



Interoffice Memorandum

DATE: May 28, 2019

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

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

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

SUBJECT: June 18, 2019 – Public Hearing
James G. Willard, Esq., Shutts & Bowen, LLP
Frye Center Planned Development
Case # CDR-19-04-129 / District 1

The Frye Center Planned Development (PD) was originally approved the Board on July 8, 2008 was has entitlements for 129,567 square feet of commercial development and 300 residential dwelling units. Through this PD Change Determination Request (CDR), the applicant is seeking to modify the October 16, 2012, BCC Condition of Approval #6(u), from:

"There shall be a full access point located at Tract 6 and C.R. 535, and any proposed signalization shall be subject to signal warrants. If and when a traffic signal is warranted, the Developer shall pay all costs of installation,"

to:

"There shall be a full access point located at Tract 6 (Lachlan Lane) and C.R. 535, and County has determined that such signalization is currently warranted. When the traffic signal is installed by the County, the developer's successor, Lakeside II Partners, LLC, shall reimburse to County fifty percent (50%) of all costs of design and installation of such signal. Such reimbursement to County shall occur within thirty (30) days after receipt by Lakeside II Partners, LLC of an itemized invoice from the County setting forth the actual total design and installation cost incurred by County for such signal."

On April 24, 2019, 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 and approve the substantial change to the Frye Center Planned Development / Land Use Plan (PD/LUP) dated “Received August 30, 2012”, subject to the conditions listed under the DRC Recommendation in the Staff Report. District 1

Attachments
JVW/EPR/stt

CASE # CDR-19-04-129

Commission District: # 1

GENERAL INFORMATION

APPLICANT James G. Willard, Esq., Shutts & Bowen, LLP

OWNER Dennis Seliga, Lakeside II Partners, LLC

PROJECT NAME Frye Center Planned Development

AFFECTED PLATS Lakeside Village Center (PB 75, PG 99)
Crosswater at Lakeside Village (PB 76, PG 131)
Lakeside Village Townhomes (PB 78, PG 114)

TRACT SIZE 137.54 gross acres (*overall PD*)

LOCATION Generally located west and east of Winter Garden Vineland Road, north of Silverlake Park Drive

REQUEST A Change Determination Request (CDR) to modify the October 16, 2012, BCC Condition of Approval #6(u) from:

"There shall be a full access point located at Tract 6 and C.R. 535, and any proposed signalization shall be subject to signal warrants. If and when a traffic signal is warranted, the Developer shall pay all costs of installation,"

to:

"There shall be a full access point located at Tract 6 (Lachlan Lane) and C.R. 535, and County has determined that such signalization is currently warranted. When the traffic signal is installed by the County, the developer's successor, Lakeside II Partners, LLC, shall reimburse to County fifty percent (50%) of all costs of design and installation of such signal. Such reimbursement to County shall occur within thirty (30) days after receipt by Lakeside II Partners, LLC of an itemized invoice from the County setting forth the actual total design and installation cost incurred by County for such signal."

PUBLIC NOTIFICATION A notification area extending beyond nine hundred (900) feet was used for this application [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One thousand one hundred eighty-four (1,184) 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 Frye Center PD was originally approved on July 8, 2008 was has entitlements for 129,567 square feet of commercial development and 300 residential dwelling units.

Through this PD Change Determination Request (CDR), the applicant, due to a potential mistake in reference to a Condition number at the January 27, 2009 BCC hearing, is seeking to modify the October 16, 2012, BCC Condition of Approval #6(u), from:

"There shall be a full access point located at Tract 6 and C.R. 535, and any proposed signalization shall be subject to signal warrants. If and when a traffic signal is warranted, the Developer shall pay all costs of installation,"

to:

"There shall be a full access point located at Tract 6 (Lachlan Lane) and C.R. 535, and any proposed signalization shall be subject to signal warrants. If and when a traffic signal is warranted and installed by the County, the developer's successor, Lakeside II Partners, LLC, shall reimburse to County fifty percent (50%) of all costs of design and installation of such signal. Such reimbursement to County shall occur within thirty (30) days after receipt by Lakeside II Partners, LLC of an itemized invoice from the County setting forth the actual total design and installation cost incurred by County for such signal."

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 Village (V). This property is designated Village Center within the Horizon West Lakeside Village Special Area Plan. The proposed Change Determination Request (CDR) is consistent with the designation and all applicable CP provisions; therefore, a CP amendment is not necessary.

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

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

Transportation / Concurrency

Orange County Transportation Planning reviewed this 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 staff reviewed the Change Determination Request but did not identify any issues or concerns.

