

# Hartzog Attainable Housing

A Master Class in Deception

# Why Trust in Disney and Michaels?

- Disney have not been paying their fair share in taxes and do not care about the communities of Orange County
  - “A court ruling in Disney’s favor could force Orange County Public Schools to refund millions – and potentially tens of millions – in property taxes to the entertainment giant” - Orlando Sentinel 09/24/2024
- Michaels has a record of seeking “to gain a profit or avoid accountability for forcing these families to live in unsafe or unsanitary housing”

[https://www.kaine.senate.gov/imo/media/doc/letter to dod re military housing non-disclosure agreements.pdf](https://www.kaine.senate.gov/imo/media/doc/letter%20to%20dod%20re%20military%20housing%20non-disclosure%20agreements.pdf)

<https://www.yahoo.com/news/disney-court-win-could-cost-221600993.html?guccounter=1>

# Rendering of Proposed Buildings at Hartzog

- 3 Story buildings presented
- PD request for 5 story buildings
- Major change in character then what it presented
- If Disney is misrepresenting this, what else will change for the worse once the project is approved?
- What other amendments and exemptions will they request?



# Michels Organization

Concept Presented at previous PZC

- Janie's Garden - Sarasota, FL shown at PZC 02/15/2024 is nothing like what was built





# Street View of Janie's Garden

- May 2021



- Do we want to allow the construction of building that will be poorly maintained?



# Street View of Janie's Garden - May 2021



- This was presented as their standard, and this project will be similar to this

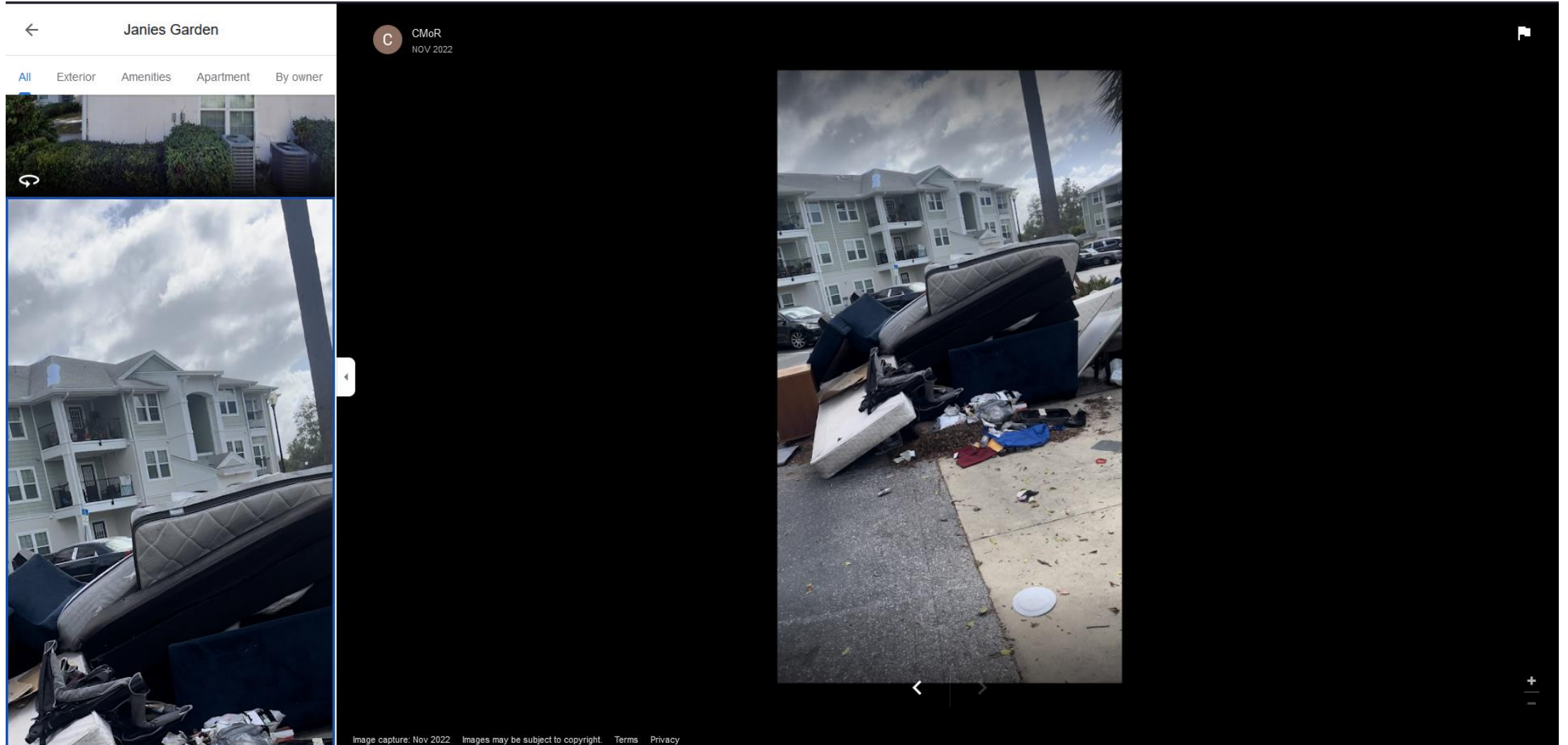


# Street View of Janie's Garden - May 2021



- Will Disney attach its name to this project like they do to Luxury communities and ensure it is well maintained for its future residents?

