

Case Planners:  
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**Small-Scale Amendment & Rezoning Staff Report**  
**Orange County Planning Division**  
**BCC Hearing Date: May 6, 2025**

**CASE # SS-25-02-080**  
**LUPA-24-12-296**

Commission District: #1

**GENERAL INFORMATION**

**APPLICANT:** Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A.

**OWNER:** Martni Mac Partners LLC

**FLUM AMENDMENT REQUEST:** **Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR)**

**LAND USE PLAN AMENDMENT(LUPA) REZONING REQUEST:** A request to expand the 26.41-acre Hospitality Center Planned Development (PD) to 48.77 gross acres by rezoning 17.96 adjacent acres from A-2 (Farmland Rural District) to PD (Planned Development District) and adding this acreage, a 3.9-acre portion of the neighboring World Resort PD, and 0.50 acre of adjoining right-of-way to the Hospitality Center PD.

This request also includes the following waiver from Orange County Code:

1. A waiver from Orange County Code Section 38-1476 is requested to allow a reduction of parking at a rate of 1.45 parking spaces in lieu of 1.5 for one-bedroom units, and to allow two-bedroom and three-bedroom dwelling units at a parking rate of 1.80 in lieu of 2.0.

**LOCATION:** Generally located east of Poinciana Boulevard, south of State Road 417, and north of the Orange County-Osceola County line.

**PARCEL ID NUMBERS:** **FLUM Amendment:** 35-24-28-0000-00-008 and 35-24-28-0000-00-028

**LUPA Rezoning:** 35-24-28-0000-00-002/006/008/022/027/028/062 and 35-24-28-5844-00-571/572/581/582/583/592

**SIZE/ACREAGE:** **FLUM Amendment:** 30.31 gross/16.56 net acres

**LUPA Rezoning:** 48.77 gross/21.99 net acres

**PUBLIC NOTIFICATION:** The notification area for this public hearing was 1,500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Nine hundred ninety-one (991) notices were mailed to those property owners in the surrounding area.

**COMMUNITY MEETING:** A community meeting was held for this application on February 19, 2025, and is summarized in this report.

**PROPOSED USE:** Multi-family residential community with up to 659 dwelling units, with 20 percent of those units (132 units) to be leased at Attainable Rents of 120 percent of Area Median Income (AMI) or less. Per the applicant, the project is expected to be developed in two phases, with the Attainable units to be constructed during Phase 2.

## **STAFF RECOMMENDATIONS**

### **Future Land Use Map Amendment**

**Amendment SS-25-02-080:** Make a finding of consistency with the Comprehensive Plan and **ADOPT** the requested Activity Center Residential (ACR) Future Land Use Map designation.

### **Rezoning**

**Rezoning Case LUPA-24-12-296 (April 24, 2025, PZC Recommendation):** Make a finding of **consistency** with the Comprehensive Plan and **APPROVE** Rezoning Case LUPA-24-12-296, Hospitality Center Planned Development/Land Use Plan (PD/LUP) dated "Received February 26, 2025", subject to the following eighteen (18) conditions, including one (1) requested waiver from Orange County Code.

1. Development shall conform to the Hospitality Center PD Land Use Plan Amendment (LUPA) dated "Received February 26, 2025," 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 February 26, 2025," 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 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, as may be amended, 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 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. If applicable, an Acknowledgement of contiguous Sustainable Agricultural Land pursuant to Section 163.3163, Florida Statutes, as may be amended, must be executed and recorded in the Public Records of Orange County, Florida, prior to issuance of any permits associated with this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.
7. The developer shall obtain water, wastewater, and reclaimed water service from Orange County Utilities subject to County rate resolutions and ordinances.

8. 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. 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 MUP and updates must be approved prior to Construction Plan approval.
9. The proposed development is adjacent to the existing and permitted Orange County Western Effluent Disposal site (WEDS). The design and permitting (stormwater, etc.) for the proposed development shall take into account the groundwater mounding produced by the adjacent WEDS when loaded at full permitted capacity and during wet weather conditions. At the time of construction plan submittal, provide calculations and documentation certifying that the design complies with this condition.
10. The project shall comply with the terms and conditions of that certain Poinciana Boulevard Extension Road Network Agreement approved on 3/2/1999 and recorded at OR Book/page 5702/3038 Public Records of Orange County, Florida, as may be amended.
11. Pursuant to Article XII, Chapter 30, Orange County Code, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential, and non-residential properties which are required to plat, must obtain concurrency prior to approval of the plat and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.
12. A traffic operational and safety study on the Poinciana Blvd. roundabout will be provided prior or concurrent with the development plan submittal and accepted by the County Engineer. The Study shall use a 5-year post opening date projected traffic generation and will identify operational, and safety improvements required to address safe and adequate access. The improvements include but are not limited to signing, pavement markings, traffic control such as signalization, roundabouts, or other roadway improvements. Should the need for any improvements result from the study, the proposed improvements must be submitted as an E-plan and shall be constructed / installed at no cost to Orange County prior to Certificate of Occupancy.
13. Prior to plat recording for the Property, a restriction shall be recorded against the Property for the benefit of the County as follows:

At least 20% of all multi-family units available for rent on the Property shall be reserved for residents earning at or below 120% of the Area Median Income (AMI) for the Orlando-Kissimmee-Sanford, FL Metropolitan Statistical Area.

Such restriction may be included in a restrictive declaration made by the fee owner of the property provided that such declaration provides that such restriction may not be changed, waived, or rescinded by the declarant without the prior written approval of the County Administrator or their designee for a period of twenty (20) years after recording. This restriction will be reviewed and approved by the County Attorney's Office prior to being recorded in the public records of Orange County.

14. All acreages identified as wetlands, surface waters and upland buffers are considered approximate until finalized by a Wetland Determination (WD) and/or a Natural Resource Impact Permit (NRIP). Approval of this plan does not authorize any direct or indirect wetland/surface water impacts.
15. Unless a Natural Resource Impact Permit (NRIP) is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland and Surface Water Protection", prior to Construction Plan approval, no wetland, surface water or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect wetland and surface water impacts.
16. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code, as may be amended.
17. A waiver from Orange County Code Section 38-1476 is granted to allow a reduction of parking at a rate of 1.45 parking spaces in lieu of 1.5 for one-bedroom units, and to allow two-bedroom and three-bedroom dwelling units at a parking rate of 1.80 in lieu of 2.0.
18. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated November 30, 2004, shall apply:
  - a. Outside storage and display shall be prohibited.
  - b. This project shall comply with the International Drive Activity Center Element.
  - c. Poinciana Boulevard and PD perimeter setbacks are granted to be consistent with the existing Poinciana Agreement.
  - d. The maximum impervious surface area shall be 70 percent.

## **SUBJECT PROPERTY ANALYSIS**

### **Overview**

The applicant, Rebecca Wilson, is requesting to change the Future Land Use Map (FLUM) designation of the 26.41-acre Hospitality Center Planned Development (PD) (Parcel 35-24-28-0000-00-008) and a 3.9-acre portion of the neighboring 30.1-acre World Resort PD (Parcel 35-24-28-0000-00-028) from Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR). The two properties are located in the tourist-oriented International Drive Activity Center. Originally approved on November 30, 2004, by the Orange County Board of County Commissioners (BCC) and amended by the Orange County Development Review Committee

(DRC) on March 23, 2005, as a non-substantial change to the PD Land Use Plan (LUP), the Hospitality Center PD is presently entitled for the development of up to 1,125 hotel rooms and 114,781 square feet of retail uses. The World Resort PD received its initial BCC approval on January 8, 2002, and was last amended via the BCC's approval of a substantial change to the previous LUP on January 15, 2019. Per the current LUP, the 3.9-acre subject portion of the World Resort PD is entitled for 535 hotel rooms and 50,000 square feet of retail uses.

