



Interoffice Memorandum

August 21, 2023

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

FROM: Andres Salcedo, P.E., Acting Director
Planning, Environmental and Development
Services Department *Andrés*

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

SUBJECT: September 12, 2023 – Public Hearing
Brian Canin, Kimley-Horn and Associates Inc.
Wilderness Creek Planned Development
Case # CDR-21-03-085 / District 1

The Wilderness Creek Planned Development (PD) is located West of Westwood Boulevard on the south side of S. International Drive. The existing PD development program allows for a mix of commercial retail, hotel, and multi-family uses.

Through this PD substantial change, the applicant is seeking to change the use of PD Parcel 402 from "Access Tract" to "Commercial" to develop the site and build a 12,000 square foot athletic training facility which results in an increase to the total commercial square footage for the PD from 211,678 s.f. to 223,678 s.f. The applicant is also requesting eight waivers from Orange County Code for reduced building, dumpster, and paving setbacks, increased building height, and reduced perimeter landscaping requirements. The waivers are necessary due to unique site constraints. The subject property is approximately 70' in width and serves as the access tract for the Duke Energy substation to the south.

On April 12, 2023, the Development Review Committee (DRC) recommended approval of the request, subject to conditions. A community meeting was not required for this request.

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

ACTION REQUESTED: **Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the Wilderness Creek Planned Development / Land Use Plan (PD/LUP) dated “Received April 19, 2023”, subject to the conditions listed under the DRC Recommendation in the Staff Report. District 1**

Attachments
AS/NT/JS

CASE # CDR-21-03-085

Commission District: # 1

GENERAL INFORMATION

APPLICANT Brian Canin, Canin Associates

OWNER Antigravity Ntf, Inc.

PROJECT NAME Wilderness Creek Planned Development (PD)

PARCEL ID NUMBER 24-24-28-0000-00-014 (*affected parcel only*)

TRACT SIZE 103.47 gross acres (*overall PD*)
1.53 gross acres (*affected parcel only*)

LOCATION Substation Drive; generally located on the south side of S. International Drive, approximately 3,000 feet east of Daryl Carter Parkway.

REQUEST A PD substantial change to amend the use of PD Parcel 402 from "Access Tract" to "Commercial" in order to develop the site and build a 12,000 square foot athletic training facility which results in an increase to the total commercial square footage for the PD from 211,678 s.f. to 223,678 s.f.

In addition, the applicant has requested the following waivers from Orange County Code:

1. A waiver from Section 38-1287(2) to allow a 9' side setback from the west side PD boundary in lieu of a 30' side setback.

Applicant Justification: The waiver is needed because the site is narrow and otherwise would not allow for the development of the facility.

2. A waiver from Section 38-1287(2) to allow a 21' side setback to the residential parcel on the east property line in lieu of a 30' side setback.

Applicant Justification: The waiver is needed because the site is narrow and otherwise would not allow for the development of the facility.

3. A waiver from Section 38-1300 to allow a building height of 57' in lieu of 35' within one hundred (100) of single-family residential.

Applicant Justification: The waiver is needed to allow for vehicular access under the building required to maintain the Duke Energy easement and access to the Duke Energy site immediately south of parcel 402. Also, the single-family residential zoning in question pertains to a parcel that is currently vacant. Furthermore, the future land use is ACMU so it cannot be developed as a single-family home and will likely be developed as a tourist commercial at a height over 35', so the height that is being requested will be compatible.

4. A waiver from Section 38-1287(4) to allow a pavement setback from side lot line of 0' in lieu of 7.5' on a 45' strip along the western property line to accommodate for the emergency vehicle turnaround.

Applicant Justification: The waiver is needed because the site is narrow and otherwise would not allow for the emergency vehicle turnaround. The adjacent parcel is vacant and mostly a wetland system, and for that reason, the likeliness of it being developed as ACMU is reduced. The 0' setback on such short strip (4.8% of property line length) should not be a detriment to the adjacent property owners. Along the western property line, we are providing a 9' landscape and open space buffer along the 300' longitudinal west facing building façade.

5. A waiver from Section 38-1287(4) to allow a dumpster setback from side lot line of 3' in lieu of 7.5' on a 20' strip along the western property line to accommodate for the emergency vehicle turnaround.