# Janie's Garden - Sarasota - FL Google Review





# MacDill

## Air Force Base

"Jason Genrich's 17-year Army career is under threat because of his health. It's not because of injuries sustained on one of his four deployments – it's because of mold growing in his military housing at MacDill Air Force Base, Fla" - Stars and Stripes • December 3, 2019

"U.S. Air Force Master Sgt. Joshua Lenz and his family were faced with poor living conditions that ranged from mold in air ducts and maggots in the dishwasher upon moving into their military housing unit at MacDill Air Force Base. (Florida Middle District Court)"

Stars and Stripes • December 3, 2019



# Military Housing

- WSB TV Atlanta - Channel 2 call this a systemic issue in Military Bases across the county
- Senate investigation exposed ongoing problems with privatized military



- Michels Organization manages For Belvoir where many families sued them for poor living conditions
  - They were also sued by families in **MacDill**
- [https://youtube.com/watch?v=ymlhXc\\_HCxY](https://youtube.com/watch?v=ymlhXc_HCxY)



# Military Housing Poor Living Conditions



- Residents report that they were forced to live in these condition for over a month before anything was done
- Fort Belvoir gave the Michel's Organization a satisfaction score of 68.8%

# Military Housing Dead Animals



- If Michaels Organization treats out military families like this, how will they treat out future neighbors?
- Will Disney guarantee that these living conditions will not be a part of this development, attaching their name to it and monitoring the



# Letter from 5 US Senators to Secretary of Defense on Use of NDA to Skirt Government

Accountability

United States Senate

WASHINGTON, DC 20510

December 20, 2022

The Honorable Lloyd J. Austin III  
Secretary of Defense  
U.S. Department of Defense  
1000 Defense Pentagon  
Washington, DC 20301-1000

Dear Secretary Austin:

We write to you with deep concern over reports that military families are being forced to sign non-disclosure agreements (NDAs) with privatized military housing companies in order to receive compensation for poor housing conditions or damages.<sup>1</sup> These nefarious practices are not consistent with the law, prevent housing providers from being held fully accountable for their failures, and put military families at risk – and the Department of Defense (“DoD” or “the Department”) must put an end to their use.

Another public report from November 2022 indicated that the housing company Michaels Organization has also been requiring families to sign NDAs in order to receive a settlement for unsafe housing conditions at Fort Belvoir.<sup>10</sup> The family refused to sign the NDA, which would have required them not to discuss the claims or make negative statements about their housing in public. As the spouse of the servicemember described, “It’s hush money. It’s we put you in a moldy and unsafe house. If you want us to remediate your things, take pennies and shut up.”<sup>11</sup> According to the same report, the Michaels Organization is also being sued by other residents regarding similar housing issues.<sup>12</sup>

# Incomplete FLUM Amendment Application

Application Fee Paid <input type="checkbox"/> Yes <input type="checkbox"/> No	Acceptance Date
Application Fee Amount \$	Project Manager
Commission District	Concurrent Rezoning <input type="checkbox"/> Yes <input type="checkbox"/> No
Notes	

**PART A – APPLICANT INFORMATION**

A.1 Applicant  Owner (If checked, skip A.2-A-5)  Authorized Agent

A.2 Agent Name Kathy Hattaway

A.3 Agent Company Walt Disney Imagineering

A.4 Agent Address P.O. Box 10321, Lake Buena Vista, FL 32830

A.5 Agent Contact Information Phone (407) 718-0858 Phone \_\_\_\_\_

Email Address Kathy.Hattaway.-ND@disney.com

A.6 Owner Name Walt Disney Parks and Resorts U.S., Inc. & ARDC-Ocala 201, LLC

A.7 Owner Address P.O. Box 471010, Kissimmee, FL 34747

A.8 Owner Contact Information Phone \_\_\_\_\_ Phone \_\_\_\_\_

Email Address \_\_\_\_\_

**PART B – REQUEST**

B.1 Project Name Hartzog Road Attainable Housing Community

B.2 Future Land Use Map (FLUM) Amendment Type  Large-Scale  Small-Scale

B.3 Subject Property Address Avalon Road and Hartzog Road

B.4 Parcel Identification Number(s) 08-24-27-0000-00-038; 08-24-27-0000-10-000; 08-24-27-0000-00-010; 08-24-27-0000-00-036

