




**Interoffice Memorandum**

**DATE:** April 25, 2022

**TO:** Mayor Jerry L. Demings  
-AND-  
County Commissioners

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

**CONTACT PERSON:** **Joe Kunkel, P.E., DRC Chairman**  
**Development Review Committee**  
**Public Works Department**  
**(407) 836-7971**

**SUBJECT:** May 24, 2022 – Public Hearing  
Richard Lis, P.E. Harris Civil Engineers, LLC  
Waterford Lakes Planned Development  
Case # CDR-21-10-307 / District 4

The Waterford lakes Planned Development (PD) is located generally east of N. Alafaya Trail, south and west of Waterford Lakes Parkway. The existing PD development program allows for 5,553 single-family dwelling units; 3,084 multi-family dwelling units; 1,187,107 square feet of commercial uses; 700,450 square feet of mixed use; 21, 200 square feet of office uses; and an identified special event area.

Through this PD substantial change, the applicant is seeking to amend the approved Master Sign Plan for Parcel 4/5 of the PD and request two (2) waivers from Chapter 31.5 of the Code to allow for an additional ground sign and increase the maximum allowable copy area of the new sign.

On April 13, 2022, the Development Review Committee (DRC) recommended approval of the request, subject to conditions. A community meeting was not required for this request.

Finally, 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 PD/LUP may be found in the Planning Division for further reference.

**ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the Waterford Lakes Planned Development / Land Use Plan (PD/LUP) dated “Received March 10, 2022”, subject to the conditions listed under the DRC Recommendation in the Staff Report. District 4**

Attachments  
JVW/NT/atv

**CASE # CDR-21-10-307**

Commission District: # 4

**GENERAL INFORMATION**

**APPLICANT** Richard Lis, P.E. Harris Civil Engineers, LLC

**OWNER** Waterford Lakes Town Center, LLC

**PROJECT NAME** Waterford lakes Planned Development

**PARCEL ID NUMBER(S)** 22-22-31-9010-01-000 (affected parcel)

**TRACT SIZE** 1,344 gross acres (overall PD)  
2.23 gross acres (affected parcel)

**LOCATION** Generally located east of N. Alafaya Trail, south and west of Waterford Lakes Parkway

**REQUEST** A PD substantial change to request the following waivers from Orange County Code:

1. A waiver from Section 31.5-67(f) to allow a 6th monument sign (5 existing) in lieu of a maximum number of two (2) ground signs on a parcel with a right-of-way frontage in excess of four hundred (400) linear feet.

**Applicant Justification:** *A new tenant, Popstroke, is leasing an undesirable space in the shopping center. More specifically, this tenant intends to activate an underutilized parking lot that sits in the back of the shopping center behind the service courts for various restaurants and retailers. Therefore, in order to allow this tenant visibility to potential customers of the shopping center, the proposed sign location is critical to ensure their success as a tenant.*

*An additional sign is warranted due to the sheer size of the shopping center. The County code was intended and designed for smaller shopping centers. The Waterford Lakes Town Center encompasses a total of 107 acres (including outparcels and anchors/big boxes such as Target). The Parcel where Sign E itself is located is 73 acres in total. Additionally, the Waterford Lakes Town Center has 1,034,002 sq. feet of building area with a huge number of existing tenants that already have rights to existing monument signs.*

2. A waiver from Section 31.5-67(h) to allow Monument Sign E to have a maximum allowable copy area of 231.16 square feet in lieu of 120 square feet per sign face.

***Applicant Justification:*** Sign E is proposed to be installed along the 408 Expressway. This portion of the 408 Expressway is designated as a 55mph road with up to 3 lanes in either direction. One reason that Sign E is proposed at 231.16 sq ft is due to the rate of speed at which the vehicles are moving. At this speed a sign at a smaller font size/square footage would be difficult to read, which creates more of a safety risk. The distance to the sign from drivers in the nearest fast lane is approximately 175' or more. Therefore, the square footage proposed is necessary to allow appropriate visibility. The nearest ground sign for the shopping center is over 1,000' away. The nearest wall sign for the center is separated by over 600'.

**PUBLIC NOTIFICATION** A notification area extending beyond one thousand one-hundred (1,100) feet was used for this application [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Eight hundred sixty-nine (869) notices were mailed to those property owners in the notification buffer area. A community meeting was not required for this application.

