

CASE # CDR-24-10-250

Commission District: # 4

GENERAL INFORMATION

APPLICANT Kendra McBee, Sloan Engineering Group
OWNER Lowes Home Centers Inc.
PROJECT NAME Woodland Lakes Planned Development (PD)
PARCEL ID NUMBER(S) 27-22-31-8987-00-070 (affected parcel)
TRACT SIZE 15.71 acres (affected area)
LOCATION 12200 Lake Underhill Road; South of Lake Underhill / West of S. Alafaya Trail
REQUEST To amend the Master Sign Plan to allow for a ground sign for a future outparcel. In addition, two (2) waivers from Orange County Code are being requested:

1. A waiver from Orange County Code Sec. 38-1476 to allow the quantity of off-street parking required to be reduced from 5 spaces per 1,000 square feet to 2.38 spaces per 1,000 square feet for a shopping center over 50,000 square feet.

Applicant Justification: The requested waiver is to propose a lot split for a future outparcel. The provided parking study indicated that the necessary parking ratio for the Lowes tract can be reduced 2.38 spaces per 1,000 square feet of building area by evaluating the capacity of the existing parking lot.

2. A waiver from Orange County Code Section 34-152(c) to allow the creation of a lot without direct frontage on a public street.

Application Justification: The requested waiver is to propose a lot split for a future outparcel. The outparcel cannot have direct frontage on a public street due to the configuration of the Lowes parking lot. Access will be granted via the easement agreement instead of platted right of way.

PUBLIC NOTIFICATION The notification area for this public hearing extended beyond 800 feet. Chapter 30-40(c)(3)(a) of Orange County Code requires the owners of the property within three hundred (300) feet of the subject property to be notified at least 10 days prior to the date of the hearing. Two hundred and thirty (230) notices were mailed to those property owners in the mailing area.

IMPACT ANALYSIS

Project Overview

The subject property is located south of Lake Underhill and west of S. Alafaya Trail within the Woodland Lakes Planned Development (PD). The Woodland Lakes PD was originally approved in 1998. The PD currently allows up to 616,238 sq. feet of commercial uses, 100,356 sq. feet of office uses, 75,000 sq. feet of industrial/showroom uses, 157,045 sq. feet of institutional uses, 292 multi-family residential units and 785 single-family residential units. The affected portion of the PD is currently developed with a Lowes home improvement store.

Through this request the applicant is seeking to amend the Master Sign Plan to allow for a ground sign for a future outparcel and request two waivers from County Code for reduced parking and to allow the creation of a lot without direct frontage on a public street. The waiver will allow for a portion of the existing parking lot to be redeveloped with a proposed coffee shop (Dutch Bros) resulting in a reduction from 580 to 422 parking spaces for the Lowes.

Land Use Compatibility

The proposed development program is compatible with existing development in the area and would not adversely affect any adjacent properties.

Comprehensive Plan (CP) Consistency

The property's Future Land Use Map (FLUM) designation is Planned Development (PD) and it is zoned as Planned Development (PD). The Woodland Lakes PD was originally approved in 1998. The PD currently allows up to 616,238 sq. feet of commercial uses, 100,356 sq. feet of office uses, 75,000 sq. feet of industrial/showroom uses, 157,045 sq. feet of institutional uses, 292 multi-family residential units and 785 single-family residential units. The request appears to be consistent with the Comprehensive Plan.

Overlay Ordinance

The subject property is not located within an Overlay District.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a JPA.

Environmental

No person shall cause, let, suffer, allow, or permit the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities, such as loading, unloading, storing, or handling; without taking reasonable precautions to prevent such emissions including but not limited to application of water, dust suppressants, planting of vegetation, point of activity controls (hoods, filters, etc.) and other measures.

Transportation Planning

CPH, Inc submitted a Capacity Encumbrance Letter (CEL) application on behalf of the owner Lowes Home Centers, Inc in October 2020. CEL-20-10-079 was approved for 5,000 SF Retail, but the CEL approval expired in May 2023. Therefore, this property holds no valid transportation concurrency. A reapplication of the CEL and approval is required in order to obtain transportation concurrency.

Pursuant to Article XII, Chapter 30, Orange County Code, as may be amended, 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 properties must obtain concurrency prior to approval of the plat; non-residential properties that are required to plat must obtain concurrency for any lot with an assigned use prior to approval of the plat (lots without an assigned use shall be labeled as "future development") 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.

Community Meeting Summary

A community meeting was not required for this request.