Despite their entitlements and their location in the International Drive Activity Center, the parcels are undeveloped, save for a stormwater pond that extends across their shared boundary, as shown on **Figure 1 – Site Aerial with Proposed Development Summary**. The prospective developer is now seeking to develop the two parcels, with a combined area of 30.31 gross/16.56 net acres, for a multi-family residential community with related amenities and infrastructure. Their current ACMU future land use designation is intended to provide for a combination of tourist-related development and supporting residential activity. However, as established in **Future Land Use Element Policy FLU1.1.4.D** of the Orange County Comprehensive Plan, no more than 30 percent of an ACMU-designated site may be developed for residential purposes. The applicant is thus proposing the change in land use to ACR to allow the utilization of the entire site for the multi-family residential project.

To achieve the prospective developer's desired maximum development program of 659 multi-family units, the applicant has submitted a concurrent Land Use Plan Amendment (LUPA) rezoning petition, Case LUPA-24-12-296, entailing the proposed expansion of 26.41-acre Hospitality Center Planned Development (PD) to 48.77 gross acres through the rezoning of 17.96 adjacent undeveloped acres to the north—comprised of 11 individual parcels (Parcels 35-24-28-0000-00-002/006/022/027/062 and 35-24-28-5844-00-571/572/581/582/583/592) that already possess the ACR FLUM designation—from A-2 (Farmland Rural District) to PD (Planned Development District). It is the prospective developer's intent to add these 17.96 acres, the aforementioned 3.9-acre undeveloped portion of the World Resort PD, and 0.50 acre of adjoining right-of-way to the Hospitality Center PD. If the requested FLUM Amendment and LUPA rezoning petition are approved, the prospective developer intends to develop the expanded Hospitality Center PD—encompassing 48.77 gross/21.99 net acres—for a multi-family residential community with up to 659 dwelling units, associated amenities, and supporting infrastructure. The prospective developer has pledged that 20 percent of the residential units (132 units) will be leased at Attainable Rents of 120 percent of Area Median Income (AMI) or less.

The proposed project site lies in the immediate vicinity of Central Florida's largest employer, Walt Disney World, and numerous resorts, hotels, tourist attractions, shopping areas, and restaurants—both in Orange County and neighboring Osceola County to the south. The property's proximity to this activity makes it ideally situated for the development of housing for employees of these tourist-oriented establishments. As established in **Policy FLU1.1.4.D**, the requested ACR FLUM designation is intended to promote housing for tourist-oriented employment at a minimum net density of twelve (12) dwelling units per acre and a maximum net density of thirty (30) dwelling units per acre. If the requested FLUM Amendment and rezoning petition are approved, development of the expanded Hospitality Center PD's 21.99 net acres—the property's gross acreage less onsite wetlands and surface water—at the maximum allowable net density of 30 dwelling units per acre would yield the desired unit count of 659.

As depicted on **Figure 1**, the subject site is located on the east side of Poinciana Boulevard, which extends north from Osceola County and continues west to the Orange County stretch of tourist-oriented State Road 535, with recorded agreements for future connectivity to World

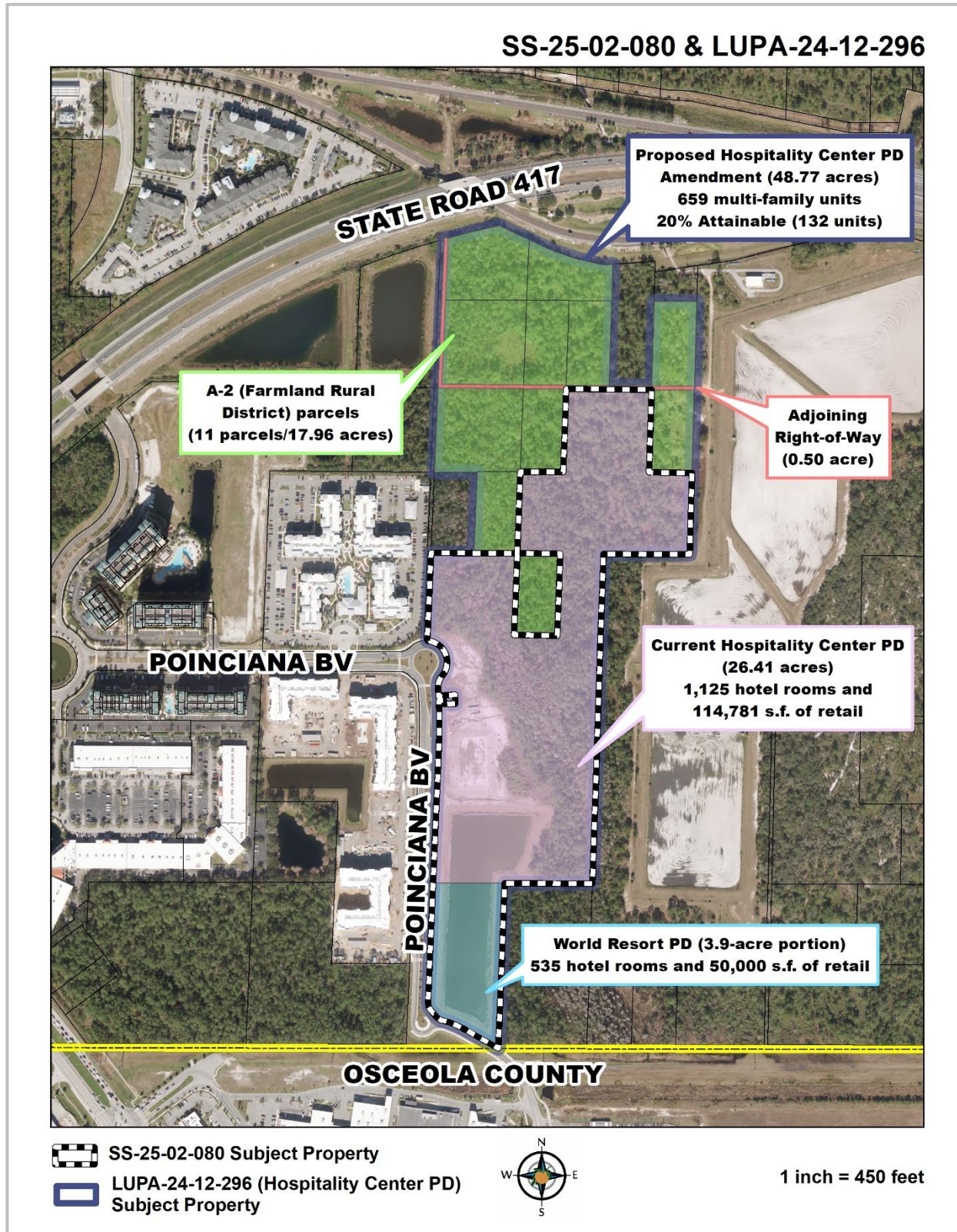
Center Drive and/or International Drive South also in place. The recently-completed 296-unit Sur Lake Buena Vista multi-family complex on the north side of Poinciana Boulevard and the 308-unit Aventura Opal multi-family project on the south side of Poinciana Boulevard—which comprise the developed portion of the World Resort PD—lie west of the subject property. The Orange County Western Effluent Disposal Site (WEDS) borders the site to the east, with State Road 417 and wooded land bounding the property to the north. The area immediately south of the Orange County-Osceola County line—directly accessible via Poinciana Boulevard—is characterized by a mix of multi-family communities and non-residential development, including a sizeable commercial center, Sunrise City Plaza, with a combination of retail uses (including a Publix supermarket), restaurants, health care facilities, and personal services to meet the needs of both the residential and tourist populations.

