena Vista North District Standards. The first Owner to develop will install the landscaping and irrigation in the median and street lighting for the entire length of the Connector Road. The agreement also modifies an existing provision for the funding of ongoing maintenance and replacement from the other owners via a possible MSBU, versus an MSTU as originally provided. Installation and maintenance of landscaping along the frontage of the Connector Road will continue to be individually as each owner develops.
  - The Fourth Supplemental to the Palm Parkway to Apopka-Vineland Connector Road Agreement ("Fourth Supplemental") by and among Daryl M. Carter, not individually but as Trustee under a Florida land trust known and designated as "Carter-Orange 105 Sand Lake Trust"; Kerina, Inc.; Kerina Village, LLC; Kerina Wildwood, LLC; Pulte Home Corporation (collectively "Owners") and Orange County provides for a modification of the terms of the Apopka-Vineland Connector Road Agreement as approved by the Board of County Commissioners on 12/05/2005 and recorded at OR Book/Page 8387/3416. A Third Supplemental which provides for a modification of the terms of the landscaping requirements is being considered with this Fourth Supplemental. The Fourth

Supplemental provides for the alternative construction of the southeastern segment from Palm Parkway to Station 525 as shown on the construction plans by a Segmenting Owner and outlines the bid process and revises the definition of several Defined Terms in the agreement to change the segmentation of the road for purposes of the agreement, once this portion of the road has been constructed.

- The Fifth Supplemental to the Palm Parkway to Apopka-Vineland Connector Road Agreement (“Fifth Supplemental”) by and among Daryl M. Carter, not individually but as Trustee under a Florida land trust known and designated as “Carter-Orange 105 Sand Lake Trust”; Kerina, Inc.; Kerina Village, LLC; Kerina Wildwood, LLC; Pulte Home Company; and the School Board of Orange County (collectively “Owners”) and Orange County provides for a modification of the terms of the appraisal requirements as provided for in the Palm Parkway to Apopka-Vineland Connector Road Agreement as approved by the Board of County Commissioners on 12/05/2005 and recorded at OR Book/Page 8387/3416. The Fifth Supplemental provides for a waiver of the appraisal requirement and includes agreed upon amounts negotiated among the Owners and Orange County for the purpose of this agreement only. The Notices provisions have been updated also. This parcel will have impacts to the Florida Department of Transportation (FDOT) I-4 Beyond the Ultimate project, Financial Management number 242484-8 Segment 1B.

#### Utilities

Per Orange County Utilities’ (OCU’s), potable water, wastewater, and reclaimed water demands and connection points within OCU’s service area will be addressed as the project proceeds through the Development Review Committee (DRC) and construction permitting processes.

#### Schools

On December 11, 2018, the School Board approved the Capacity Enhancement Agreement (CEA) associated with this requested amendment, #OC-18-009.

#### Parks and Recreation

Orange County Parks and Recreation have reviewed this plan and have no outstanding issues or concerns.

#### Code Enforcement

No code enforcement, special magistrate or lot clearing issues on the subject property have been identified.

#### 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.



### 3. Policy References

#### International Drive Element

**GOAL 1** – It is Orange County's goal to promote tourism by the development of an economically viable, well planned tourist oriented International Drive (I-Drive) Area made up of the Activity Center and the I-Drive District Overlay.

**GOAL 3** – It is Orange County's goal to facilitate the development of residential development in proximity to employment areas of the Activity Center in order to minimize travel distance and time between the uses.

#### Housing Element

**GOAL H1** – Orange County's goal is to promote and assist in the provision of an ample housing supply, within a broad range residents have the opportunity to purchase or rent standard housing.

**OBJ H1.1** – The County will continue to support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

#### Future Land Use Element

**FLU1.1.1** – Urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay (Scenario 5), Growth Centers, and to a limited extent, Rural Settlements.

**OBJ FLU2.2** – Orange County shall develop, adopt and implement mixed-use strategies and incentives as part of its comprehensive plan and land development code efforts, including standards for determining consistency with the Future Land Use Map. Other objectives of mixed-use development include reducing trip lengths, providing for diverse housing types, using infrastructure efficiently and promoting a sense of community.

**OBJ FLU8.2 – COMPATIBILITY.** Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following polices shall guide regulatory decisions that involve differing land uses.

**FLU1.1.2.A** – The Future Land Use Map shall reflect the most appropriate maximum and minimum densities for residential development. Residential development in Activity Centers and Mixed Use Corridors, the Horizon West Village and Innovation Way Overlay (Scenario 5) and Growth Centers may include specific provisions for maximum and minimum densities. The densities in the International Drive Activity Center shall be those indicated in the adopted Strategic Development Plan.

**FLU1.1.4 D. INTERNATIONAL DRIVE ACTIVITY CENTER** – The following two Future Land Use designations are located only within the International Drive Activity Center. More information about the ACR and ACMU Future Land Use designations are found in the International Drive Activity Center Element, which is a separate and optional element in the Comprehensive Plan.

FLUM Designation	General Description	Density/Intensity
<b>I – Drive – Refer to International Drive Activity Center Element</b>		
Activity Center Residential (ACR)	As described in the I-Drive element, ACR facilitates residential development in proximity to employment areas to minimize travel distances between uses. Intended to promote workforce housing for tourist-oriented employment. Establishes 50,000 square feet of non-residential neighborhood support per development. A PD is required.	Up to 30 DU/AC, minimum 12 DU/AC Non-residential 10,000 SF per 125 units with a maximum of 50,000 square feet total of non-residential per development*
Activity Center Mixed Use (ACMU)	As described in the I-Drive element, ACMU is a mixture of tourist-related development and supportive residential activity. No more than 30% of a site designated ACMU shall be for residential purposes. A PD is required.	Non-residential FAR 3.0* Hotel/motel lodging 60 rooms/acre (see note) Up to 30 DU/AC with a maximum of 30% of the site in residential use (see note)
<p>* The maximum FAR or square footage does not include floor area within a parking structure associated with the parking requirements for the principal use.</p> <p>Note: More than 60 hotel/motel rooms per acre or more than 30 DU/AC may be permitted if it can be demonstrated: an increase in traffic impact on the adjoining road network does not occur; and, the developable land area required for the residential portion of the development does not exceed a maximum of 30 percent of the total developable land area of the subject property.</p>		

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

**FLU1.4.4** – The disruption of residential areas by poorly located and designed commercial activities shall be avoided. Primary access to single-family residential development through a multi-family development shall be avoided.

**FLU8.2.1** – Land use changes shall be required to be compatible with the 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**– Continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

Site Visit Photos

Subject Site – Undeveloped



North – Undeveloped



South – Undeveloped



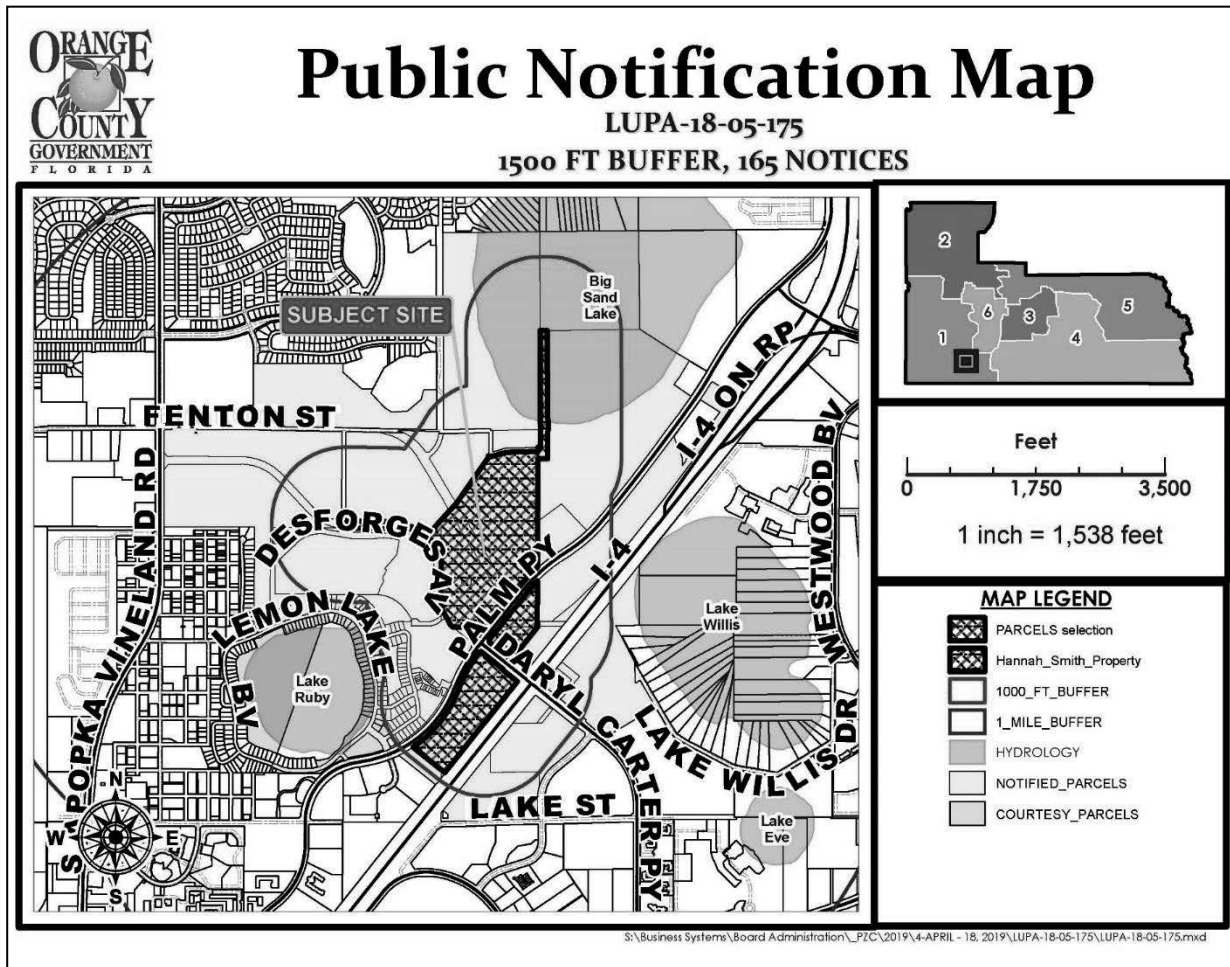
West – Residential



East – Undeveloped



**PUBLIC NOTIFICATION MAP**

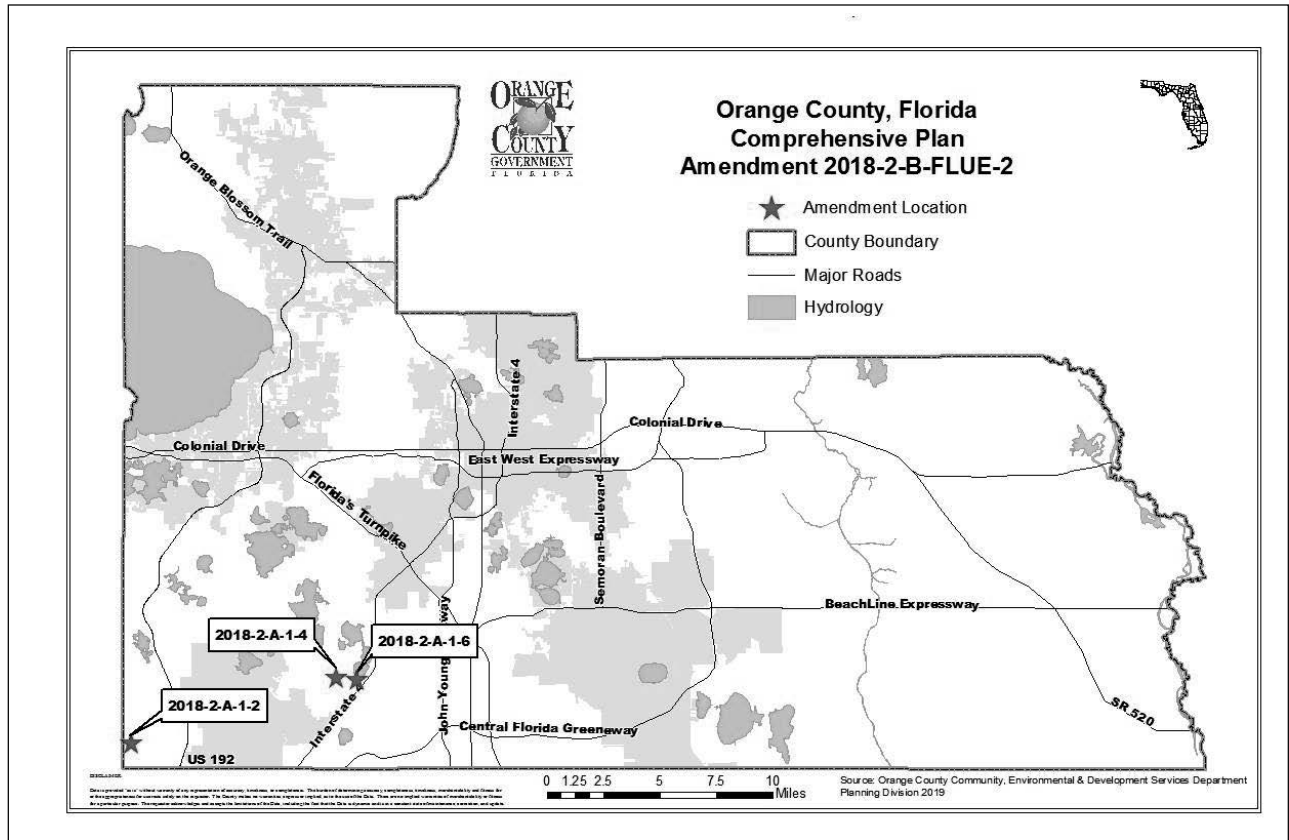


**Notification Area**

1,500 ft. plus neighborhood and homeowners' associations within a one-mile radius of the subject site

165 notices sent





The following meetings and hearings have been held for this proposal:			Project/Legal Notice Information	
<b>Report/Public Hearing</b>	<b>Outcome</b>		<b>Title:</b> Amendment 2108-2-B-FLUE-2	
✓	Staff Report	Recommend Transmittal	<b>Division:</b> Planning	
✓	LPA Transmittal June 21, 2018	Recommend Transmittal (8-0)	<b>Request:</b> Amendments to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County	
✓	BCC Transmittal July 10, 2018	Transmit (6-0)		
✓	State Agency Comments August 28, 2018.	No comments or concerns were identified		
✓	LPA Adoption October 18, 2018	Recommend Adoption (8-1)		
	BCC Adoption	June 4, 2019	<b>Revision:</b> FLU8.1.4	

### Staff Recommendation

Make a finding of consistency with the Comprehensive Plan, determine that the plan amendment is in compliance, and recommend **ADOPTION** of Amendment 2018-2-B-FLUE-2 to include the development

programs for Amendments 2018-2-A-1-2, 2018-2-A-1-4, and 2018-2-A-1-6 in Future Land Use Element Policy FLU8.1.4.

**A. Background**

The Orange County Comprehensive Plan (CP) allows for a Future Land Use designation of Planned Development. While other Future Land Use designations define the maximum dwelling units per acre for residential land uses or the maximum floor area ratio (FAR) for non-residential land uses, this is not the case for the Planned Development (PD) designation. Policy FLU8.1.3 establishes the basis for PD designations such that “specific land use designations...may be approved on a site-specific basis”. Furthermore, “such specific land use designation shall be established by a comprehensive plan amendment that identifies the specific land use type and density/intensity.” Each comprehensive plan amendment involving a PD Future Land Use designation involves two amendments, the first to the Future Land Use Map and the second to Policy FLU8.1.4. The latter serves to record the amendment and the associated density/intensity established on a site-specific basis. Any change to the uses and/or density and intensity of approved uses for a PD Future Land Use designation requires an amendment of FLU8.1.4.

Staff is recommending the Board make a finding of consistency with the Comprehensive Plan and approve Amendments 2018-2-A-1-2, 2018-2-A-1-4, and 2018-2-A-1-6; therefore, the development programs for these amendments would be added to Policy FLU8.1.4. For specific references of consistency with the Comprehensive Plan, please refer to the staff report for each amendment.