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 24, 2019)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Frye Center Planned Development / Land Use Plan (PD/LUP), dated "August 30, 2012", subject to the following conditions:

1. Development shall conform to the Frye Center Land Use Plan dated "Received August 30, 2012," 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, ordinance 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 of this zoning and the land use plan dated "August 30, 2012," 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 owner/applicant (or authorized agent) to the (Board of County Commissioners) BCC at the public hearing where this development was approved, where such promise or representation, whether oral or written, was relied upon by the BCC in approving the development,

could have reasonably been expected to have been relied upon by the BCC in approving the development, or could have responsibly induced or otherwise influenced the BCC to approve the development. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the BCC by the applicant (or authorized agent) if it was expressly made to the BCC at a public hearing where the development was considered or approved.

3. A waiver from Orange County Code Section 38-1253(b) is granted for PD Tract 1 / Lot 2 only to allow for a recreational area of 0.19 acres, in lieu of the required 0.248 acres.
4. A waiver from Orange County Code Section 38-1389(c)(3)(c) is granted for PD Tract 1 / Lot 2 only to allow a townhouse maximum lot coverage of 74%, in lieu of the maximum lot coverage of 65%.
5. All previous applicable BCC Conditions of Approval dated January 10, 2012 shall apply:
 - a. The following four waivers from the original version of the Horizon West Village Code, applicable to Tract 1, Lot 2 only, are granted:
 - i. A waiver from Section 38-1387(b)(9) to allow for a minimum of two (2) attached units in lieu of five (5);
 - ii. A waiver from Section 38-1387(b)(7)(a) to allow a front building setback of twelve (12) feet in lieu of fifteen (15) feet and a front porch setback of seven (7) feet in lieu of ten (10) feet;
 - iii. A waiver from Section 38-1387(b)(7)(c) to allow a rear alley setback of ten (10) feet from the easement centerline in lieu of fifteen (15) feet from the easement centerline; and
 - iv. A waiver from Section 38-1387(b)(7)(b) to allow an end unit setback of two point five (2.5) feet in lieu of seven (7) feet. This request will provide a building separation of five (5) feet in lieu of fourteen (14) feet.
6. All previous applicable conditions of approval dated July 13, 2010, shall apply:
 - a. Outside storage and display shall be prohibited.
 - b. Pole signs and billboards shall be prohibited.
 - c. Prior to platting, a Municipal Service Benefit Unit (MSBU) shall be established for recreational trail maintenance for trails that range in width from over 5 feet to less than 14 feet in width.
 - d. The Developer shall obtain water, wastewater and reclaimed water service from Orange County Utilities.

- e. A master stormwater, water, wastewater and reclaimed water plan, including preliminary calculations, shall be required to be submitted for review and approval prior to construction plan submittal.
- f. The water main connection point for the project is to the existing water main along C.R. 535. The wastewater connection point for this project is to the existing force main at the intersection of Reams Road and C.R. 535. Any extension of the force main along C.R. 535 will have to be Village sized. The reclaimed water connection point for this project is to the existing reclaimed water main at the intersection of Reams Road and C.R. 535. Any extension of the reclaimed water main along C.R. 535 will have to be Village sized.
- g. The Developer shall comply with all provisions of the Public Education Agreement (PEA) entered into with the Orange County School Board (OCSB). The Developer has a signed Capacity Enhancement Agreement (CEA #05-002) and the first amendment to that CEA executed on February 22, 2006 and April 8, 2008, respectively, with Orange County Schools. They are on file with the Orange County Planning Division.
 - i. Upon the County's receipt of written notice from Orange County Public Schools (OCPS) that the Developer is in default or breach of the CEA, the County shall immediately cease issuing building permits for any residential units in excess of the 59 residential units allowed under the zoning existing prior to the approval of the PD zoning. (The applicant has acknowledged in a letter dated November 7, 2006, to OCSB that the number of vested residential units referenced in the second recital of the CEA should be deemed to be 59, not 178, and the CEA would not be applicable to any residential units in the Village Center until the Middle School site is conveyed. The applicant does not object to an amendment to the CEA to that effect.) The County shall again begin issuing building permits upon OCPS' written notice to the County that the Developer is no longer in breach or default of the CEA. The Developer and its successor or assign under the CEA shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.
 - ii. The Developer, or its successor or assign under the CEA, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's property rights.
 - iii. Orange County shall be held harmless by the Developer and its assigns under the CEA, in any dispute between the Developer and OCPS over any interpretation or provision of the CEA.
 - iv. At the time of platting, documentation shall be provided from OCPS that the project is in compliance with the CEA.
- h. A Developer's Agreement has been executed by Orange County, the Developer of North of Albert's, and the applicant addressing the conveyance of the Middle

School Site for Lakeside Village. This Agreement satisfies the requirements set forth in Orange County Code (OCC) Section 30-712(2)(b) for the Frye Property (Land Use Plan) LUP.