## **IMPACT ANALYSIS**

### **Special Information**

The The Waterford Lakes PD was originally approved on May 24 1983, and is currently approved for 5,553 single-family dwelling units; 3,084 multi-family dwelling units; 1,187,107 square feet of commercial uses; 700,450 square feet of mixed use; 21, 200 square feet of office uses; and an identified special event area.

Through this PD Substantial Change, the applicant is seeking to amend the approved Master Sign Plan for Parcel 4/5 of the PD and request two (2) waivers from Chapter 31.5 of the Code to allow for an additional ground sign and increase the maximum allowable copy area of the new sign.

### **Land Use Compatibility**

The proposed PD substantial change would not adversely impact any adjacent properties or result in an incompatible land use pattern.

### **Comprehensive Plan (CP) Consistency**

The subject property has an underlying Future Land Use Map (FLUM) designation of Commercial (C). The proposed PD substantial change is consistent with this designation and all applicable CP provisions; therefore, the request is 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 an Joint Planning Area.

**Environmental**

Environmental Protection Division (EPD) staff has reviewed the proposed request, but did not identify any issues or concerns.

**Transportation Planning**

Transportation Planning staff has reviewed the proposed request, but did not identify any issues or concerns.

**Community Meeting Summary**

A community meeting was not required for this request.

**Schools**

Orange County Public Schools (OCPS) reviewed the request and determined that it will not impact public school capacity.

**Parks and Recreation**

Orange County Parks and Recreation staff reviewed the Change Determination 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 – (April 13, 2022)**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Waterford Lakes Planned Development / Land Use Plan (PD/LUP), dated “March 10, 2022”, subject to the following conditions:**

1. Development shall conform to the Waterford Lakes Planned Development dated "Received March 10, 2022," 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 10, 2022," 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 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 following waivers from Orange County Code are granted for PD Parcel 4 / 5 only:
  - a. A waiver from Section 31.5-67(f) to allow a 6th monument sign (5 existing) in lieu of a maximum number of two (2) ground signs on a parcel with a right-of-way frontage in excess of four hundred (400) linear feet.
  - b. A waiver from Section 31.5-67(h) to allow Monument Sign E to have a maximum allowable copy area of 231.16 square feet in lieu of 120 square feet per sign face.
7. Except as amended, modified, and/or superseded, the following BCC Conditions of Approval, dated March 22, 2022 shall apply:
  - a. Board conditions #3 and #4 from May 2, 1988, and condition #J(2) from May 24, 1983, shall not apply to Parcel 10A; except as waived by the Board of County Commissioners, or, as applicable, by the Zoning Manager, Parcel 10A shall comply with Orange County Code for landscaping and building setbacks.
  - b. A waiver from Orange County Code Section 38-1272 (a)(3) is granted to reduce the required front building setback from thirty (30) feet to five (5) feet for Parcel 10A only.
8. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated January 12, 2021, shall apply:
  - a. The developer shall obtain water and wastewater service from Orange County Utilities subject to County rate resolutions and ordinances.
  - b. 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 within the PD.
  - c. A maximum of ten (10) rental trucks may be parked in the designated area depicted on the PD/LUP within PD Parcel 7 only.
  - d. The PD shall be permitted to hold Special Events throughout the calendar year located only on that portion of the common area crosshatched in the Waterford Lakes Town Center Special Events Development Plan dated "June 25, 2010"

and the additional common area crosshatched within the Land Use Plan dated "Received August 1, 2019."

- e. The following Special Events shall be prohibited:
  - i. Car Sales Events, i.e. events featuring or promoting the sale of new or used cars;
  - ii. Boat Sales Events, i.e. events featuring or promoting the sale of new or used boats;
  - iii. Special Events featuring the sale of merchandise which is not customarily sold by uses permitted in the Orange County C-1 Zoning District;
  - iv. Flea markets are prohibited.
- f. All applicable previous Conditions of Approval shall apply.
- g. All special events must receive approval by the Office of Fire Marshal.