B.5 Gross acreage: 114.23 (approx.) Existing Net acreage: 78.67 (approx.) Proposed

B.6 Use of Property Former RIBS facility (portion of property) Existing **Attainable Multi-Family Housing** Proposed

B.7 FLUM Designation Village

B.8 Zoning Designation Planned Development (PD)

**PART C – ADDITIONAL INFORMATION**

C.1 Prior Submissions  Yes  No

C.2 Pre-Application Meeting  Yes  No Date 2023-06-05 \_\_\_\_\_ Initials (Staff Only)

C.3 Received and Read Applicant's Handbook  Yes  No

Misleading language

**PART D – DATA AND ANALYSIS CHECKLIST**

**Justification Statement** Meets requirements outlined in Section 5  Yes  No

**Required Forms**

Agent Authorization Form (Signed and Notarized)  Relationship Disclosure Form (Signed and Notarized)  Specific Project Expenditure Report (Signed and Notarized)

**Property Information**

Certified Survey (only if for a portion of parcel)  Property Appraiser's Map

Property Appraiser's Information  GIS Shapefile (only if parcel boundary is changing)

**Location Maps:**

Aerial Site/Location Map  Future Land Use Map  Soils Map

Floodplain Map (Only for Large-Scale)  Zoning Map

Topographical Map (Only for Large-Scale)

**Small Area and Special Studies** Required by Staff  Yes  No

**Public Facilities**

Environmental Assessment  School Capacity Documents

Transportation Capacity Analysis

**PART E – ACKNOWLEDGEMENTS, AUTHORIZATION, AND CERTIFICATION**

The applicant agrees and understands that this application is submitted pursuant to the Orange County Comprehensive Plan and Chapter 163, Part II, Florida Statutes (The Community Planning Act). The application must be filed in person during the plan amendment submission period to: Orange County Planning Division, Comprehensive Planning Section, 201 South Rosalind Avenue, 2<sup>nd</sup> Floor, Orlando, Florida 32801. Application completeness is the responsibility of the applicant.

The public record of this application consists of the application; the exhibits, documents or materials prepared by the applicant and submitted to the Planning Division, review documentation; information and/or materials prepared by the Planning Division; public comments submitted to the Planning Division; and public comments made during the community meeting (s) or public hearings for this application.

Applicant Signature(s), all property owners must sign

I hereby certify that all information submitted with and pursuant to this application is true and correct to the best of my knowledge and belief.

June 12, 2023

<u>Kathy Hattaway</u> Signature of Applicant	<u>Kathy Hattaway</u> Type or Print Name	_____ Date
_____ Signature of Applicant	_____ Type or Print Name	_____ Date
_____ Signature of Applicant	_____ Type or Print Name	_____ Date

Incomplete form



# Cutoff To Make Changes To Application

B.6 Use of Property – Provide the existing and proposed uses of the property in terms of gross square feet, dwelling units, student beds, etc. If there are not structures on the site, the existing use shall be listed as undeveloped. The land uses and units counts may be amended in response to public or other review comments; however, **the cutoff date for making changes** is two weeks after state review comments are received for a regular cycle amendment, or two weeks after the community meeting for small scale amendments. If changes are desired after those deadlines then the review will be moved to the next review cycle to allow adequate time for analysis of the changes and preparation of legal notices.

Application cannot be amended and must be denied. It is incomplete and contains incorrect legal description of project. The applicant can reapply in the next regular cycle amendment

Existing

Former RIBS facility (portion of property)

Proposed

**Attainable Multi-Family Housing**

B.6 Use of Property

# Knowledge of Difference in Terminology

None of the adjacent or proximate apartment communities offer residential units that meet the Orange County definition of Affordable Housing or Attainable Housing. In fact, it is the applicant's understanding that there are no multi-family rental residential units in the Horizon West Special Planning Area that meet the Orange County definition of Affordable Housing or Attainable Housing.

Adding the HRAHC property to Village H is a natural and logical expansion of the village. As illustrated in the above Map 2., the HRAHC property is bounded by Village H to north, Village H to the west, Village I and the Central Florida Tourism Oversight District (CFTOD) to the south, and Hartzog Road and SR 429 to the east. The property is a "remnant area" that, by its inclusion in the Horizon West Special Planning Area, will provide a valuable and much-needed asset to West Orange County in the form of Attainable Housing.

The purpose of the FLUM Amendment is to allow the development of the Hartzog Road Attainable Housing Community (HRAHC), providing up to 1,450 attainable housing units in the Horizon West Special Planning Area.

The subject property consists of four (4) parcels totaling approximately 114 acres south of Hartzog Road, west of Hartzog Road and east of CR 545 (Avalon Road); and generally located in the southeast quadrant of the intersection of CR 545 and Hartzog Road.

