



Interoffice Memorandum

DATE: September 20, 2019

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

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

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

SUBJECT: October 8, 2019 – Public Hearing
Applicant: Scott Gentry, Kelly, Collins & Gentry, Inc.
Hamlin Planned Development – Unified Neighborhood Plan /
Overture at Hamlin Development Plan
Case #DP-19-03-080

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of August 14, 2019, to approve the Hamlin Planned Development – Unified Neighborhood Plan (PD - UNP) / Overture at Hamlin Development Plan (DP) to construct 180 age-restricted multi-family residential dwelling units on 5.84 acres.

Additionally, a waiver from Orange County Code is requested to allow for parking of 1.3 parking spaces per unit, in lieu of 1.5 parking spaces for 1-bedroom units and 2.0 parking spaces for 2-bedroom units.

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

ACTION REQUESTED: **Make a finding of consistency with the Comprehensive Plan and approve the Hamlin PD - UNP / Overture at Hamlin DP dated "Received June 3, 2019", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 1**

JVW/EPR/lme
Attachments

CASE # DP-19-03-080

Commission District # 1

1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of August 14, 2019, to approve a the Hamlin Planned Development (PD) – Unified Neighborhood Plan (UNP) / Overture at Hamlin Development Plan (DP) to construct 180 age-restricted multi-family residential dwelling units on 5.84 acres.

Additionally, a waiver from Orange County Code is requested to allow for parking of 1.3 parking spaces per unit, in lieu of 1.5 parking spaces for 1-bedroom units and 2.0 parking spaces for 2-bedroom units.

2. PROJECT ANALYSIS

- A. Location: West of Hamlin Groves Trail / South of New Independence Parkway
- B. Parcel IDs: 20-23-27-2717-01-000, 20-23-27-2717-02-000
- C. Total Acres: 5.84
- D. Water Supply: Orange County Utilities
- E. Sewer System: Orange County Utilities
- F. Schools: N/A
- G. School Population: N/A
- H. Parks: Horizon West Regional Park – 1 Mile
- I. Proposed Uses: 180 Age-Restricted Multi-Family Residential Dwelling Units
- J. Site Data: Maximum Building Height: 57.5'
Minimum Living Area: 500 Square Feet
Minimum Lot Width: 85'
Building Setbacks:
 - 10' Front
 - 5' Side
 - 10' Side Street
 - 75' Rear
- K. Fire Station: 34 – 4000 South State Road 535

- L. Transportation: A Road Network Agreement for Town Center East was approved by the Board of County Commissioners on December 6, 2011 and recorded at OR Book/Page 10306/1364. Right-of-Way for the road network has been dedicated to the County.

The First Amendment to Town Center East Road Network Agreement ("First Amendment") between Orange County and SLF IV/Boyd Horizon West JV, LLC ("Developer") and Orlando Health Central, Inc. ("Orlando Health") was approved by the Board of County Commissioners on 7/10/2012 and recorded at ORBK 10411/ 0542 for the conveyance of Right-of-Way for the road network in Town Center.

3. COMPREHENSIVE PLAN

The subject property has an underlying Future Land Use Map (FLUM) designation of Village (V). The subject property is designated PD (Planned Development) on the Zoning Map, which is consistent with the FLUM Designations.

4. ZONING

PD (Planned Development District – Unified Neighborhood Plan) (Hamlin PD - UNP)

5. REQUESTED ACTION:

Approval subject to the following conditions:

1. Development shall conform to the Hamlin Planned Development – Unified Neighborhood Plan; Orange County Board of County Commissioners (BCC) approvals; Overture At Hamlin Development Plan dated "Received July 3, 2019"; and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such

promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

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

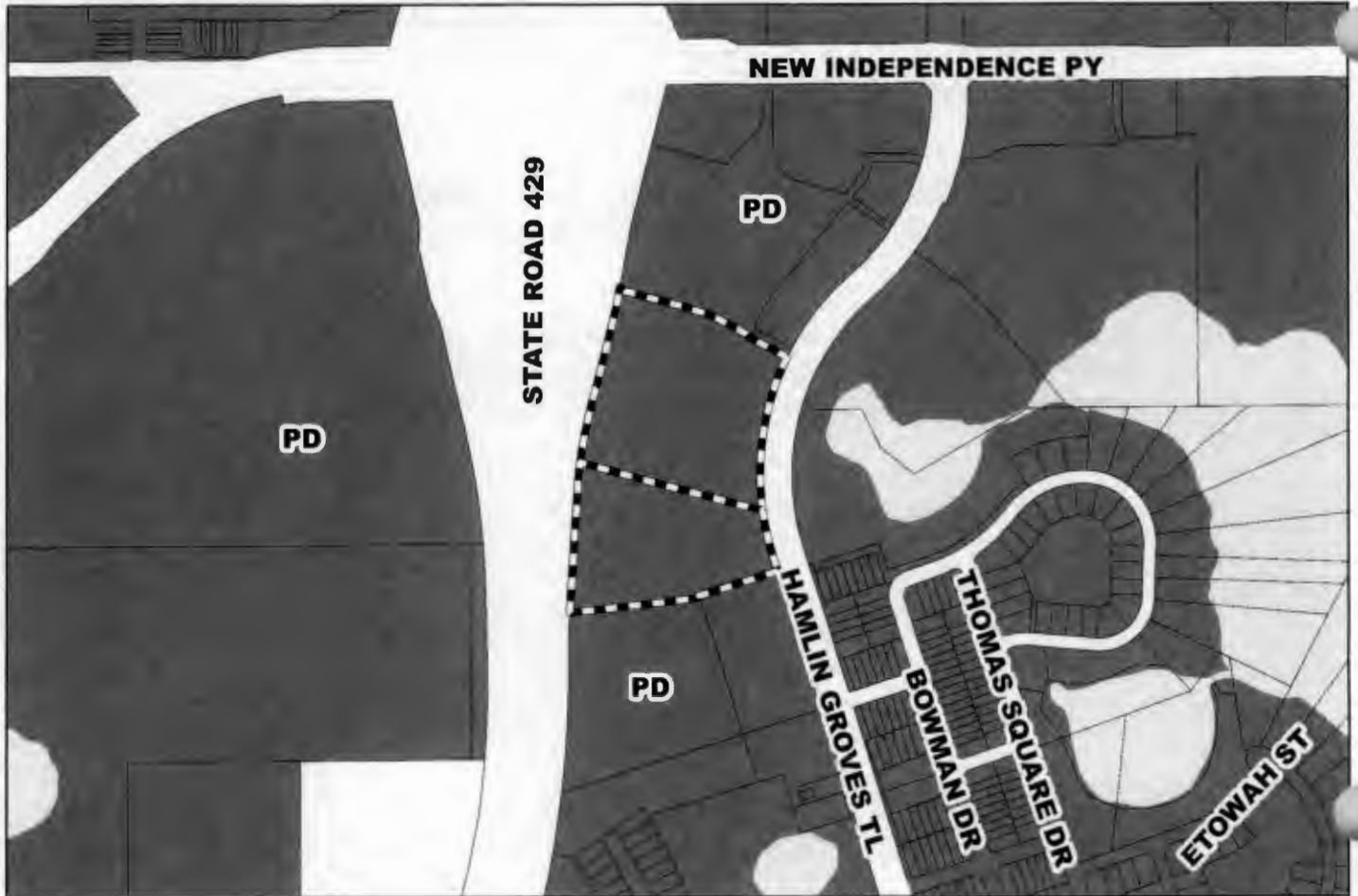
6. Development plan (DP) approval by the DRC (or BCC, as applicable), shall automatically expire if construction plans are required and have not been submitted and approved within two (2) years from DP approval; if construction plans are not required, such DP shall expire two (2) years from approval unless a building permit has been obtained within such two-year period. The foregoing notwithstanding, the DRC may, upon good cause shown, grant successive one (1) year extensions to the expiration date of a DP if the developer makes written request to the DRC chair prior to the expiration date.
7. As proof of satisfaction of the project's transportation concurrency obligations, the project must comply with that certain Town Center East Road Network Agreement recorded at O.R. Book 10306, Page 1364, Public Records of Orange County, Florida. The developer must provide a valid Assignment of Vested Trips document together with the applicable Confirmation Letter issued by Orange County, concurrently with or prior to plat approval. In addition, any Development Plan must show a legend with trip allocations by parcel identification number and phase of the development.
8. Conditions, covenants, and/or restrictions (CC&Rs) that restrict occupancy to senior adults and that comply with the requirements of the Housing for Older Persons Act [42 U.S.C. §3607(b)] shall be recorded in the public records of Orange County, Florida and shall run with the land. The CC&Rs shall include language that at least one owner/resident shall be at least 55 years of age and in no case shall there be any residents aged 18 years or under. No permanent residency by school-aged children shall be generated as a result of any development on this Development Plan. Any proposed future conversion of the senior housing to unrestricted housing or any proposal to add permanent residency by school-aged children shall constitute a substantial change that must be approved by the BCC at a public hearing. If the substantial change is approved, school impact fees in effect at that time shall be paid and the project shall comply with any school capacity and school concurrency regulations in effect at that time.
9. The site shall be stabilized following grubbing, clearing, earth work or mass grading to establish a dense stand of grass, or shall incorporate other approved Best Management Practices, on all disturbed areas if development does not begin within 7 days. Final stabilization shall achieve a minimum of seventy percent (70%) coverage of the disturbed land area and shall include a maintenance program to ensure minimum coverage survival and overall site stabilization until site development. Prior to clearing or grubbing, or approval of mass grading or constructions plans a letter of credit or cash escrow acceptable to the County shall be submitted to guarantee the required site stabilization and maintenance of all disturbed areas. The County Engineer shall establish the amount of the letter of credit or cash escrow.
10. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any

remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.

11. Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.
12. Prior to issuance of any certificate of completion, all storm drain inlets shall have metal medallion inlet markers installed. Text on the marker shall read "No Dumping, Only Rain in the Drain." Specification detail will be provided within all plan sets. Contact the National Pollutant Discharge Elimination System (NPDES) Supervisor at the Orange County Environmental Protection Division for details.
13. The applicant / owner has an affirmative obligation to expressly notify potential purchasers, builders, and/or tenants of this development, through an appropriate mechanism, including a conspicuous note on the plat and/or a recorded restrictive covenant, as applicable, that neither potable wells nor irrigation wells using local groundwater will be allowed on site, and shall include notification of the prior use of this property as a citrus grove.
14. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water, wastewater, and reclaimed water systems have been designed to support hydraulically dependent development within and outside the PSP, and that construction plans are consistent with the approved MUP for the Town Center, or shall include an update to the PSP-level and Town Center MUPs, as applicable, to incorporate any revisions. The MUP(s) must be approved prior to construction plan approval.
15. Short term/transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.
16. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with the Master Sign Plan.
17. Prior to construction plan approval, documentation with supporting calculations shall be submitted which certifies that the existing drainage

system and pond have the capacity to accommodate this development and that this project is consistent with the approved master drainage plan (MDP) for this PD.

18. Prior to construction plan approval, documentation must be provided certifying that this project has the legal right to tie into the master drainage system.
19. A waiver from Orange County Code Section 38-1476 is granted to allow for parking of 1.3 parking spaces per unit in lieu of 1.5 parking spaces for 1 bedroom units and 2.0 parking spaces for 2 bedroom units.



 Subject Parcels



 Subject Property

Zoning Map

ZONING: PD (Planned Development District)

APPLICANT: Scott Gentry, Kelly, Collins & Gentry, Inc.

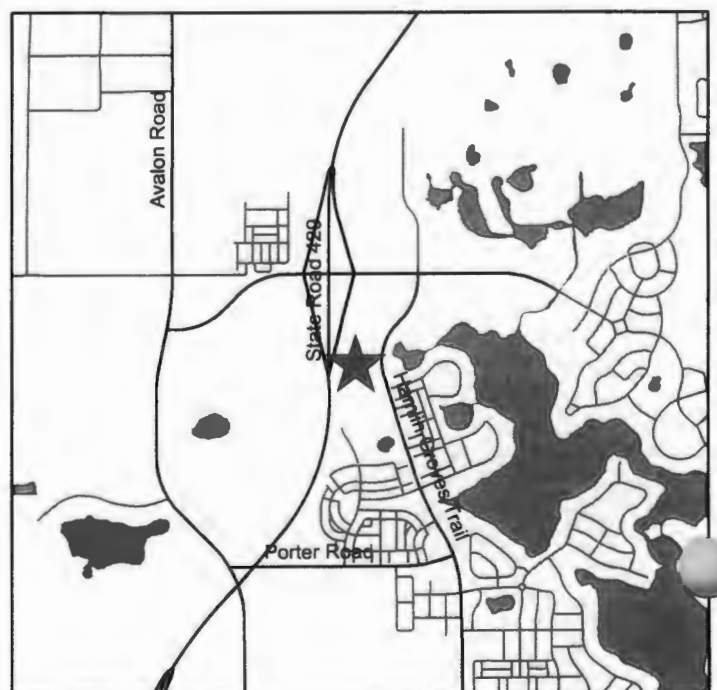
LOCATION: South of New Independence Parkway /
West of Hamlin Groves Trail