- i. The Applicant shall apply for and obtain a Capacity Encumbrance Letter prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate prior to platting. However, nothing in this condition and nothing in the decision to approve this LUP shall be construed to mean that the applicant will be able to satisfy the requirements for obtaining a Capacity Encumbrance Letter.
- j. The Amended and Restated Frye Center PD (Adequate Public Facilities) APF Agreement is approved and supersedes and replaces the original APF Agreement as approved by the Board of County Commissioners on July 8, 2008, as recorded in O.R. Book #9733, Page 88946.
- k. A Waiver from Orange County Code 38-1397(b)(5) is granted to allow a 65 foot / 4 story maximum building height in lieu of 40 feet / 3 stories for Tract 2 in its entirety.
- l. This development is approved for a maximum of 162,260 square feet in consideration of the Village Center Lands situated within the PD that also includes the Lakeside Village Middle School site. In order to meet current retail development standards, a waiver from OCC 38-1389(b)(4) is granted to allow the maximum gross floor area per retail establishment (excluding grocery store) to be 15,000 square feet in lieu of 5,000/10,000 square feet. A request for a waiver from (Orange County Code) OCC 38-1389(b)(4) to permit the maximum gross floor area per grocery store to be 54,000 square feet instead of 50,000 square feet has been withdrawn by the applicant. Accordingly, no grocery store shall exceed 50,000 square feet.
- m. No later than ninety (90) days after the Board of County Commissioners approves the Frye Center PD Land Use Plan and the accompanying Developer's agreement, a conveyance document for Tract 6 for civic and public uses shall be provided to the County at no cost to the County.
- n. A drive-through shall be permitted solely in conjunction with financial institutions, grocery stores, and drug stores.
- o. The maximum lot coverage for multi-family, retail, and office shall not exceed 80 percent.
- p. Freestanding, enclosed car washes shall only be permitted as ancillary uses in conjunction with gas pump stations.
- q. Any waivers from the performance standards shall require (Board of County Commissioners) BCC approval.
- r. The maximum number of units shall be limited to 410. All acreages regarding conservation areas and buffers are considered approximate until finalized by

conservation area determinations and conservation area impact permits. Approval of this plan does not permit any proposed conservation impacts.

- s. A block plan shall be provided at the time of the Preliminary Subdivision Plan (PSP) or Development Plan (DP) approval, whichever is submitted first.
- t. There shall be a stub-out to the north of the development. The exact alignment shall be determined at the time of PSP/DP approval.
- ~~u. There shall be a full access point located at Tract 6 and C.R. 535, and any proposed signalization shall be subject to signal warrants. If and when a traffic signal is warranted, the Developer shall pay all costs of installation.~~

There shall be a full access point located at Tract 6 (Lachlan Lane) and C.R. 535, and County has determined that such signalization is currently warranted. When the traffic signal is installed by the County, the developer's successor, Lakeside II Partners, LLC, shall reimburse to County fifty percent (50%) of all costs of design and installation of such signal. Such reimbursement to County shall occur within thirty (30) days after receipt by Lakeside II Partners, LLC of an itemized invoice from the County setting forth the actual total design and installation cost incurred by County for such signal.

- v. Unless a conservation area impact permit is approved by the County prior to construction plan approval, no conservation area encroachments are permitted.
- w. A five (5) acre public park site and trail as depicted on Exhibit B to the amended and restated APF Agreement on the southeastern side of Lake Spar on upland property will be set aside and identified on the first Preliminary Subdivision Plan for BCC approval, and shall be conveyed pursuant to the amended and restated APF Agreement. The park site shall be contiguous to the park site located on the Black Amber Property to the south, unless there is not such a park site located on the property to the south. The park shall be maintained at the cost of the owners of the commercial uses of the Village Center Lands of Lakeside Village. A property owners' association (POA) or other entity acceptable to the County for commercial properties in the Village Center shall be established within the Village Center for the operation and maintenance of the Village Center Park. This POA or other approved entity may include other commercial property owners and parcels as may be required by the County in the future. The Developer's Agreement for Lakeside Village Center APF Park among Orange County, Lakeside Village LLC, and GS Properties LLC (the "Developer's Agreement"), addressing conveyance and maintenance of the Village Center Park is hereby approved. The Developers Agreement shall prevail in the case of any conflicts between the terms of the Developers Agreement and the conditions on the face of the Land Use Plan or Preliminary Subdivision Plan.
- x. At the time of platting, Tracts 4 and 5, including upland buffers, designated as conservation/mitigation, shall be dedicated to Orange County.