Schools

Orange County Public Schools (OCPS) staff has reviewed the proposed request but did not identify any issues or concerns.

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.

ACTION REQUESTED

Development Review Committee (DRC) Recommendation – (May 14, 2025)

Make a finding of consistency with the Comprehensive Plan and approve the substantial change to the Woodland Lakes PD dated "Received May 2, 2025", subject to the following conditions:

1. Development shall conform to the Woodland Lakes Planned Development (PD) dated "Received May 2, 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 May 2, 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.

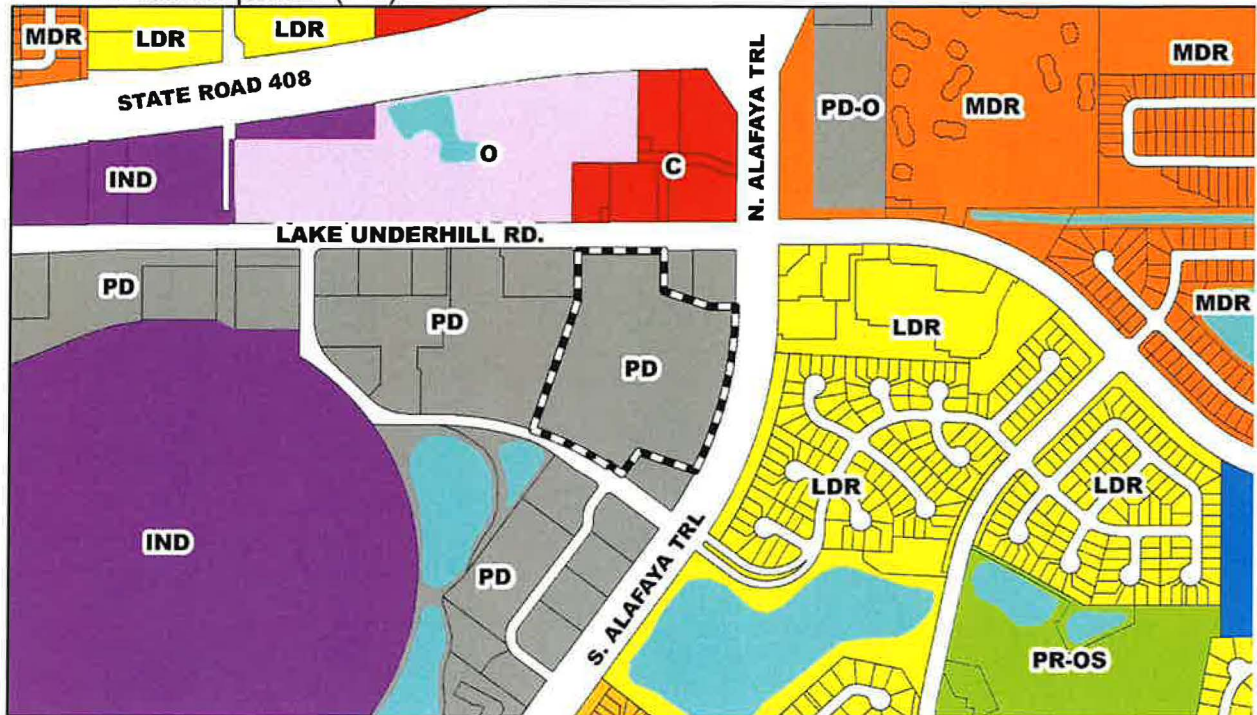
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements 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. Pursuant to Article XII, Chapter 30, Orange County Code, as may be amended, 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 properties must obtain concurrency prior to approval of the plat; non-residential properties that are required to plat must obtain concurrency for any lot with an assigned use prior to approval of the plat (lots without an assigned use shall be labeled as "future development") 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.
8. The developer shall obtain water and wastewater service from Orange County Utilities subject to County rate resolutions and ordinances.
9. New pole signs and billboards shall be prohibited. All other signage shall comply with the approved master sign plan or Chapter 31.5, where applicable and as may be amended.
10. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water and wastewater systems have been designed to support all development (including hydraulically dependent development) within the PD.

11. The following waivers from Orange County Code are granted:
 - a. A waiver from Code Sec. 38-1476 to allow the quantity of off-street parking required to be reduced from 5 spaces per 1,000 square feet to 2.38 spaces per 1,000 square feet for a shopping center over 50,000 square feet.
 - b. A waiver from Orange County Code Section 34-152(c) to allow the creation of a lot without direct frontage on a public street.

