

**COMMUNITY, ENVIRONMENTAL & DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION PUBLIC HEARING REPORT
AUGUST 1, 2017**

This packet contains the following public hearings to be heard by the Board of County Commissioners on Tuesday, August 1, 2017.

<u>Name of Request</u>	<u>Case Number</u>	<u>Type of Hearing</u>
Marc Stehli, Poulos & Bennett, LLC, for Hickory Nut Estates PD / Hickory Nut Estates PSP; District 1	PSP-16-06-222	Preliminary Subdivision Plan
Mark Kinchla, Mission Homes, LLC, for Old Cheney 10 PSP; District 5	PSP-16-08-235	Preliminary Subdivision Plan
Darren Pellegrin, Greenway Park, LLC, for Ginn Property PD / Greenway Park Parcel 4 PSP; District 4	PSP-17-01-019	Preliminary Subdivision Plan



Interoffice Memorandum

DATE: July 6, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

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

CONTACT PERSON: John Smogor, Chairman
Development Review Committee
Planning Division
(407) 836-5616

SUBJECT: August 1, 2017 – Public Hearing
Applicant: Mark Kinchla, Mission Homes, LLC
Old Cheney 10 Preliminary Subdivision Plan
Case # PSP-16-08-235

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of January 25, 2017, to recommend approval of the Old Cheney 10 Preliminary Subdivision Plan to subdivide 0.87 acres in order to construct 10 single-family attached residential dwelling units.

The application for this request is subject to the requirements of Article X, Chapter 2, Orange County Code, as may be amended from time to time, which mandates the disclosure of expenditures related to the presentation of items or lobbying of items before the BCC. A copy will be available upon request to the DRC Office.

Supporting documentation for this request can be accessed through the County's FastTrack site, located at:

https://fasttrack.ocfl.net/OnlineServices/DC_DevelopmentReviewCommittee.aspx

ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan (CP) and approve the Old Cheney 10 Preliminary Subdivision Plan dated "Received May 23, 2017", subject to the conditions listed under the DRC Recommendation in the staff report. District 5

JVW/JS/sfv
Attachments

1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of January 25, 2017, to recommend approval of the Old Cheney 10 Preliminary Subdivision Plan to subdivide 0.87 acres in order to construct 10 single-family attached residential dwelling units.

2. PROJECT ANALYSIS

- A. Location: North of Old Cheney Highway / West of North Semoran Boulevard
- B. Parcel ID: 21-22-30-0000-00-048
- C. Total Acres: 0.87
- D. Water Supply: Orange County Utilities
- E. Sewer System: Orange County Utilities
- F. Schools: Audubon Park ES: Capacity - 842, Enrollment - 1,209
Glenridge MS: Capacity - 1,251, Enrollment - 1,448
Winter Park HS: Capacity - 3,723, Enrollment - 3,146
- G. School Population: 4
- H. Parks: Millenium Park - 0.7 Mile
- I. Proposed Use: 10 Single Family Residential Dwelling Units
- J. Site Data: Maximum Building Height: 35' (3 stories)
Minimum Living Area: 500 Square Feet
Building Setbacks:
 - 20' Front
 - 0' Side (interior units) 10'Side (end units)
 - 25' Reams Road
 - 20' Rear
 - 15' Side Street
- K. Fire Station: Station 66 - 996 N. Semoran Boulevard

- L. Transportation: This project is in the Alternative Mobility Area and is exempt from transportation concurrency. However, a mobility analysis in accordance with Objective T.2.3 and associated policies of the Comprehensive Plan will be required prior to obtaining a building permit.

3. COMPREHENSIVE PLAN

The property's current Future Land Use Map (FLUM) designation is Medium Density Residential. This request is consistent with the Comprehensive Plan.

4. ZONING

R-3 (Multiple-Family Dwelling District)

5. REQUESTED ACTION:

Approval subject to the following conditions:

1. Development shall conform to the Old Cheney 10 Preliminary Subdivision Plan dated "Received May 23, 2017," 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. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the preliminary subdivision plan dated "Received May 23, 2017," 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.