- y. The Developer's Agreement regarding Lakeside Village among GS Properties, LLC, North of Albert's, LLP, Lakeside Village Center, LLC, and Orange County is approved.
- z. The following waivers from the Village Code are granted in order to allow for a more integrated mixed-use development pattern:
 - i. Tract 1 (Village Center) shall be permitted to hold special events throughout the calendar year. The Planning Manager in consultation with the Building and Fire Safety Departments shall review special events, and all special events shall be subject to all applicable permits. With the exception of the Farmer's Market, a special event shall not have duration beyond 72 hours. In no instance shall the following uses be permitted:
 - 1. Car sales events, i.e. events featuring or promoting the sale of new or used cars.
 - 2. Boat sales events, i.e. events featuring or promoting the sale of new or used boats.
 - 3. Special events featuring the sale of merchandise, which is not customarily sold by uses, permitted in the Orange County Retail Commercial (C-1) Zoning District.
 - ii. Special events may be held on Tract 7 with prior approval from the Parks and Recreation Manager. The Manager on a case-by-case basis will review special events.
 - iii. A waiver from Section 38-1382(h) is granted to allow the APF Park/Tract 7 to count toward the 5% required public open space in accordance with Future Land Use Element Policies FLU4.2.22 and FLU4.2.23.
 - iv. In order to provide for better design for the overall center, a waiver from Section 38-1389(c)(4)(h), which requires that parking lots and garages not be located adjacent to street intersections or civic use areas, is granted to allow parking to be located in front of the property.
 - v. A waiver from Section 38-1389(c)(4)(i) is granted to allow parking to be located in front of the property. Parking lots in the Village Center are not required to be located at the side or rear of grocery stores, where those parking lots are located internal to the block and the building is not facing a public right-of-way.
 - vi. A waiver from Section 38-1389(c)(6)(d) is granted to eliminate the requirement that the edges of parking lots, which abut a property under different ownership, shall have a street wall or be planted with shrubs. The Village Center portion of the Frye Property PD will be developed under a unified plan, however, may have different property ownerships with joint parking and access. All parking lots at the perimeter of the PD that abut different properties will meet the buffering requirement of the Village

Development Code; however, all parking lots internal to the PD will be exempt.

- vii. In order to minimize parking, maximize green space, and encourage integrated parking and multi-modal transportation, a waiver from Section 38-1476 is granted to eliminate the provision of additional parking spaces for second floor mezzanine space, where such space is inaccessible by customers. The maximum reduction allowed by this waiver will not exceed the parking requirement for 10,000 square feet of general retail space or 50 parking spaces.
- viii. A waiver from Section 38-1389(c)(3)(a) to decrease the minimum lot width for townhomes from twenty-five (25) feet to twenty-four (24) feet.
- ix. A waiver from Section 38-1389(c)(3)(b) to decrease the minimum lot depth for townhomes from one hundred twenty (120) feet to eighty-six (86) feet.
- aa. Section 38-1258, Orange County Code is intended to provide compatibility between multi-family and single-family developments on a countywide basis. These requirements are not consistent with the integrated, mixed use development in the approved Lakeside Village Specific Area Plan. At the date of this plan, the adjacent property to the north of the multi-family development on Tract 2 is designated as townhouse/apartment district by the Lakeside Village Specific Area Plan but is presently zoned agriculture (A-1). Therefore, waivers to the following subsections of Section 38-1258 are required:
 - i. Multi-family buildings located within one hundred (100) feet of single-family zoned property may be up to four (4) stories in lieu of a single story maximum.
 - ii. Multi-family buildings located within one hundred plus (100+) to one hundred fifty (150) feet of single-family zoned property may be up to four (4) stories and sixty-five (65) feet in height for 100% of the buildings in lieu of three (3) story and forty (40) feet maximum for 50% of the buildings.
 - iii. Multi-family buildings located within one hundred fifty (150) feet of single-family zoned property may be up to four (4) stories and sixty-five (65) feet in height in lieu of three (30) story and forty (40) feet maximum.
 - iv. The Board of County Commissioners has approved the height waiver to allow four (4) stories and sixty-five (65) feet with no additional justification required to exceed three (3) stories and forty (40) feet.
 - v. Parking and other paved surfaces may be located no less than seven (7) feet from single-family zoned property in lieu of a minimum twenty-five (25) foot landscape buffer.
 - vi. A wall along the northern property line is not required.