A concurrent PD Zoning application has been submitted that will be subject to the Village Planned Development Code, Apartment land use district standards, as provided in Chapter 38 of the Orange County Code.

The Hartzog Road Attainable Housing Community will contribute significantly to addressing the affordable housing demand in West Orange County, and specifically, the Horizon West Special Planning Area. The community will consist of up to 1,450 multi-family apartments providing homes and amenities for individuals and families with incomes in the range of 50% - 100% of the Area Median Income (AMI).

Usage of "Attainable" or "Affordable"

Use of "Attainable" language consistent with FLUM Update application

Reference to "Affordable" income bands

# Knowledge of Difference in

Application

Orange County, Florida

## Technical Review Group (TRG) / Development Review Committee (DRC) Application

Planning, Environmental and Development Services Department, Planning Division

201 South Rosalind Avenue, 2<sup>nd</sup> Floor, Orlando, Florida 32801

Contact(s): Lisette Egipciano – (407)836-5684, [Lisette.Egipciano@ocfl.net](mailto:Lisette.Egipciano@ocfl.net)

Email completed application to: [DRC\\_Help@ocfl.net](mailto:DRC_Help@ocfl.net)

### 1. Project Information

Project Name:	Hartzog Road Attainable Housing Community PD
Detailed Request: →	Planned Development Zoning request for development of an Attainable Housing community in Horizon West Village H, Apartment land use district.
PD Name (as approved by the BCC):	N/A
PSP Name (as approved by the BCC):	N/A
Future Land Use:	Proposed: Village
Current Zoning:	N/A
Proposed Zoning:	Planned Development (PD)
Location (North / South of):	South of Hartzog Road
Location (East / West of):	East of CR 545 (Avalon Rd) and west of Hartzog Road
Parcel ID Number(s):	08-24-27-0000-00-038; 08-24-27-0000-10-000; 08-24-27-0000-00-010; 08-24-27-0000-00-036
Property Address:	No address number assigned.
Acreage:	Approx. 114.23 ac
Affordable / Attainable Housing? (Y / N) If Yes, how many units (or percentage of development program) of affordable / attainable housing are being proposed. Identify what income(s) will these units be targeting based on current Area Median Income data.	<b>Yes/Attainable Housing</b>  100% of the constructed units will target incomes in the 50%-100% AMI range.

Question if the project is "Affordable" or "Attainable"

Deliberate use of "Attainable"

Reference to "Affordable" income bands



# Knowledge of Difference in Terminology

## Orange County's 10 Year Plan

The 10-Year Action Plan proposes to preserve and create 30,300 housing units.

Housing Type	Household Income*	Total
Affordable	\$26k - \$83k	11,000 Units
Attainable	\$83k - \$97k	19,300 Units
Market Rate	\$97k+	55,800 Units
<b>2030 Total:</b>		<b>86,100 Units</b>

The Housing for All Action Plan will promote greater affordable and attainable housing options by targeting 35% of the total number of units projected to be developed in Orange County in the next 10 years.

*\*based on a household of four in Orange County*



Action Plan Impact  
**35%**  
of Total 2030 Units

=

Housing for All  
**30,300**  
Units

# Not Consistent with Comprehensive Plan School Capacity

January 25, 2024

Kathy Hattaway  
Walt Disney Imagineering

**Re: Extension of Formal School Capacity Determination Capacity Letter for Walt Disney Park and Resorts U.S., Inc. and ARDC-Ocala 201, LLC, Pursuant to Declaration of State of Emergency for Hartzog Road Attainable Housing Community (OC-23-034)**

Dear Kathy,

The School Board of Orange County, Florida ("School Board") is in receipt of the correspondence dated January 23, 2024, in regard to the above-referenced matter delivered in accordance with Section 252.363, *Florida Statutes*. After review of your correspondence and the attached executive orders, we hereby acknowledge the extension of the Formal School Capacity Determination Capacity Letter - Revised, #OC-23-034, for the project known as Hartzog Road Attainable Housing Community, in Orange County, in accordance with the following schedule:

Executive Orders	Incident	Date Issued	Expiration Date	Combined Extension Period	Expiration Date	New Expiration Date
23-212	Hurricane Idalia	10/24/2023	12/23/2023	60 days + 24 months	February 5, 2024	April 6, 2026

Thank you for your attention in this matter. Should you have any questions or comments, please do not hesitate to contact me.

- Where are the attachments with the Executive Orders?
- They are not with the application submitted to the application for school capacity forms.
- Why is Disney using this State of Emergency to extend this report?
- Because they know the schools would be over capacity without it?