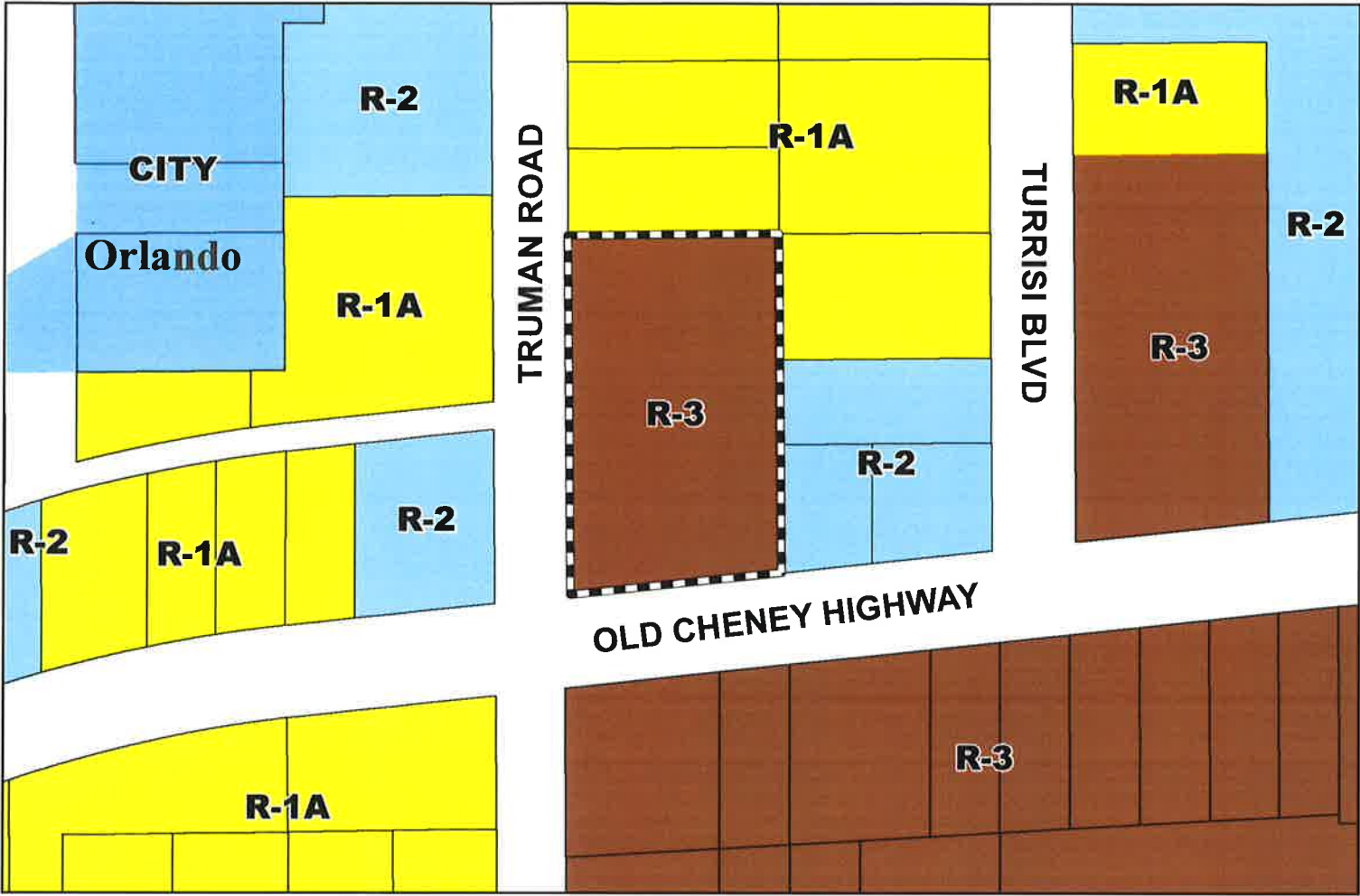
3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit 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 preliminary subdivision 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 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 in lieu of designing for the 100-year/24-hour storm event, 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.

7. A mandatory pre-application / sufficiency review meeting for the plat shall be required prior to plat submittal, but after approval of the site construction plans. The applicant shall resolve, to the County's satisfaction, all items identified in the pre-application / sufficiency review meeting prior to formal submittal of the plat to the County.
8. This project is located in the Alternative Mobility Area (AMA) and, therefore, shall be required to provide for alternative mobility strategies related to the development. The applicant must submit a Mobility Analysis to be reviewed and approved by the Transportation Planning Division prior to obtaining a building permit.
9. 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.
10. The Developer shall obtain water and wastewater service from Orange County Utilities.
11. A Master Utility Plan (MUP) for the PD shall be submitted to Orange County Utilities at least thirty (30) days prior to submittal of the first set of construction plans. The MUP must be approved prior to Construction Plan approval.
12. Short term/transient rental is prohibited. Length of stay shall be for 180 days or greater.
13. Signage shall comply with Chapter 31.5.
14. Garage apartments / granny flats shall be prohibited.



