



Interoffice Memorandum

DATE: June 4, 2020

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

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

CONTACT PERSON: **Eric Raasch, DRC Chairman**
Development Review Committee
Planning Division
(407) 836-5523

Eric P. Raasch,
Jr., AICP

Digitally signed by Eric P.
Raasch, Jr., AICP
Date: 2020.06.04 10:15:26 -04'00'

SUBJECT: June 23, 2020 – Public Hearing
Applicant: Gregory R. Crawford, Florida Engineering Group, Inc.
Futures Drive Industrial Preliminary Subdivision Plan
Case # PSP-19-12-430 / District 6

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of May 27, 2020, to approve the Futures Drive Industrial Preliminary Subdivision Plan (PSP) to subdivide three acres in order to create three lots.

The required Specific Project Expenditure Report and Relationship Disclosure Forms have been completed in accordance with the requirements of Article X, Chapter 2, Orange County Code, as may be amended from time to time, and copies of these and the PSP may be found in the Planning Division for further reference.

ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan and approve the Futures Drive Industrial PSP dated "Received April 27, 2020", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 6

JVW/EPR/lme
Attachments

CASE # PSP-19-12-430

Commission District # 6

1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of May 27, 2020, to approve the Futures Drive Industrial Preliminary Subdivision Plan (PSP) to subdivide three acres in order to create three lots.

2. PROJECT ANALYSIS

- A. Location: North of Destination Parkway / West of South John Young Parkway
- B. Parcels: 32-23-29-8188-02-000
- C. Total Acres: 3.00
- D. Water Supply: Orlando Utilities Commission
- E. Sewer System: Orange County Utilities
- F. Schools: N/A
- G. School Population: N/A
- H. Parks: Shingle Creek Trail – 0.3 Miles
- I. Proposed Use: 3 Lots
- J. Lot Dimension: Maximum Building Height: 35'
Building Setbacks:
35' Front
15' Side
15' Side Street
- K. Fire Station: 52 – 4765 West Sand Lake Road
- L. Transportation: 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 the decision to approve this PSP, 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.

3. COMPREHENSIVE PLAN

The subject property is designated Industrial (IND) on the County's adopted Future Land Use Map (FLUM). The request is consistent with the Comprehensive Plan.

4. ZONING

I-2 / I-3 (Industrial District)

5. REQUESTED ACTION:

Approval subject to the following conditions:

1. Development shall conform to the Futures Drive Industrial Preliminary Subdivision Plan dated "April 27 2020," and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the preliminary subdivision plan dated "April 27 2020," 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, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the

obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this preliminary subdivision 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. Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.
7. 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).
8. No parking signs shall be installed along of prior to issuance by county of a certificate of completion for the infrastructure.

9. The developer shall obtain wastewater and reclaimed water service from Orange County Utilities subject to County rate resolutions and ordinances.
10. Prior to construction plan approval, hydraulic calculations including hydraulically dependent development shall be submitted to Orange County Utilities demonstrating that proposed and existing wastewater and reclaimed water systems have been designed to support all development within the PSP.
11. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code
12. Prior to construction plan approval, documentation must be provided certifying that this project has the legal right to tie into the master drainage system.
13. Prior to construction plan approval, documentation with supporting calculations shall be submitted which certifies that the existing drainage system and pond have the capacity to accommodate this development and that this project is consistent with the approved master drainage plan (MDP) for this PD.
14. A mandatory pre-application / sufficiency review meeting for the plat / replat shall be required prior to plat submittal and concurrent with construction plan submittal. The applicant shall resolve, to the County's satisfaction, all items identified in the pre-application/ sufficiency review meeting prior to formal submittal of the plat to the County.
15. Unless otherwise allowed by County Code, the property shall be platted / replatted prior to the issuance of any vertical building permits.