TRACT SIZE: 5.84 acres

DISTRICT: 1

S/T/R: 20/23/27

1 inch = 667 feet



GENERAL/MISCELLANEOUS

EXISTING USE: VACANT
 EXISTING VEGETATION: VACANT
 PROPOSED USE: MULTI-FAMILY - 180 UNITS
 ZONING: PLANNED DEVELOPMENT (PD)
 DISTRICT: CCM-2
 SCHOOL AGE POPULATION: N/A (AGE RESTRICTED COMMUNITY)
 AVERAGE DAILY TRAFFIC: 3.44 TRIPS/DAY/UNIT X 180 UNITS = 619 VEHICLES PER DAY

SITE DATA

TOTAL DP AREA : 5.84 AC
 LOT 1: 5.84 AC

	TOTAL (AC)	WETLANDS	WATER BODIES	GROSS DEVELOPABLE AREA	UPLAND BUFFER	NET DEVELOPABLE AREA
LOT 1	5.84	0.00 AC	0.00 AC	5.84 AC	0.00 AC	5.84 AC
DP Total	5.84	0.00 AC	0.00 AC	5.84 AC	0.00 AC	5.84 AC

IMPERVIOUS SURFACE RATIO (ISR)

PROPOSED ISR

	ISR	IMPERVIOUS	PERVIOUS	GROSS DEVELOPABLE AREA
LOT 1	71%	4.17 AC	1.67 AC	5.84 AC
DP Total	71%	4.17 AC	1.67 AC	5.84 AC

* TO BE CALCULATED AT TIME OF FUTURE DP
 ** CALCULATIONS SUBJECT TO CHANGE WITH THE ADDITION OF FUTURE BUILDINGS

OPEN SPACE

SEE SHEET C-3.1

LOT CRITERIA

SETBACKS (MINIMUMS) MULTIFAMILY
 FRONT: 10'
 MAJOR COLLECTOR: 55' from Centerline of ROW
 SIDE: 5'
 SIDE (STREET): 10'
 REAR(EXPRESSWAY): 75' Edge of ROW (DOES NOT APPLY TO GARAGES)
 MIN. LOT WIDTH: 85'
 MIN. LOT DEPTH: 100'
 MIN. LIVING AREA: 500 SF
 DENSITY: 30.82 UNITS/AC (IN COMPLIANCE WITH HAMLIN PD)

BUILDING SUMMARY

	BUILDING AREA	PARCEL AREA	LOT COVERAGE PROVIDED	MAX LOT COVERAGE
LOT 1	202,490 SF	5.84 AC	24.49 %	30.00 %

BUILDING HEIGHT

	PROPOSED HEIGHT
APARTMENT	57.5'

CCM-2 (RESIDENTIAL) MAXIMUM 150 FT PER CODE SEC 38-1390.51 (a)(3)

LIGHTING

SEE ATTACHED LIGHTING PLANS. SITE LIGHTING SHALL COMPLY WITH ARTICLE XVI OF ORANGE COUNTY CODE.

SOILS

CANDLER FINE SAND 79%
 BASINGER FINE SAND 21%

FLOOD PLAIN

FEMA FLOOD INSURANCE RATE MAP (FIRM) NUMBER 12095C0375F, REVISED SEPTEMBER 25, 2009
 IDENTIFIES A MAJORITY OF THE LANDWARD AREA WITHIN ZONE X, OUTSIDE OF THE 500 YEAR FLOOD ZONE.

PHASING

PROJECT WILL BE DEVELOPED

PARKING SUMMARY (LOT 3)

REQUIRED: (PER SEC. 38-1476 (A))
 1 BEDROOM UNITS 110 1.3 SPACES PER UNIT (SEE WAIVER REQUEST) = 143 SPACES
 2 & 3 BEDROOM UNITS 70 1.3 SPACES PER UNIT (SEE WAIVER REQUEST) = 91 SPACES
 TOTAL REQUIRED: 234 SPACES
 PROVIDED:
 GARAGE: 28 SPACES
 GARAGE HC: 2 SPACES
 SURFACE:* 196 SPACES
 COMPACT: 10 SPACES
 HANDICAP: 5 SPACES
 TOTAL PROVIDED: 241 SPACES