Staff views the property as an infill parcel within the County's Urban Service Area. If approved, the development of the proposed 659-unit multi-family community, with a certified Attainable Housing component, will provide an additional housing opportunity for residents of Orange County, particularly those employed in the tourism sector, and would be consistent with **Future Land Use Element Goal FLU2**, which states 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.

Rezoning Case LUPA-24-12-296 has undergone review by the Orange County Technical Review Group (TRG) and the DRC. On March 19, 2025, the DRC recommended approval of this rezoning petition, subject to the eighteen (18) previously-listed Conditions of Approval, including one (1) requested waiver from Orange County Code. LUPA-24-12-296 was heard in conjunction with the proposed FLUM Amendment during an April 24, 2025, adoption public hearing before the Local Planning Agency (LPA)/Planning and Zoning Commission (PZC), with the LPA/PZC recommending adoption of the requested amendment and approval of the rezoning application, subject to the eighteen (18) conditions, including the desired waiver. The two applications are now moving forward for concurrent consideration by the BCC at an adoption public hearing on May 6, 2025. Additionally, an amendment to the World Resort PD (CDR-25-01-017) has been filed to formally move the 3.9-acre Parcel 35-24-28-0000-00-028 into the Hospitality Center PD and reconfigure the boundary of the World Resort PD. This application will be processed by the DRC, provided the Future Land Use Map Amendment and rezoning petitions receive BCC approval.



Figure 1 – Site Aerial with Proposed Development Summary





### Comprehensive Plan (CP) Consistency

The requested FLUM amendment and associated LUPA rezoning petition appear to be **consistent** with the applicable Goals, Objectives, and Policies of the Comprehensive Plan.

As stated above, the subject property is located within the International Drive Activity Center, an area characterized by intense tourist-oriented development. The site lies in close proximity to Walt Disney World and is located in the immediate vicinity of numerous resorts, hotels, tourist attractions, shopping areas, and restaurants, both in Orange County and adjacent Osceola County. As stated in **Future Land Use Element Policy FLU1.1.4.D**, the requested ACR future land use designation is intended to provide for residential development in proximity to employment areas to minimize travel distances between uses. Staff finds this proposed amendment and rezoning consistent with **International Drive Activity Center Element Goal ID3**, which establishes that it is Orange County's goal to facilitate the development of residential communities in proximity to employment areas of the activity center in order to minimize workers' travel distances and times.

In accordance with **Future Land Use Element Policy FLU1.1.2.A**, the applicant has specified the maximum desired development program for the residential project, proposing up to 659 multi-family dwelling units under the "urban-scale" ACR future land use designation, which allows residential development at a minimum density of twelve (12) dwelling units per net acre and a maximum density of thirty (30) units per net acre. As discussed previously, the prospective developer has pledged that 20 percent of these multi-family units (132 units) will be leased at Attainable Rents of 120% of Area Median Income (AMI) or less. This commitment to a certified Attainable Housing component is addressed in DRC-recommended Condition of Approval #13, which reads:

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

*At least 20% of all multi-family units available for rent on the Property shall be reserved for residents earning at or below 120% of the Area Median Income (AMI) for the Orlando-Kissimmee-Sanford, FL Metropolitan Statistical Area.*

*Such restriction may be included in a restrictive declaration made by the fee owner of the property provided that such declaration provides that such restriction may not be changed, waived, or rescinded by the declarant without the prior written approval of the County Administrator or their designee for a period of twenty (20) years after recording. This restriction will be reviewed and approved by the County Attorney's Office prior to being recorded in the public records of Orange County.*

Staff finds the proposed amendment 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 multi-family residential community with an Attainable Housing component 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, with a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated

housing needs. It is staff's belief that the project, if approved, would provide an additional housing option for County residents, including those employed by the many tourist-oriented businesses in the larger surrounding area.

Staff notes that the provision of certified Attainable Housing in this part of the County would help further the goals of Orange County's Housing for All 10-Year Action Plan, which aims to preserve and create 30,300 affordable and attainable housing units by 2030. It is staff's position that the requested 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.

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 planning 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. Staff notes that if approved, the project will use infrastructure that is either already in place or planned for construction. Per Orange County Utilities (OCU), the property lies within its potable water, wastewater, and reclaimed water service areas. OCU has communicated that the specific connection points will be determined during the Final Engineering/Construction Plan permitting stage. In addition, the multi-family community would use the existing and planned transportation network, which serves pedestrians, transit riders, and automobile drivers. Lastly, staff finds this request consistent with **International Drive Activity Center Element Policy ID4.1.1**, which mandates that approval of development within the International Drive Activity Center shall be conditioned upon the availability of adequate services and facilities, as measured by the adopted level of service standards of the Comprehensive Plan.

### Land Use Compatibility

The proposed FLUM amendment, concurrent LUPA rezoning, and intended development program of up to 659 multi-family units—with 20 percent of those units (132 units) to be leased at Attainable Rents of 120 percent of Area Median Income (AMI) or less—appear 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 above, the site lies in the immediate vicinity of Central Florida's largest employer, Walt Disney World, and numerous resorts, hotels, tourist attractions, shopping areas, and restaurants—both in Orange County and neighboring Osceola County to the south. The property's proximity to this activity—including shopping, dining, health care, and personal services directly accessible via Poinciana Boulevard—makes it ideally situated for the development of housing, particularly for those employed in the tourism sector.

It is staff's belief that the proposed multi-family project would contribute to the County's larger goals of promoting infill and compact urban form within the Urban Service Area, providing for a range of living options, furthering the County's Housing for All initiative, efficiently using existing infrastructure, and reducing trip lengths. Staff, therefore, recommends adoption of this requested amendment and approval of the associated rezoning petition.

## Site Analysis

### Rural Settlement

The subject property is not located in a Rural Settlement.

### Joint Planning Area (JPA)

The subject property is not located within a JPA.

### Overlay District Ordinance

The subject property is not located within an Overlay District.

### Airport Noise Zone

The subject property is not located in an Airport Noise Zone.

### Other

The subject property is located in the International Drive Activity Center.

## Comprehensive Plan (CP) Goals, Objectives, and Policies

Staff finds the requested future land use change to Activity Center Residential (ACR), the proposed expansion of the Hospitality Center PD via the associated LUPA rezoning petition, and the prospective developer's intent to construct a 659-unit multi-family complex with a certified Attainable Housing component consistent with the following Comprehensive Plan provisions:

### International Drive Element

**GOAL ID3** – Residential development in proximity to employment areas of the International Drive Activity Center shall be facilitated in order to minimize travel distance and time between the uses.

**ID4.1.1** – Approval of development within the Activity Center shall be conditioned upon the availability of adequate services and facilities as measured by the adopted level of service standards of the Comprehensive Plan.

### 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 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.

### Future Land Use Element

**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 – MIXED-USE.** 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.

**FLU1.1.2.A** – The Future Land Use Map shall reflect the most appropriate densities for residential development. Residential development in Activity Centers and Mixed Use Corridors, the Horizon West Village and Innovation Way Overlay, 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 in 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.

<b>FLUM Designation</b>	<b>General Description</b>	<b>Density/Intensity</b>
<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.	Minimum 12 DU/AC, up to 30 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) Minimum 12 DU/AC 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>		

**FLU8.2.1** – Land use changes shall be required to be compatible with the existing development and development trends 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.