**B. Policy Amendments**

Following are the policy changes proposed by this amendment. The proposed changes are shown in underline/~~strikethrough~~ format. Staff recommends transmittal of the amendment.

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
2018-2-A-1-2  BB Groves	<u>Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR)</u>	<u>500 single-family dwelling units (may be any combination of age-restricted, short-term rental, or market rate housing)</u>	<u>2019-</u>

<p><u>2018-2-A-1-4</u>  <u>Kerina Parkside</u></p>	<p><u>Planned Development- Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)</u></p>	<p><u>Single-family residential: 301 dwelling units</u>  <u>Multi-family residential: 400 dwelling units</u>  <u>Senior living: 200 units (may include independent living, assisted living, memory care, and/or related supporting uses)</u>  <u>Commercial/Office: 150,000 square feet of neighborhood retail and/or office development, limited to C-1 (Retail Commercial District) uses</u>  <u>Park: 5.0 acres</u>  <u>Conservation land/open space: 93.0 acres</u></p>	<p><u>2019-</u></p>
<p><u>2018-2-A-1-6</u>  <u>Hannah Smith</u></p>	<p><u>Planned Development- Commercial/Medium-High Density Residential (PD-C/MHDR)</u></p>	<p><u>Residential – 1,800 dwelling units</u>  <u>Commercial – 415,142 square feet</u></p>	<p><u>2019-</u></p>

\*\*\*





ORDINANCE NO. 2019-\_\_\_\_\_

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 AMENDMENTS PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2018 CALENDAR YEAR (SECOND CYCLE); AND PROVIDING EFFECTIVE DATES.

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;

c. On June 21, 2018, the Orange County Local Planning Agency (“LPA”) held a public hearing on the transmittal of the proposed amendments to the Comprehensive Plan, as described in this ordinance; and

d. On July 10, 2018, the Orange County Board of County Commissioners (“Board”) held a public hearing on the transmittal of the proposed amendments to the Comprehensive Plan, as described in this ordinance; and

31 e. On August 28, 2018, the Florida Department of Economic Opportunity (“DEO”)  
32 issued a letter to the County relating to the DEO’s review of the proposed amendments to the  
33 Comprehensive Plan, as described in this ordinance; and

34 f. On October 18, 2018, the LPA held a public hearing at which it reviewed and  
35 made recommendations regarding the adoption of the proposed amendments to the  
36 Comprehensive Plan, as described in this ordinance; and

37 g. On June 4, 2019, the Board held a public hearing on the adoption of the proposed  
38 amendments to the Comprehensive Plan, as described in this ordinance, and decided to adopt  
39 them.

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

42 **Section 3. Amendments to Future Land Use Map.** The Comprehensive Plan is  
43 hereby amended by amending the Future Land Use Map designations as described at **Appendix**  
44 **“A,”** attached hereto and incorporated herein.

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

50 \* \* \*

51 **[Amendment 2018-2-B-FLUE-2:]**

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

55

<b>Amendment Number</b>	<b>Adopted FLUM Designation</b>	<b>Maximum Density/Intensity</b>	<b>Ordinance Number</b>
* * *	* * *	* * *	* * *
<u>2018-2-A-1-2 BB Groves</u>	<u>Growth Center – Planned Development – Resort/Low-Medium Density Residential (GC-PD-R/LMDR)</u>	<u>500 single-family dwelling units (may be any combination of age-restricted, short-term rental, or market rate housing)</u>	<u>2019- [insert ordinance number]</u>
<u>2018-2-A-1-4 Kerina Parkside</u>	<u>Planned Development- Commercial/Office/ Medium Density Residential/Low Density Residential/ Senior Living/ Conservation (PD-C/O/MDR/LDR/ Senior Living/CONS)</u>	<u>Single-family residential: 301 dwelling units</u>  <u>Multi-family residential: 400 dwelling units</u>  <u>Senior living: 200 units (may include independent living, assisted living, memory care, and/or related supporting uses)</u>  <u>Commercial/Office: 150,000 square feet of neighborhood retail and/or office development, limited to C-1 (Retail Commercial District) uses</u>  <u>Park: 5.0 acres</u>  <u>Conservation land/open space: 93.0 acres</u>	<u>2019- [insert ordinance number]</u>
<u>2018-2-A-1-6 Hannah Smith</u>	<u>Planned Development- Commercial/Medium- High Density Residential (PD-C/MHDR)</u>	<u>Residential – 1,800 dwelling units</u> <u>Commercial – 415,142 square feet</u>	<u>2019- [insert ordinance number]</u>

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

58

59

\* \* \*

60

61

62           ***Section 5.     Effective Dates for Ordinance and Amendments.***

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

64           (b)     In accordance with Section 163.3184(3)(c)4., Florida Statutes, no plan  
65 amendment adopted under this ordinance becomes effective until 31 days after the DEO notifies  
66 the County that the plan amendment package is complete. However, if an amendment is timely  
67 challenged, the amendment shall not become effective until the DEO or the Administration  
68 Commission issues a final order determining the challenged amendment to be in compliance.

69           (c)     No development orders, development permits, or land uses dependent on any of  
70 these amendments may be issued or commence before the amendments have become effective.

71

72           ADOPTED THIS 4th DAY OF JUNE, 2019.

73

74

**ORANGE COUNTY, FLORIDA**  
By: Board of County Commissioners

75

76

77

78

79

By: \_\_\_\_\_  
Jerry L. Demings  
Orange County Mayor

80

81

82

83     ATTEST: Phil Diamond, CPA, County Comptroller

84     As Clerk to the Board of County Commissioners

85

86

87

88     By: \_\_\_\_\_  
89             Deputy Clerk

90

91

92

93     S:\EHartigan\2018\ORDINANCES\Comp Plan Amendments\2018 Second Cycle\2018-2 Session IV Regular Cycle Ordinance\_DRAFT 5.22.19

94

95  
96  
97  
98  
99

**APPENDIX “A”**  
**FUTURE LAND USE MAP AMENDMENTS**

100

<b>Appendix A*</b>		
<i>Privately Initiated Future Land Use Map Amendments</i>		
Amendment Number	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:
2018-2-A-1-2	Growth Center/Resort/Planned Development (GC/R/PD)	Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR)
2018-2-A-1-4	Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R)	Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)
2018-2-A-1-6	Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR)	Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR)
*The Future Land Use Map (FLUM) shall not depict the above designations until such time as they become effective.		

101



## Community Meeting Memorandum

**DATE:** May 25, 2018  
**TO:** Alberto A. Vargas, MArch., Planning Manager  
**FROM:** Sue Watson, Planner  
**SUBJECT:** Amendment 2018-1-A-1-2 (Lake Austin) Community Meeting Synopsis  
**C:** Project File

---

**Location of Project:** Generally described as located west of Avalon Road, and north and south of Grove Blossom Way

**Meeting Date and Location:** Thursday, May 24, 2018 at 6:00 PM at Independence Elementary School, 6255 New Independence Parkway, Winter Garden, FL 34787

**Attendance:**

District Commissioner	District 1 Commissioner Betsy VanderLey Diana Dethlefs, Commissioner's Aide, District 1
PZC/LPA Commissioner	District 1 Commissioner Jimmy Dunn
Orange County Staff	Sue Watson, Jennifer DuBois, and Alyssa Henriquez Planning Division Diana Almodovar, County Engineer, Public Works Department
Applicant	
Residents	Kathy Hattaway, Poulos & Bennett

103 notices sent; 3 residents in attendance

**Overview of Project:** The applicant, Kathy Hattaway, is requesting to change the Future Land Use Map (FLUM) designation of the 108.03-acre subject property from Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR). The applicant proposes a development program of up to 500 single-family residential dwelling units. (The units may be any combination of age-restricted, short-term rental, or market rate housing.) The property lies within the existing Lake Austin Planned Development with approval for 3,332 short-term rental units, 10,000 square feet of commercial uses, and 20,000 square feet of administration uses.

**Meeting Summary:** Planner Sue Watson opened the meeting at 6:14 PM and introduced District 1 Commissioner Betsy VanderLey, who provided the ground rules for the format of the community meeting. Ms. Watson then introduced District 1 Commissioner Aide, Diana Dethlefs, District 1 PZC/LPA Commissioner Jimmy Dunn, Jennifer DuBois and Alyssa Henriquez of the Orange County Planning Division, Diana Almodovar, County

Engineer, Orange Public Works Department, and the applicant, Ms. Kathy Hattaway. Ms. Watson informed the residents in attendance that the original request involved two requests - South Parcel: Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR) and North Parcel: Village (V) to Horizon West, Village I Special Planning Area (SPA) Greenbelt (GB), but the Orange County Planning Division's Senior Staff determined that the North Parcel Future Land Use Map Amendment request was not necessary. The applicant will just have to rezone the north parcels from A-2 (Farmland Rural District) to P-D (Planned Development District) and bring them into the existing Lake Austin Planned Development through a Land Use Plan Amendment. Ms. Watson stated that the applicant, Ms. Hattaway, agreed with Orange County Planning Division's Senior Staff decision. Ms. Watson provided an overview of the project and informed those in attendance that the applicant is seeking to change the future land use designation of the subject site from Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR). Staff summarized the Future Land Use Map Amendment process and the schedule for the LPA and BCC public hearings. Ms. Watson asked the citizens if they had any questions. There were no questions and staff turned the meeting over to the applicant, Kathy Hattaway.

Ms. Hattaway provided an overview of the proposal. She stated the Future Land Use Map Amendment request is to be able to construct a maximum of 500 single-family dwelling units. The units would consist of a combination of age-restricted, short-term rentals, and market rate housing. Ms. Hattaway stated that the proposed owner-occupied homes would comply with the Horizon West Architectural Design Standards. She stated access to the proposed units would be provided through Grove Blossom Way and through an internal road that will be provided to the north through Horizon West Village I because the same property owner owns both properties. Ms. Hattaway stated that a Capacity Enhancement Agreement (CEA) is required from the Orange County School Board for the owner-occupied homes. Ms. Hattaway also stated that a Conservation Area Determination (CAD) was previously done for the property but it has expired a new one has been submitted to the Orange County Environmental Protection Division. Ms. Hattaway informed the residents in attendance that she could not tell them the specific number of unit types at this time but they will be determined when the PD package is submitted after the BCC transmittal public hearing. She also informed the residents that the North Parcels that were part of the original request would be used for stormwater ponds. Ms. Hattaway asked if there were any questions.

#### **Questions and Comments from area residents:**

Question: Why change from short-term rentals and the existing uses?

Answer: Ms. Hattaway stated the new property owner has a different business model.

Question: County Engineer, Ms. Diana Almodovar, asked what is happening in Lake County, west of the subject property.



Answer: Ms. Hattaway stated that a Planned Development, Summer Bay P.U.D, and agricultural uses are located to the west of the subject property.

Comment: Ms. Almodovar stated that County will have to request right-of-way dedication for Grove Blossom Way.

Question: Mr. David Hume, Grove Resort representative asked if the proposed project warrants signalization at Avalon Road and Grove Blossom Way.

Question: Ms. Almodovar stated a traffic study paid for by the property owner would need to be done by the Orange County Traffic Engineering Division, but as it stands today, the proposed development does not warrant signalization.

Question: Mr. Hume stated that previously the Grove Resort showed an east-west internal street connection to the proposed property and he wanted to know if the internal road would still be built.

Answer: Ms. Hattaway stated the property owner does not have any need for the connection.

Comment: Ms. Hattaway stated that the proposed neighborhoods within the PD would have to be separated from each other—short-term rentals and market rate homes. The uses could not be mixed with each other.

Comment: Ms. Hattaway stated she was asking for Low-Medium Density Residential (LMDR) to limit the request to about five (5) units per acre and that they did not want to build at the maximum of ten (10) units per acre.

Question: What is age-restricted and what is short-term rentals?

Answer: Ms. Hattaway informed the resident that age-restricted is 55+ and short-term rentals can be rented for less than 180 days.

Comment: Commissioner VanderLey stated that the County is watching the City of Orlando's Airbnb Ordinance. The County wants to see how it is working before they draft their own.

The meeting concluded at approximately 6:44 PM.



## Community Meeting Memorandum

**DATE:** June 14, 2018  
**TO:** Gregory Golgowski, AICP, Chief Planner, Planning Division  
**FROM:** Jennifer DuBois, Planner II  
**SUBJECT:** Amendment 2018-2-A-1-4 (Kerina Parkside PD/LUP) – Community Meeting Memo  
**C:** Project File

---

**Location of Project:** Generally located east and west of S. Apopka-Vineland Road, south of Buena Vista Woods Boulevard, and north of Lake Street.

**Parcel ID Numbers:** 10-24-28-0000-00-005/053, 10-24-28-6670-11-000, 15-24-28-5844-00-050/071/130/142, and 15-24-28-5844-00-211 (portion of)

**Meeting Date and Location:** Tuesday, May 15, 2018 at 6:00 p.m. at Sand Lake Elementary School, 8301 Buena Vista Woods Boulevard, Orlando, FL 32836

### Attendance:

District Commissioner: District 1 Commissioner Betsy VanderLey  
Amy Berman, Aide to Commissioner VanderLey

PZC/LPA Commissioner: District 1 Commissioner Jimmy Dunn

Orange County Staff: Jennifer DuBois and Maria Cahill, Planning Division; Diana Almodovar, Development Engineering Division; Sarah Bernier, Environmental Protection Division

Orange County Public Schools: Julie Salvo, Facilities Planning

Applicant Team: Miranda Fitzgerald and Kathryn Smith, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., and Jeff Newton, Donald W. McIntosh Associates, Inc.

Residents: 126 notices sent; 95 members of the public in attendance

**Overview of Project:** The applicant, Miranda Fitzgerald, is seeking to change the Future Land Use Map (FLUM) designation of the 215.67-acre subject property, presently undeveloped, from Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R) to Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS). The property—consisting of approximately 123.07 upland acres and 92.60 acres of wetlands—comprises the undeveloped Tracts 4, 5, 6, 7, 8, and 9 of the 485.10-acre Kerina Parkside Planned Development (PD), formerly known as the Parkside PD.

Initially approved on December 6, 2005 (Case Z-05-014), the Kerina Parkside PD was last amended by the Orange County Development Review Committee (DRC) on February 22, 2017, as a non-substantial change to the PD Land Use Plan (Case CDR-17-01-021). Per the current PD Land Use Plan (LUP), the subject property is presently entitled for up to 575 townhome units, 305 condominium units, a 3.0-acre park, and 93.0 acres of conservation land/open space. The applicant is now proposing a new development program of up to 450 single-family dwelling units featuring a mix of housing types, 350 multi-family dwelling units, 200 senior living units (which may include independent living, assisted living, memory care, and/or related supporting uses), 100,000 square feet of C-1 (Retail Commercial District) uses, 50,000 square feet of office uses, a 3.0-acre park, and 93.0 acres of conservation land/open space.

In conjunction with this requested amendment, a proposed substantial change to the currently-approved Kerina Parkside PD Land Use Plan (Case CDR-18-04-110), reflecting the proposed revisions to the PD's development program, is proceeding through the DRC review process. Staff notes that while the proposed FLUM Amendment encompasses Tracts 4, 5, 6, 7, 8, and 9 of the PD, the requested land use changes are applicable to Tracts 4, 7, and 8, as Tracts 5, 6, and 9 are dedicated conservation and open space tracts. Staff anticipates that Case CDR-18-04-110 will be considered by the BCC in conjunction with the proposed FLUM Amendment during the adoption public hearing stage.

**Meeting Summary:** Commissioner VanderLey opened the meeting and welcomed those in attendance.

Senior Planner Jennifer DuBois provided an overview of the proposed amendment and associated PD/LUP substantial change request. She informed the meeting participants of the upcoming LPA and BCC transmittal and adoption public hearing dates.

The applicant, Miranda Fitzgerald, provided a brief history of the Kerina Parkside PD and discussed the present and requested development programs. Ms. Fitzgerald gave an overview of the changes that have occurred in the surrounding area since the PD's initial approval in 2005, particularly in regard to the planned construction of the four-lane Daryl Carter Parkway Extension, which will link S. Apopka-Vineland Road and Palm Parkway. She informed the area residents that construction of the roadway is scheduled to commence in January 2019, with completion expected in January 2021. Ms. Fitzgerald asserted that she expects the Daryl Carter Parkway Extension to transform the area, thus justifying the requested increase in density and intensity of development on the undeveloped portions of the Kerina Parkside PD. She added that she anticipates that the Florida Department of Transportation's (FDOT's) planned I-4/Daryl Carter Parkway Interchange, an element of the "I-4 Beyond the Ultimate" project, will further change the character of the area. However, no definitive timeline for its construction has been established to date. Commissioner VanderLey stated that she has been working with FDOT to move up the construction of the interchange in its project timetable.