# Not Consistent with Comprehensive Plan

## School Capacity

Projected over capacity, still over capacity, even after relief schools came online

School Level	Elementary	Middle	High
CSA:	HH		
School:	WATER SPRING ES	WATER SPRING MS	HORIZON HS
<b>Analysis of Existing Conditions</b>			
School Capacity (2022-2023)	837	706	2,656
Enrollment (2022-2023)	1,029	634	2,030
Utilization (2022-2023)	137.0%	68.0%	68.0%
LOS Standard	110.0%	100.0%	100.0%
Available Seats	0	72	626
<b>Analysis of Reserved Capacity</b>			
School Level	Elementary	Middle	
Encumbered Capacity	650	168	348
Reserved Capacity	29	0	0
Adjusted Utilization	204.1%	113.6%	89.5%
Adjusted Available Seats	0	0	278
<b>Analysis of Proposed Development</b>			
Students Generated	53.157	24.505	30.160
Adjusted Utilization	210.4%	117.1%	90.7%
AVAILABLE/NOT AVAILABLE	NOT AVAILABLE*	NOT AVAILABLE*	AVAILABLE
Number of Seats to Mitigate	53.157	24.505	0.000

School Level	Elementary	Middle	High
CSA:	HH		
School:	PANTHER LAKE ES	WATER SPRING MS	HORIZON HS
<b>Analysis of Existing Conditions</b>			
School Capacity (2022-2023)	837	706	2,656
Enrollment (2022-2023)	607	634	2,030
Utilization (2022-2023)	0.0%	68.0%	68.0%
LOS Standard	110.0%	100.0%	100.0%
Available Seats	314	72	626
<b>Analysis of Reserved Capacity</b>			
School Level	Elementary	Middle	
Encumbered Capacity	0	168	348
Reserved Capacity	0	0	0
Adjusted Utilization	72.5%	113.6%	89.5%
Adjusted Available Seats	314	0	278
<b>Analysis of Proposed Development</b>			
Students Generated	151.293	69.745	85.840
Adjusted Utilization	90.6%	123.5%	92.8%
AVAILABLE/NOT AVAILABLE	AVAILABLE	NOT AVAILABLE*	AVAILABLE
Number of Seats to Mitigate	0.000	69.745	0.000

Projected under capacity, however it is already over capacity before the project being approved



# Not Consistent with Comprehensive Plan School Capacity

2024-2025 Horizon West School Enrollment Data:

Elementary Schools	Enrollment	Capacity	Usage
Atwater Bay Elementary	743	787	94%
Bay Lake Elementary	683	791	86%
Castleview Elementary	693	791	88%
Panther Lake Elementary	794	791	100%
Summerlake Elementary	729	751	97%
Sunset Park Elementary	701	760	92%
Water Spring Elementary	1006	725	139%
Total	7732	7785	99%

If approved the apartments are projected to generate 204 new students at WSES

New Projection With Current Nu

1210

166.89%

These numbers do not include the apartments at the town center, the new phase at Waterleigh, the Town Homes at Avalon, and the nearly vacant apartments currently built

# Not Consistent with Comprehensive Plan

## School Capacity

Middle Schools	Enrollment	Capacity	Usage
Bridgewater Middle	1173	1028	114%
Hamlin Middle	950	1227	77%
Horizon West Middle	1328	1199	111%
Water Spring Middle	1063	1238	86%
Total	4514	4692	96%

If approved the apartments are projected to generate 94 new students at WSMS  
New Projection With Current Nu

1157

93.47%

If approved the apartments are projected to generate 204 new students at HHS  
New Projection With Current Numbers

2803

106.68%

High Schools	Enrollment	Capacity	Usage
Horizon High	2688	2627	102%
Windermere High School	3213	2753	117%
Total	5901	5380	110%
	Enrollment	Capacity	Usage
Grand Total	18147	17857	102%

# Changes NOT Consistent with Comprehensive E

FLU4.5.1

**Village Greenbelts.** In addition to requirements for formal parks and neighborhood greens, greenbelts surrounding each Village and the Town Center averaging 500 feet in width shall be required at the perimeter of each Village, except for those perimeters located adjacent to designated water Conserv II lands that otherwise provide the permanent undeveloped edge contemplated by this policy. This greenbelt must be provided to discourage sprawl by creating a definable Village and provide a permanent undeveloped edge, except as set forth in FLU4.3.2, so that planning a Village within limited spaces takes on meaning. Topography and other physical features may allow this width to be reduced where visual separation can be accomplished with less distance. Where it may be beneficial to concentrate the acreage to enhance wildlife corridors, wetland connections, or preserve valuable uplands and protect sites critical for Floridan Aquifer protection, the greenbelt may be concentrated in one section of the Village Perimeter. In no case shall the greenbelt separation between villages be less than 300 feet. Subject to subdivision regulations and conservation area protection requirements, access drives and bicycle/pedestrian paths may be allowed within the greenbelt/buffer to connect properties that would otherwise be denied reasonable access. Development standards for access drives and pedestrian/bicycle paths through greenbelt/buffer shall be addressed in the Village and Town Center Development Codes. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07; Amended 3/99, Ord. 99-04, Policy 6.1.8; Amended 11/13, Ord. 2013-22, Policy FLU4.1.11-r; Amended 4/20, Ord. 2020-08)

## POLICIES

FLU4.1.1

General Village Principles. Each Village Special Planning Area (SPA) shall be designed based on an urban development pattern, which encourages the formation of a suburban village while ensuring the provision of adequate public facilities and services concurrent with development and protection of environmental quality.