**PREVIOUS BOARD OF COUNTY COMMISSIONERS ACTION (March 22, 2022)**

Upon a motion by Commissioner Gomez Cordero, seconded by Commissioner Uribe, and carried by all present members, the Board made a finding of consistency with the comprehensive plan and approved the substantial change request to exempt Parcel 10A (subject parcel) from BCC condition of approval J(2) from 1983 and conditions 3 and #4 from 1988, which cited Major Streets Setbacks and landscape buffers along the right-of-way.



CDR-21-10-307

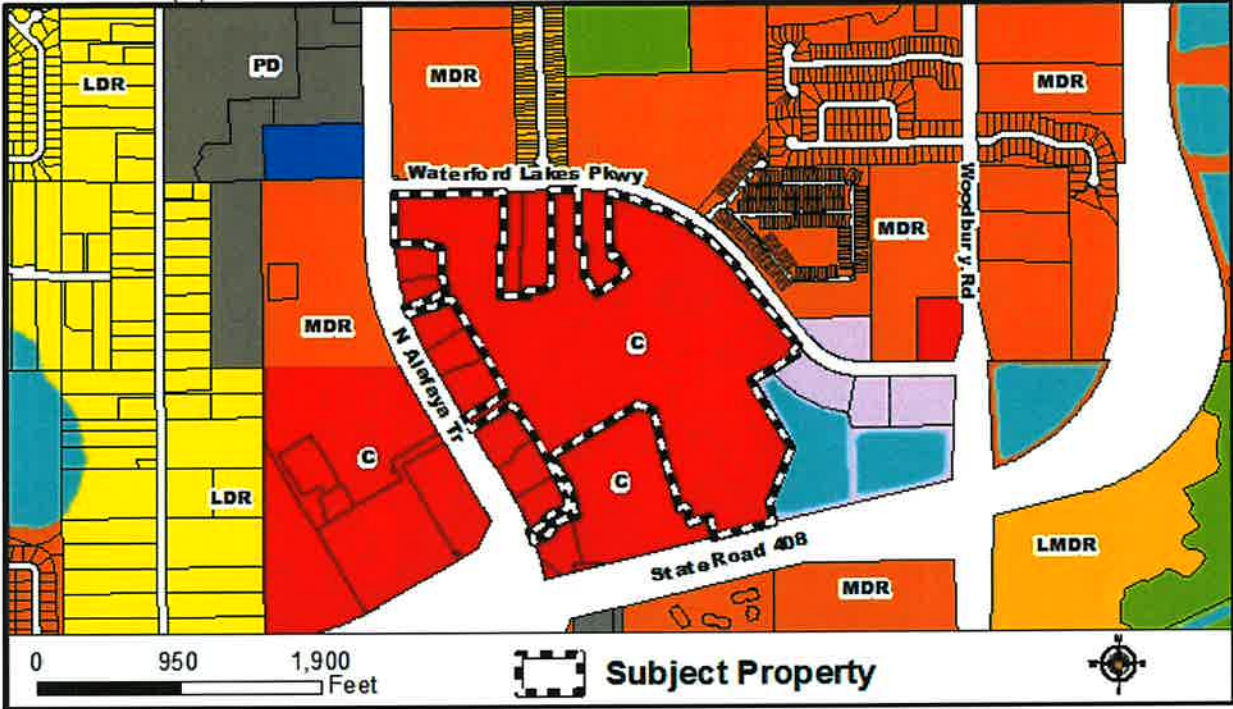


 Subject Property

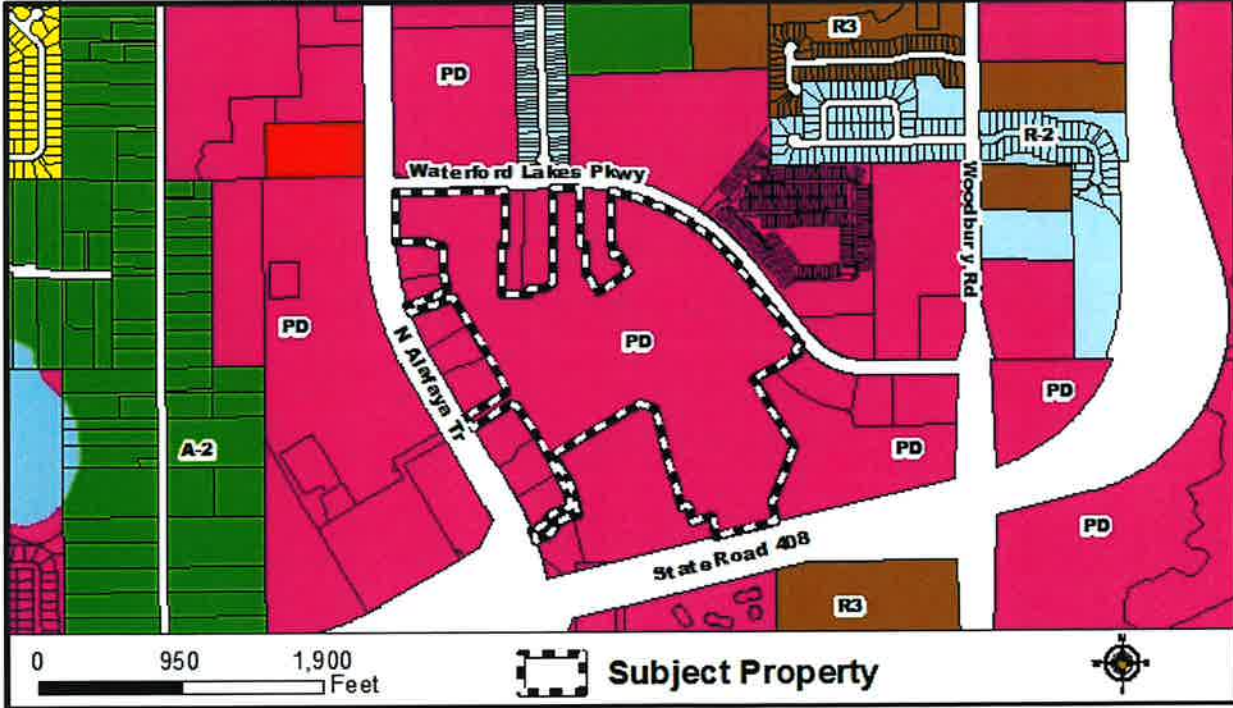


1 inch = 800 feet

**FUTURE LAND USE**  
Commercial (C)



**Zoning**  
PD (Planned Development District)