 Subject Property



 Subject Property

Zoning

- ZONING:** R-3
(Multi-Family Dwelling District)
- APPLICANT:** Mark Kinchla, Mission Homes, LLC
- LOCATION:** North of Old Cheney Highway /
West of North Semoran
- TRACT SIZE:** 0.87 gross acres
- DISTRICT:** #5
- S/T/R:** 21/22/30

1 inch = 125 feet



<p style="text-align: center;">CONNELLY & WICKER INC.</p> <p style="text-align: center;">Engineering • Planning • Landscape Architecture</p> <p style="text-align: center;">10000 Shalene Lake Drive, Suite 500 Jacksonville, Florida 32246 (904) 265-3030 FAX (904) 265-3031 www.cwinc.com CA Number: 3690 L.A. Number: LC26000311</p>	<p>SITE DATA</p>	<p>MISSION HOMES</p> <p>ORANGE COUNTY, FL</p> <p>OLD CHENEY 10</p>	<p>Reg. District: 10101 21-23-30-0000-00-048</p> <p>Parcel: 21-23-30-0000-00-048 OLD CHENEY HWY ORLANDO, FL 32807</p>
--	-------------------------	---	--

PROJECT NAME: OLD CHENEY 10
 PARCEL # 21-23-30-0000-00-048
 OLD CHENEY HWY
 ORLANDO, FL 32807

PROJECT TABULAR DATA

TOTAL PHASES	1
TOTAL SITE AREA	0.87 Acres
ACTIVE RECREATION AREAS	NONE
NUMBER OF LOTS/DWELLING UNITS	SINGLE FAMILY: 10 UNITS (11.4 UNITS/AC)
NOTE:	GARAGE APARTMENTS/GRANNY FLATS SHALL BE PROHIBITED.
PROPOSED BUILDINGS	35 MAX HEIGHT
EXISTING ZONING	R-3
FEMA FLOOD ZONE	X NA (PANEL 12055C0265M)
REQUIRED PARKING	2 SPACES PER LOT + 1 GUEST SPACE
PROPOSED PARKING	1 CAR GARAGE + 1 DRIVEWAY SPACE PROVIDED * PARKING EXIST VARIANCE REQUESTED FROM (2) + 1 GUEST
MIN LOT AREA	1,830 SQ FT
MIN LIVING AREA	500 SQ FT
MIN LOT WIDTH	20 FT
SETBACKS	FRONT: 20' REAR: 20' SIDE/STREET: 15' SIDE: 0" (INTERIOR UNITS) END UNITS: 10'
WATER SERVICE	ORANGE COUNTY
SEWER SERVICE	ORANGE COUNTY UTILITIES
ELECTRICE SERVICE	ORLANDO UTILITIES COMMISSION
RECYCLING (FRIDAY)	ORANGE COUNTY
TRASH (FRIDAY)	ORANGE COUNTY
YARD WASTE (MONDAY)	ORANGE COUNTY

SCHOOL AGE CHILDREN: (BASED ON 10 LOTS)