**SITE DATA**

**Existing Use**                      Undeveloped land and stormwater retention pond

<b>Adjacent</b>	<b>FLUM</b>	<b>Zoning</b>
<b>North</b>	Activity Center Residential (ACR) and State Road 417	A-2 (Farmland Rural District) (1957)
<b>East</b>	Institutional (INST) and Activity Center Residential (ACR)	A-2 (Farmland Rural District) (1957)
<b>West</b>	Activity Center Residential (ACR)	PD (Planned Development District) (World Resort PD/LUP) (2002) and A-2 (Farmland Rural District) (1957)
<b>South</b>	Osceola County	Osceola County

**Adjacent Land Uses**

N: Undeveloped land and State Road 417

E: Orange County Western Effluent Disposal Site (WEDS) and undeveloped land

W: Multi-family residential (Sur Lake Buena Vista and Aventura Opal) and undeveloped land

S: Sunrise City Plaza (multi-tenant commercial center)

**Proposed Hospitality Center PD Development Standards****Required Building Setbacks**

Wetland Buffer: 25 feet

Front (Poinciana Boulevard): 30 feet from right-of-way line

Side: 25 feet (side – south)

25 feet (side – north)

10 feet from interior side

Rear: 50 feet from Normal High Water Elevation (NHWE)

25 feet (rear – east)

**Paving Setbacks**

Right-of-Way: 25 feet

Side: 7.5 feet

NHWE: 25 feet

Rear: 5 feet

**MF Residential Standards**

Maximum Building Height: 60 feet

Minimum Multi-Family Floor Area: 600 square feet

Minimum Open Space: 25 percent

Maximum Impervious Coverage: 70 percent

## **SPECIAL INFORMATION**

### **Staff Comments**

#### **Environmental**

An Orange County Wetland Determination (WD), CAD-13-06-022, was completed, with a certified survey of the wetland and surface water boundary approved by the Environmental Protection Division (EPD) on September 9, 2013, and issued an extension on October 4, 2018. The WD identified 14.71 acres of Class II and 0.032 acre of Class III wetlands.

An Orange County Natural Resource Impact Permit (NRIP), CAI-19-12-067, was approved on January 9, 2020, for 3.82 acres of Class II and 0.032 acre of Class III wetlands, as well as 1.296 acres of secondary impacts. This permit replaced previously-approved CAI-14-05-014.

NRIP Expiration Notice - An Orange County Natural Resource Impact Permit (NRIP), CAI-19-12-067, has been completed that included this property. However, action may be necessary, as the NRIP expires on January 9, 2025. If site conditions have changed/alterd, then a new Orange County Wetland Determination (WD) and NRIP may be required. Contact Orange County Environmental Protection Division Permitting and Compliance staff at [wetlandpermitting@ocfl.net](mailto:wetlandpermitting@ocfl.net). **(Planning Division note: Following EPD's issuance of these comments, the expiration date of CAI-19-12-067 was extended to May 5, 2029.)**

Habitat Protection - Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled species (endangered, threatened, or species of special concern). The applicant is responsible for determining the presence of these concerns and verifying and obtaining, if necessary, any required habitat permitting of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

Proximity to Managed Public Lands - This site is in proximity to the Shingle Creek Management Area managed by South Florida Water Management District. The nearby property may require the use of resource management practices that may result in periodic temporary conditions that may limit outdoor activities. These practices may include, but are not limited to, ecological burning, pesticide and herbicide usage, exotic plant and animal removal, usage of heavy equipment and machinery, and other practices as may be deemed necessary for proper resource management.

Impaired Waters Rule - Shingle Creek is designated an impaired water body. Therefore, any portions of the project that will discharge into the surface water shall comply with the Impaired Waters Rule, Chapter 62-303 of the Florida Administrative Code. The Impaired Waters Rule may increase the requirements for pollution abatement treatment of stormwater as part of future approvals of the associated Basin Management Action Plans related to this site and currently in development by the Florida Department of Environmental Protection (FDEP). The applicant is advised to follow related legislation in order to ensure compliance with future regulations.

Shingle Creek SPA - Shingle Creek is currently proposed for designation as a Special Protection Area to address environmental vulnerabilities, as identified by recent studies.



This area is currently being evaluated for additional development standards to be codified in a future new County ordinance.

**Jurisdictional Coordination** - This environmental review only addresses Orange County environmental regulatory code. However, the project shall also obtain and comply with all other existing environmental permits and applicable environmental regulations including, but not limited to, those of the Army Corps of Engineers, the Florida Department of Environmental Protection, the applicable Water Management District, the U.S. Fish and Wildlife Service (USFWS), and the Florida Fish & Wildlife Conservation Commission (FWC). It is possible that one of the other agencies could deny a request even if the County approves it. It is imperative that this proposed plan be addressed on a multi-agency basis. The permittee must comply with the most stringent requirements.

**Wetland Code Update** - Modifications to Orange County Code Chapter 15, Article X were adopted on December 12, 2023, with an effective date of June 1, 2024. The updated ordinance can be accessed at <https://www.ocfl.net/Environment/Wetlands.aspx>, linked under "Wetland Code Final." Please be advised that the new wetland code may be effective for your development. Final determination of the applicability of the new code requirements for your development may be reviewed by the Orange County's Attorney's Office. Contact [wetlandpermitting@ocfl.net](mailto:wetlandpermitting@ocfl.net) with any questions.

## **Transportation / Access**

### ***Summary***

The applicant is requesting to change the Future Land Use Map (FLUM) designation of 30.31 acres from Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR) and has applied for a Land Use Plan Amendment (LUPA) rezoning involving approximately 48 acres to allow for the development of up to 659 multi-family dwelling units. Analysis of the project trips from the currently-approved future land use designation versus the proposed classification indicates that the proposed development will result in a decrease of 1,871 p.m. peak trips and, therefore, will not impact the area roadways.

The subject property is located south of the Central Florida Greenway (SR 417) and west of Poinciana Boulevard. Based on the Concurrency Management System (CMS) database dated January 8, 2025, Winter Garden-Vineland Road from the Osceola County Line to SR 536/World Center Parkway currently operates at Level of Service F, and capacity is not available to be encumbered. All other roadway segments within the project impact area operate at acceptable levels of service. This information is dated and is subject to change.

### ***Roadway Capacity Analysis***

A Traffic Study was not submitted with the case for review and comment. Final permitting of any development on this site will be subject to review and approval under the capacity constraints of the County's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment 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 Plan.

### ***Road Agreements***

The Poinciana Boulevard Extension Road Network Agreement was approved by the Board of County Commissioners on March 2, 1999, and recorded at OR Book/Page 5702/3038. The agreement provides that the Developers will provide Right-of-Way to create an arterial Road Network extending northward from the Osceola County Line and ultimately connecting through to World Center Drive and/or International Drive South. Developers agree to convey 80 feet of Right-of-Way throughout the Road Network. By agreement, this satisfies the reservation of a 15-foot-wide transit easement on either side of the Road Network required by the I-Drive Element. Developers will receive Road Impact Fee Credits in the amount of \$150,000 per acre for Right-of-Way property and drainage easements conveyed. Developers will receive Vested Rights in the amount of a specific number of total average daily trips as follows: Greenway will receive 22,500 total average daily trips, Weston 2,500 total average daily trips, and Rinaldi will receive 1,250 total average daily trips. To date, all Right-of-Way property and drainage easements were conveyed under this agreement on May 15, 2001. A separate agreement for construction is contemplated in this Agreement; however, to date, no such agreement has been approved by the Board of County Commissioners.