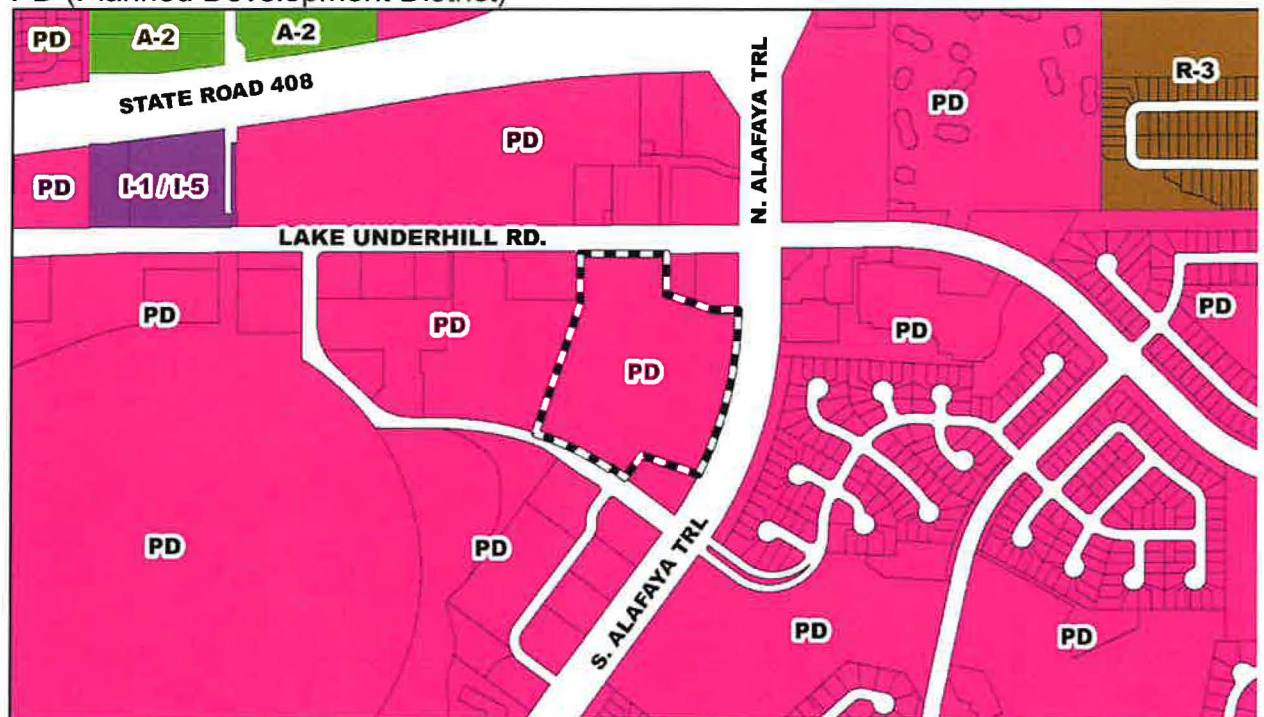
12. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated December 11, 2012, shall apply:
 - a. A waiver from Section 38-1272(a)(3) is granted to allow a zero (0') foot interior side yard setback for PD Tract A - Lot 6B only, in lieu of ten (10') feet.

13. All previous applicable BCC Conditions of Approval, dated March 16, 1999, shall apply:
 - a. Prior to approval of any development plan, a developer's agreement shall be approved by Orange County addressing road improvements outlined in the Development Order.
 - b. A ten-acre (10) park shall be dedicated to Orange County. Prior to construction of the park, the developer shall have the opportunity to review the master plan of the park. If the developer opts to develop the park site prior to the County, it shall be permitted subject to approval of the park plan by Orange County.
 - c. A 15-acre elementary school site shall be dedicated to the Orange County School Board at no cost to Orange County or the School Board.
 - d. Biomedical waste incineration shall be prohibited.
 - e. The number of multi-family units shall not exceed 821; Tract N shall be designated as mixed use.