Applicant Justification: The waiver is needed because the site is narrow and a 7.5' buffer would not allow for the dumpster placement and access. Along the western property line, we are providing a 9' landscape and open space buffer along the 300' longitudinal west facing building façade.

6. A waiver from Section 38-1287(4) to allow a pavement setback from side lot line of 0' in lieu of 7.5' on a 580' strip along the eastern property line.

Applicant Justification: The waiver is needed because the site is narrow and otherwise would not allow for the placement of the stormwater pond while maintaining Duke Energy's access easement. Along the western property line, we are providing a 9' landscape and open space buffer along the 300' longitudinal west facing building façade.

7. A waiver from Section 38-1291(c) and Section 24-10(b)(1) to allow no perimeter landscaping along a 580' strip on the eastern property line, in lieu of providing one tree every 75 linear feet in buffer yard areas with at least 50% of the required trees located within 15' from the property line.

Applicant Justification: The waiver is needed because the site is narrow and otherwise would not allow for the placement of the stormwater pond while maintaining Duke Energy's access easement.

8. A waiver from Section 24-10(b)(4) to allow no building landscaping along the eastern side of the building in lieu of providing a minimum of a 4-foot-wide landscaped area at the building base and trees provided at a ratio of one tree per 200 square feet of required landscaped area.

Applicant Justification: The waiver is needed because the site is narrow and otherwise would not allow for the placement of the stormwater pond while maintaining Duke Energy's access easement.

PUBLIC NOTIFICATION

A notification area extending beyond twelve hundred hundred (1,200) feet was used for this application [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred twenty-two (122) notices were mailed to those property owners in the notification buffer area. A community meeting was not required for this application.

IMPACT ANALYSIS

Overview

The Wilderness Creek PD was originally approved in 1991 and currently allows for a mix of commercial retail, hotel, and multi-family uses.

Through this PD substantial change, the applicant is seeking to change the use of PD Parcel 402 from "Access Tract" to "Commercial" in order to develop the site and build a 12,000 square foot athletic training facility which results in an increase to the total commercial square footage for the PD from 211,678 s.f. to 223,678 s.f. The applicant is also requesting eight waivers from Orange County Code for reduced building, dumpster, and paving setbacks, increased building height, and reduced perimeter landscaping requirements.

Land Use Compatibility

The PD substantial change would not adversely impact any adjacent properties.

Comprehensive Plan (CP) Amendment

The subject property has an underlying Future Land Use Map (FLUM) designation of Activity Center Residential (ACR) which allows for commercial uses at a rate of 10,000 square feet per 125 units of residential. The ACR portion contains 356 residential units which creates an opportunity for up to 28,480 square feet of commercial uses with the ACR portion. The request is only for 12,000 sf. The proposed PD substantial change is consistent with the designation and all applicable CP provisions; therefore, a CP amendment is not necessary.

Community Meeting Summary

A community meeting was not required for this request.

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.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Environmental

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled species (endangered, threatened, or species of special concern). The applicant is responsible to determine the presence of these concerns and to verify and obtain, if necessary, any required habitat permitting of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

This environmental review only addresses Orange County environmental regulatory code, however, the project shall also obtain and comply with all other existing environmental permits and applicable environmental regulations of, but not limited to: the Army Corps of Engineers, the Florida Department of Environmental Protection, and the applicable Water Management District, the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC). It is possible that one of the other agencies could deny the request even if the County approves it, or they may have other natural resource protective requirements. Therefore, it is imperative that this proposed plan be addressed on a multi-agency basis.

An Orange County Conservation Area Determination CAD-22-10-194 was completed with a certified survey of the conservation area boundary approved by the Environmental Protection Division (EPD) on February 1, 2023. The CAD identified 0.46 Class II wetlands and 0.29 Class III Surface Waters within the subject property.

Transportation Planning

Based on the Concurrency Management database (CMS) dated August 6, 2021, capacity exists within the project's impact area. This information is dated and subject to change.

Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.

Schools

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

Parks

Orange County Parks and Recreation staff reviewed the PD substantial change 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 12, 2023)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Wilderness Creek Planned Development / Land Use Plan (PD/LUP), dated “April 19, 2023”, subject to the following conditions:

1. Development shall conform to the Wilderness Creek Land Use Plan (LUP) dated "Received April 19, 2023," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received April 19, 2023," the condition of approval shall control to the extent of such conflict or inconsistency.

2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or

representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).