### ***Planned and Programmed Roadway Improvements***

No projects are associated with this parcel.

### ***Right-of-Way Requirements***

No right-of-way needs are associated with this parcel.

### **Schools**

Per School Capacity Determination OC-25-003, issued January 21, 2025, capacity is presently not available at the elementary school (Sunshine Elementary), middle school (Freedom Middle), and high school (Lake Buena Vista High) that would serve the proposed multi-family development. As stated in the School Capacity Determination, the mitigation of 92.919 seats will be required at the elementary school level, the mitigation of 42.835 seats will be required at the middle school level, and the mitigation of 30.720 seats will be required at the high school level. This determination expires July 20, 2025.

As stated in the School Capacity Determination, unless otherwise vested, the Development is still required to submit for concurrency review and, if necessary, enter into a Concurrency Mitigation Agreement.

### **Parks and Recreation**

Orange County Parks and Recreation reviewed the request and did not comment on the two cases.

### **Neighborhood Services**

The Orange County Neighborhood Services Division reviewed the request and did not comment on the two cases.

### **Code Enforcement**

No cases have been identified.

### Community Meeting Summary

A community meeting for proposed Future Land Use Map (FLUM) Amendment SS-25-02-080 and associated Land Use Plan Amendment Rezoning Case LUPA-24-12-296 was held on February 19, 2025, at Sand Lake Elementary School. One member of the public attended the meeting.

Planner Jennifer DuBois provided an overview of the requested amendment and rezoning, noting the scheduled dates and location of the adoption public hearings before the Planning and Zoning Commission/Local Planning Agency (PZC/LPA) and Board of County Commissioners (BCC). Ms. DuBois stated that the proposed FLUM Amendment entails a request to change the future land use designation of the 26.41-acre subject property—the current Hospitality Center PD—from Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR). She noted that the Hospitality Center PD is presently entitled for up to 1,125 hotel rooms and 114,781 square feet of retail space.

Ms. DuBois explained that the concurrent LUPA rezoning petition involves a requested expansion of the Hospitality Center PD through the addition of a 3.9-acre undeveloped portion of the neighboring World Resort PD—located east of Poinciana Boulevard and currently entitled for 535 hotel rooms and 50,000 square feet of retail use—and eleven (11) vacant A-2 (Farmland Rural District)-zoned parcels totaling 17.96 acres. She noted that the properties proposed for addition to the Hospitality Center PD already possess the ACR FLUM designation. Ms. DuBois stated that it is the prospective developer's intent to construct 659 multi-family units on the combined 48.27 gross/21.99 net acres, with 20 percent of those units (132 units) to be leased at Attainable Rents of 120 percent of Area Median Income (AMI) or less. She added that apartments have already been constructed within the developed portion of the World Resort PD, on the west side of Poinciana Boulevard.

Attorney McGregor Love of Lowndes, Drosdick, Doster, Kantor and Reed and project engineer Bob Paymayesh of PE Group, LLC represented the applicant team. Mr. Paymayesh informed the meeting attendees—who also included District 1 Commissioner's Aides Suvane Bechelli and Alexis Albino and Planning Division, Environmental Protection Division (EPD), and Transportation Planning Division staff—that the prospective developer is no longer requesting a waiver from Orange County Code to allow a maximum height of 108 feet (or nine stories), in lieu of a maximum height of 60 feet. He confirmed that all buildings will be limited to a maximum height of 60 feet.

The one member of the public in attendance voiced no objections to the proposed multi-family development. County staff and the applicant team thanked him for attending and encouraged him to contact them if he has any questions or concerns in the future.

**Staff Note:** Following the community meeting, staff discovered a mapping error that incorrectly designated the 3.9-acre portion of the World Resort PD as Activity Center Residential (ACR), rather than Activity Center Mixed Use (ACMU), thus necessitating its inclusion in the FLUM Amendment application and increasing the size of the FLUM Amendment subject property to 30.31 gross/16.56 net acres. The subsequent addition of 0.50 acre of adjoining right-of-way to the LUPA rezoning petition increased the area of the proposed expanded Hospitality Center PD to 48.77 gross/21.99 net acres.

**Utility Service Area (availability of services may vary)**

Water: Orange County Utilities

Wastewater: Orange County Utilities

Reclaimed Water: Orange County Utilities

**Detailed Utility Information:**

The subject property lies within Orange County Utilities' (OCU's) potable water, wastewater, and reclaimed water service areas.

Potable Water: Development within this property will be required to connect to Orange County Utilities' water system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Wastewater: Development within this property will be required to connect to Orange County Utilities' wastewater system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Reclaimed water: There are no reclaimed water mains in the vicinity of this property. Reclaimed water is considered not available. Connection, therefore, is not required.

**State of Florida Notice**

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

**Specific Project Expenditure Report and Relationship Disclosure Form**

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

## **ACTION REQUESTED**

### **Local Planning Agency (LPA)/Planning and Zoning Commission (PZC) Recommendation (April 24, 2025)**

#### **Future Land Use Map Amendment**

**Amendment SS-25-02-080:** Make a finding of consistency with the Comprehensive Plan and **ADOPT** the requested Activity Center Residential (ACR) Future Land Use Map designation.

#### **Rezoning**

**Rezoning Case LUPA-24-12-296:** Make a finding of **consistency** with the Comprehensive Plan and **APPROVE** Rezoning Case LUPA-24-12-296, Hospitality Center Planned Development/Land Use Plan (PD/LUP) dated "Received February 26, 2025", subject to the eighteen (18) conditions listed in the staff report, including one (1) requested waiver from Orange County Code.

## **PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS**

Case Planner Jennifer DuBois presented the staff report to the LPA/PZC with the recommendation that they make a finding of **consistency** with the Comprehensive Plan and recommend **ADOPTION** of Amendment SS-25-02-080 and **APPROVAL** of Rezoning Case LUPA-24-12-296, Hospitality Center Planned Development/Land Use Plan (PD/LUP), subject to the eighteen (18) conditions listed in the staff report, including one (1) requested waiver from Orange County Code.

The applicant, Rebecca Wilson, was present and agreed with the staff recommendation. During public comment, no members of the public appeared to speak in favor of or in opposition to the two requests. After public comment, the LPA/PZC members' discussion centered on the need for additional affordable and attainable housing in Orange County, school capacity, the subject property's onsite wetlands, and the site's location within the Shingle Creek Basin.

With respect to attainable and affordable housing, Ms. DuBois and Ms. Wilson stated that up to 659 multi-family dwelling units are proposed, with 20 percent of those units (132 units) to be leased at Attainable Rents of 120 percent of Area Median Income (AMI) or less, which will remain in effect for a period of 20 years following the recording of a restriction against the Property for the benefit of the County. Commissioner Gray commented that in addition the provision of Attainable Housing, the development of Affordable Housing is greatly needed in Orange County, particularly in tourist-oriented areas characterized by lower-wage service industry jobs. He asked whether this project could also potentially include units that meet the County's Affordable Housing criteria.

In regard to public schools, Commissioner Boers expressed concern that the elementary, middle, and high schools currently anticipated to serve the multi-family community are operating over capacity. Ms. DuBois and Ms. Wilson noted that per the School Capacity Determination issued by Orange County Public Schools (OC-25-003), the developer shall

be required to submit for concurrency review and, if necessary, enter into a Concurrency Mitigation Agreement with the School Board.