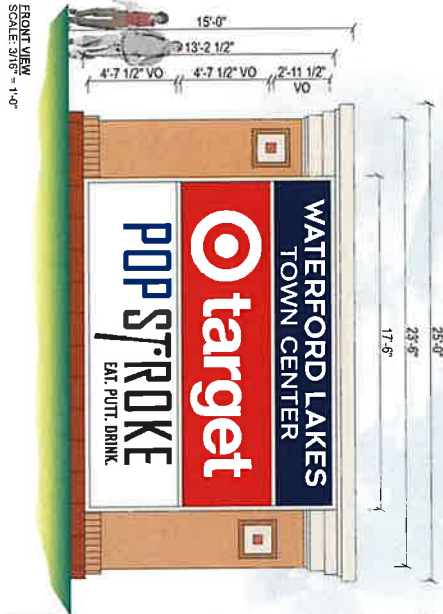




**E NEW DIE INTERNALLY-ILLUMINATED MONUMENT SIGN (Qty 1)**

SQUARE FOOTAGE: 231.16

COLOR CALL OUTS REQUIRED  
 ENGINEERING REQUIRED



- COLORS/FINISHES**
- P1 COLOR TO MATCH EXISTING SIGNAGE (VENETIAN)
  - P2 COLOR TO MATCH EXISTING SIGNAGE (VENETIAN)
  - V1 VINYL COLOR TO BE DETERMINED
  - S1 BRICK VENEER TO MATCH EXISTING (VENETIAN)

**SPECIFICATIONS**  
 1. SEE SPECIFICATION CALL OUTS THIS SHEET



**SIMULATED NIGHT VIEW**  
 NO SCALE

NEW DIE INTERNALLY-ILLUMINATED MONUMENT SIGN  
 USE STANDARD ALUMINUM CONSTRUCTION W/ ANGLE FRAME &  
 STEEL PIPE SUPPORT INTO CONCRETE FOOTING. ALUMINUM  
 STRUCTURE TO HAVE LIGHT STUCCO FINISH W/ COLORS TO  
 MATCH EXISTING BUILDING P-1, P-2.