- A. Planning for the Village shall be in the form of complete and integrated neighborhoods containing housing, shops, workplaces, schools, parks and civic facilities essential to the daily life of the Village residents.
- B. Village size shall be designed so that housing is generally within a 1.2 mile radius of the Village Center (shops, services and other activities). This radius may be relaxed where natural or community facilities and services interrupt the design.
- C. A Village shall contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries.
- D. The Village and each neighborhood shall have a center focus that combines commercial, civic, cultural and recreational uses. Higher density residential development should be encouraged in proximity to these centers, with the highest density/attached housing encouraged in proximity to the Village Center District. These residential and adjacent uses shall be sufficiently integrated to support convenient and comfortable pedestrian and bicycle movement and enhance the viability of future transit connections. (Amended 11/16, Ord. 2016-26)
- E. The Village shall contain an ample supply of specialized open space in the form of squares, greens and parks whose frequent use is encouraged through placement and design.

F. Each Village shall have a well-defined edge, such as greenbelts or wildlife corridors permanently protected from development.


- FLU 4.1.1 and 4.5.1 Call for a permanently protected from development edge for each village.
- FLU 4.5.1 expresses the desire to prevent urban sprawl
- CFTOD's FLUM has the proposed parcels designated as RIBS / Public facilities. With RIBS acting as the undeveloped edge consistent with FLU 4.5.1



# Changes NOT Consistent with Comprehensive Plan and 10 Yrs Action Plan

**OBJ FLU4.1** Orange County shall use a Village Land Use Classification to realize the long range planning vision for West Orange County created through the Horizon West planning process. The Village land use classification has been designed to address the need to overcome the problems associated with and provide a meaningful alternative to the leap-frog pattern of sprawl; create a better jobs/housing balance between the large concentration of employment in the tourism industry and the surrounding land uses; **create a land use pattern that will reduce reliance on the automobile by allowing a greater variety of land uses closer to work and home;** and, replace piecemeal planning that reacts to development on a project by project basis with a long range vision that uses the Village as the building block to allow the transition of this portion of Orange County from rural to urban use through a specific planning process that uses a creative design approach to address regional, environmental, transportation, and housing issues. Properties with Village Future Land Use Map (FLUM) designation, as well as six villages adopted to date, are depicted on Map 2 of the FLUM series. (Added 6/95, Ord. 95-13; Amended 5/97, Ord. 97-07, Obj. 6.1; Amended 11/13, Ord. 2013-22; Amended 11/16, Ord. 2016-26)

Reliance on automobiles puts this proposal "Luxury" instead of affordable due to additional costs that will be incurred by residents



# Changes NOT Consistent with Comprehensive Plan and 10 Yrs Action Plan

## AGREEMENT

1. Recitals. The above recitals are true and correct and are hereby incorporated as material provisions of this Agreement by this reference.

2. APF Deficit. The Village H APF Ratio requires that Owners convey to County approximately 7.43 acres of APF Land. This Agreement provides for conveyance of 0 acre(s) of APF Land, thereby creating a 7.43-acre APF Deficit.<sup>1</sup>

3. APF Fee Amount and Timing of Payment. Owners will pay to County an APF Fee of Four Hundred Three Thousand Seven Hundred Sixty-Seven and 90/100 Dollars (\$403,767.90) in order to account for the APF Deficit, representing Owners' full and final APF contribution for the PD Property. Application of the APF Fee satisfies the APF Deficit. Owners have agreed that payment of the APF Fee shall occur prior to County's approval of the first platting of the PD Property.