6. If applicable, an Acknowledgement of Contiguous Sustainable Agricultural Land pursuant to Section 163.3163, Florida Statutes, must be executed and recorded in the Public Records of Orange County, Florida, prior to final approval of this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.
7. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.
8. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
9. Pursuant to Article XII, Chapter 30, Orange County Code, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential, and non-residential properties which are required to plat, must obtain concurrency prior to approval of the plat and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.
10. This project shall comply with the County's International Drive Activity Center Comprehensive Plan requirement for a 15-foot transit easement and a separate 20-foot landscape, pedestrian and utility easement needed for future roadway improvements. The easement areas required shall be shown on the plan and conveyed concurrently at time of platting or dedicated to the County via separate instrument prior to Development Plan Approval.
11. 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 all development (including hydraulically dependent development) within the PD.
12. The developer shall obtain water, wastewater, and reclaimed water service from Orange County Utilities subject to County rate resolutions and ordinances.
13. Billboards and pole signs shall be prohibited. All other signage shall comply with Chapter 31.5 Tourist Commercial.
14. The following waivers from Orange County Code are granted for Parcel 402 only:

- a. A waiver from Section 38-1287(2) to allow a 9' side setback from the west side PD boundary in lieu of a 30' side setback.
 - b. A waiver from Section 38-1287(2) to allow a 21' side setback to the residential parcel on the east property line in lieu of a 30' side setback.
 - c. A waiver from Section 38-1300 to allow a building height of 57' in lieu of 35' within one hundred (100) of single-family residential.
 - d. A waiver from Section 38-1287(4) to allow a pavement setback from side lot line of 0' in lieu of 7.5' on a 45' strip along the western property line to accommodate for the emergency vehicle turnaround.
 - e. A waiver from Section 38-1287(4) to allow a dumpster setback from side lot line of 3' in lieu of 7.5' on a 20' strip along the western property line to accommodate for the emergency vehicle turnaround.
 - f. A waiver from Section 38-1287(4) to allow a pavement setback from side lot line of 0' in lieu of 7.5' on a 580' strip along the eastern property line.
 - g. A waiver from Section 38-1291(c) and Section 24-10(b)(1) to allow no perimeter landscaping along a 580' strip on the eastern property line, in lieu of providing one tree every 75 linear feet in buffer yard areas with at least 50% of the required trees located within 15' from the property line.
 - h. A waiver from Section 24-10(b)(4) to allow no building landscaping along the eastern side of the building in lieu of providing a minimum of a 4-foot-wide landscaped area at the building base and trees provided at a ratio of one tree per 200 square feet of required landscaped area.
15. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated February 17, 2009, shall apply:
- a. A minimum of thirty percent (30%) open space shall be provided.
 - b. A waiver from Section 38-1300 to allow a maximum building height of 65 feet/5 stories, except for telecommunication towers, in lieu of the previously approved 50 feet/3 stories is granted in order to allow flexibility of design and architectural roof elements.
 - c. Development shall be in accordance with the Cell Tower Ordinance.
16. All previous applicable Conditions of Approval dated October 26, 1999, shall apply except as modified by the Board on September 9, 2008:
- a. 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.

b. To the extent required to comply with the consistency provision of the Growth management Act, the following additional conditions shall apply:

1. Permitted and prohibited uses shall be those specified in Policies 1.1.3 and 1.1.6 of the International Drive Activity Center Plan).
2. If the housing linkage program is in place prior to development plan approval, development of non-residential development shall be conditioned upon either development of residential units within the area designated as Activity Center Residential on the Future land Use Map or the payment into a housing linkage fund.
3. The development guidelines for the International Drive Activity Plan shall apply to the subject property.
4. The property owners shall be required to participate in a property owners' association upon its creation (within the International Drive Activity Center)
5. Stormwater management facilities shall be designed as an aesthetic feature, except where determined by the County Engineer to be technically feasible.
6. The Development Plan shall provide for interconnection of adjacent developments either by cross-access easement or public right-of-way.
- 7.
8. Electrical distribution lines shall be underground.
9. Participation in a shuttle service connecting area attractions, major transportation centers, and on-site development shall be required.
10. The following school conditions of approval shall apply:

Owner shall comply with all provisions of the Capacity Enhancement Agreement.