The majority of attendees expressed their objection to the request, voicing frustration about the traffic and congestion on area roadways, particularly S. Apopka-Vineland Road. Commissioner VanderLey sympathized with their plight. Area residents voiced their skepticism that the Daryl Carter Parkway Extension would alleviate the current traffic problem on S. Apopka-Vineland Road. Several attendees stated that their traffic problems will worsen when the Dr. Phillips Relief High School and middle school open in 2022 and 2026, respectively.

While the meeting attendees did not appear to object to the residential components of the proposed project, including senior living, they voiced their concern about the introduction of commercial and

office uses. Several participants stated that such development would be contrary to the findings of the 1999 Orange Center Study, which recommended allowing higher-density townhome and condominium development on the subject property to serve as an area of transition between the lower-density single-family detached residential development to the north and the higher-intensity tourist-oriented activity on the ACMU-classified parcels to the south. Area residents expressed their belief that the area already has a preponderance of shopping and dining opportunities; asserting that more are not needed in their community. Several attendees stated that the proposed road improvements—including the construction of the Daryl Carter Parkway Extension and the I-4/Daryl Carter Parkway Interchange—should first be completed and evaluated prior to the consideration of new commercial and office development.

Commissioner VanderLey thanked the meeting participants for their participation and encouraged them to contact her office and those of the Mayor and her fellow Commissioners with their questions and concerns.

The meeting concluded at 7:30 p.m.

The tone of the meeting was **negative**.



## Community Meeting Memorandum

**DATE:** May 24, 2018  
**TO:** Alberto A. Vargas, MArch., Planning Manager  
**FROM:** Sue Watson, Planner  
**SUBJECT:** Amendment 2018-1-A-1-6 (Hannah Smith) Community Meeting Synopsis  
**C:** Project File

---

**Location of Project:** Generally described as located north of Interstate 4 and south of Fenton Street

**Meeting Date and Location:** Wednesday, May 23, 2018 at 6:00 PM at Sand Lake Elementary School, 8301 Sand Lake Woods Boulevard, Orlando, FL 32836

**Attendance:**

District Commissioner	District 1 Commissioner Betsy VanderLey Diana Dethlefs, Commissioner's Aide, District 1
PZC/LPA Commissioners	
Orange County Staff	District 1 Commissioner Jimmy Dunn At-Large Commissioner Paul Wean
Applicant	Sue Watson, Gregory Golgowski, Steven Thorp, and Alyssa Henriquez Planning Division
Residents	Diana Almodovar, County Engineer, Public Works Department Renzo Nastasi, Manager, Transportation Planning  Erika Hughes, VHB, Inc. Chuck Whittal, Unicorp National Developments, Inc. Jim Hall

67 notices sent; 29 residents in attendance

**Overview of Project:** The applicant, VHB, Inc., is requesting to change the Future Land Use Map (FLUM) designation of the 84.32-acre subject property from Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR). The applicant proposes a development program of up to 1,800 residential dwelling units and up to 415,142 square feet of commercial uses. The subject property lies within the existing Hannah Smith Planned Development with approval for 282 hotel units, 564 timeshare units, 250 multi-family residential units, and 487,765 square feet of commercial uses.

**Meeting Summary:** Planner Sue Watson opened the meeting at 6:08 PM and introduced District 1 Commissioner Betsy VanderLey, who provided the ground rules for the format of the community meeting. Ms. Watson then introduced District 1 PZC/LPA Commissioner Jimmy Dunn, At-Large PZC/LPA Commissioner Paul Wean, Gregory Golgowski, Alyssa Henriquez, and Steven Thorp of the Orange County Planning Division, Diana Almodovar, County Engineer, Orange Public Works Department, Renzo Nastasi, Manager, Transportation Planning, and the applicants, Ms. Erika Hughes, VHB, and Chuck Whittal, Unicorp National Developments, Inc. Ms. Watson provided an overview of the project and informed those in attendance that the applicant is seeking to change the future land use designation of the subject site from Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR). Staff summarized the Future Land Use Map Amendment process and the schedule for the LPA and BCC public hearings. Ms. Watson asked the citizens if they had any questions. There were no questions and staff turned the meeting over to the applicant, Chuck Whittal.

Mr. Whittal presented a PowerPoint presentation of the proposed development that will be named OTown West and will be comprised of commercial uses, multi-family and single-family residential dwelling units. Mr. Whittal stated he wanted the OTown West development to be a sense of place with living, entertainment, and shopping. Some of the commercial uses proposed are grocery stores, a convenience store, fast food restaurants, and an entertainment complex. A water show with dancing lights will also be included and will be located in the middle of the development. Mr. Whittal stated he is building a parking garage as well. Mr. Whittal stated he is requesting 1,800 residential units that will consist of both single-family residences and apartments. The total includes the 250 recently approved multi-family dwelling units within the Hannah Smith Planned Development. He stated the apartments would be upscale. Mr. Whittal asked if there were any questions.

#### **Questions and Comments from area residents:**

Question: Are the apartments rentals or for sale?

Answer: Mr. Whittal stated that the apartments would be rentals.

Question: What is the height of the apartment buildings?

Answer: Mr. Whittal stated he has not come up with the height yet; they may be 8' to 13'.

Question: Is there a market for \$2,000 month rent for apartments?

Answer: Mr. Whittal said yes. He mentioned two of his other apartment complexes that he recently built and stated that all the units are leased.

Question: Are the houses designed for tourists or for someone to live there?

Answer: Mr. Whittal stated the houses would not be for short-term rentals.

Question: What is the time frame for construction?

Answer: Mr. Whittal stated February/March 2019 and opening middle/late 2020. The Daryl Carter Parkway construction is important and the construction is tied to the timing of the Parkway. Daryl Carter Parkway construction will begin in November 2018 and it will take about two years to complete.

Question: Could you downscale the project?

Answer: Mr. Whittal stated they could build more timeshares on the property today.

Comment: One resident stated he didn't agree with the density increase and that developers want to build more apartments. This resident supported the commercial but did not support the request for more density.

Answer: Mr. Hall stated that ACMU is the most flexible FLUM designation and the traffic will be substantially less.

Comment: One resident commented about the increased reduced lunch percentage in his community. It went from 23% to 46%

Comment: One resident stated he did not know how the increased density would affect his property.

Answer: Mr. Whittal stated they were lowering the density on the property.

Comment: One resident commented about the access.

Answer: Mr. Nastasi stated that there would be a full interchange at I-4 and Daryl Carter Parkway.

Comment: Mr. Whittal stated that the Crossroads Shopping Center is going away and the proposed amendment would contain commercial uses- restaurants, grocery stores, convenience stores, etc.

Comment: You guys are destroying our neighborhood.

Answer: Commissioner VanderLey stated that the County has to uphold the law for your property and other property owners' rights. The County will not break the law and the developers have to comply with County laws (Zoning and Comprehensive Plan).

Comment: The schools can't keep up because of all the housing that is being built.

Answer: Commissioner VanderLey stated she has not made a decision on the project. As far as schools are concerned, Orange County Public Schools makes the decision to build schools.

Question: Why is the PD named Hannah Smith and you're calling the project OTown West?

Answer: Mr. Hall answered the name came from the original owner of the property.

The meeting concluded at approximately 7:15 PM.



*Florida Department of Transportation*

RICK SCOTT  
GOVERNOR

719 S. Woodland Boulevard  
DeLand, Florida 32720-6834

MIKE DEW  
SECRETARY

August 17, 2018

Alberto Vargas, MArch  
Manager  
Orange County Planning Division  
201 South Rosalind Ave, 2nd Floor  
Orlando, FL 32802

**SUBJECT: PROPOSED COMPREHENSIVE PLAN AMENDMENT**  
**LOCAL GOVERNMENT: ORANGE COUNTY**  
**DEO #: 18-5ESR**

Dear Mr. Vargas,

The Department of Transportation has completed its review of the subject Proposed Comprehensive Plan Amendment 2018-2-A-1-3 and 2018-2-A-1-6, as requested in your memorandum dated July 24, 2018, and received by the Department on August 2, 2018.

We appreciate the opportunity to participate in this review process and we offer our technical assistance with this review. The transmittal package included a traffic analysis in support of the proposed amendment indicating no roadway segments are adversely impacted by the proposed amendment. The Department offers its technical assistance in the attachment.

If you have any questions, you may contact Steve Shams at 386-943-5421 or by email at [Steve.Shams@dot.state.fl.us](mailto:Steve.Shams@dot.state.fl.us).

Sincerely,

Jean Parlow  
Growth Management Coordinator

*Attachment*

C: Renzo Nastasi, Orange County  
Anganie Durbal, Orange County  
Sue Watson, Orange County  
Fred Milch, ECFRPC

Carol Scott, FDOT  
Jennifer Carver, FDOT  
Kelly Corvin, DEO  
D. Ray Eubanks, DEO



## COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

**Local Government:** Orange County  
**DEO Amendment #:** 18-5ESR  
**Date Amendment Received FDOT:** 07/24/2018  
**Review Comments Deadline:** 08/31/2018  
**Today's Date:** 08/17/2018

### GENERAL BACKGROUND INFORMATION

Orange County has submitted the proposed 2018-2 Regular Cycle State-Expedited Review Comprehensive Plan Amendments which apply to the Orange County 2010-2030 Comprehensive Plan. The proposed Amendment 2018-2-A-1-3 pertains to 23.13 gross acres generally located north and south of Poinciana Boulevard, east of SR 535, south of SR 417, and north of the Orange/Osceola County line. The proposed amendment changes the Future Land Use (FLU) designation of Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR).

The pertinent Future Land Use Map (FLUM) designation and description for the FLU amendment include the following (unique to the International Drive Activity Center):

- **ORANGE COUNTY – ACTIVITY CENTER MIXED USE (ACMU)**

The “Activity Center Mixed Use” future land use category is a mixture of tourist-related development and supportive residential activity. No more than 30% of a site designated ACMU shall be for residential purposes.

*Maximum allowed density: Activity Center Mixed Use* – Not to exceed a floor area ratio (FAR) of 0.34 for commercial use; not to exceed an FAR of 1.5 for office use; not to exceed an FAR of 0.50 for industrial use; not to exceed sixty (60) rooms per one (1) acre for hotel/motel/lodging use; Not to exceed thirty (30) units per one (1) acre one acre for residential density.

- **ORANGE COUNTY – ACTIVITY CENTER RESIDENTIAL (ACR)**

The “Activity Center Residential” future land use category facilitates residential development in proximity to employment areas to minimize travel distances between uses. This is intended to promote workforce housing for tourist-oriented employment. It also establishes 50,000 square feet of non-residential neighborhood support per development.

*Maximum allowed density: Activity Center Residential* – Up to thirty (30) dwelling units per one (1) acre and a minimum of twelve (12) dwelling units per one (1) acre; for non-residential use, 10,000 square feet per one hundred and twenty-five units (125) and a maximum of 50,000 square feet.

---

FDOT Contact:	Steve Shams, MURP In-house Consultant FDOT District 5	Reviewed by:	Matthew Wiesenfeld, PE, AICP
Telephone:	386-943-5421		HDR, Inc. 407-420-4200
Fax:	386-943-5713		407-420-4232
E-mail:	<a href="mailto:Steve.Shams@dot.state.fl.us">Steve.Shams@dot.state.fl.us</a>		<a href="mailto:Matthew.Wiesenfeld@hdrinc.com">Matthew.Wiesenfeld@hdrinc.com</a>
File:	H:\OOC\Planning\Growth Management\CPA Project Files\Orange County\Review\2018\18-5ESR\Proposed\Orange_Proposed_Addl_Review.docx		

## COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

**Local Government:** Orange County  
**DEO Amendment #:** 18-5ESR  
**Date Amendment Received FDOT:** 07/24/2018  
**Review Comments Deadline:** 08/31/2018  
**Today's Date:** 08/17/2018

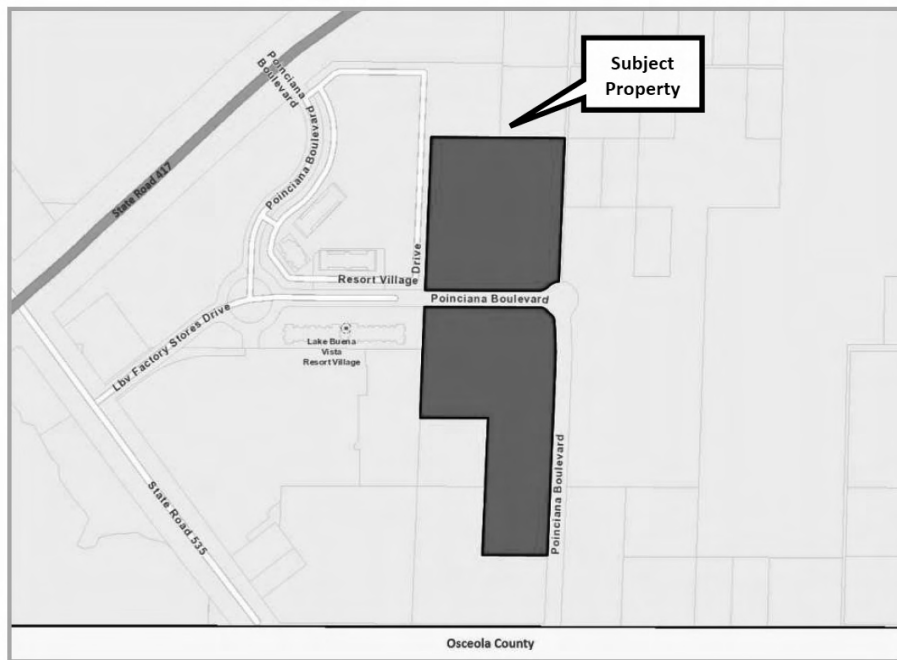
### FUTURE LAND USE MAP AMENDMENT

**Elements:** Future Land Use Element (Future Land Use Map)  
**Rule Reference:** Chapter 163, Florida Statutes

#### Background:

Orange County has submitted the proposed 2018-2 Regular Cycle State-Expedited Review Comprehensive Plan Amendments which apply to the Orange County 2010-2030 Comprehensive Plan. The proposed Amendment 2018-2-A-1-3 pertains to 23.13 gross acres generally located north and south of Poinciana Boulevard, east of SR 535, south of SR 417, and north of the Orange/Osceola County line. The proposed amendment changes the FLU designation from Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR).

**Figure 1: Location Map**



**FDOT Contact:** Steve Shams, MURP  
In-house Consultant  
FDOT District 5

**Telephone:** 386-943-5421  
**Fax:** 386-943-5713  
**E-mail:** [Steve.Shams@dot.state.fl.us](mailto:Steve.Shams@dot.state.fl.us)  
**File:** H:\OOC\Planning\Growth Management\CPA Project Files\Orange County\Review\2018\18-5ESR\Proposed\Orange\_Proposed\_Addl\_Review.docx

**Reviewed by:** Matthew Wiesenfeld, PE, AICP

HDR, Inc.  
407-420-4200  
407-420-4232  
[Matthew.Wiesenfeld@hdrinc.com](mailto:Matthew.Wiesenfeld@hdrinc.com)

**COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS**

**Local Government:** Orange County  
**DEO Amendment #:** 18-5ESR  
**Date Amendment Received FDOT:** 07/24/2018  
**Review Comments Deadline:** 08/31/2018  
**Today's Date:** 08/17/2018

The 23.13 acre subject site is currently undeveloped and is located in the immediate vicinity of Walt Disney World. The subject site is also currently a portion of the 30.1 acre World Resort Planned Development (PD), which is entitled for the development of up to 1,231 hotel rooms and 50,000 square feet of retail space. The proposed change in land use designation to Activity Center Residential will allow the development of the entire 23.13 acre property for a multi-family residential community, featuring up to 650 dwelling units.