ELMENTARY	(10x1196) = 2 CHILDREN
MIDDLE	(10x1100) = 1 CHILD
HIGH	(10x1134) = 1 CHILD
TOTAL	4 SCHOOL AGE CHILDREN

ADT: RESIDENTIAL TOWNHOUSE 2.80
 3.81 TRIPS/DAY X 10 UNITS = 38 TRIPS/DAY
 PM PEAK TRIPS = 5

LEGAL DESCRIPTION: PARCEL: 21-23-30-0000-00-048
 LIES IN SECTION 23, TOWNSHIP 22, RANGE 33, ORLANDO, FLORIDA

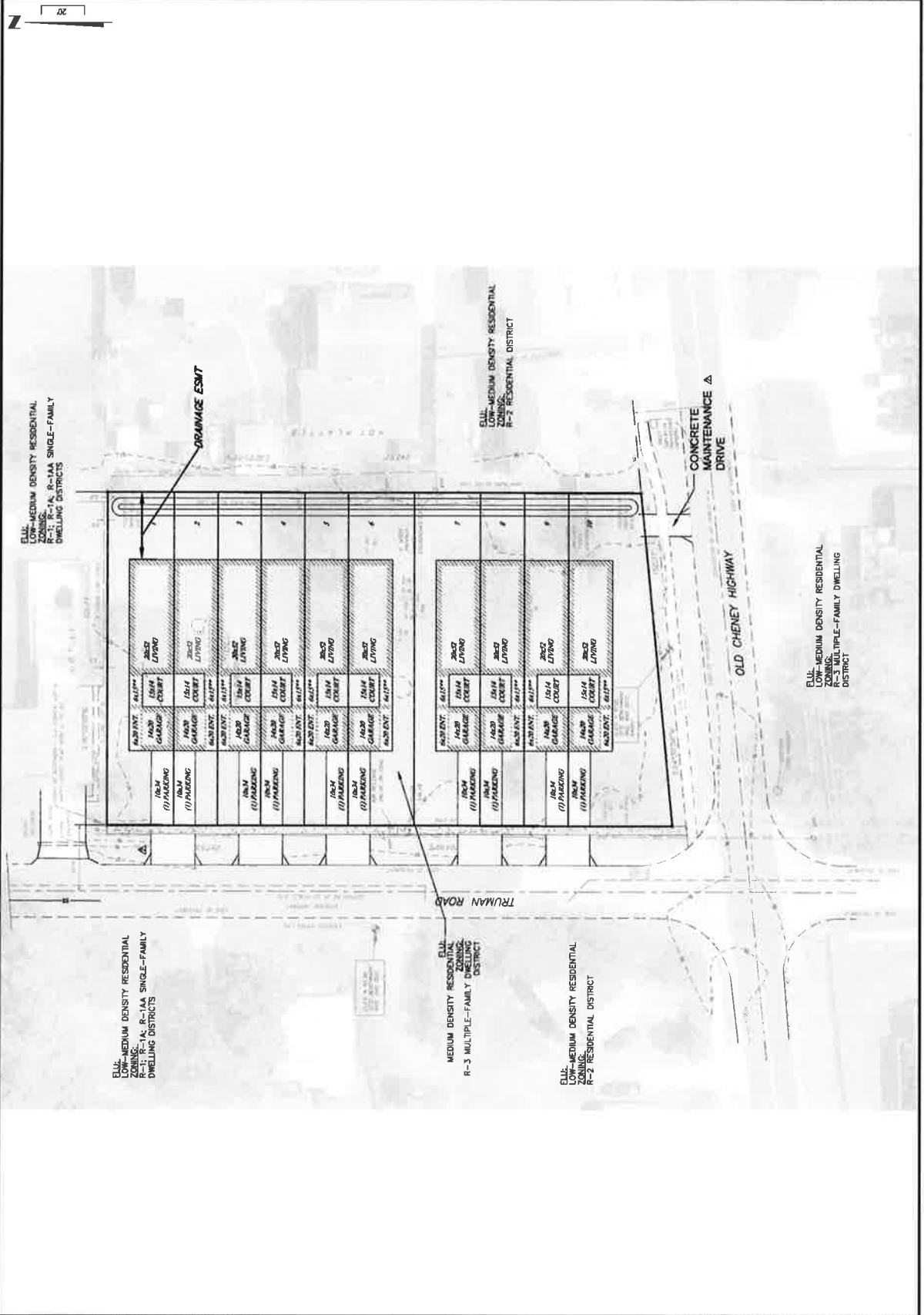
PROPERTY DEVELOPER: MISSION HOMES, LLC
 528 HARBORMAN LANE
 ORLANDO, FL 32808
 CONTACT: MARK KINOLA
 Phone: (407) 468-9165

PROJECT ENGINEER: CONNELLY & WICKER INC.
 10000 SHALENE LAKE DRIVE, SUITE 500
 JACKSONVILLE, FLORIDA 32216
 CONTACT: RYAN BLADA, P.E.
 Phone: (407) 261-3100

PROJECT SURVEYOR: MCMANON SURVEYING AND MAPPING, LLC
 245 SAN MARCOS AVENUE
 SANFORD, FLORIDA 32777
 CONTACT: THOMAS J. MCMANON
 PHONE: (407) 339-7201

- NOTE:**
1. ALL CONSTRUCTION DETAILS ARE CONCEPTUAL AND SUBJECT TO REVIEW AND MODIFICATION DURING THE APPROVAL OF FINAL CONSTRUCTION PLANS.
 2. DEVELOPER SHALL PROVIDE A BLANKET EASEMENT OVER THE SITE FOR THE SHARED DRAINAGE AT TIME OF RE-FLAT.
 3. EIGHTYFIVE PERCENT (85%) OF ALL LOTS SURFACE (AND) ON ALL LOTS VARIANCE REQUESTED FROM 45% PERVIOUS ON EACH LOT.
 4. ALL UNITS TO BE SPRAWLED.

DRAINAGE NOTE: SITE IS LESS THAN 1 ACRE. WINTER QUALITY TREATMENT DESIGN WILL BE PROVIDED AS REQUIRED AT FINAL DESIGN. POTENTIAL HIGH GWT ISSUES WILL BE REVIEWED AT FINAL DESIGN.





Old Cheney 10 PSP



	Parcels		Subject Property		Jurisdiction		Hydrology
---	---------	---	------------------	---	--------------	---	-----------

1 : 600
1 in : 50 ft