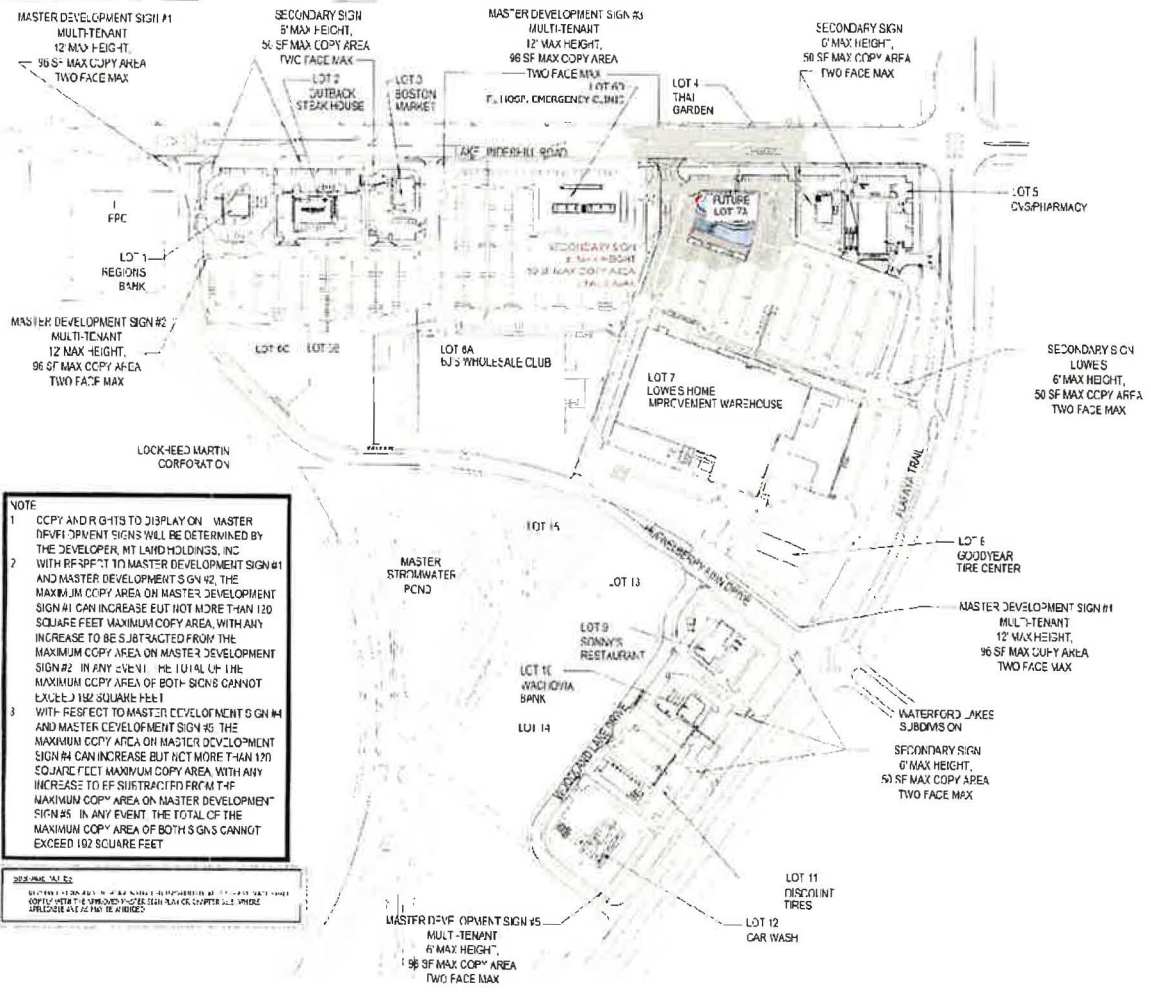
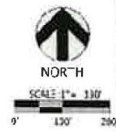
FUTURE LAND USE
Planned Development (PD)



ZONING
PD (Planned Development District)



Woodland Lakes PD / LUP (Master Sign Plan)



NOTE

1. COPY AND RIGHTS TO DISPLAY ON MASTER DEVELOPMENT SIGNS WILL BE DETERMINED BY THE DEVELOPER, MT LAND HOLDINGS, INC WITH REFERENCE TO MASTER DEVELOPMENT SIGN #1 AND MASTER DEVELOPMENT SIGN #2. THE MAXIMUM COPY AREA ON MASTER DEVELOPMENT SIGN #1 CAN INCREASE BUT NOT MORE THAN 120 SQUARE FEET MAXIMUM COPY AREA, WITH ANY INCREASE TO BE SUBTRACTED FROM THE MAXIMUM COPY AREA ON MASTER DEVELOPMENT SIGN #2. IN ANY EVENT THE TOTAL OF THE MAXIMUM COPY AREA OF BOTH SIGNS CANNOT EXCEED 192 SQUARE FEET.
2. WITH RESPECT TO MASTER DEVELOPMENT SIGN #4 AND MASTER DEVELOPMENT SIGN #5 THE MAXIMUM COPY AREA ON MASTER DEVELOPMENT SIGN #4 CAN INCREASE BUT NOT MORE THAN 120 SQUARE FEET MAXIMUM COPY AREA, WITH ANY INCREASE TO BE SUBTRACTED FROM THE MAXIMUM COPY AREA ON MASTER DEVELOPMENT SIGN #5. IN ANY EVENT THE TOTAL OF THE MAXIMUM COPY AREA OF BOTH SIGNS CANNOT EXCEED 192 SQUARE FEET.