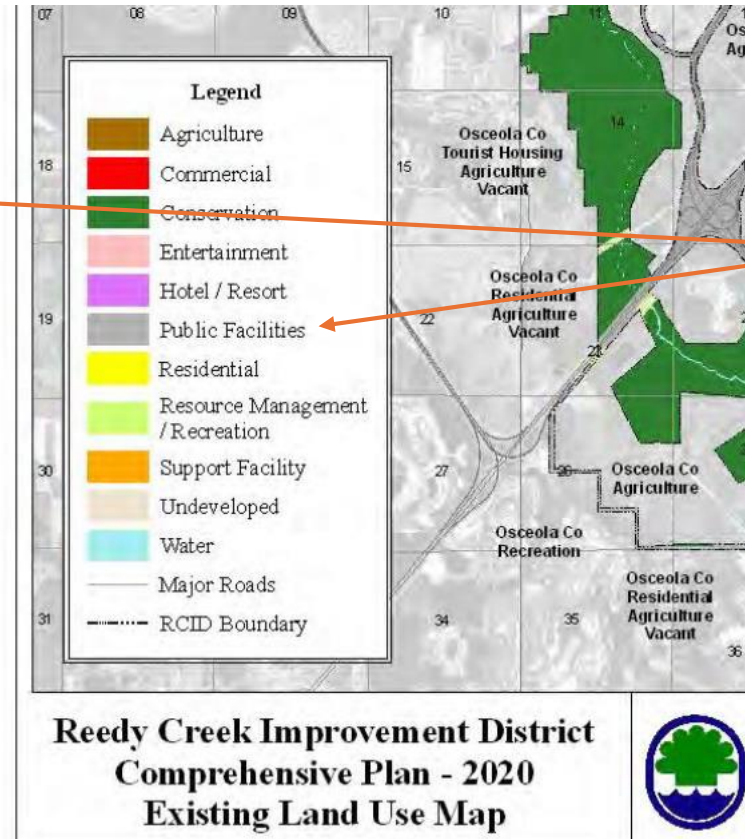
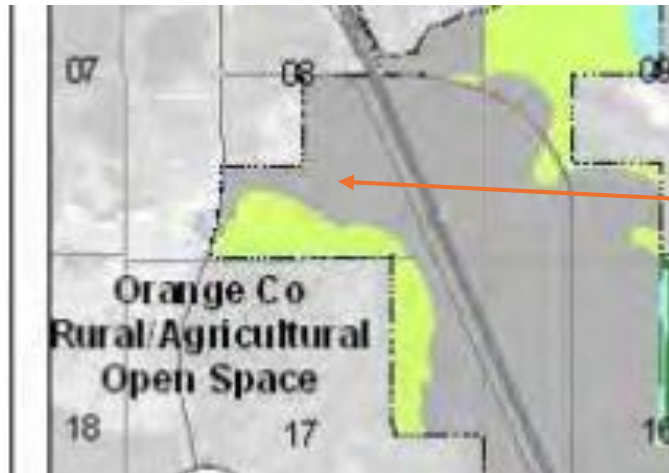
Disney plans on adding no benefits to the community and puts a price of 400K on Adequate Public Facilities.

# Changes Not Constant with Florida Statutes

- 163.3177 (3)(a) 2 Estimated public facility costs, including a delineation of when facilities will be needed, the general location of the facilities, and projected revenue sources to fund the facilities.
  - There were no studies done to determine these costs to the County
- 163.3177 (1)(f)(6)(a)2.h The discouragement of urban sprawl
  - This project will change a rural zone into a highly dense area significantly increasing urban sprawl
- 163.3177 (4)(f) 1.b. The elimination of substandard dwelling conditions.
  - Michaels Organization has a history of providing substandard living conditions, as evidenced by the many lawsuits and class action lawsuits against them, and their use of NDA's to hide from accountability



# De-Annexation



- CFTD (Former Reedy Creek) Current Land Use Map for parcels de-annexed from district when it was recreated.
- How did it become rural instead of keeping its existing Public Facilities zoning?

• [https://www.oversightdistrict.org/wp-content/uploads/2015/06/2020\\_Comprehensive\\_Plan.pdf](https://www.oversightdistrict.org/wp-content/uploads/2015/06/2020_Comprehensive_Plan.pdf)

# Untruth in Transmittal to

State?

1. Repeat comment: Pursuant to Section 30-552 (3) of the County's Code of Ordinances, any application for a planned development (PD) zoning is required to conduct a study to assess the traffic and capacity impacts of the proposed development. A traffic study is required prior to approval of this rezoning request.

Please direct all questions regarding these comments to Wendy Aviles wendy.aviles@ocfl.net.

**Urban Design Revised Plan**

**Approval w/Outstanding Issues**

Approval with Outstanding Comment:

1. Per callout on northernmost Access Point from Hartzog, if CFTOD does not authorize the connection, will a second connection off of Hartzog be proposed elsewhere? These connections are incredibly important for site accessibility.