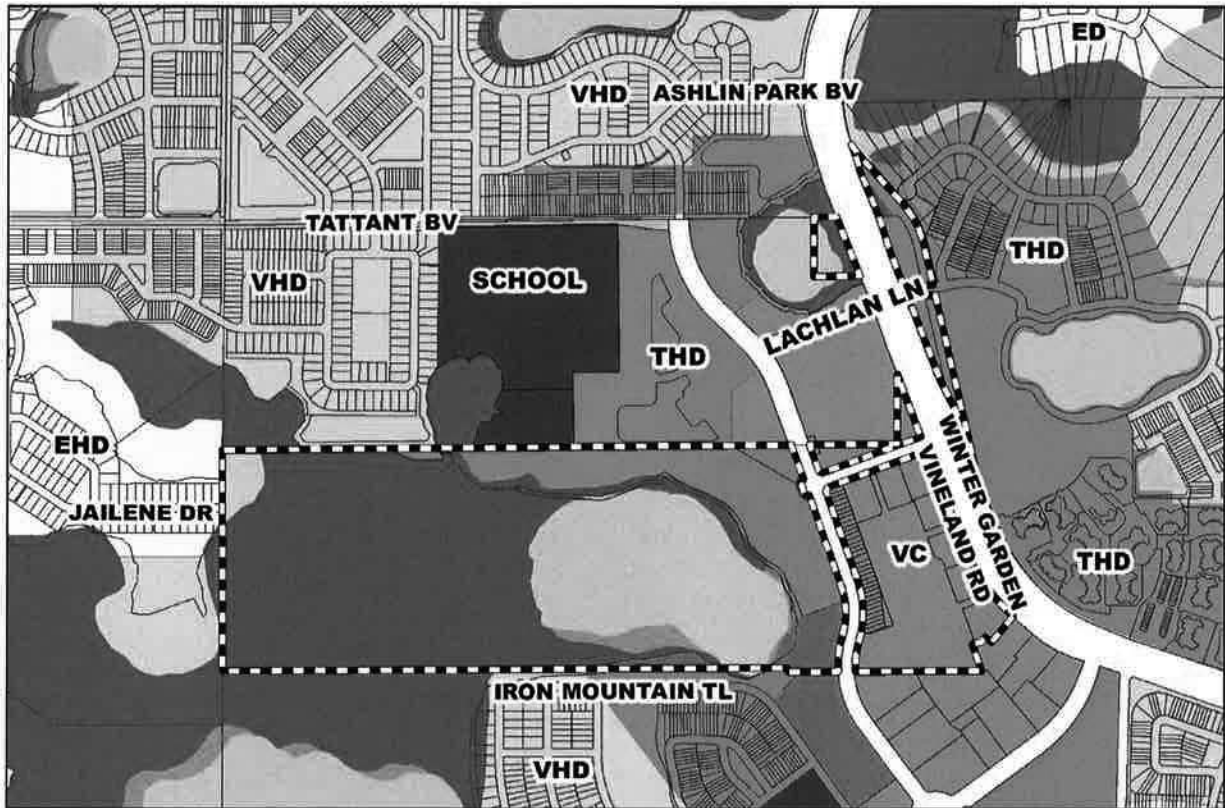
- vii. In lieu of a forty (40) foot building separation, there shall be a minimum of twenty (20) feet between all structures, except as follows:
 - A minimum ten (10) foot building separation shall be provided between multi-family structures adjacent to the APF roadway.
 - bb. Approval of this substantial change to the Land Use Plan does not constitute approval of the apartment design elevations submitted. Such design approvals shall be addressed in the special exception process.
 - cc. A waiver from Section 38-1476 is granted to allow for a reduced parking ratio only for banks, financial, and lending institutions to be one (1) space per 250 square feet in lieu of one (1) space per 100 square feet.
7. All previous applicable conditions of approval dated January 27, 2009 shall apply:
- a. Prior to construction plan approval, a master stormwater management plan including a drainage study to establish the 100-year flood elevation shall be submitted to the development engineering division for review and approval.
 - b. The stormwater management system shall be designed to retain the 100-year/24-hour storm event onsite, unless documentation with supporting calculations is submitted, which demonstrates that a positive outfall is available. If the applicant can show the existence of a positive outfall for the subject basin, then the Developer shall comply with all applicable state and local stormwater requirements and regulations. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas.
 - c. Prior to any construction plan submitted, a study to establish the 100-year flood elevation for Lake Spar shall be submitted and approved by Orange County. Compensating storage for all floodwater displaced by development below the 100-year elevation will be required.
 - d. A municipal service benefit unit (MSBU) shall be established for the standard operation and maintenance of street lighting inventory including leasing, fuel and energy costs for this project. Street lighting fixtures, poles, and luminaries used in this project shall be selected from the approved inventory list supplied by the Orange County Comptroller. Street lighting fixtures, poles, and luminaries used in this project shall be supplied and installed by the utility company that services the area of the project, as authorized by law or agreement, and thereafter maintains the street lighting inventory. The Developer shall obtain approval of the street lighting fixtures, poles, and luminaries from the Orange County Comptroller Special Assessments Department via a "Letter of Commitment" prior to the installation of the street lighting fixtures, poles, and luminaries and prior to the plat being recorded by Orange County Comptroller Official Records Section. All installation costs and street lighting operational costs prior to the effective date of the MSBU approval by the Orange County Board of County Commissioners shall be the sole responsibility of the Developer.

- e. Prior to earthwork or construction, 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.
 - f. A special exception shall be obtained for apartments/condos within the townhome/apartment district.
 - g. Prior to platting any residential portion of this development, the APF Park (Tract 7) shall be conveyed to Orange County.
 - h. Prior to Development Plan approval for Tract 10, a 12-foot multi-purpose trail shall be provided to the property to the north.
 - i. A drainage easement to maintain functionality over the privately owned ponds shall be granted to the County at the time of platting.
8. All previous applicable conditions of approval dated July 8, 2008 shall apply:
- a. A waiver from Orange County Code 38-1387(B)(5) is granted by the BCC to allow a sixty-five (56) foot/five (5) stories maximum building height in lieu of forty (40) feet/three(3) stories for multi-family and townhome buildings in the townhouse/apartment district. With the granting of this waiver, the minimum amount of open space on Tract 2 shall increase to 35 percent, and the open space cannot be used on any other tracts.