With respect to the 48.77-acre subject property's onsite wetlands, the property owner received an Orange County Natural Resource Impact Permit, CAI-19-12-067, on January 9, 2020, authorizing impacts to 3.82 acres of Class II wetlands and 0.032 acre of Class III wetlands, as well as 1.296 acres of secondary impacts. This permit is valid until May 5, 2029. Per the PD Land Use Plan, 26.78 wetland acres will be preserved. In response to Commissioner Holt, Ms. Wilson stated that these impacts were requested and approved to provide connectivity between the subject property's non-contiguous upland areas and to allow for access to Poinciana Boulevard. Ms. Wilson emphasized that the authorized wetland impacts may occur regardless of whether the property is developed for residential or non-residential purposes.

Although the subject property lies west of Shingle Creek and is separated from the Shingle Creek Management Area by State Road 417 to the north, it is nonetheless located within the Shingle Creek Basin. However, Ms. Wilson stated that the subject property is bounded to the west and south by land that has been developed for multi-family, commercial, and resort purposes and that the site is separated from Shingle Creek and its surrounding wetlands by the Orange County Western Effluent Disposal Site. She added that the Western Effluent Disposal Site consists of upland acreage, noting that the County's disposal of effluent (treated wastewater) would not be permitted in wetlands.

Citing his concerns about school overcrowding and potential negative environmental impacts, Commissioner Boers made a motion, seconded by Commissioner Holt, to recommend denial of proposed Amendment SS-25-02-080 and Rezoning Case LUPA-24-12-296. The motion failed by a vote of 2-3, with Commissioners Cardenas, Gray, and Wiggins voting in opposition.

Commissioner Cardenas made a second motion, seconded by Commissioner Wiggins, to recommend to the Board of County Commissioners **ADOPTION** of Amendment SS-25-02-080 and **APPROVAL** of Rezoning Case LUPA-24-12-296, Hospitality Center Planned Development/Land Use Plan (PD/LUP), subject to the eighteen (18) conditions listed in the staff report, including one (1) requested waiver from Orange County Code. The motion carried by a vote of 3-2, with Commissioners Cardenas, Gray, and Wiggins voting in favor of adoption and Commissioners Boers and Holt voting in opposition.

**Motion / Second**

*Evelyn Cardenas / George Wiggins*

**Voting in Favor**

*Evelyn Cardenas, Eric Gray, and George Wiggins*

**Voting in Opposition**

*David Boers and Marjorie Holt*

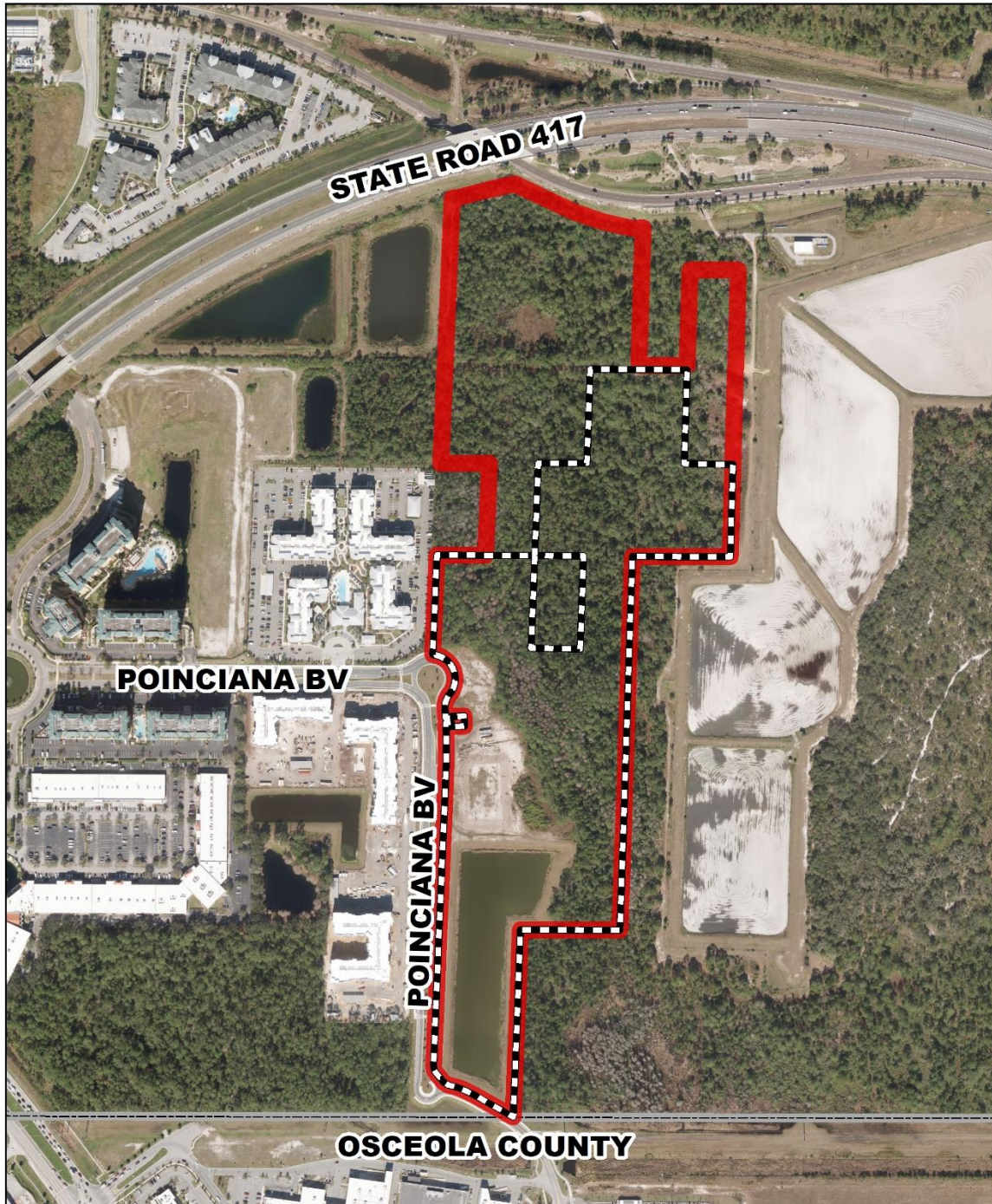
**Absent**



*Michael Arrington, Camille Evans, Eddie Fernandez, and Nelson Pena*

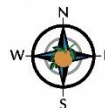


SITE AERIAL

SS-25-02-080 & LUPA-24-12-296



-  SS-25-02-080 Subject Property
-  LUPA-24-12-296 (Hospitality Center PD) Subject Property