The transmittal package includes a traffic analysis to support the application to amend the Orange County Comprehensive Plan FLU designations.

The adopted ACMU FLU designation allows a maximum density of 60 hotel rooms per one acre. With the size of the subject area being 23.13 acres, there is a maximum of 1,387 hotel rooms permitted in the land use category.

The proposed ACR FLU designation allows a maximum density of 30 dwelling units per one acre. With the size of the subject area being 23.13 acres, there is a maximum of 693 dwelling units permitted in the proposed land use category.

The ITE Trip General Manual 10<sup>th</sup> edition provides various land use categories such as industrial, residential, lodging, and recreational. Given that the Orange County FLU designations are not identical to the ITE Trip General Manual 10<sup>th</sup> edition land use categories, a closely associated land use is assumed for the current and proposed. For the current land use of ACMU, the ITE designation of "Hotel" was assumed. For the proposed land use of ACR, the ITE designation of "Apartments" was assumed.

Table 1 below shows the difference in total trip generation potential for the proposed and adopted FLU designations, and the change in trips as a result of the proposed FLUM amendment.

**Table 1: Trip Generation Potential of Parcel Affected by FLUM Amendment – Maximum Allowable for Existing and Proposed FLUM Designation**

Scenario	Land Use	ITE Land Use Code	Allowed Development		Daily Trips	P.M. Peak Hour Trips
Adopted	Hotel	310	1,387	rooms	15,232	1,014
Proposed	Apartments	220	693	d.u.	5,198	331
Change in Trips					<b>-10,034</b>	<b>-683</b>

Source: ITE Trip Generation Manual 10th Edition; d.u. = dwelling units

FDOT Contact: Steve Shams, MURP In-house Consultant FDOT District 5 Telephone: 386-943-5421 Fax: 386-943-5713 E-mail: <a href="mailto:Steve.Shams@dot.state.fl.us">Steve.Shams@dot.state.fl.us</a> File: H:\OOC\Planning\Growth Management\CPA Project Files\Orange County\Review\2018\18-5ESR\Proposed\Orange_Proposed_Addl_Review.docx	Reviewed by: Matthew Wiesenfeld, PE, AICP  HDR, Inc. 407-420-4200 407-420-4232 <a href="mailto:Matthew.Wiesenfeld@hdrinc.com">Matthew.Wiesenfeld@hdrinc.com</a>
--	--

---

**COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS**

**Local Government:** Orange County  
**DEO Amendment #:** 18-5ESR  
**Date Amendment Received FDOT:** 07/24/2018  
**Review Comments Deadline:** 08/31/2018  
**Today's Date:** 08/17/2018

---

The analysis of the adopted FLU designations indicates the transmittal package would result in a decrease of the trip generation potential of the subject property by 10,034 daily trips and 683 P.M. peak hour trips as developed using the ITE 10<sup>th</sup> Edition equation based trip rates using the ITE codes 220 and 310 consistent with the applicant's summary table.

**Technical Assistance:**

During Orange County's staff review of the traffic analysis, an inconsistency was noted in the P.M. peak trip generation provided by the applicant. In the Orange County DEO Transmittal Staff Report dated July 10, 2018, the decrease in P.M. trips was noted as 288. However, in the traffic analysis attachment provided by the applicant, the decrease in P.M. trips was reported as 708 based on using the ITE's Multi-Family (Mid-Rise 221). The Orange County DEO Transmittal Staff Report requested an update to the analysis. A revised traffic analysis does not appear to be included in the transmittal package received on July 24, 2018. The result of the analysis would remain a reduction in daily and P.M. peak hour trips.

Based on the analysis above, there are not any segments of the State Highway System (SHS) and the Strategic Intermodal System (SIS) within three miles of the proposed amendment site projected to exceed the LOS standards through the year 2030. However, consistent with the County's request for updated analysis stated above, the Department requests an updated transmittal package with the referenced revised traffic analysis in order to verify the trip generation.

Upon updating the transmittal package, the Department respectfully requests a copy of the adopted plan. Please provide the adopted plan within 10 working days of adoption, in order to assist in facilitating review within the required 30-day time frame from adoption, as required by Statutes (Expedited State Review Amendment Process Section 163.3184(3) and (5), Florida Statutes).

---

<b>FDOT Contact:</b>	Steve Shams, MURP In-house Consultant FDOT District 5	<b>Reviewed by:</b>	Matthew Wiesenfeld, PE, AICP
<b>Telephone:</b>	386-943-5421		HDR, Inc. 407-420-4200
<b>Fax:</b>	386-943-5713		407-420-4232
<b>E-mail:</b>	<a href="mailto:Steve.Shams@dot.state.fl.us">Steve.Shams@dot.state.fl.us</a>		<a href="mailto:Matthew.Wiesenfeld@hdrinc.com">Matthew.Wiesenfeld@hdrinc.com</a>
<b>File:</b>	H:\OOC\Planning\Growth Management\CPA Project Files\Orange County\Review\2018\18-5ESR\Proposed\Orange_Proposed_Addl_Review.docx		

---

## COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

**Local Government:** Orange County  
**DEO Amendment #:** 18-5ESR  
**Date Amendment Received FDOT:** 07/24/2018  
**Review Comments Deadline:** 08/31/2018  
**Today's Date:** 08/17/2018

---

### GENERAL BACKGROUND INFORMATION

Orange County has submitted the proposed 2018-2 Regular Cycle State-Expedited Review Comprehensive Plan Amendments which apply to the Orange County 2010-2030 Comprehensive Plan. The proposed Amendment 2018-2-A-1-6 pertains to 82.30 gross acres generally located north of Interstate 4 and south of Fenton Street. The proposed amendment changes the FLU designations from Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR).

The pertinent FLUM designation and description for the FLU amendment include the following:

- **ORANGE COUNTY – ACTIVITY CENTER MIXED USE (ACMU)**

The “Activity Center Mixed Use” future land use category is a mixture of tourist-related development and supportive residential activity. No more than 30% of a site designated ACMU shall be for residential purposes.

*Maximum allowed density: Activity Center Mixed Use* – Not to exceed a floor area ratio (FAR) of 0.34 for commercial use; not to exceed an FAR of 1.5 for office use; not to exceed an FAR of 0.50 for industrial use; not to exceed sixty (60) rooms per one (1) acre for hotel/motel/lodging use; not to exceed thirty (30) units per one (1) acre one acre for residential density.

- **ORANGE COUNTY – ACTIVITY CENTER RESIDENTIAL (ACR)**

The “Activity Center Residential” future land use category facilitates residential development in proximity to employment areas to minimize travel distances between uses. This is intended to promote workforce housing for tourist-oriented employment. It also establishes 50,000 square feet of non-residential neighborhood support per development.

*Maximum allowed density: Activity Center Residential* – Up to thirty (30) dwelling units per one (1) acre and a minimum of twelve (12) dwelling units per one (1) acre; for non-residential use, 10,000 square feet per one hundred and twenty-five units (125) and a maximum of 50,000 square feet.

---

FDOT Contact:	Steve Shams, MURP In-house Consultant FDOT District 5	Reviewed by:	Matthew Wiesenfeld, PE, AICP
Telephone:	386-943-5421		HDR, Inc. 407-420-4200
Fax:	386-943-5713		407-420-4232
E-mail:	<a href="mailto:Steve.Shams@dot.state.fl.us">Steve.Shams@dot.state.fl.us</a>		<a href="mailto:Matthew.Wiesenfeld@hdrinc.com">Matthew.Wiesenfeld@hdrinc.com</a>
File:	H:\OOC\Planning\Growth Management\CPA Project Files\Orange County\Review\2018\18-5ESR\Proposed\Orange_Proposed_Addl_Review.docx		

---

**COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS**

**Local Government:** Orange County  
**DEO Amendment #:** 18-5ESR  
**Date Amendment Received FDOT:** 07/24/2018  
**Review Comments Deadline:** 08/31/2018  
**Today's Date:** 08/17/2018

---

• **ORANGE COUNTY – LOW MEDIUM DENSITY RESIDENTIAL (LMDR)**

The “Low Medium Density Residential” future land use category recognizes low- to medium-density residential development within the USA, including single-family and multi-family residential development.

*Maximum allowed density: Low Medium Density Residential – Up to ten (10) dwelling units per one (1) acre.*

• **ORANGE COUNTY – PLANNED DEVELOPMENT-COMMERCIAL/MEDIUM-HIGH DENSITY RESIDENTIAL (PD-C/MHDR)**

The “Planned Development” future land use category ensures adjacent land use compatibility and physical integration and design. The development program established at FLU approval may be single or multiple use. The “Commercial” future land use category includes neighborhood, and commercial scale commercial, and office development that serves neighborhood, community, or village needs. The “Medium-High Density Residential” future land use category recognizes urban-style multifamily residential densities and high-intensity development within the USA.

*Maximum allowed density: Planned Development – must establish development program at FLU amendment stage; Commercial – not to exceed an FAR of 3.0; Medium-High Density Residential – up to thirty-five (35) dwelling units per one (1) acre.*

---

<b>FDOT Contact:</b>	Steve Shams, MURP In-house Consultant FDOT District 5	<b>Reviewed by:</b>	Matthew Wiesenfeld, PE, AICP
<b>Telephone:</b>	386-943-5421		HDR, Inc. 407-420-4200
<b>Fax:</b>	386-943-5713		407-420-4232
<b>E-mail:</b>	<a href="mailto:Steve.Shams@dot.state.fl.us">Steve.Shams@dot.state.fl.us</a>		<a href="mailto:Matthew.Wiesenfeld@hdrinc.com">Matthew.Wiesenfeld@hdrinc.com</a>
<b>File:</b>	H:\OOC\Planning\Growth Management\CPA Project Files\Orange County\Review\2018\18-5ESR\Proposed\Orange_Proposed_Addl_Review.docx		

## COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

**Local Government:** Orange County  
**DEO Amendment #:** 18-5ESR  
**Date Amendment Received FDOT:** 07/24/2018  
**Review Comments Deadline:** 08/31/2018  
**Today's Date:** 08/17/2018

### FUTURE LAND USE MAP AMENDMENT

**Elements:** Future Land Use Element (Future Land Use Map)

**Rule Reference:** Chapter 163, Florida Statutes

#### Background:

Orange County has submitted the proposed 2018-2 Regular Cycle State-Expedited Review Comprehensive Plan Amendments which apply to the Orange County 2010-2030 Comprehensive Plan. The proposed Amendment 2018-2-A-1-6 pertains to 82.30 gross acres generally located north of Interstate 4 and south of Fenton Street. The proposed amendment changes the FLU designations of Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR).

**Figure 1: Location Map**



**FDOT Contact:** Steve Shams, MURP  
In-house Consultant  
FDOT District 5

**Telephone:** 386-943-5421  
**Fax:** 386-943-5713  
**E-mail:** [Steve.Shams@dot.state.fl.us](mailto:Steve.Shams@dot.state.fl.us)  
**File:** H:\OOC\Planning\Growth Management\CPA Project Files\Orange County\Review\2018\18-5ESR\Proposed\Orange\_Proposed\_Addl\_Review.docx

**Reviewed by:** Matthew Wiesenfeld, PE, AICP

HDR, Inc.  
407-420-4200  
407-420-4232  
[Matthew.Wiesenfeld@hdrinc.com](mailto:Matthew.Wiesenfeld@hdrinc.com)

**COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS**

**Local Government:** Orange County  
**DEO Amendment #:** 18-5ESR  
**Date Amendment Received FDOT:** 07/24/2018  
**Review Comments Deadline:** 08/31/2018  
**Today's Date:** 08/17/2018

The 82.30 acre subject site is currently undeveloped. The subject site has 78.8 acres with a FLU designation of ACMU, 0.7 acres with a FLU designation of ACR, and the remaining portion with a designation of LMDR. The proposed change in land use from ACMU, ACR, and LMDR to PD-C/HMDR will allow the development of 1,800 residential dwelling units and up to 415,142 square feet of commercial uses.

The transmittal package does not include a traffic analysis to support the application to amend the Orange County Comprehensive Plan FLU designations. However, the package states that P.M. peak trip generation is unchanged (from 1,942 P.M. peak hour trips to 1,942 P.M. peak hour trips).

**Technical Assistance:**

For this site, no specific traffic analysis was provided in the transmittal package. The package did not identify remaining development information to specifically assess maximum build out potential other than the P.M. peak hour trip generation maximum. The analysis below is provided for additional context to the information provided in the staff report.

Table 1 below shows the potential total trip generation for the proposed development based on a maximizing the amount of allowed residential units and commercial square footage. The ITE designations used were generic for single family units (210) and shopping centers (820). It is assumed a trip matrix is being used by the County to allocate trips between the residential and commercial components.

**Table 1: Trip Generation Potential of Parcel Affected by FLUM Amendment – Maximum Allowable for Proposed FLUM Designation**

Scenario	Land Use	ITE Land Use Code	Allowed Development		Daily Trips	P.M. Peak Hour Trips
Proposed	Commercial	820	415.142-	-ksf	15,826	1,558
Proposed	Residential	210	1,800	du	14,853	1,629
Total FLU trip generation - unrestricted (PD-C/MDR)					30,679	3,187
Change in Total Allowed Trips as stated in Orange Co Staff Report					<b>0</b>	<b>0</b>

Source: ITE Trip Generation Manual 10th Edition; d.u. = dwelling units, ksf = 1,000 square feet

FDOT Contact:  Telephone: Fax: E-mail: File:	Steve Shams, MURP In-house Consultant FDOT District 5 386-943-5421 386-943-5713 <a href="mailto:Steve.Shams@dot.state.fl.us">Steve.Shams@dot.state.fl.us</a> H:\OOC\Planning\Growth Management\CPA Project Files\Orange County\Review\2018\18-5ESR\Proposed\Orange_Proposed_Addl_Review.docx	Reviewed by:	Matthew Wiesenfeld, PE, AICP  HDR, Inc. 407-420-4200 407-420-4232 <a href="mailto:Matthew.Wiesenfeld@hdrinc.com">Matthew.Wiesenfeld@hdrinc.com</a>
---	--	--------------	---



**COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS**

**Local Government:** Orange County  
**DEO Amendment #:** 18-5ESR  
**Date Amendment Received FDOT:** 07/24/2018  
**Review Comments Deadline:** 08/31/2018  
**Today's Date:** 08/17/2018

At a maximum, based on adopted PD for the application, the analysis indicates the transmittal package would result in a trip generation on the subject property of 30,679 daily trips and 3,187 P.M. peak hour trips. However, because of the trip cap placed on the development, it is assumed no new trips will be added to the site due to the proposed FLU for this analysis.

The State Roadway segments near the site are included in Table 2 for review context. Historic growth rates were taken from the FDOT District 5 LOS Report and applied to future years in a linear fashion.

**Table 2: State Roadway Segments Potentially Affected by FLUM Amendment**

Roadway(s)	Segment(s)	SHS/SIS?	LOS Standard	Service Volume at LOS Standard	Historic Growth per Year	2014/2015				2025			
						AADT	Acceptable?	AADT With Trip Change	Acceptable?	AADT	Acceptable?	AADT With Trip Change	Acceptable?
SR 400/I-4	SR 536 to SR 535	Y	D	111,800	3.79%	157,000	N	157,000	N	227,748	N	157,000	N
	SR 535 to Central Florida Parkway	Y	D	111,800	2.46%	203,000	N	203,000	N	258,845	N	203,000	N
	Central Florida Parkway to SR 528	Y	D	148,700	1.24%	136,500	Y	136,500	Y	154,402	Y	136,500	Y
	SR 528 to Ramp to SR 482	Y	D	148,700	0.76%	174,900	N	174,900	N	188,656	N	174,900	N
SR 535	International Dr to Meadow Creek Dr	Y	D	62,900	1.19%	49,000	Y	49,000	Y	55,153	Y	49,000	Y
	Meadow Creek to E. of SR 400/I-4	Y	D	62,900	1.00%	58,000	Y	58,000	Y	64,068	N	58,000	Y
	E. of SR 400/I-4 to W. of SR 400/I-4	Y	D	62,900	1.00%	58,000	Y	58,000	Y	64,068	N	58,000	Y
SR 528	I-4 to International Dr	Y	D	74,400	0.50%	77,000	N	77,000	N	80,938	N	77,000	N
	International Dr to Orangewood Blvd	Y	D	74,400	0.51%	77,000	N	77,000	N	81,018	N	77,000	N

Source: FDOT District 5 LOS Report, 2015 (<http://www.fdot.gov/planning/systems/programs/sm/los/districts/district5/default.shtm>)

Since there are no additional trips being permitted by this change in FLU, no impacts are associated with the proposed amendment. The Department does not have any comments or recommendations.