PREVIOUS BOARD OF COUNTY COMMISSIONERS ACTION (October 16, 2012)

Upon a motion by Commissioner Boyd, seconded by Commissioner Edwards, and carried by all members present, The Board made a finding of consistency with the Comprehensive Plan; and further, approved the substantial change request by Andrea Jernigan-Gwinn, Frye Center Planned Development (PD) Land Use Plan (LUP), to: 1) Request a waiver from Section 38-1253(b) to allow for a recreational area of 0.19 acres in lieu of the required .248 acres; and 2) Request a waiver from Section 38-1389(c)(3)(c) to allow townhomes maximum lot coverage of 74% in lieu of the maximum lot coverage of 65%. Note: Applicable to Tract 1, Lot 2 only; which constitutes a substantial change to the development on the described property; subject to conditions.

CDR-19-04-129



Subject Property



Subject Property

Future Land Use Map

FLUM: Village (V), Horizon West Lakeside Village Special Planning Area (SPA), Village Center District and Townhome District

APPLICANT: James G. Willard, Esq., Shutts & Bowen, LLP

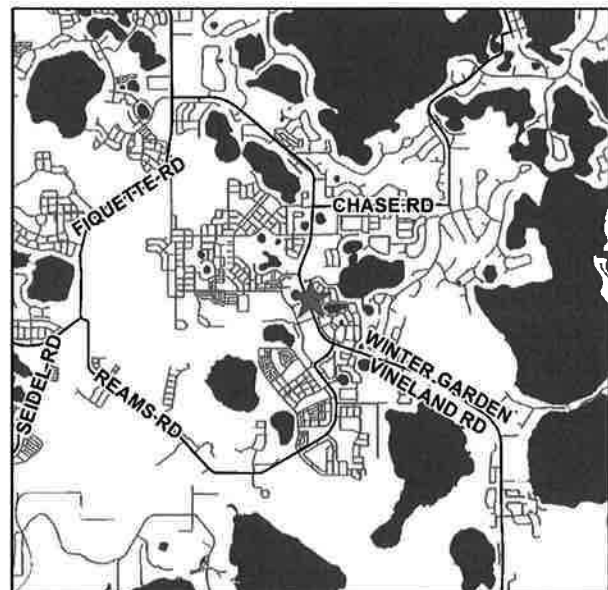
LOCATION: Generally located west and east of Winter Garden Vineland Road, north of Silverlake Park Drive

TRACT SIZE: 137.54 gross acres (overall PD)

DISTRICT: # 1

S/T/R: 25/23/27, 36/23/27

1 inch = 925 feet



CDR-19-04-129



Subject Property



Subject Property

Zoning Map

ZONING: PD (Planned Development District)

APPLICANT: James G. Willard, Esq.,
Shutts & Bowen, LLP

LOCATION: Generally located west and east of Winter Garden Vineland Road, north of Silverlake Park Drive

TRACT SIZE: 137.54 gross acres (overall PD)