"WATERFORD LAKES TOWN CENTER" TO HAVE ACRYLIC FACES W/  
 1/8" SURFACE APPLIED VINYL OVERLAYS V-1; ILLUMINATE W/ WHITE  
 LEDS.

TENANT PANELS TO HAVE ACRYLIC FACES W/ 1/8" SURFACE  
 APPLIED VINYL OVERLAYS. ILLUMINATE W/ WHITE LEDS.

BASE TO HAVE BRICK VENEER FINISH TO MATCH BUILDING S-1.

SEE ENGINEERS SPECIFICATIONS FOR STRUCTURAL  
 CALCULATIONS. VERIFY EXACT LOCATION OF SIGN PRIOR TO  
 INSTALLATION.



**PROPOSED SIGNAGE LOCATION**



**PROPOSED SIGNAGE HEADING WESTBOUND**



**PROPOSED SIGNAGE HEADING EASTBOUND**

**WATERFORD LAKES TOWN CENTER SIGN PROGRAM**

AUGUST 27, 2021 JC

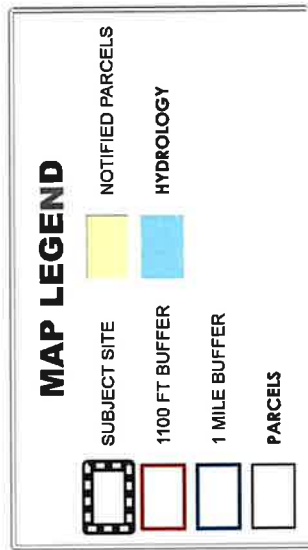
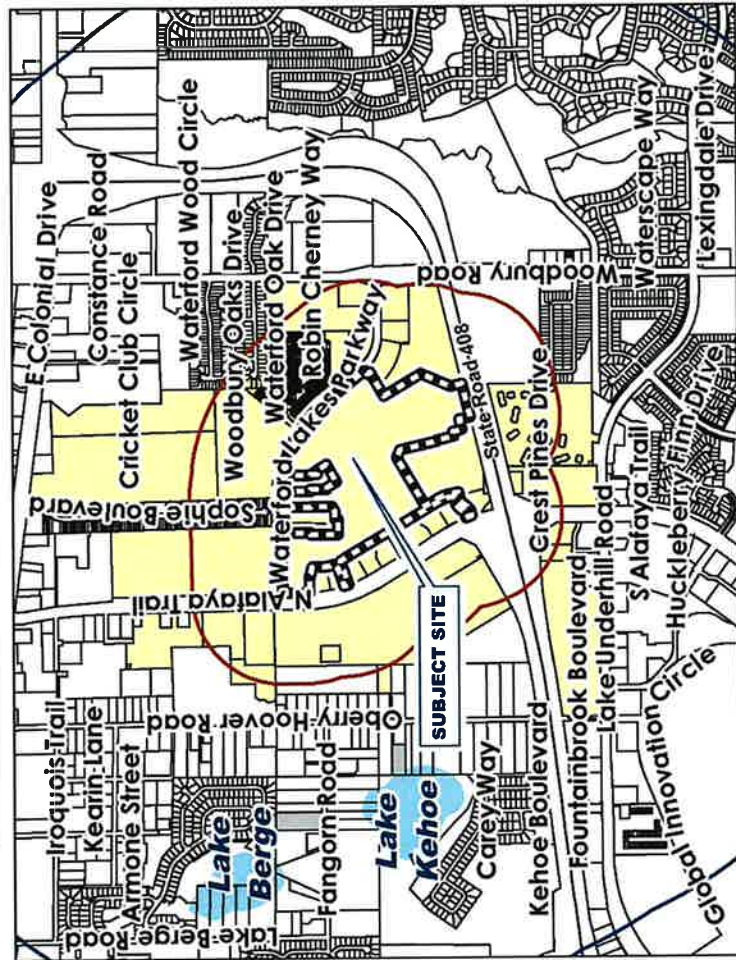
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# Notification Map

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## Public Notification Map

Waterford Lakes PD\_CDR-21-10-307



BUFFER DISTANCE: 1100  
 # OF NOTICES: 869