Upon updating the transmittal package, the Department respectfully requests a copy of the adopted plan. Please provide the adopted plan within 10 working days of adoption, in order to assist in facilitating review within the required 30-day time frame from adoption, as required by Statutes (Expedited State Review Amendment Process Section 163.3184(3) and (5), Florida Statutes).

FDOT Contact: Steve Shams, MURP In-house Consultant FDOT District 5 Telephone: 386-943-5421 Fax: 386-943-5713 E-mail: <a href="mailto:Steve.Shams@dot.state.fl.us">Steve.Shams@dot.state.fl.us</a> File: H:\OOC\Planning\Growth Management\CPA Project Files\Orange County\Review\2018\18-5ESR\Proposed\Orange_Proposed_Addl_Review.docx	Reviewed by: Matthew Wiesenfeld, PE, AICP  HDR, Inc. 407-420-4200 407-420-4232 <a href="mailto:Matthew.Wiesenfeld@hdrinc.com">Matthew.Wiesenfeld@hdrinc.com</a>
--	--

**Rick Scott**  
GOVERNOR



**Cissy Proctor**  
EXECUTIVE DIRECTOR

August 28, 2018

The Honorable Teresa Jacobs  
Mayor, Orange County  
201 South Rosalind Avenue, 5th Floor  
Orlando, Florida 32801

Dear Mayor Jacobs:

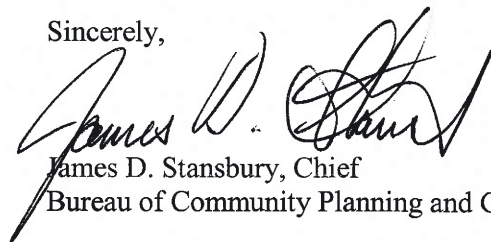
The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Orange County (Amendment No. 18-5ESR), which was received on July 31, 2018. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Department of Economic Opportunity's authorized scope of review that will be adversely impacted by the amendment if adopted.

The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such comments could form the basis for a challenge to the amendment after adoption.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department of Economic Opportunity and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

We appreciate the opportunity to work with the County's staff in the review of the amendment. If you have any questions concerning this review, please contact Jennie Leigh Copps, at (850) 717-8534, or by email at [jennie.copps@deo.myflorida.com](mailto:jennie.copps@deo.myflorida.com).

Sincerely,



James D. Stansbury, Chief  
Bureau of Community Planning and Growth

JS/jlc

Enclosure(s): Procedures for Adoption

cc: Alberto A. Vargas, MArch., Manager, Orange County Planning Division  
Hugh W. Harling, Jr., P.E., Executive Director, East Central Florida Regional Planning Council

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.floridajobs.org](http://www.floridajobs.org)  
[www.twitter.com/FLDEO](https://www.twitter.com/FLDEO) | [www.facebook.com/FLDEO](https://www.facebook.com/FLDEO)

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS**

**FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

**NUMBER OF COPIES TO BE SUBMITTED:** Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

**SUBMITTAL LETTER:** Please include the following information in the cover letter transmitting the adopted amendment:

\_\_\_\_\_ State Land Planning Agency identification number for adopted amendment package;

\_\_\_\_\_ Summary description of the adoption package, including any amendments proposed but not adopted;

\_\_\_\_\_ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

\_\_\_\_\_ Ordinance number and adoption date;

\_\_\_\_\_ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

\_\_\_\_\_ Name, title, address, telephone, FAX number and e-mail address of local government contact;

\_\_\_\_\_ Letter signed by the chief elected official or the person designated by the local government.

**ADOPTION AMENDMENT PACKAGE:** Please include the following information in the amendment package:

\_\_\_\_\_ In the case of text amendments, changes should be shown in strike-through/underline format.

\_\_\_\_\_ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

\_\_\_\_\_ A copy of any data and analyses the local government deems appropriate.

**Note:** If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

\_\_\_\_\_ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective. "

\_\_\_\_\_ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

\_\_\_\_\_ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

\_\_\_\_\_ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

Rick Scott  
GOVERNOR



Cissy Proctor  
EXECUTIVE DIRECTOR

RECEIVED  
July 31, 2018  
AUG 03 2018  
Planning Manager

Mr. Alberto A. Vargas, MArch, Manager  
Orange County Planning Division  
201 South Rosalind Avenue, 2<sup>nd</sup> Floor  
Post Office Box 1393  
Orlando, Florida 32802-1393

Dear Mr. Vargas, MArch:

Thank you for submitting the Orange County's proposed comprehensive plan amendments submitted for our review pursuant to the Expedited State Review process. The reference number for this amendment package is **Orange County 18-5ESR**.

The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the Department's Comment Letter no later than **August 30, 2018**.

If you have any questions please contact Anita Franklin, Plan Processor at (850) 717-8486 or Kelly Corvin, Regional Planning Administrator, whom will be overseeing the review of the amendments, at (850) 717-8503.

Sincerely,

D. Ray Eubanks, Administrator  
Plan Review and Processing

DRE/af

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.floridajobs.org](http://www.floridajobs.org)  
[www.twitter.com/FLDEO](http://www.twitter.com/FLDEO) | [www.facebook.com/FLDEO](http://www.facebook.com/FLDEO)

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

**Rick Scott**  
GOVERNOR



**Cissy Proctor**  
EXECUTIVE DIRECTOR

**MEMORANDUM**

**TO:** Florida Department of Environmental Protection  
Florida Department of Education  
Florida Department of State  
Florida Department of Transportation District 5  
East Central Florida Regional Planning Council  
St Johns River Water Management  
South Florida Water Management District  
Florida Fish and Wildlife Conservation Commission  
Florida Department of Agriculture and Consumer Services

**DATE:** July 31, 2018

**SUBJECT: COMMENTS FOR PROPOSED EXPEDITED STATE REVIEW PLAN AMENDMENT**

**LOCAL GOVERNMENT/ STATE LAND PLANNING AGENCY AMENDMENT #: ORANGE CO 18-05ESR**

**STATE LAND PLANNING AGENCY CONTACT PERSON/PHONE NUMBER: Kelly Corvin/(850)717-8503**

The referenced proposed comprehensive plan amendment is being reviewed pursuant the Expedited State Review Process according to the provisions of Section 163.3184(3), Florida Statutes. Please review the proposed documents for consistency with applicable provisions of Chapter 163, Florida Statutes.

Please note that your comments must be sent directly to and received by the above referenced local government within 30 days of receipt of the proposed amendment package. A copy of any comments shall be sent directly to the local government and to the State Land Planning Agency to the attention of Ray Eubanks, Administrator, Plan Review and Processing at the Department E-mail address: [DCPexternalagencycomments@deo.myflorida.com](mailto:DCPexternalagencycomments@deo.myflorida.com)

Please use the above referenced State Land Planning Agency AMENDMENT NUMBER on all correspondence related to this amendment.

Note: Review Agencies - The local government has indicated that they have mailed the proposed amendment *directly to your agency*. See attached transmittal letter. *Be sure to contact the local government if you have not received the amendment*. Also, letter to the local government from State Land Planning Agency acknowledging receipt of amendment is attached.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.floridajobs.org](http://www.floridajobs.org)  
[www.twitter.com/FLDEO](https://twitter.com/FLDEO) | [www.facebook.com/FLDEO](https://www.facebook.com/FLDEO)

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.



RECEIVED  
Div. of Economic Planning and Growth  
JUL 31 2018  
Div. of Economic Development  
Dept. of Economic Opportunity

July 24, 2018

Mr. Ray Eubanks, Plan Processing Administrator  
Florida Department of Economic Opportunity (DEO)  
State Land Planning Agency  
Caldwell Building  
107 East Madison – MSC 160  
Tallahassee, Florida 32399

**Re: Orange County Transmittal of the 2018-2 Regular Cycle State-Expedited Review Comprehensive Plan Amendments**

Dear Mr. Eubanks:

The Orange County Board of County Commissioners (BCC) is pleased to transmit to the Florida Department of Economic Opportunity (DEO) this 2018-2 transmittal packet, which consists of Regular Cycle – State-Expedited Review amendments to the Orange County 2010-2030 Comprehensive Plan. This is the second amendment package of the calendar year 2018 and therefore is referred to as 2018-2 for Orange County filing purposes. Transmittal public hearings for these amendments were held on June 21, 2018, and July 10, 2018, before the Local Planning Agency (LPA) and BCC, respectively. One paper and two electronic copies (CD) of the proposed amendments are enclosed.

**Regular Cycle Amendments**

Per 163.3184(3), Florida Statutes, please note the following:

The Regular Cycle – State-Expedited Review amendments included seven privately-initiated Future Land Use Map amendments, one privately-initiated text amendment, and two staff-initiated map and/or text amendments. All of the proposed amendments were on a regular agenda.

**Privately-Initiated Map Amendments**

- |              |  |
|--------------|--|
| 2018-2-A-1-1 | Kathy Hattaway, Poulos & Bennett, LLC, for Daniel A. and Susan Berry/Thistledown Farm, Inc.<br>Village (V) to Horizon West, Village of Bridgewater Special Planning Area (SPA)                             |
| 2018-2-A-1-2 | Kathy Hattaway, Poulos & Bennett, LLC, for BB Groves, LLC<br>Growth Center/ Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR) |
| 2018-2-A-1-3 | Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Fairwinds Credit Union<br>Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR)                           |
| 2018-2-A-1-4 | Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Kerina Wildwood, Inc., Kerina Village, Inc., Kerina Inc., and Kerina Parkside Master, Inc.                                |

Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R) to Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)

- 2018-2-A-1-6 VHB, Inc., for Daryl M. Carter Trustee and Carter-Orange 105 Sand Lake Land Trust  
 Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR)
- 2018-2-A-1-7 Momtaz Barq, P.E., Terra-Max Engineering, Inc., for Macomb Oakland Sand Lake, LLC  
 Planned Development-Time Share/Medium Density Residential/Hotel/Office (PD-TS/MDR/HOTEL/O) to Planned Development-Time Share/Medium-High Density Residential/Hotel/Office (PD-TS/MHDR/HOTEL/O)
- 2018-2-A-5-1 Julie Salvo, AICP, Orange County Public Schools, for Hamilton, LLC  
 Rural/Agricultural (R) to Educational (EDU)

**Privately-Initiated Text Amendment**

- 2018-2-P-1-5 Marc Skorman for Audrey L. Arnold Revocable Trust, Audrey L. Arnold and James P. Arnold Life Estate, Ron Marlow and Kathy Darlene Marlow, and Billy Kenneth Williams, and Lynn A. Williams  
 Text amendment to proposed Future Land Use Element Policy FLU2.5.5 and creating Policy FLU2.5.5.1 related to the proposed Lake Mabel Rural Residential Enclave

**Staff-Initiated Amendments**

- 2018-2-B-FLUE-1 Text amendments to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County
- 2018-2-B-FLUE-2 Text amendment to the Horizon West Village policies for perimeter remnant parcels

Orange County certifies that the proposed amendments, including associated data and analysis and all supporting documents, have been submitted to the parties listed below simultaneously with submittal to DEO, pursuant to 163.3184(3)(b)2, Florida Statutes. The amendment package is available for public inspection at the Orange County Planning Division as well as online at:

<http://www.orangecountyfl.net/PlanningDevelopment/ComprehensivePlanning> or [www.tinyurl.com/OCCompPlan](http://www.tinyurl.com/OCCompPlan)

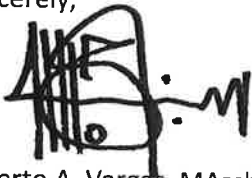
Agency	Contact
Department of Agriculture and Consumer Services	Comprehensive Plan Review
Department of Education	Tracy D. Suber, Education Consultant-Growth Management Liaison
Department of Environmental Protection	Suzanne E. Ray
Department of State	Deena Woodward, Historic Preservation Planner



Florida Fish and Wildlife Conservation Commission Governor's Office of Tourism, Trade, and Economic Development Department of Transportation, District Five	Scott Sanders Sherri Martin, Sr. Analyst  Heather S. Garcia, Planning & Corridor Development Manager
East Central Florida Regional Planning Council St. Johns River Water Management District South Florida Water Management District	Andrew Landis, Regional Planner Steven Fitzgibbons, Intergovernmental Planner Terry Manning, AICP, Policy and Planning Analyst

We look forward to working with DEO staff during your review of the amendment packet. If you have any questions, please contact Greg Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at 407.836.5624 or via email at [Gregory.Golgowski@ocfl.net](mailto:Gregory.Golgowski@ocfl.net).

Sincerely,



Alberto A. Vargas, MArch., Manager  
Orange County Planning Division

AAV/GG/tlp

enc: 2018-2 Regular Cycle State-Expedited Review Amendments DEO Transmittal Binder

c w/enclosures: Chris Testerman, AICP, Assistant County Administrator  
Jon V. Weiss, P.E., Director, Community, Environmental, and Development Services Dept.  
Joel Prinsell, Deputy County Attorney  
Roberta Alfonso, Assistant County Attorney  
John Smogor, Planning Administrator, Planning Division  
Gregory Golgowski, Chief Planner, Planning Division  
Sue Watson, Planner II, Planning Division

**Appendix 6:**  
**Traffic Study by Traffic & Mobility Consultants, Inc.**  
**February 22, 2018**



## MEMORANDUM

February 22, 2018

**Re: Lake Austin PD**  
Preliminary TFA Review  
Project № 18027

---

This analysis was prepared in support of a proposed amendment to the County's Comprehensive Plan changing the designation of the Lake Austin PD from Short Term Rental and associated commercial uses to a Residential PD. The property is located west of Avalon Road (CR 545) and north of US 192, in Orange County, as illustrated in **Figure 1**



**Figure 1 – Site Location**

The current FLU designation allows a maximum development of 3,332 short term rental units along with 20,000 square feet of ancillary administration space and 10,000 square feet of retail space. The proposed amendment will reduce the maximum development intensity of the site to 500 single family residential units.

A comparative trip generation analysis was prepared to determine if the amendment will result in increased or reduced traffic on the transportation network. The trip generation of the currently approved Short-Term Rental use was calculated based on the rates established in the previously approved Development of Regional Impact (DRI). The office and commercial space was assumed to be ancillary to the use. As for the proposed residential use, the trip generation was calculated using information published in the ITE *Trip Generation Manual, 10<sup>th</sup> Edition*, as summarized in **Table 1**.

**Table 1  
Trip Generation Analysis**

ITE Code	Land Use	Size	Rates		Trips	
			Daily	Peak	Daily	Peak
<b>Existing - Activity Center Mixed Use (ACMU)</b>						
n/a	Short-Term Rental	3,332 Units	4.27*	0.43*	14,228	1,433
<b>Proposed - Activity Center Residential (ACR)</b>						
210	Residential	500 DU	9.14	0.95	4,570	475
<b>Net Change in Trips</b>					<b>-9,658</b>	<b>-958</b>

\* Short Term Rental trip generation rate obtained from previous DRI/ADA.

Trip generation analysis based on ITE *Trip Generation Manual, 10th Edition*.

It is evident from the analysis above that the proposed comprehensive plan amendment will significantly reduce the trip generation intensity of the site. Therefore, the proposed amendment will not have an adverse impact on the transportation facilities.

It should be noted that the project will be required to undergo further analysis through the transportation concurrency process as further development approvals are pursued for the proposed development program on the site.