## Future Roadway Network

**Road Agreements:** There are presently no road agreements associated with the

**Planned and Programmed Roadway Improvements:** The Work Program includes

March 26, 2024

Commission District 1

## Orange County Planning Division

Jason Sorensen and Jennifer DuBois, Project Planners

## BCC Transmittal Staff Report

Amendment 2023-3-A-1-1

Transportation Plan include the planned widening of Avalon Road from two to four lanes, from US 192 to New Independence Parkway. Portions of the road have been improved, and the remaining segments are planned partnership projects. Additionally, Hartzog Road has been realigned and is planned to be improved to four lanes as a partnership project. Finally, there are planned intersection improvements, including a new signal at Avalon Road and Waterway Passage Drive/Hartzog Road and an intersection control evaluation at Avalon Road and new Hartzog Road, which is also being signalized in the interim. Since these improvements are planned partnership with no committed construction date, they are reflected in the 2040 horizon year analysis.

- Staff continues to be confused and asks for clarification on the project
- How could Hartzog been realigned into a 4 lane road at the time of transmittal on March 26<sup>th</sup> 2024, if on 06/17/2024 Staff's comment

# Staff Did Not Know What They Were Working On and What the Board

Worked On



May 29, 2024

Jose Morales  
P.O. Box 10321  
Lake Buena Vista, FL, 32830

Project Number: LUP-23-06-183

Project Name: Hartzog Road Attainable Housing Community Land Use Plan

Dear Jose Morales,

The following divisions have reviewed the revised plan, date stamped "May 13, 2024", and have provided the following comments:

## DRC Revised Plan

## Approval w/Outstanding Issues

### Discussion:

1. Please confirm that in accordance with the most recently submitted application (5/13/24) that the proposed mix is 75% of the units will be 50%-100% AMI and the other 25% will be market rate.

2. In accordance with Orange County Code, Chapter 2, Article VIII, Section 2-291, ¿affordable¿ means housing units that will serve households with incomes between 30 to 120 percent AMI and ¿attainable (workforce)¿ means housing units that will serve households with incomes between 120 to 140 percent AMI. Please clarify if you are proposing ¿affordable¿ or ¿attainable¿ units.

- Due to what I believe, and show previously, is the use of deceptive language, 2 months after the BCC vote, staff is still asking for clarification on what kind of development they are working with, and provide Disney with the county's definition of "Attainable" vs "Affordable"



# Staff Did Not Know What They Were Working On and What the Board Voted On

• June 17 20

## Planning Revised Plan

## Approval w/Informational Comments

1. The request is amended as follows: to rezone 114.23 acres from city to PD (Planned Development District) in order to construct a 1,410 multi-family attainable housing community in Horizon West Village H, Apartment Land Use District. In addition, three (3) waivers from Orange County Code are requested to use an alternative parking ratio and to utilize the Central Florida Tourism Oversight District (CFTOD) stormwater design requirements for the rate of discharge limitations and the runoff retention requirements.
2. An APF agreement is needed prior to PD approval.
3. Contact Doug McDowell at 407-836-5332 or Douglas.McDowell@ocfl.net if you wish to discuss comments from the Planning Division.

## Transportation Revised Plan

## Denied

- Why did the county update the PD to "Attainable" 3 months after the BCC vote?

- 
1. Repeat comment: Pursuant to Section 30-552 (3) of the County's Code of Ordinances, any application for a planned development (PD) zoning is required to conduct a study to assess the traffic and capacity impacts of the proposed development. A traffic study is required prior to approval of this rezoning request.

Please direct all questions regarding these comments to Wendy Aviles wendy.aviles@ocfl.net.

## Urban Design Revised Plan

## Approval w/Outstanding Issues

Approval with Outstanding Comment:

1. Per callout on northernmost Access Point from Hartzog, if CFTOD does not authorize the connection, will a second connection off of Hartzog be proposed elsewhere? These connections are incredibly important for site accessibility.

# Inconsistent Language in Transmittal to State

**Orange County Planning Division**  
**Jason Sorensen and Jennifer DuBois, Project Planners**

**BCC Transmittal Staff Report**  
**Amendment 2023-3-A-1-1**

Transportation Plan include the planned widening of Avalon Road from two to four lanes, from US 192 to New Independence Parkway. Portions of the road have been improved, and the remaining segments are planned partnership projects. Additionally, Hartzog Road has been realigned and is planned to be improved to four lanes as a partnership project. Finally, there are planned intersection improvements, including a new signal at Avalon Road and Waterway Passage Drive/Hartzog Road and an intersection control evaluation at Avalon Road and new Hartzog Road, which is also being signalized in the interim. Since these improvements are planned partnership with no committed construction date, they are reflected in the 2040 horizon year analysis.

**Right-of-Way Requirements:** There are presently no right-of-way requirements associated with the subject property.

## Summary

As stated above, the subject property currently has no County-assigned Future Land Use Map (FLUM) designation and, therefore, no associated baseline development density. The site is proposed to be incorporated into Village H of Horizon West. The proposed FLUM designation is Village, and the requested Horizon West land use district is Apartment, with a maximum development program of 1,450 attainable multi-family dwelling units.

Transmittal to State has many references to "Attainable"