KELLY, COLLINS & GENTRY, INC.	Scale: NTS	OVERTURE AT HAMLIN
	Date: 08/16/2019	
ENGINEERING / PLANNING	S: 20 T: 23S R: 27E	Exhibit: SITE DATA AND NOTES
	Job # : 1340.000	Source: SURVEY
	Drawn by: CLN Appvd. by: JAB	Area: ORANGE COUNTY
		1 of 2

CCM-2 ENTITLEMENTS

	RESIDENTIAL D.U.'S
CCM-2	180

NOTES

1. IN ACCORDANCE WITH SECTION 38-1227, ANY VARIATIONS FROM COUNTY CODE MINIMUM STANDARDS REPRESENTED ON THIS PLAN THAT HAVE NOT BEEN EXPRESSLY APPROVED BY THE BCC ARE INVALID.
2. APPROVAL OF THIS PLAN DOES NOT CONSTITUTE APPROVAL OF A PERMIT FOR THE CONSTRUCTION OF A BOAT DOCK. ANY PERSON DESIRING TO CONSTRUCT A BOAT DOCK WITHIN THIS COUNTY (INCLUDING BOARDWALKS, BIKE TRAILS OR OBSERVATION PIERS IN WETLANDS OR WETLAND BUFFER AREAS) SHALL FIRST APPLY FOR A PERMIT PRIOR TO INSTALLATION.
3. REFERENCED DENOTED ELEVATIONS ARE IN THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88)

REQUIRED RECREATION CALCULATION:

ORANGE COUNTY REQUIREMENTS
SECTION 38-1253

180 UNITS x 2.1 = 378 RESIDENTS
378/1000 x 2.5 ACRES = .95 ACRES
50% REQUIRED FOR ACTIVE USE = .48 ACRES (20,908 SF)

PROPOSED RECREATION CALCULATION:

ACTIVE RECREATION	AREA	USE
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AREA 'A' - CLUBHOUSE (PER ARCHITECT):	24,481 SF (.56 AC.)	CLUBHOUSE SWIMMING POOL AND DECK LAWN GAME (I.E. BOCCIE BALL OR CORN HOLE, ETC.)
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TOTAL ACTIVE RECREATION:	24,481 SF (.56 AC.)
TOTAL AREA RECREATION:	24,481 SF (.56 AC.)

REQUESTED WAIVERS

1. A WAIVER IS REQUESTED FROM ORANGE COUNTY CODE SEC. 38-1476 TO ALLOW FOR PARKING OF 1.3 PARKING SPACES PER UNIT IN LIEU OF 1.5 PARKING SPACES FOR 1BR AND 2 PARKING SPACES FOR 2+ BR. SEE ATTACHED PARKING WAIVER REQUEST FROM DANTE GABRIEL.

OWNERSHIP/MAINTENANCE

ROADWAYS	PRIVATE:	TO BE OWNED AND MAINTAINED BY PROPERTY OWNER'S ASSOCIATION
DRAINAGE EASEMENTS	PRIVATE:	TO BE OWNED AND MAINTAINED BY PROPERTY OWNER'S ASSOCIATION
UTILITY EASEMENTS	PRIVATE:	TO BE OWNED AND MAINTAINED BY PROPERTY OWNER'S ASSOCIATION WITH EASEMENT GRANTED TO ORANGE COUNTY UTILITIES
WATER, WASTEWATER, & RECLAIMED WATER	PRIVATE:	TO BE OWNED AND MAINTAINED BY PROPERTY OWNER'S ASSOCIATION
OPEN SPACE	PRIVATE:	TO BE OWNED AND MAINTAINED BY PROPERTY OWNER'S ASSOCIATION.
WALL	PRIVATE:	TO BE OWNED AND MAINTAINED BY PROPERTY OWNER'S ASSOCIATION.