Zoning Map

PSP-19-12-430



Subject Parcel

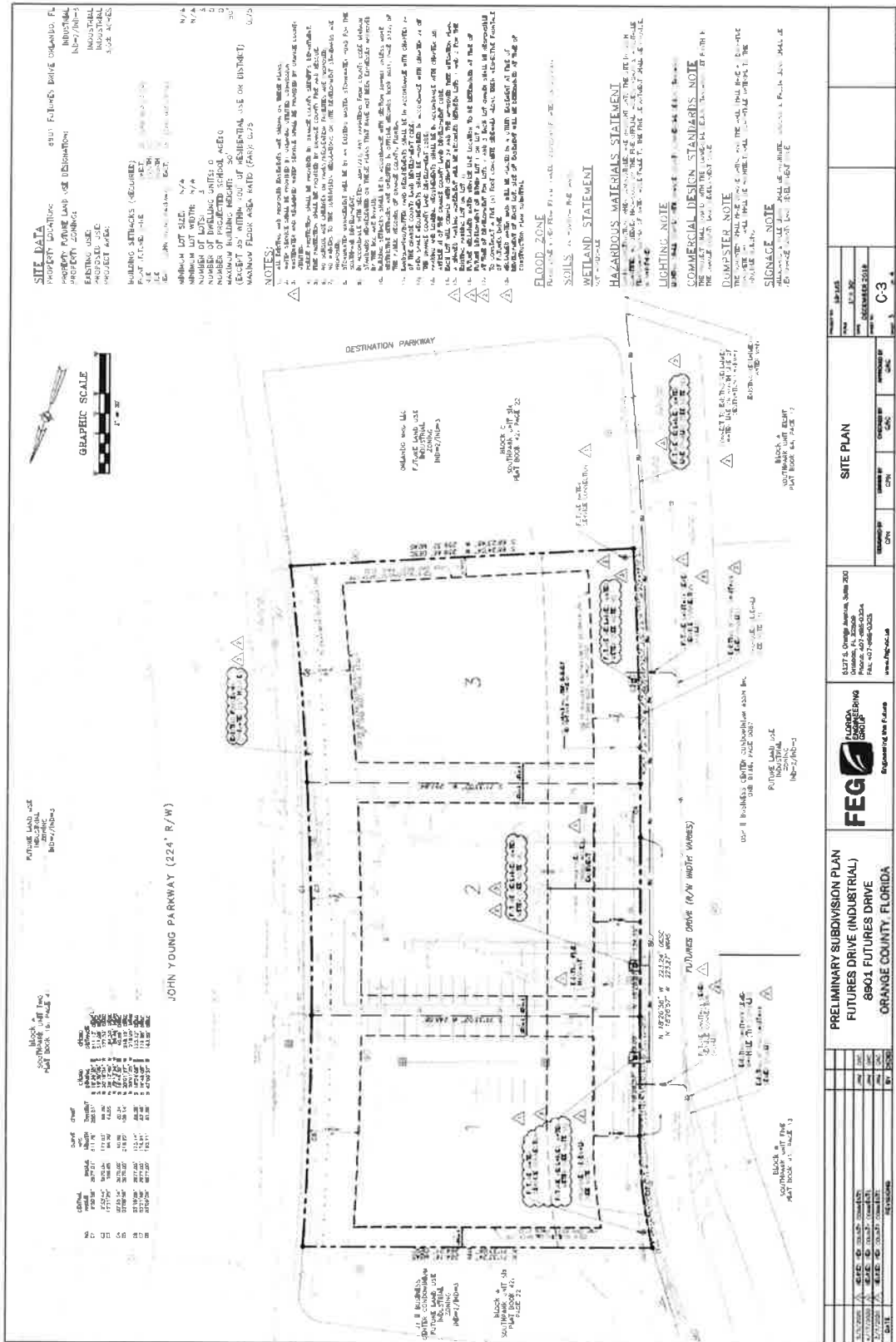


Subject Property

| Zoning Map | |
|-------------|---|
| ZONING: | PD (Planned Development District) |
| APPLICANT: | Gregory R. Crawford, Florida Engineering Group |
| LOCATION: | North of Destination Parkway / West of South John Young Parkway |
| TRACT SIZE: | 3 gross acres |
| DISTRICT: | 6 |
| S/T/R: | 33/23/29 |