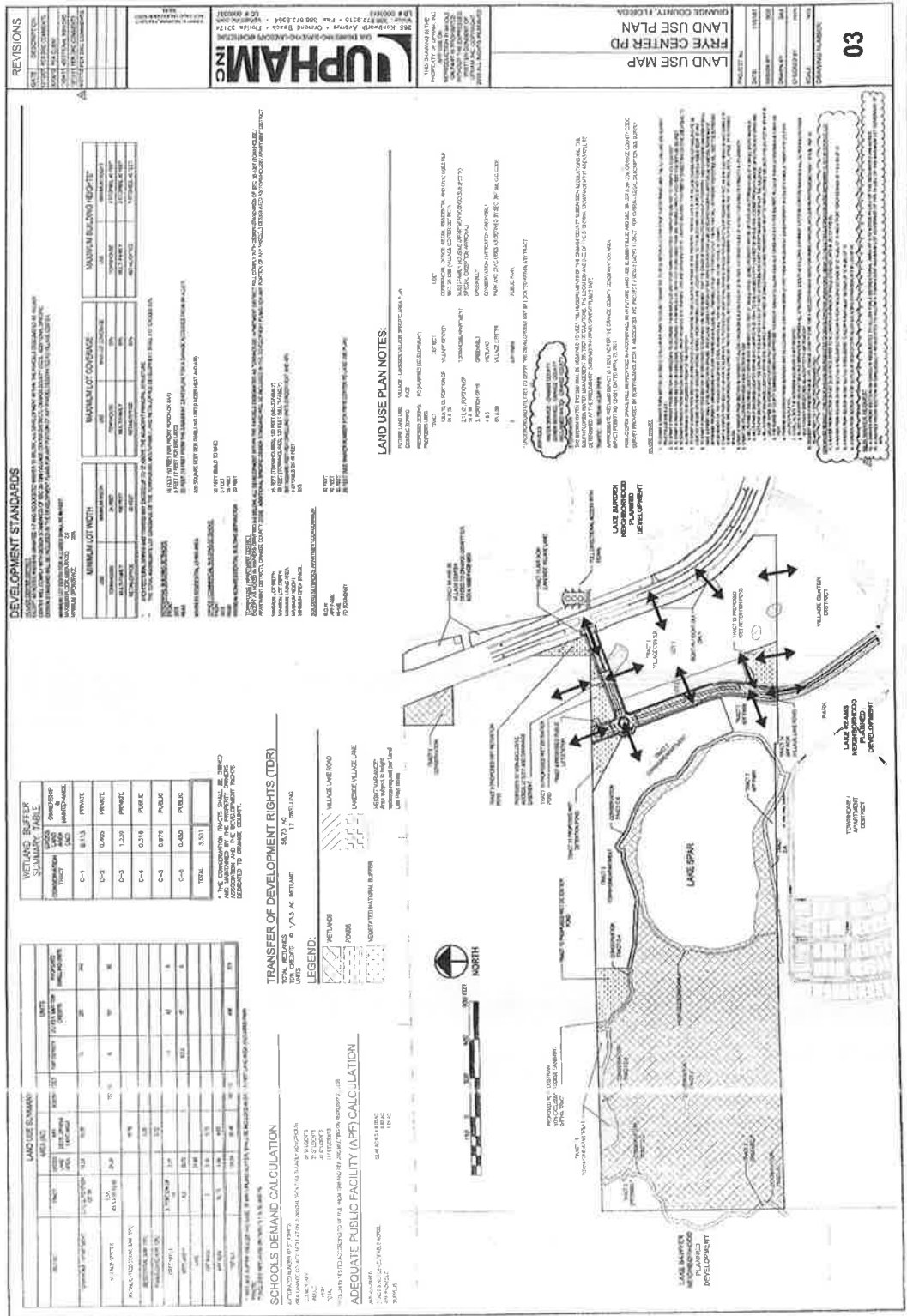
DISTRICT: # 1

S/T/R: 25/23/27, 36/23/27

1 inch = 925 feet



Frye Center PD / LUP



DEVELOPMENT STANDARDS

MINIMUM LOT WIDTH

USE	MINIMUM LOT WIDTH
RESIDENTIAL	30 FEET
COMMERCIAL	40 FEET
PUBLIC	50 FEET

MINIMUM LOT DEPTH

USE	MINIMUM LOT DEPTH
RESIDENTIAL	30 FEET
COMMERCIAL	40 FEET
PUBLIC	50 FEET

MAXIMUM BUILDING HEIGHT

USE	MAXIMUM BUILDING HEIGHT
RESIDENTIAL	40 FEET
COMMERCIAL	60 FEET
PUBLIC	80 FEET

LAND USE PLAN NOTES

- THE PLAN IS SUBJECT TO THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS.
- THE PLAN IS SUBJECT TO THE APPROVAL OF THE PLANNING COMMISSION.
- THE PLAN IS SUBJECT TO THE APPROVAL OF THE COMMUNITY DEVELOPMENT DEPARTMENT.
- THE PLAN IS SUBJECT TO THE APPROVAL OF THE PUBLIC WORKS DEPARTMENT.
- THE PLAN IS SUBJECT TO THE APPROVAL OF THE FIRE DEPARTMENT.
- THE PLAN IS SUBJECT TO THE APPROVAL OF THE POLICE DEPARTMENT.
- THE PLAN IS SUBJECT TO THE APPROVAL OF THE HEALTH DEPARTMENT.
- THE PLAN IS SUBJECT TO THE APPROVAL OF THE ENVIRONMENTAL HEALTH DEPARTMENT.
- THE PLAN IS SUBJECT TO THE APPROVAL OF THE SOLID WASTE DEPARTMENT.
- THE PLAN IS SUBJECT TO THE APPROVAL OF THE WATER UTILITIES DEPARTMENT.