## **ATTACHMENTS**

# Single-Family Detached Housing (210)

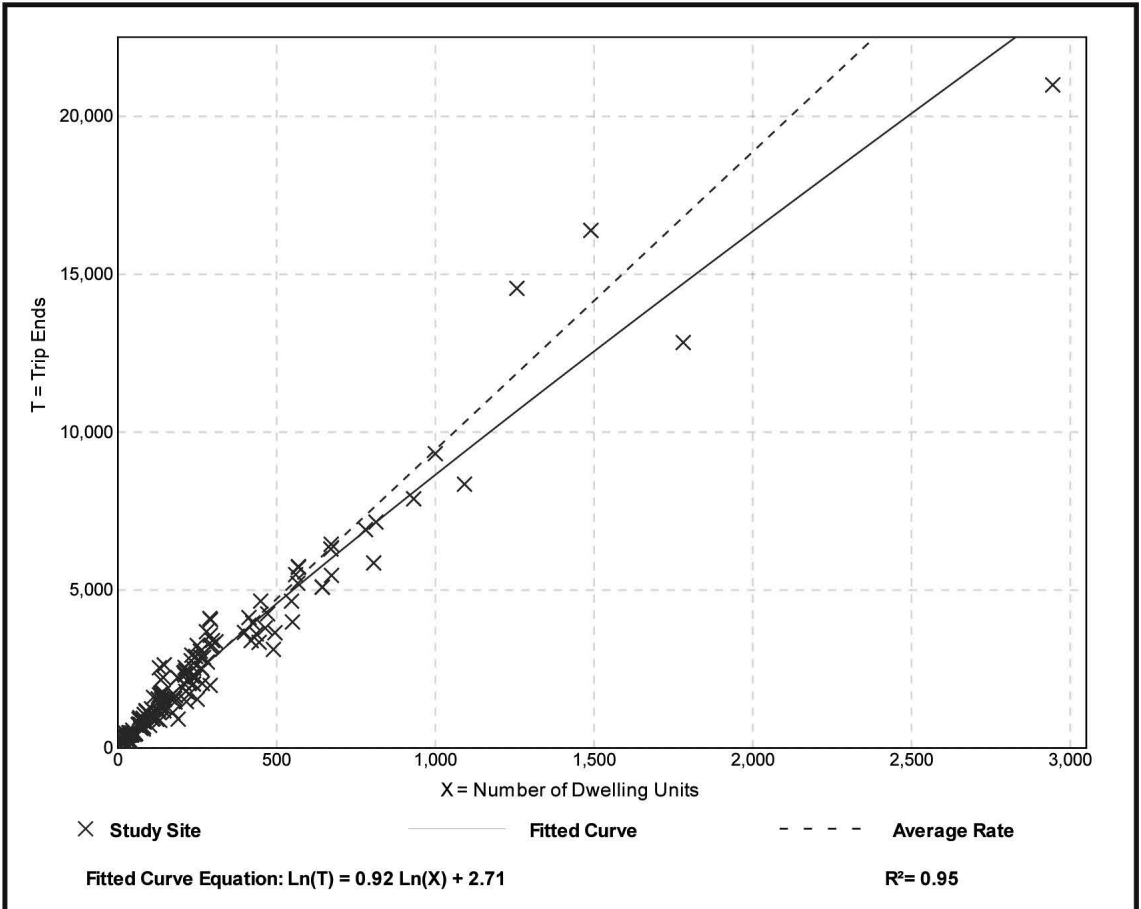
Vehicle Trip Ends vs: Dwelling Units  
On a: Weekday

Setting/Location: General Urban/Suburban  
Number of Studies: 159  
Avg. Num. of Dwelling Units: 264  
Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
9.44	4.81 - 19.39	2.10

## Data Plot and Equation



# Single-Family Detached Housing (210)

**Vehicle Trip Ends vs: Dwelling Units**

**On a: Weekday,**

**Peak Hour of Adjacent Street Traffic,  
One Hour Between 4 and 6 p.m.**

**Setting/Location: General Urban/Suburban**

Number of Studies: 190

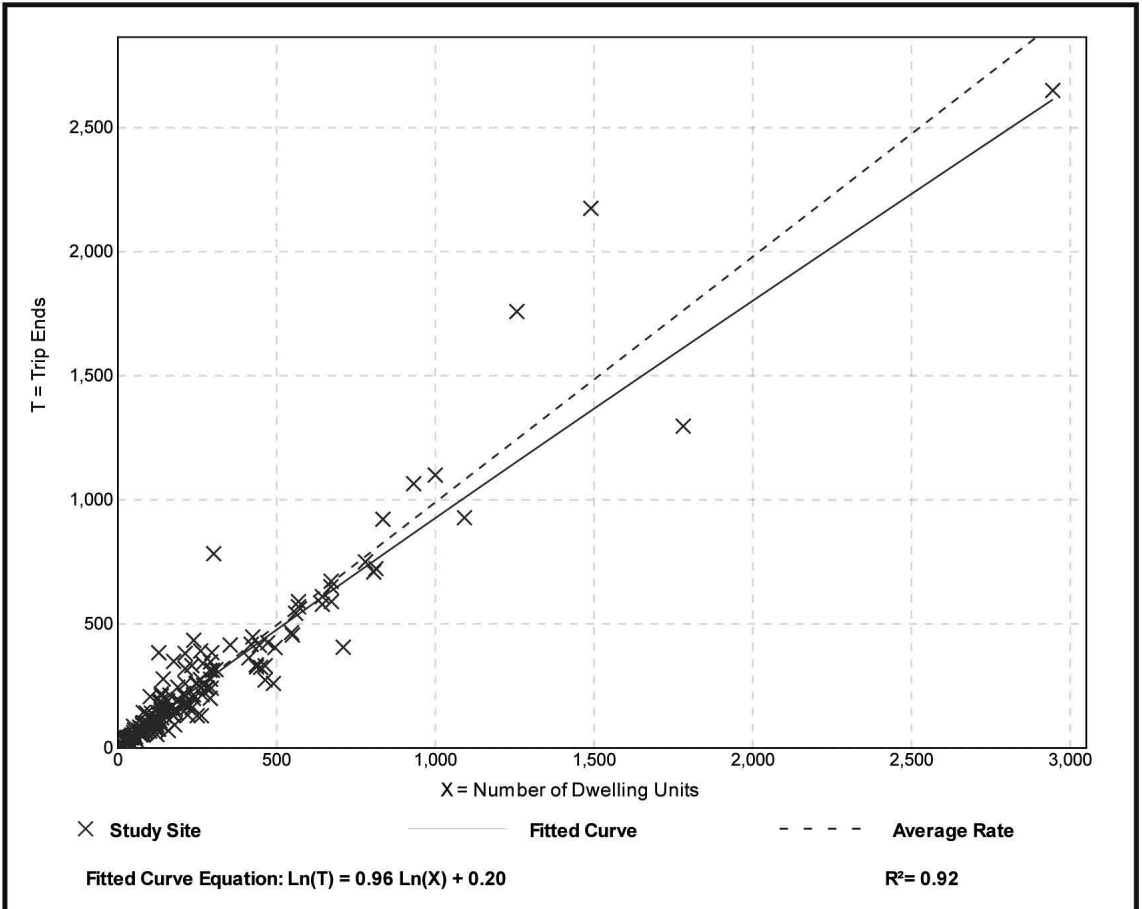
Avg. Num. of Dwelling Units: 242

Directional Distribution: 63% entering, 37% exiting

## Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.99	0.44 - 2.98	0.31

## Data Plot and Equation



## **Appendix B: Transportation Analysis**

The proposed development is limited to the 89,721 total daily trips listed on the approved Hannah Smith PD land use plan and vested under the Turkey Lake Road Agreement. The request to change the future land use designation from ACMU/ACR to PD-C/MDR decreases the trip generation. Therefore, a transportation analysis is not provided as it is not needed since both the Comprehensive Plan Amendment and PD rezoning applications will not generate trips over the vested amount.



# KERINA PARKSIDE

## Future Land Use Amendment Transportation Analysis

FEBRUARY 2018

Prepared By:

**Kimley »» Horn**

***FUTURE LAND USE AMENDMENT  
TRANSPORTATION ANALYSIS***

**Kerina Parkside  
Orange County, Florida**

***Prepared for:***

***Kerina, Inc.***

***Prepared by:***

***Kimley-Horn and Associates, Inc.***

**February 2018**

©Kimley-Horn and Associates, Inc. 2016

K:\ORL\_TPTO\049099004\_Kerina Parkside CPA\Documentation\Kerina Parkside FLU  
TIA\_02.21.2018.docx

**James M. Taylor**

**PE #69979**

## Contents

<b>1.0</b>	<b>INTRODUCTION</b> .....	<b>1</b>
1.1	<i>PURPOSE</i> .....	1
1.2	<i>STUDY AREA</i> .....	1
<b>2.0</b>	<b>EXISTING CONDITION ANALYSIS</b> .....	<b>3</b>
<b>3.0</b>	<b>PROJECT TRAFFIC</b> .....	<b>4</b>
3.1	<i>TRIP GENERATION</i> .....	4
3.2	<i>TRIP DISTRIBUTION AND ASSIGNMENT</i> .....	6
<b>4.0</b>	<b>SHORT-TERM (2020) ANALYSIS</b> .....	<b>7</b>
<b>5.0</b>	<b>LONG-TERM (2030) ANALYSIS</b> .....	<b>9</b>
<b>6.0</b>	<b>CONCLUSION</b> .....	<b>11</b>

## Figures

<b>Figure 1:</b>	<b>Project Location</b> .....	<b>2</b>
<b>Figure 2:</b>	<b>Short-Term (2020) Project Distribution</b> .....	<b>5</b>
<b>Figure 3:</b>	<b>Long-Term (2030) Project Distribution</b> .....	<b>6</b>

## Tables

<b>Table 1:</b>	<b>Current FLU Maximum Land Use Allowance</b> .....	<b>1</b>
<b>Table 2:</b>	<b>Existing PM Peak Hour Capacity Analysis</b> .....	<b>3</b>
<b>Table 3:</b>	<b>Trip Generation Summary</b> .....	<b>5</b>
<b>Table 4:</b>	<b>Short-Term (2020) PM Peak Capacity Analysis</b> .....	<b>8</b>
<b>Table 5:</b>	<b>Long-Term (2030) PM Peak Capacity Analysis</b> .....	<b>10</b>

## Appendices

- Appendix A: Orange County CMS Report**
- Appendix B: Internal Capture Worksheets**
- Appendix B: Travel Demand Model Outputs**
- Appendix C: Background Volume Worksheet**

## 1.0 INTRODUCTION

### 1.1 PURPOSE

Kimley-Horn and Associates, Inc. was retained by Kerina, Inc. to analyze and document transportation impacts associated with a proposed Orange County Comprehensive Policy Plan (CPP) Future Land Use (FLU) amendment for +/-125.1 acres of property located within the Kerina Parkside Planned Development (PD). The subject property consists of Tracts 4, 7, and 8 of the PD and is generally located off of Fenton Street and South Apopka-Vineland Road in Orange County, Florida as shown in **Figure 1**.

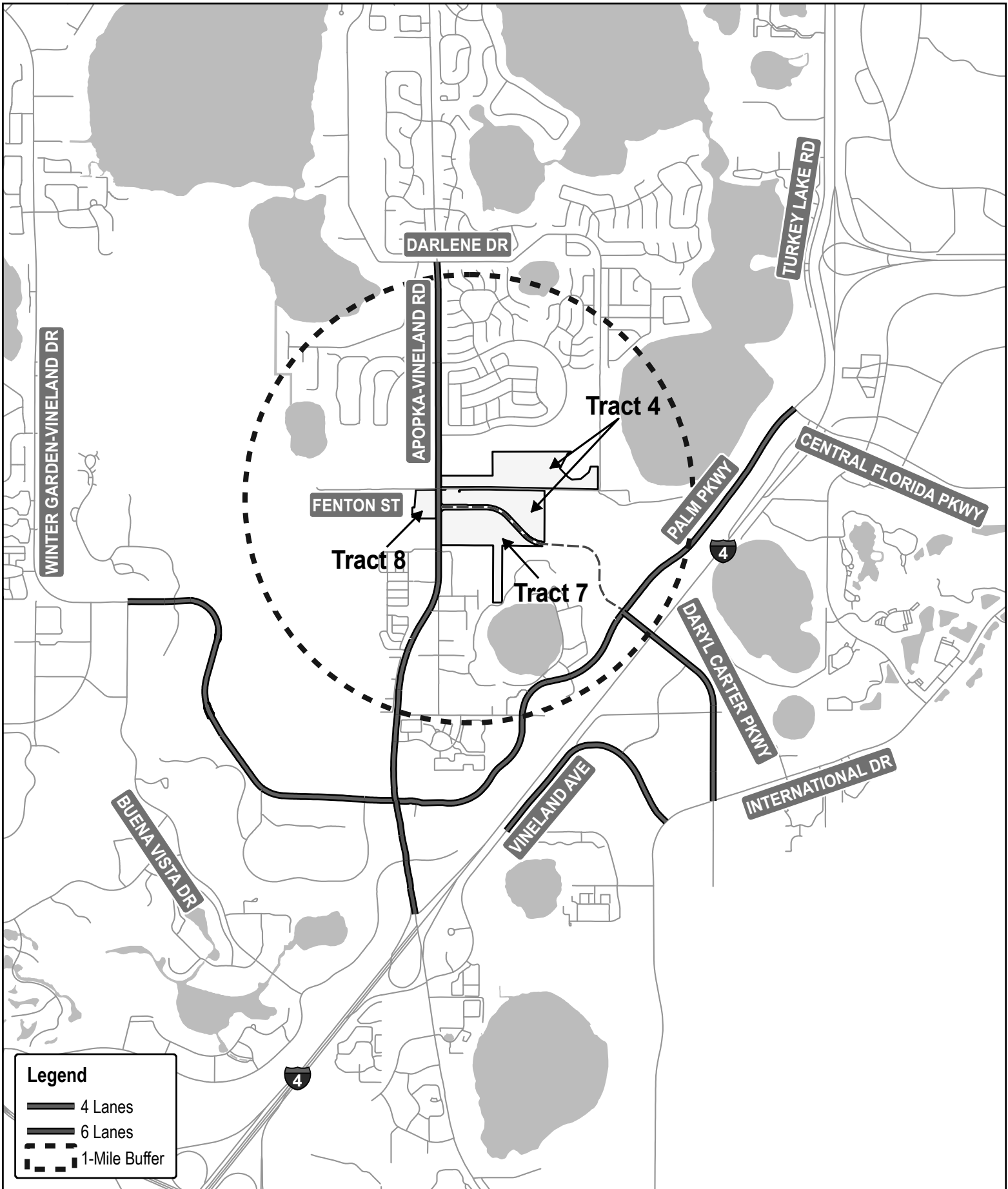
The Applicant is requesting a FLU amendment for the subject property from Low Density Residential (LDR) and Low-Medium Density Residential (LMDR) designations to a Planned Development (PD) designation which will allow for a mix of uses. This transportation analysis was conducted to assess the maximum feasible traffic impact associated with the proposed FLU amendment for the Short-Term (Year 2020) and Long-Term (Year 2030) horizons. **Table 1** shows that the current maximum future land use associated with Tracts 4, 7, and 8 is 990 residential dwelling units (DUs). The proposed PD FLU zoning would allow for 450 Single Family DUs, 350 Multi Family DUs, 200 Assisted Living Facility beds, 50,000 square feet of Office, and 100,000 square feet of Retail.

### 1.2 STUDY AREA

The transportation analysis was performed in accordance with the Orange County Comprehensive Policy Plan Amendment Methodology. The methodology requires the study area to include roadway segments within a one-mile radius around the site and any roadway segments outside of the radius where PM peak hour project trips are greater than or equal to 3% of the adopted maximum service volume (MSV). A visual representation of the minimum one-mile radius is provided in **Figure 1**.

**Table 1: Current FLU Maximum Land Use Allowance**

Tract	Parcel ID	Acres	Current FLU Designation	Current FLU Max Density	Current Max FLU Land Use (DUs)
4	10-24-28-0000-00-053	43.5	LDR	4 DU/ac	174
4	15-24-28-5844-00-050	33.2	LMDR	10 DU/ac	332
7	15-24-28-5844-00-211	40.5	LMDR	10 DU/ac	405
8	15-24-28-5844-00-130	7.9	LMDR	10 DU/ac	79
<b>Totals =</b>		<b>125.1</b>			<b>990 DU</b>

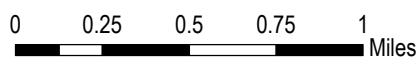


# Kerina Parkside Location Map

**Kimley»Horn**

© 2018 Kimley-Horn and Associates, Inc.  
 189 S Orange Ave, Suite 1000, Orlando FL 32801  
 Phone: (407) 898-1511

Project Number: 049099004  
 Date: February 2018



## 2.0 EXISTING CONDITION ANALYSIS

A PM peak hour capacity analysis was performed for roadway segments within the study area of the property for existing conditions. Average Annual Daily Traffic (AADT), PM peak hour directional (PHPD) counts, and adopted MSV were obtained from Orange County's Concurrency Management System (CMS) Database. The CMS report for roadway segments within the vicinity of the project was provided by Orange County staff on February 19, 2018 and is provided in **Appendix A**. The existing PM peak hour capacity analysis is shown in **Table 1**.