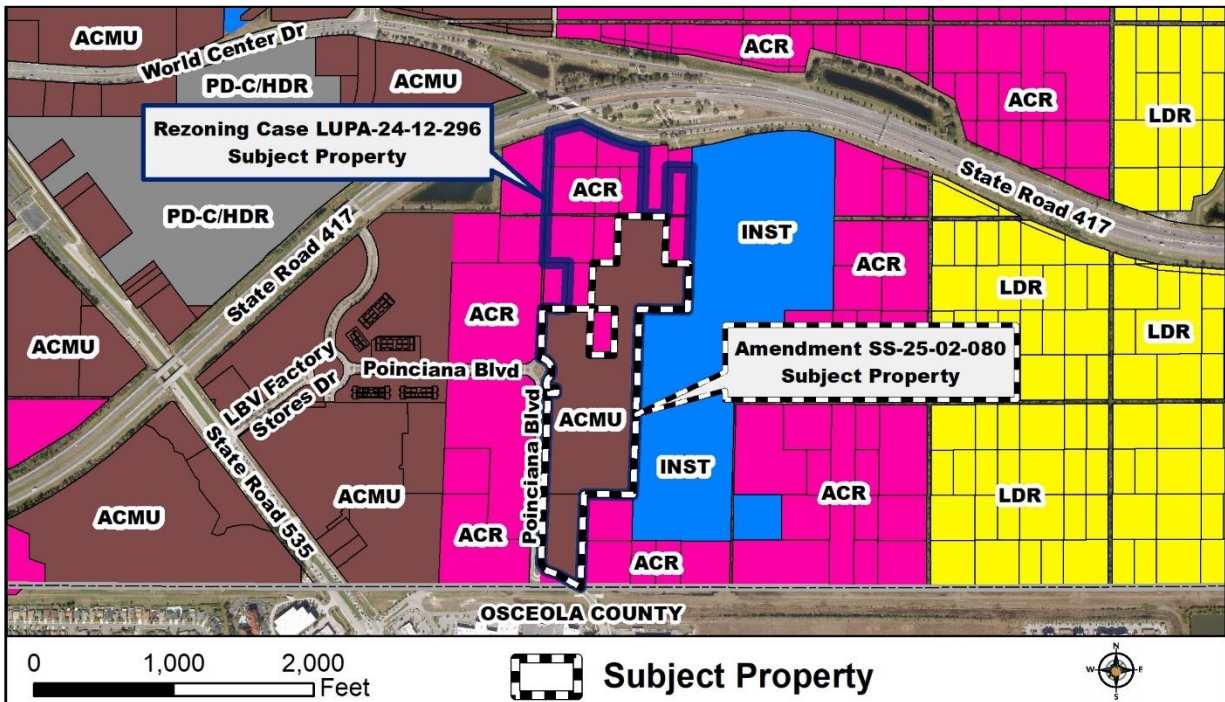


1 inch = 450 feet



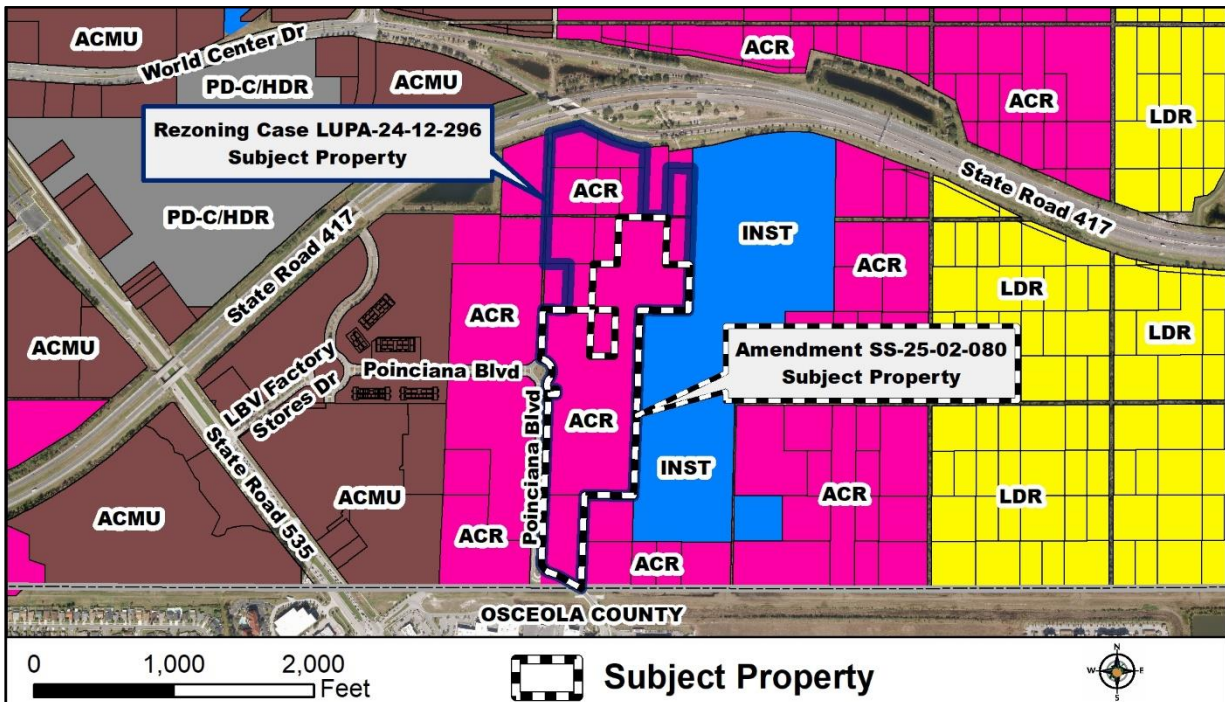
## FUTURE LAND USE – CURRENT

Activity Center Mixed Use (ACMU)



## FUTURE LAND USE – PROPOSED

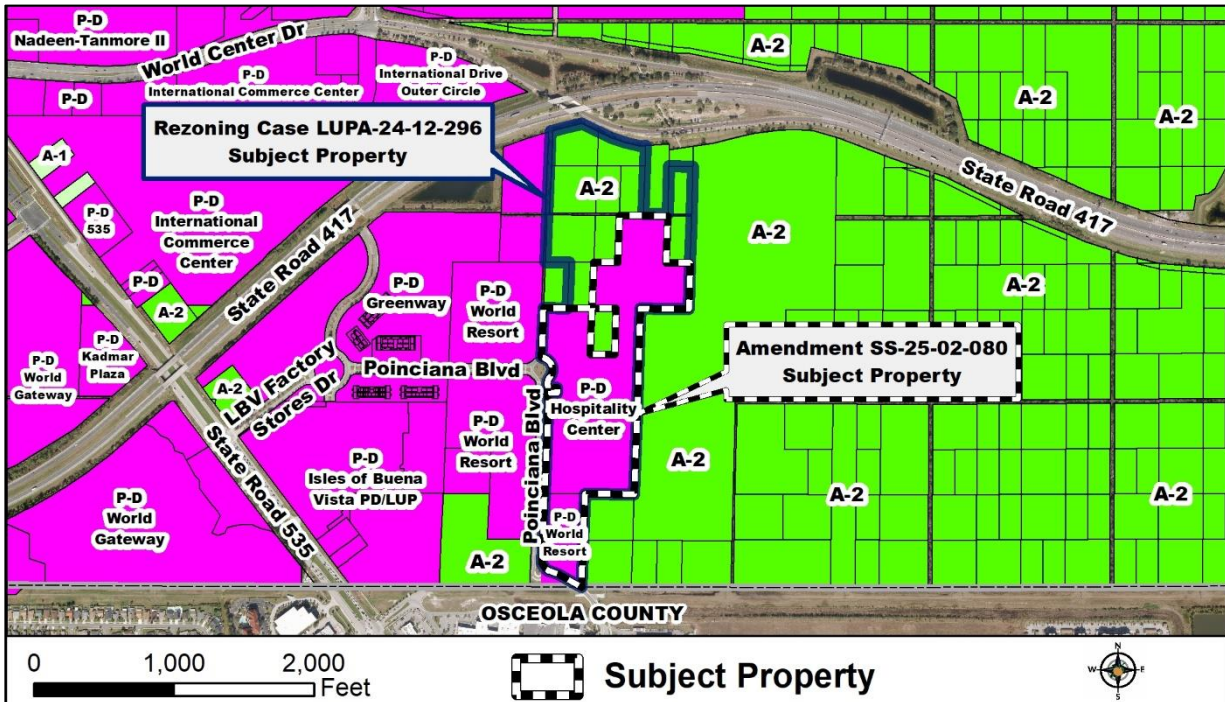
Activity Center Residential (ACR)