TRANSFER OF DEVELOPMENT RIGHTS (TDR)

USE	TOTAL ACREAGE	AVAILABILITY
RESIDENTIAL	17	17
COMMERCIAL	17	17
PUBLIC	17	17
TOTAL	51	51

SCHOOLS DEMAND CALCULATION

AREA	ACREAGE	STUDENTS PER ACRE	TOTAL STUDENTS
Area 1	10	10	100
Area 2	10	10	100
Area 3	10	10	100
TOTAL	30		300

ADEQUATE PUBLIC FACILITY (APF) CALCULATION

AREA	ACREAGE	APF REQUIREMENT
Area 1	10	10
Area 2	10	10
Area 3	10	10
TOTAL	30	30

UPPHAM INC
 1000 S. MAIN ST., SUITE 200, OREGON, OR 97136
 503.223.0000

LAND USE MAP
FRYE CENTER PD
LAND USE PLAN
 ORANGE COUNTY, FLORIDA

03

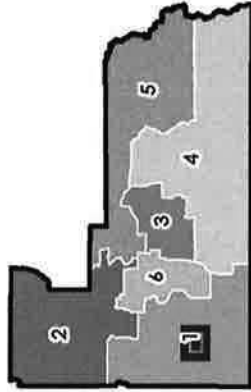
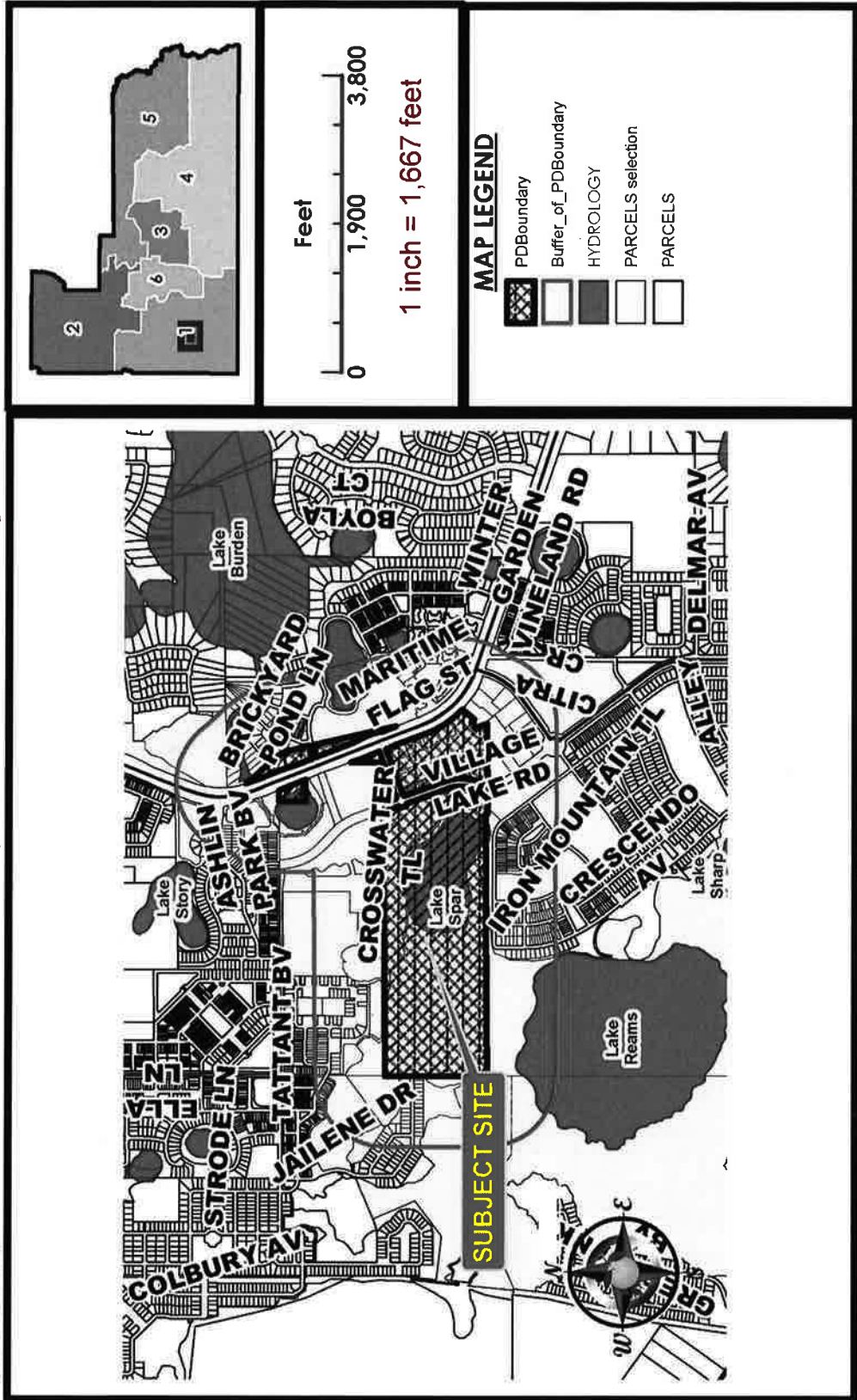
Notification Map



Public Notification Map

FRYE CENTER PD_CDR-19-04-129

900 FT BUFFER, 1,184 NOTICES



1 inch = 1,667 feet

MAP LEGEND

- PDBoundary
- Buffer_of_PDBoundary
- HYDROLOGY
- PARCELS selection
- PARCELS

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