As shown in the table, all study area roadway segments currently operate within the corresponding adopted MSV (no existing deficiencies).

**Table 2: Existing PM Peak Hour Capacity Analysis**

CMS ID	Roadway	From	To	Length	Lanes	Adopted LOS	AADT	PM PHPD Existing		
								MSV	PM PHPD	Deficiency?
19	Apopka-Vineland Rd	W.G.-Vineland Rd	Fenton Rd	1.43	4	E	24,009	2,000	1,210	No
19.1		Fenton Rd	Darlene Rd	1.01	4	E	23,855	2,000	1,202	No
95.8	Daryl Carter Pkwy	Palm Pkwy	Regency Village Dr	0.37	4	E	10,031	2,000	476	No
95.9		Regency Village Dr	International Dr	0.65	4	E	6,839	2,000	343	No
348.55	Palm Pkwy/Turkey Lake	W.G.-Vineland Rd	Central Florida Pkwy	2.68	4	E	21,934	2,000	1,105	No
445.12	Vineland Ave	Little Lake Bryan Pkwy	International Dr	1.07	4	E	13,561	2,000	663	No
460	Winter Garden-Vineland Rd	Interstate 4	Apopka-Vineland Rd	0.51	6	E	53,375	3,020	2,535	No
461		Apopka-Vineland Rd	Buena Vista Dr	1.87	4	E	35,778	2,000	1,651	No

## 3.0 PROJECT TRAFFIC

### 3.1 TRIP GENERATION

Per the Orange County Comprehensive Policy Plan Amendment Methodology, the trip generation impact of the proposed FLU zoning change was calculated using methodology provided in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th Edition*. The impact of the proposed FLU rezone was determined by forecasting maximum project trips from the anticipated land use associated with the proposed Planned Development (PD) designation and subtracting the maximum trips allowed under the current Low Density Residential (LDR) and Low-Medium Density Residential (LMDR) designations.

Under the current FLU designations, the +/-125.1 acres of property could develop a maximum of 990 DUs. In calculating maximum trip generation potential, it is assumed that the LDR portion (4 DU/ac) would develop with Single Family units (174 DUs) and the LMDR portion (10 DU/ac) would develop with Multi Family units (816 DUs). Trip generation for the existing zoning was determined using trip rates from ITE Land Use Code (LUC) 210 and 220.

Under the proposed FLU designation of PD, the property could develop a mix of uses up to a maximum of 450 Single Family DUs, 350 Multi Family DUs, 200 Assisted Living Facility beds, 50,000 square feet of Office, and 100,000 square feet of Retail. ITE's *Trip Generation Handbook, 3rd Edition* was referenced to calculate internal capture of trips within the mixed-use plan. Internal capture worksheets are provided in **Appendix B**. A 33% pass-by trip reduction was applied to external retail trips per Orange County's Transportation Impact Fee Update September 2012 for ITE LUC 820 (100,000 to 200,000 square feet).

**Table 2** provides a summary of the maximum trip generating potential for the property under the current FLU zoning and the proposed FLU zoning. Maximum trip generation impact from the proposed FLU amendment is provided as the difference between the proposed and the existing development potential. The maximum anticipated impact of the proposed zoning change is 1,115 new external daily trips and 211 new external PM peak hour trips (77 in / 134 out).

Table 3: Trip Generation Summary

Current FLU Zoning Allowance											
Daily	Land Use	ITE LUC	Size	Units	Trip Rate <sup>1</sup>	Daily Trip Generation					
						Total	In <sup>1</sup>		Out <sup>1</sup>		
	Single Family Residential	210	174	DU	9.80	1,705	50%	853	50%	852	
Multi Family Apartment	220	816	DU	7.37	6,014	50%	3,007	50%	3,007		
<b>New External Trips</b>					<b>7,719</b>	<b>3,860</b>		<b>3,859</b>			
PM Peak Hour	Land Use	ITE LUC	Size	Units	Trip Rate <sup>1</sup>	PM Peak Hour Trip Generation					
						Total	In <sup>1</sup>		Out <sup>1</sup>		
	Single Family Residential	210	174	DU	0.99	172	63%	108	37%	64	
Multi Family Apartment	220	816	DU	0.54	441	63%	278	37%	163		
<b>New External Trips</b>					<b>613</b>	<b>386</b>		<b>227</b>			
Proposed FLU Zoning Allowance											
Daily	Land Use	ITE LUC	Size	Units	Trip Rate <sup>1</sup>	Daily Trip Generation					
						Total	In <sup>1</sup>		Out <sup>1</sup>		
	Single Family Residential	210	450	DU	9.80	4,410	50%	2,205	50%	2,205	
	Multi Family Apartment	220	350	DU	7.37	2,580	50%	1,290	50%	1,290	
	Assisted Living Facility	254	200	Beds	2.60	520	50%	260	50%	260	
	Office	710	50	KSF	10.00	500	50%	250	50%	250	
	Commercial	820	100	KSF	30.66	3,066	50%	1,533	50%	1,533	
	<b>Total Generated Trips</b>					<b>11,076</b>	<b>5,538</b>		<b>5,538</b>		
	Internal Capture <sup>2</sup> =		13.2%	(see IC worksheet)			1,394	697		697	
	<b>Net External Trips</b>					<b>9,682</b>	<b>4,841</b>		<b>4,841</b>		
Pass by Trips (LUC 820) <sup>3</sup> =		33.0%	(of external retail trips)			808	418		390		
<b>New External Trips</b>					<b>8,874</b>	<b>4,423</b>		<b>4,451</b>			
PM Peak Hour	Land Use	ITE LUC	Size	Units	Trip Rate <sup>1</sup>	PM Peak Hour Trip Generation					
						Total	In <sup>1</sup>		Out <sup>1</sup>		
	Single Family Residential	210	450	DU	0.99	446	63%	281	37%	165	
	Multi Family Apartment	220	350	DU	0.54	189	63%	119	37%	70	
	Assisted Living Facility	254	200	Beds	0.26	52	38%	20	62%	32	
	Office	710	50	KSF	1.03	52	66%	8	84%	44	
	Commercial	820	100	KSF	3.14	314	48%	151	52%	163	
	<b>Total Generated Trips</b>					<b>1,053</b>	<b>579</b>		<b>474</b>		
	Internal Capture <sup>2</sup> =		14.8%	(see IC worksheet)			148	74		74	
	<b>Net External Trips</b>					<b>905</b>	<b>505</b>		<b>400</b>		
Pass by Trips (LUC 820) <sup>3</sup> =		33.0%	(of external retail trips)			81	42		39		
<b>New External Trips</b>					<b>824</b>	<b>463</b>		<b>361</b>			
Maximum Additional Trips											
<b>Daily New External Trips (Proposed - Existing)</b>					<b>1,155</b>	<b>563</b>		<b>592</b>			
<b>PM Peak New External Trips (Proposed - Existing)</b>					<b>211</b>	<b>77</b>		<b>134</b>			

Notes: <sup>1</sup>Vehicle trip rates and directional splits per data and procedures outlined in ITE Trip Generation, 10th Edition

<sup>2</sup>Internal capture rate per procedures in ITE Trip Generation Handbook, 3rd Edition (2014). Internal capture worksheet provided in Appendix.

<sup>3</sup>Pass-by trip rate = 100% - % New Trip. % New Trips for ITE LUC 820 (100-200 KSF) is reported in Orange County's Transportation Impact Fee Update September 2012 at 67%.



## 3.2 TRIP DISTRIBUTION AND ASSIGNMENT

Distribution of additional project trips from the proposed FLU amendment on study area roadways was determined using travel demand model forecasting based on Florida Standard Urban Transportation Model Structure (FSUTMS). FDOT District Five's 2010/2045 Central Florida Regional Planning Model (CFRPM v6) model set was used to forecast the project trip distribution for the subject property trips for both the Short-Term (2020) and Long-Term (2030) horizons.

Socioeconomic data associated with the PD land use for the property was loaded into two (2) new traffic analysis zone (TAZ) and situated within the cost feasible roadway networks in a manner to appropriately represent access to the development. The updated models were then run to distribute trips for all model trip purposes between allocated origins and destinations. Project trip distribution percentages were extracted from the completed model runs, and the data was reviewed to ensure the results were reasonable. The additional project trips from the proposed FLU amendment were then assigned to study area roadway segments accordingly.

Plots of the model outputs showing project distribution are included in **Appendix C**.

## 4.0 SHORT-TERM (2020) ANALYSIS

Background daily traffic for the Short-Term (2020) horizon was developed for each segment by reviewing the output from three growth methods and extracting the maximum volume within a 3% annual growth rate cap. The three methods included application of straight-line forecasting from five years of historical traffic counts, extraction of background model volumes from the 2020 CFRPM run [Peak Season Weekday Average Daily Traffic (PSWADT) model volumes were adjusted using Orange County's countrywide Model Output Conversion Factor (MOCF) to convert to Average Annual Daily Traffic(AADT)], and application of CMS data to existing counts as provided by Orange County. Plots of the model outputs showing model PSWADT background volumes are included in **Appendix C**. A worksheet showing the development of background AADT is provided in **Appendix D**.

Build-out PM peak hour directional volumes for the Short-Term (2020) horizon were developed by adding the project trip assignment to the background traffic. The Short-Term (2020) PM peak-hour capacity analysis is shown in **Table 4**. As shown in the table, all study area roadway segments are anticipated to operate within the corresponding adopted MSV (no deficiencies) in the Short-Term (2020) horizon without and with the additional project trips from the proposed FLU amendment.

**Table 4: Short-Term (2020) PM Peak Hour Capacity Analysis**

CMS ID	Roadway	From	To	Lanes	PM PHPD Background (2020)					PM PHPD Project Trips					PM PHPD Build-out (2020)		
					MSV	Existing PmPk	Growth Rate	PM PHPD	Deficient ?	IN = Trip Distrib	77 Project Peak	OUT = NB/EB	134 SB/WB	% MSV	MSV	PM PHPD	Deficient ?
19	Apopka-Vineland Rd	W.G.-Vineland Rd	Fenton Rd	4	2,000	1,210	3.0%	1,355	No	30.2%	S	23	40	2.0%	2,000	1,378	No
19.1		Fenton Rd	Darlene Rd	4	2,000	1,202	3.0%	1,346	No	15.1%	N	20	12	1.0%	2,000	1,366	No
95.8	Daryl Carter Pkwy	Palm Pkwy	Regency Village Dr	4	2,000	476	3.0%	533	No	27.1%	E	36	21	1.8%	2,000	569	No
95.9		Regency Village Dr	International Dr	4	2,000	343	3.0%	384	No	25.6%	E	34	20	1.7%	2,000	418	No
348.55	Palm Pkwy/Turkey Lake	W.G.-Vineland Rd	Central Florida Pkwy	4	2,000	1,105	3.0%	1,238	No	15.0%	N	20	12	1.0%	2,000	1,250	No
445.12	Vineland Ave	Little Lake Bryan Pkwy	International Dr	6	2,000	663	3.0%	743	No	3.5%	S	3	5	0.2%	2,000	748	No
460	Winter Garden-Vineland Rd	Interstate 4	Apopka-Vineland Rd	4	3,020	2,535	3.0%	2,839	No	24.0%	S	19	32	1.1%	3,020	2,858	No
461		Apopka-Vineland Rd	Buena Vista Dr	4	2,000	1,651	3.0%	1,849	No	3.7%	W	3	5	0.2%	2,000	1,852	No

## 5.0 LONG-TERM (2030) ANALYSIS

As described in the Short-Term analysis, Background daily traffic for the Long-Term (2030) horizon was developed for each segment by reviewing the output from three growth methods and extracting the maximum volume within a 3% annual growth rate cap. Plots of the model outputs showing model PSWADT background volumes are included in **Appendix C**. A worksheet showing the development of background AADT is provided in **Appendix D**.

Build-out PM peak hour directional volumes for the Long-Term (2030) horizon were developed by adding the project trip assignment to the background traffic. The Long-Term (2030) PM peak-hour capacity analysis is shown in **Table 5**. As shown in the table, all study area roadway segments are anticipated to operate within the corresponding adopted MSV in the Long-Term (2030) horizon with the exception of Winter Garden-Vineland Road from Interstate 4 to Buena Vista Drive. This deficiency was identified in the background and build-out scenarios and, therefore, is not triggered by the addition of project traffic.

**Table 5: Long-Term (2030) PM Peak Hour Capacity Analysis**

CMS ID	Roadway	From	To	Lanes	PM PHPD Background (2030)					PM PHPD Project Trips				PM PHPD Build-out (2030)			
					MSV	Existing PmPk	Growth Rate	PM PHPD	Deficient ?	IN = 77 Trip Distrib	OUT = 134 Project Peak	NB/EB	SB/WB	% MSV	MSV	PM PHPD	Deficient ?
19	Apopka-Vineland Rd	W.G.-Vineland Rd	Fenton Rd	4	2,000	1,210	3.0%	1,718	No	29.8%	S	23	40	2.0%	2,000	1,758	No
19.1		Fenton Rd	Darlene Rd	4	2,000	1,202	3.0%	1,707	No	14.8%	N	20	11	1.0%	2,000	1,727	No
95.8	Daryl Carter Pkwy	Palm Pkwy	Regency Village Dr	4	2,000	476	3.0%	676	No	20.6%	E	28	16	1.4%	2,000	704	No
95.9		Regency Village Dr	International Dr	4	2,000	343	3.0%	487	No	18.7%	E	25	14	1.3%	2,000	512	No
348.55	Palm Pkwy/Turkey Lake	W.G.-Vineland Rd	Central Florida Pkwy	2	2,000	1,105	3.0%	1,569	No	18.4%	N	25	14	1.2%	2,000	1,594	No
445.12	Vineland Ave	Little Lake Bryan Pkwy	International Dr	6	2,000	663	3.0%	941	No	2.9%	S	2	4	0.2%	2,000	945	No
460	Winter Garden-Vineland Rd	Interstate 4	Apopka-Vineland Rd	2	3,020	2,535	3.0%	3,600	Yes	24.2%	S	19	32	1.1%	3,020	3,632	Yes
461		Apopka-Vineland Rd	Buena Vista Dr	2	2,000	1,651	3.0%	2,344	Yes	3.0%	W	2	4	0.2%	2,000	2,348	Yes

## 6.0 CONCLUSION

This Future Land Use (FLU) transportation analysis for the proposed FLU amendment of +/-125.1 acres of property located within the Kerina Parkside PD was performed in accordance with Orange County's Comprehensive Policy Plan Amendment Methodology. The proposed amendment would change the current FLU designation of the property from Low Density Residential (LDR) and Low-Medium Density Residential (LMDR) designations to a Planned Development (PD) designation which would allow for up to 450 Single Family DUs, 350 Multi Family DUs, 200 Assisted Living Facility beds, 50,000 square feet of Office, and 100,000 square feet of Retail.

The analysis concluded that the maximum amount of additional traffic which could occur as a result of the FLU amendment is 1,115 new external daily trips and 211 new external PM peak hour trips (77 in / 134 out). These PM peak trips were added to the roadway network to determine the maximum feasible traffic impact associated with the proposed FLU amendment for the Short-Term (Year 2020) and Long-Term (Year 2030) horizons.

The results of the Short-Term (2020) analysis concluded that all study area roadway segments are anticipated to operate within the corresponding adopted maximum service volumes both without and with the additional project trips from the proposed FLU amendment. The Long-Term (2030) analysis concluded the same with the exception of Winter Garden-Vineland Road from Interstate 4 to Buena Vista Drive. However, this future deficiency was identified in both the background and build-out scenarios and, therefore, is not triggered by the additional (potential) project traffic from the FLU amendment.