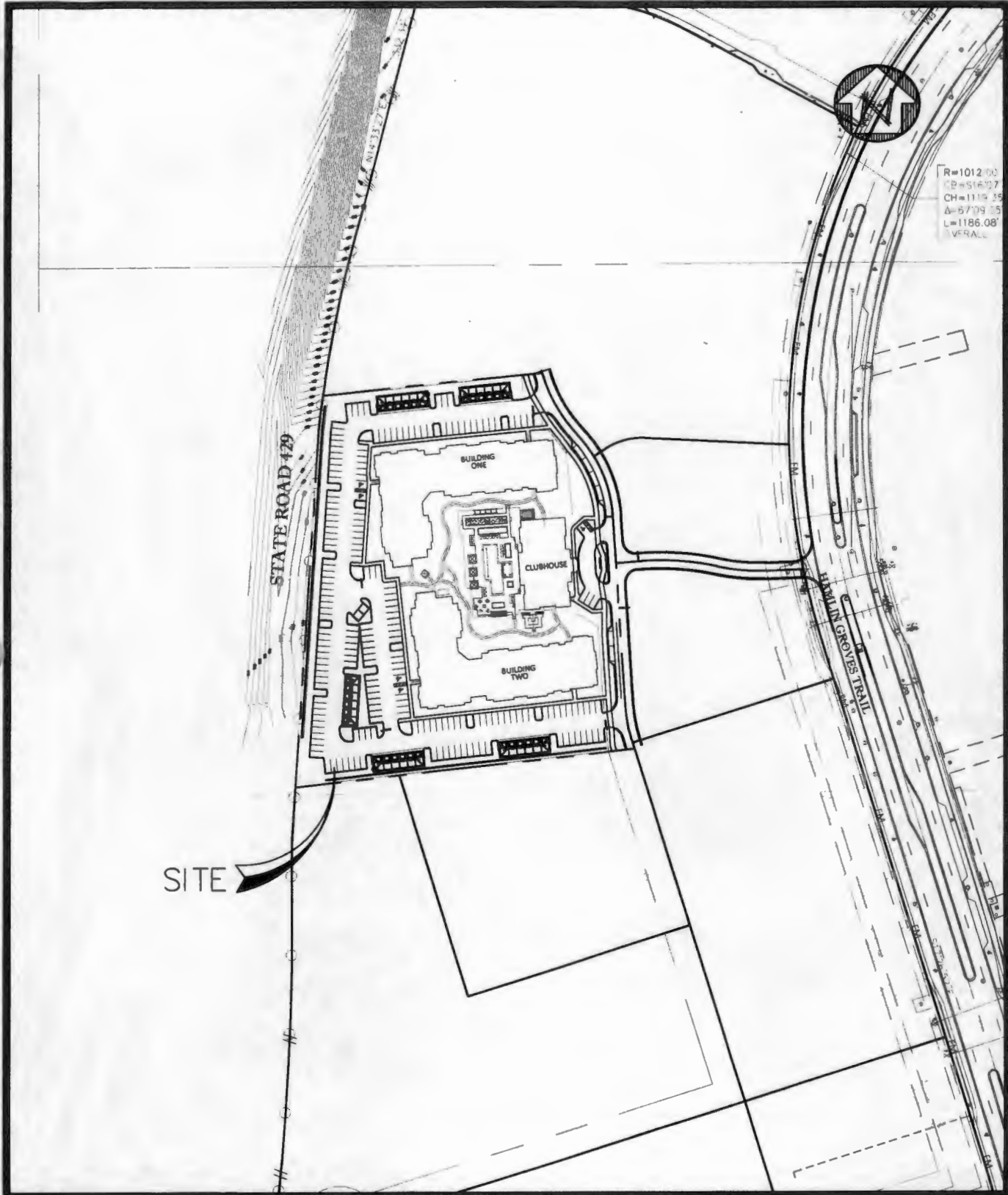
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ENGINEERING / PLANNING

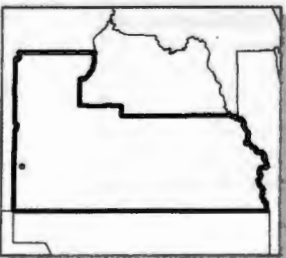
Scale: NTS
Date: 08/16/2019
S: 20 T: 23S R: 27E
Job # : 1340.000
Drawn by: CLN
Appvd. by: JAB

**OVERTURE
AT HAMLIN**

Exhibit: SITE DATA AND NOTES
Source: SURVEY
Area: ORANGE COUNTY



KELLY, COLLINS & GENTRY, INC.	Scale: 1" = 200'	OVERTURE AT HAMLIN
	Date: 08/16/2019	
ENGINEERING / PLANNING	S: 20 T: 23S R: 27E	Exhibit: SITE PLAN
	Job # : 1340.000	Source: SURVEY
	Drawn by: CLN	Area: ORANGE COUNTY
	Appvd. by: JAB	1 of 1



Hamlin PD - UNP / Overture at Hamlin PD - Case #DP-19-03-080



	Parcels		Subject Property		Jurisdiction		Hydrology
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1 : 1,800
1 in : 150 ft