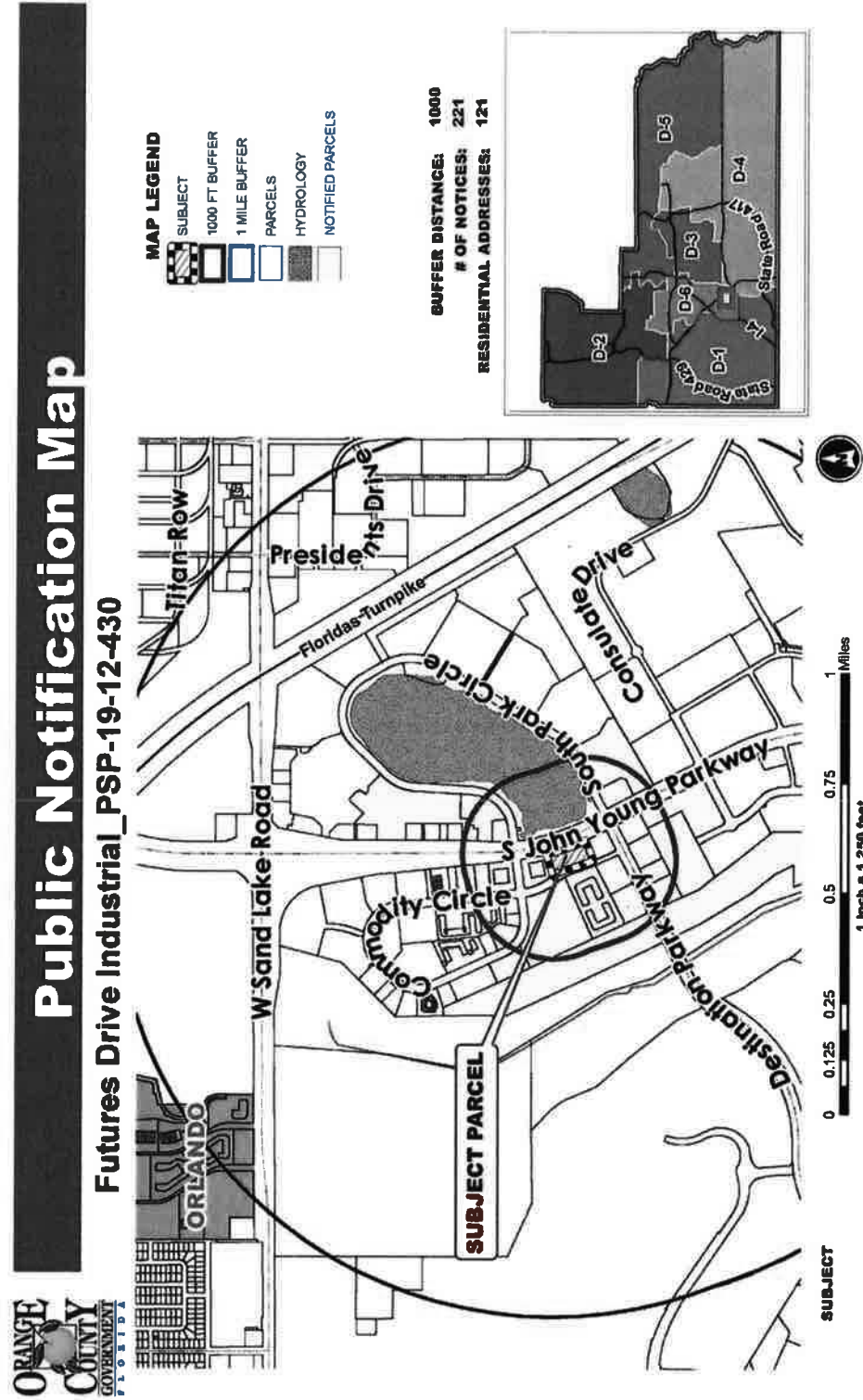


Site Plan Sheet



Notification Map

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Public Notification Map

Futures Drive Industrial_PSP-19-12-430