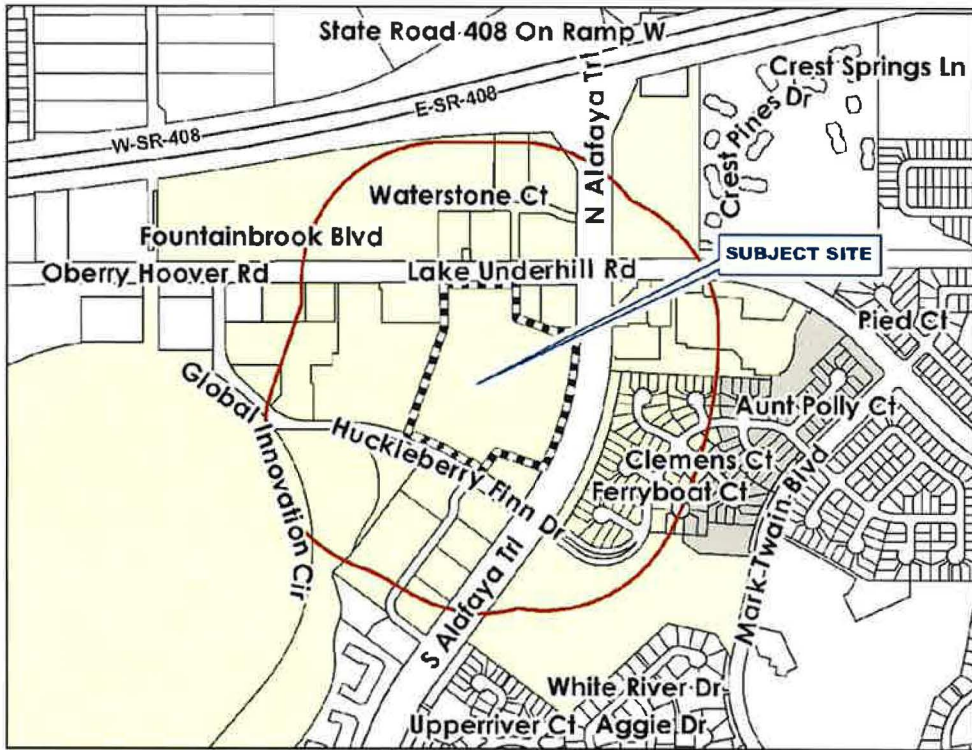
REMARKS:
 SIGNAGE FOR LOT 12 IS SHOWN FOR INFORMATION ONLY. THIS SIGNAGE IS NOT TO BE CONSIDERED.

SLOAN Engineering Group	
WOODLAND LAKES LUP AND LUP PLAN	
MASTER SIGNAGE PLAN	
DATE:	REV:
28J8	2

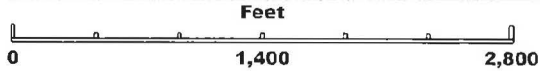


Public Notification Map

Woodland Lakes PD_CDR-24-10-250



SUBJECT SITE



MAP LEGEND



SUBJECT SITE



COURTESY PARCELS



800 FT BUFFER

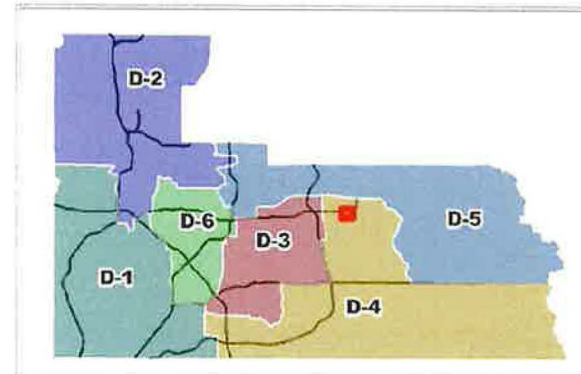


PARCELS



NOTIFIED PARCELS

BUFFER DISTANCE: 800
OF NOTICES: 230



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Notification Map

DRC Staff Report
Orange County Planning Division
BCC Hearing Date: August 5, 2025