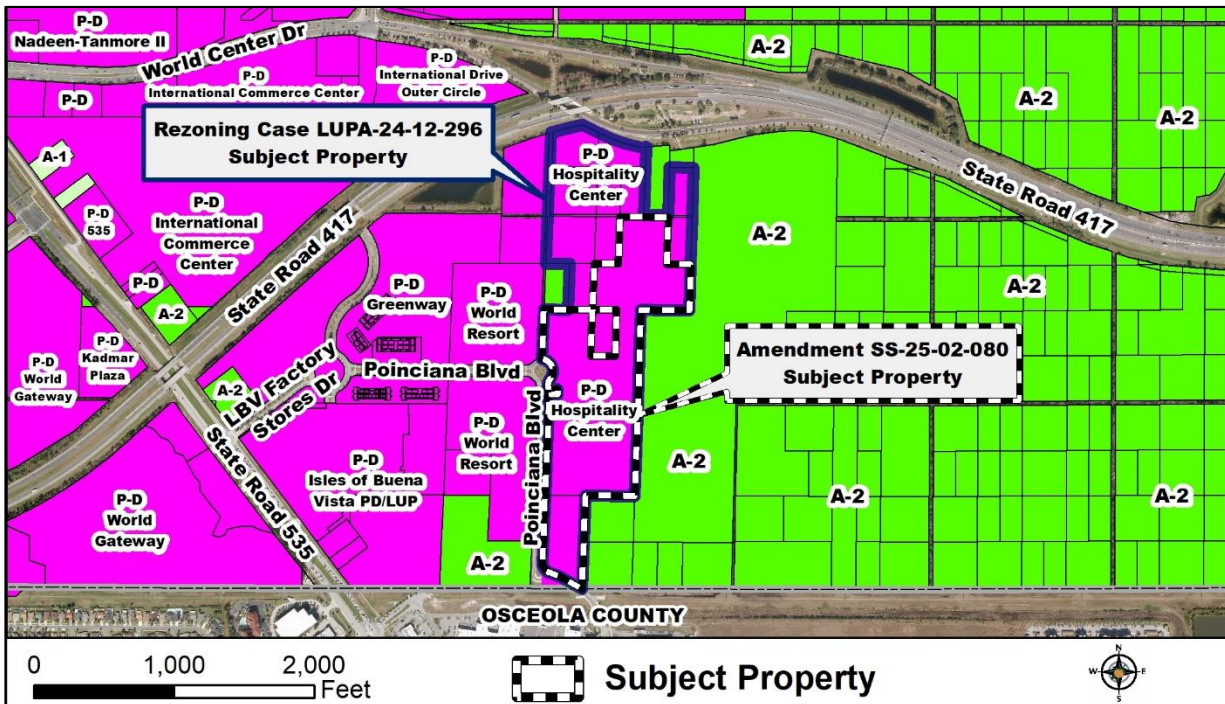
## ZONING – CURRENT

A-2 (Farmland Rural District) and PD (Planned Development District) (Hospitality Center PD/LUP and 3.9-acre portion of the World Resort PD/LUP)



## ZONING – PROPOSED

PD (Planned Development District) (Hospitality Center PD/LUP)



# Hospitality Center PD Land Use Plan DRC-Approved Plan – Cover Sheet

LAND USE PLAN AMENDMENT

FOR

## HOSPITALITY CENTER PD

ORANGE COUNTY, FLORIDA

11 December, 2024

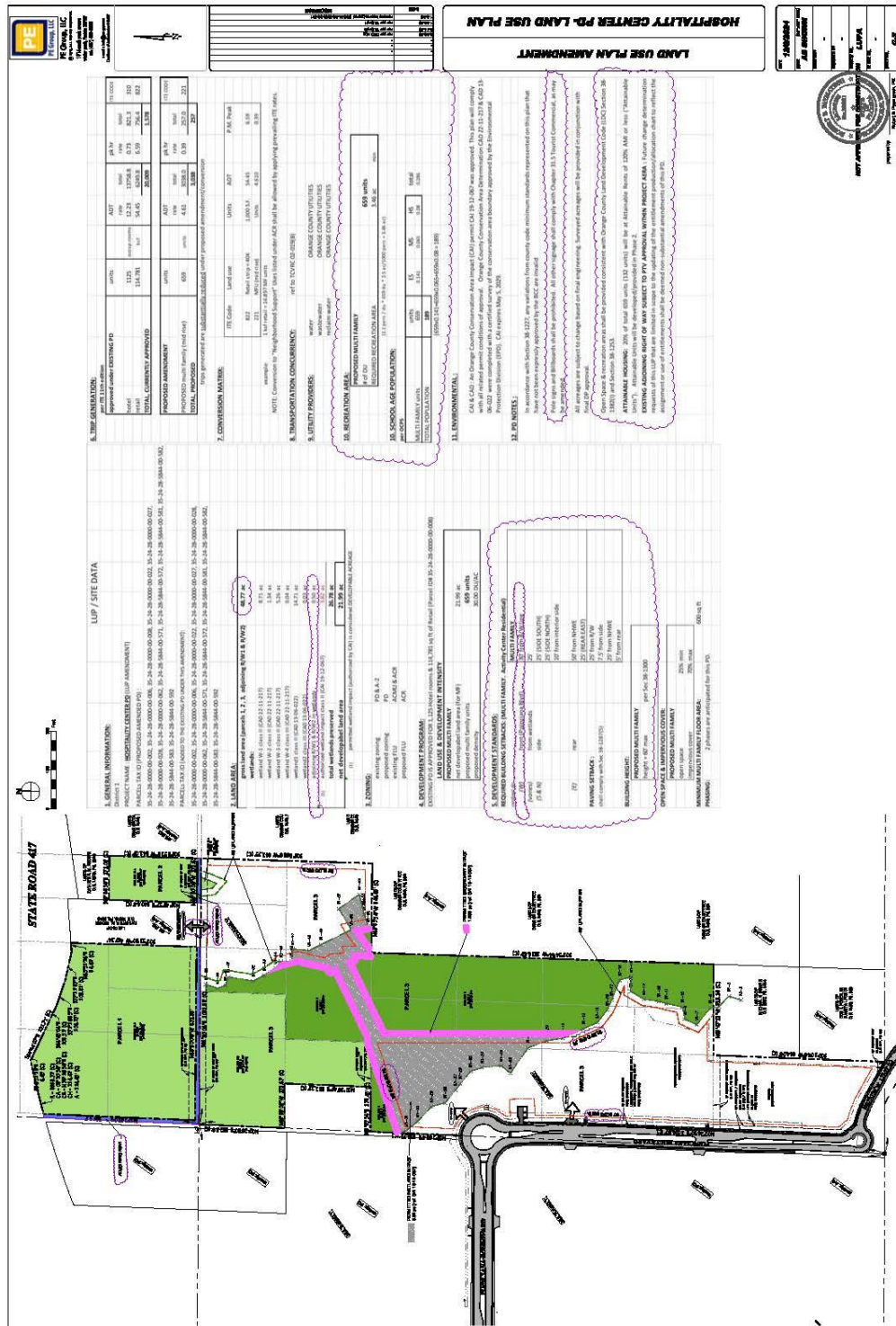
LUPA-24-12-296



### LEGAL DESCRIPTION - SUBJECT PARCEL 1

ALL THAT CERTAIN PARCELS OF LAND, TO-WIT: PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 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