***APPENDIX A***  
***Orange County CMS Report***



# Orange County, Florida

## Traffic Concurrency Management Program

### Concurrency Link Information

**Application Number:**

<i>ID</i>	<i>From</i>	<i>To</i>	<i>Lgth</i>	<i>Maint Agency</i>	<i>Capacity Group</i>	<i>Ln</i>	<i>LOS</i>	<i>Min Cap</i>	<i>Total AADT</i>	<i>PmPk</i>	<i>PkDir</i>	<i>Comm Trips</i>	<i>Avail Cap*</i>	<i>LOS</i>
<b><i>Apopka-Vineland Rd</i></b>														
19	Winter Garden-Vineland Rd	Fenton Rd	1.43	Cnty	Urban - Class I	4	E	2000	24,009	1,210	NB	478	312	C
19.1	Fenton Rd	Darlene Rd	1.01	Cnty	Urban - Class I	4	E	2000	23,855	1,202	NB	352	446	C
<b><i>Daryl Carter Pkwy</i></b>														
95.8	Palm Pkwy	Regency Village Dr	0.37	Cnty	Urban - Class I	4	E	2000	10,031	476	EB	0	1,524	C
95.9	Regency Village Dr	International Dr	0.65	Cnty	Urban - Class I	4	E	2000	6,839	343	EB	0	1,657	C
<b><i>Interstate 4</i></b>														
500	Osceola County Line	Beachline Expy	6.29	ST	Urban Freeway	6	E	6080	#####	9,753	SB	0	0	F
<b><i>Palm Pkwy / Turkey Lake Rd</i></b>														
348.55	Winter Garden-Vineland Rd	Central Florida Pkwy	2.68	Cnty	Urban - Class I	4	E	2000	21,934	1,105	SB	154	741	C
<b><i>Vineland Ave</i></b>														
445.12	Little Lake Bryan Pkwy	International Dr	1.07	Cnty	Urban - Class I	4	E	2000	13,561	663	SB	26	1,311	C
<b><i>Winter Garden-Vineland Rd</i></b>														
460	Interstate 4	Apopka-Vineland Rd	0.51	ST	Urban - Class I	6	E	3020	53,375	2,535	NB	246	239	C
461	Apopka-Vineland Rd	Buena Vista Dr	1.87	Cnty	Horizons West - Class I	4	E	2000	35,778	1,651	EB	252	97	C

\* It should be noted that the capacities indicated on this information sheet are a snapshot at this specific date and time. Available capacities are subject to change at any time.



***APPENDIX B***  
***Internal Capture Worksheets***

### Internal Capture Summary

<b>GROSS TRIP GENERATION</b>						
Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Office	250	250	42	7	8	44
Retail	1,533	1,533	58	36	151	163
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	3,495	3,495	119	371	400	235
Hotel	0	0	0	0	0	0
	5,278	5,278	219	414	559	442

<b>INTERNAL TRIPS</b>						
Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Office	119	64	3	2	7	10
Retail	267	351	6	4	24	44
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	311	282	2	5	43	20
Hotel	0	0	0	0	0	0
	697	697	11	11	74	74

<b>EXTERNAL TRIPS</b>						
Land Use	Daily		A.M. Peak Hour		P.M. Peak Hour	
	Enter	Exit	Enter	Exit	Enter	Exit
Office	131	186	39	5	1	34
Retail	1,266	1,182	52	32	127	119
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	3,184	3,213	117	366	357	215
Hotel	0	0	0	0	0	0
	4,581	4,581	208	403	485	368

% Internal Capture =	Daily		A.M. Peak Hour		P.M. Peak Hour	
	13.2%		3.5%		14.8%	

**Notes:**

- Methodology for AM Peak Hour and PM Peak Hour based on the Trip Generation Handbook, 3rd Edition, published by the Institute of Transportation Engineers
- Methodology for Daily based on the average of the Unconstrained Rates for the AM Peak Hour and PM Peak Hour

## DAILY

### GROSS TRIP GENERATION

Land Use	Daily	
	Enter	Exit
Office	250	250
Retail	1,533	1,533
Restaurant	0	0
Cinema/Entertainment	0	0
Residential	3,495	3,495
Hotel	0	0
	5,278	5,278

#### Estimated Trip Origins within a Mixed-Use Development (Daily) (Average of A.M. Peak Hour and P.M. Peak Hour)

Origin Land Use	Destination Land Use					
	Office	Retail	Restaurant	Cinema/Ent.	Residential	Hotel
Office		24%	34%	0%	2%	0%
Retail	16%		21%	2%	20%	3%
Restaurant	17%	28%		4%	11%	5%
Cinema/Entertainment	1%	11%	16%		4%	1%
Residential	3%	22%	21%	0%		2%
Hotel	38%	15%	39%	0%	1%	

#### Estimated Trip Destinations within a Mixed-Use Development (Daily) (Average of A.M. Peak Hour and P.M. Peak Hour)

Origin Land Use	Destination Land Use					
	Office	Retail	Restaurant	Cinema/Ent.	Residential	Hotel
Office		20%	13%	1%	2%	0%
Retail	18%		40%	13%	24%	9%
Restaurant	22%	29%		16%	11%	38%
Cinema/Entertainment	3%	2%	2%		2%	1%
Residential	30%	14%	17%	0%		6%
Hotel	2%	3%	6%	0%	0%	

\*\*\* BASED ON EXIT \*\*\*

(Exit) Land Use	(Enter) Land Use					
	Office	Retail	Restaurant	Cinema/Ent.	Residential	Hotel
Office		60	84	0	4	0
Retail	238		322	31	307	38
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	105	751	716	0		52
Hotel	0	0	0	0	0	

\*\*\* BASED ON ENTER \*\*\*

(Exit) Land Use	(Enter) Land Use					
	Office	Retail	Restaurant	Cinema/Ent.	Residential	Hotel
Office		307	0	0	70	0
Retail	44		0	0	839	0
Restaurant	55	445		0	367	0
Cinema/Entertainment	8	31	0		70	0
Residential	75	207	0	0		0
Hotel	4	46	0	0	0	

\*\*\* MINIMUM \*\*\*

(Exit) Land Use	(Enter) Land Use					
	Office	Retail	Restaurant	Cinema/Ent.	Residential	Hotel
Office		60	0	0	4	0
Retail	44		0	0	307	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	75	207	0	0		0
Hotel	0	0	0	0	0	

### INTERNAL TRIPS

Land Use	Daily	
	Enter	Exit
Office	119	64
Retail	267	351
Restaurant	0	0
Cinema/Entertainment	0	0
Residential	311	282
Hotel	0	0
	697	697

## A.M. PEAK HOUR

### GROSS TRIP GENERATION

Land Use	A.M. Peak Hour	
	Enter	Exit
Office	42	7
Retail	58	36
Restaurant	0	0
Cinema/Entertainment	0	0
Residential	119	371
Hotel	0	0
	219	414

Table 6.1 Unconstrained Internal Person Trip Capture Rates  
for Trip Origins within a Mixed-Use Development (A.M. Peak Hour)

Origin Land Use	Destination Land Use					
	Office	Retail	Restaurant	Cinema/Ent.	Residential	Hotel
Office		28%	63%	0%	1%	0%
Retail	29%		13%	0%	14%	0%
Restaurant	31%	14%		0%	4%	3%
Cinema/Entertainment	0%	0%	0%		0%	0%
Residential	2%	1%	20%	0%		0%
Hotel	75%	14%	9%	0%	0%	

Table 6.2 Unconstrained Internal Person Trip Capture Rates  
for Trip Destinations within a Mixed-Use Development (A.M. Peak Hour)

Origin Land Use	Destination Land Use					
	Office	Retail	Restaurant	Cinema/Ent.	Residential	Hotel
Office		32%	23%	0%	0%	0%
Retail	4%		50%	0%	2%	0%
Restaurant	14%	8%		0%	5%	4%
Cinema/Entertainment	0%	0%	0%		0%	0%
Residential	3%	17%	20%	0%		0%
Hotel	3%	4%	6%	0%	0%	

\*\*\* BASED ON EXIT \*\*\*

(Exit) Land Use	(Enter) Land Use					
	Office	Retail	Restaurant	Cinema/Ent.	Residential	Hotel
Office		2	4	0	0	0
Retail	10		5	0	5	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	7	4	74	0		0
Hotel	0	0	0	0	0	

\*\*\* BASED ON ENTER \*\*\*

(Exit) Land Use	(Enter) Land Use					
	Office	Retail	Restaurant	Cinema/Ent.	Residential	Hotel
Office		19	0	0	0	0
Retail	2		0	0	2	0
Restaurant	6	5		0	6	0
Cinema/Entertainment	0	0	0		0	0
Residential	1	10	0	0		0
Hotel	1	2	0	0	0	

\*\*\* MINIMUM \*\*\*

(Exit) Land Use	(Enter) Land Use					
	Office	Retail	Restaurant	Cinema/Ent.	Residential	Hotel
Office		2	0	0	0	0
Retail	2		0	0	2	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	1	4	0	0		0
Hotel	0	0	0	0	0	

### INTERNAL TRIPS

Land Use	A. M. Peak Hour	
	Enter	Exit
Office	3	2
Retail	6	4
Restaurant	0	0
Cinema/Entertainment	0	0
Residential	2	5
Hotel	0	0
	11	11

## P.M. PEAK HOUR

### GROSS TRIP GENERATION

Land Use	P.M. Peak Hour	
	Enter	Exit
Office	8	44
Retail	151	163
Restaurant	0	0
Cinema/Entertainment	0	0
Residential	400	235
Hotel	0	0
	559	442

Table 6.1 Unconstrained Internal Person Trip Capture Rates  
for Trip Origins within a Mixed-Use Development (P.M. Peak Hour)

Origin Land Use	Destination Land Use					
	Office	Retail	Restaurant	Cinema/Ent.	Residential	Hotel
Office		20%	4%	0%	2%	0%
Retail	2%		29%	4%	26%	5%
Restaurant	3%	41%		8%	18%	7%
Cinema/Entertainment	2%	21%	31%		8%	2%
Residential	4%	42%	21%	0%		3%
Hotel	0%	16%	68%	0%	2%	

Table 6.2 Unconstrained Internal Person Trip Capture Rates  
for Trip Destinations within a Mixed-Use Development (P.M. Peak Hour)

Origin Land Use	Destination Land Use					
	Office	Retail	Restaurant	Cinema/Ent.	Residential	Hotel
Office		8%	2%	1%	4%	0%
Retail	31%		29%	26%	46%	17%
Restaurant	30%	50%		32%	16%	71%
Cinema/Entertainment	6%	4%	3%		4%	1%
Residential	57%	10%	14%	0%		12%
Hotel	0%	2%	5%	0%	0%	

\*\*\* BASED ON EXIT \*\*\*

(Exit) Land Use	(Enter) Land Use					
	Office	Retail	Restaurant	Cinema/Ent.	Residential	Hotel
Office		9	2	0	1	0
Retail	3		47	7	42	8
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	9	99	49	0		7
Hotel	0	0	0	0	0	

\*\*\* BASED ON ENTER \*\*\*

(Exit) Land Use	(Enter) Land Use					
	Office	Retail	Restaurant	Cinema/Ent.	Residential	Hotel
Office		12	0	0	16	0
Retail	2		0	0	184	0
Restaurant	2	76		0	64	0
Cinema/Entertainment	0	6	0		16	0
Residential	5	15	0	0		0
Hotel	0	3	0	0	0	

\*\*\* MINIMUM \*\*\*

(Exit) Land Use	(Enter) Land Use					
	Office	Retail	Restaurant	Cinema/Ent.	Residential	Hotel
Office		9	0	0	1	0
Retail	2		0	0	42	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	5	15	0	0		0
Hotel	0	0	0	0	0	

### INTERNAL TRIPS

Land Use	P.M. Peak Hour	
	Enter	Exit
Office	7	10
Retail	24	44
Restaurant	0	0
Cinema/Entertainment	0	0
Residential	43	20
Hotel	0	0
	74	74

***APPENDIX C***  
***Travel Demand Model Outputs***





Background Model Volume (2020)

Kerina Parkside

CFRPMv6 - Year 2030 Cost Feasible Network and SE Data

C:\FSUTMS\D5\CFRPMV61\_Daily\Base\CF\_2020\KerinaCPA\_20\Output\HWYLOAD\_C20.NET 2/21/2018







Background Model Volume (2030)

Kerina Parkside

CFRPMv6 - Year 2030 Cost Feasible Network and SE Data

C:\FSUTMS\D5\CFRPMV61\_Daily\Base\CF\_2030\KerinaCPA\_30\Output\HWYLOAD\_C30.NET 2/21/2018

***APPENDIX D***  
***Background Volume Worksheet***

**Table D1: Development of Background Daily Traffic**

From	To	From	Historical AADT					AADT (CMS)	2020 FORECAST										2030 FORECAST										
			2012	2013	2014	2015	2016		2016	5-Year Historical Forecast	Raw Model Volume	MOCF	Model AADT	PM Comm Trips	PMPk Vol	Existing plus Comm	3% Annual Growth Cap	Max AADT w/ cap	Annual Growth Rate	5-Year Historical Forecast	Raw Model Volume	MOCF	Model AADT	PM Comm Trips	PMPk Vol	Existing plus Comm	3% Annual Growth Cap	Max AADT w/ cap	Annual Growth Rate
			2020	2020	2020	2020	2020		2020	2020	2020	2020	2020	2020	2020	2020	2020	2020	2020	2030	2030	2030	2030	2030	2030	2030	2030	2030	2030
Apopka-Vineland Rd	W.G.-Vineland Rd	Fenton Rd	18,604	21,973	21,224	22,388	24,009	<b>24,009</b>	28,375	40,713	0.98	39,899	478	1,210	33,494	26,890	<b>26,890</b>	3.0%	39,600	53,148	0.98	52,085	478	1,210	33,494	34,093	<b>34,093</b>	3.0%	
	Fenton Rd	Darlene Rd		30,192	21,723	21,883	23,855	<b>23,855</b>	14,045	35,758	0.98	35,043	352	1,202	30,841	26,718	<b>26,718</b>	3.0%	0	50,845	0.98	49,828	352	1,202	30,841	33,874	<b>33,874</b>	3.0%	
Daryl Carter Pkwy	Palm Pkwy	Regency Village Dr				7,164	10,031	<b>10,031</b>	21,499	27,109	0.98	26,567	0	476	10,031	11,235	<b>11,235</b>	3.0%	50,169	30,537	0.98	29,926	0	476	10,031	14,244	<b>14,244</b>	3.0%	
	Regency Village Dr	International Dr				5,077	6,839	<b>6,839</b>	13,887	27,380	0.98	26,832	0	343	6,839	7,660	<b>7,660</b>	3.0%	31,507	30,462	0.98	29,853	0	343	6,839	9,711	<b>9,711</b>	3.0%	
Palm Pkwy/Turkey Lake	W.G.-Vineland Rd	Central Florida Pkwy	14,930	16,087	18,889	18,938	21,934	<b>21,934</b>	28,271	40,911	0.98	40,093	154	1,105	24,991	24,566	<b>24,566</b>	3.0%	45,130	40,273	0.98	39,468	154	1,105	24,991	31,146	<b>31,146</b>	3.0%	
Vineland Ave	Little Lake Bryan Pkwy	International Dr	10,805	10,912	9,857	10,476	13,561	<b>13,561</b>	14,168	24,988	0.98	24,488	26	663	14,093	15,188	<b>15,188</b>	3.0%	19,244	27,319	0.98	26,773	26	663	14,093	19,257	<b>19,257</b>	3.0%	
Winter Garden-Vineland Rd	Interstate 4	Apopka-Vineland Rd	50,185	45,987	48,909	51,853	53,375	<b>53,375</b>	57,409	73,997	0.98	72,517	246	2,535	58,555	59,780	<b>59,780</b>	3.0%	69,655	83,084	0.98	81,422	246	2,535	58,555	75,793	<b>75,793</b>	3.0%	
	Apopka-Vineland Rd	Buena Vista Dr	26,974	27,721	28,741	30,821	35,778	<b>35,778</b>	42,432	31,131	0.98	30,508	252	1,651	41,239	40,071	<b>40,071</b>	3.0%	63,140	32,248	0.98	31,603	252	1,651	41,239	50,805	<b>50,805</b>	3.0%	