Upon the County's receipt of written notice from the School Board of Orange County, Florida, or its designee, that the Owner is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits, certificates of occupancy and processing other approvals for any of the New Units (as defined in the Capacity Enhancement Agreement). The County shall again begin issuing building permits, certificates of occupancy and processing other

approvals for any of the New Units upon The School Board of Orange County, Florida, or its designee's written notice to the County that the Owner is no longer in breach or default of the Capacity Enhancement Agreement. The Owner, or its successor or assign under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the action of ceasing the County's issuance of residential building permits, certificates of occupancy or processing other approvals.

Owner, or its successor or assign under the Capacity Enhancement Agreement, agrees that it shall not and is estoppel from claiming in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of Owner's property rights.

Orange County shall be held harmless by the Owner or its assigns under the Capacity Enhancement Agreement, in any dispute between the Owner and The School Board of Orange County, Florida over any interpretation or provision of the Capacity Enhancement Agreement.

PREVIOUS BOARD OF COUNTY COMMISSIONERS ACTION (February 17, 2009)

Upon a motion by Commissioner Boyd and seconded by Commissioner Brummer, the Board made a finding of consistency with the Comprehensive Plan and approved the substantial change to the Wilderness Creek PD to allow a one hundred and twenty-six (126) foot un-camouflaged telecommunications tower subject to conditions.

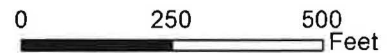
CDR-21-03-085



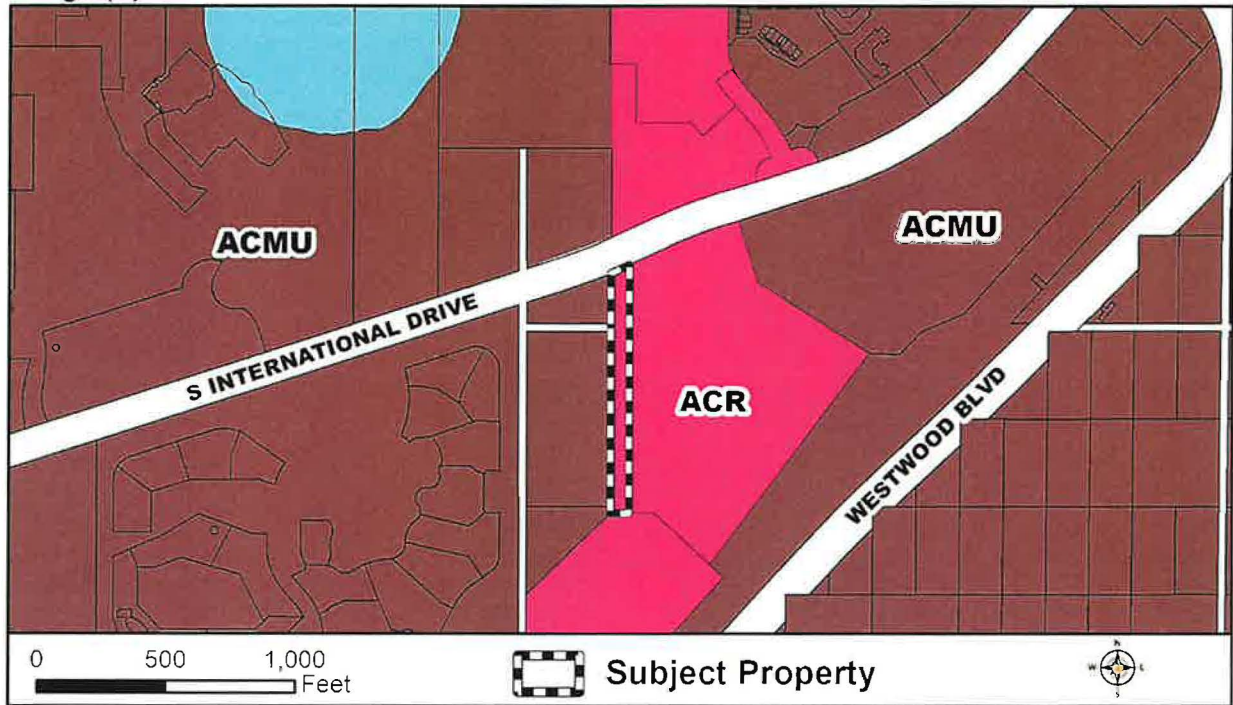
 Subject Property



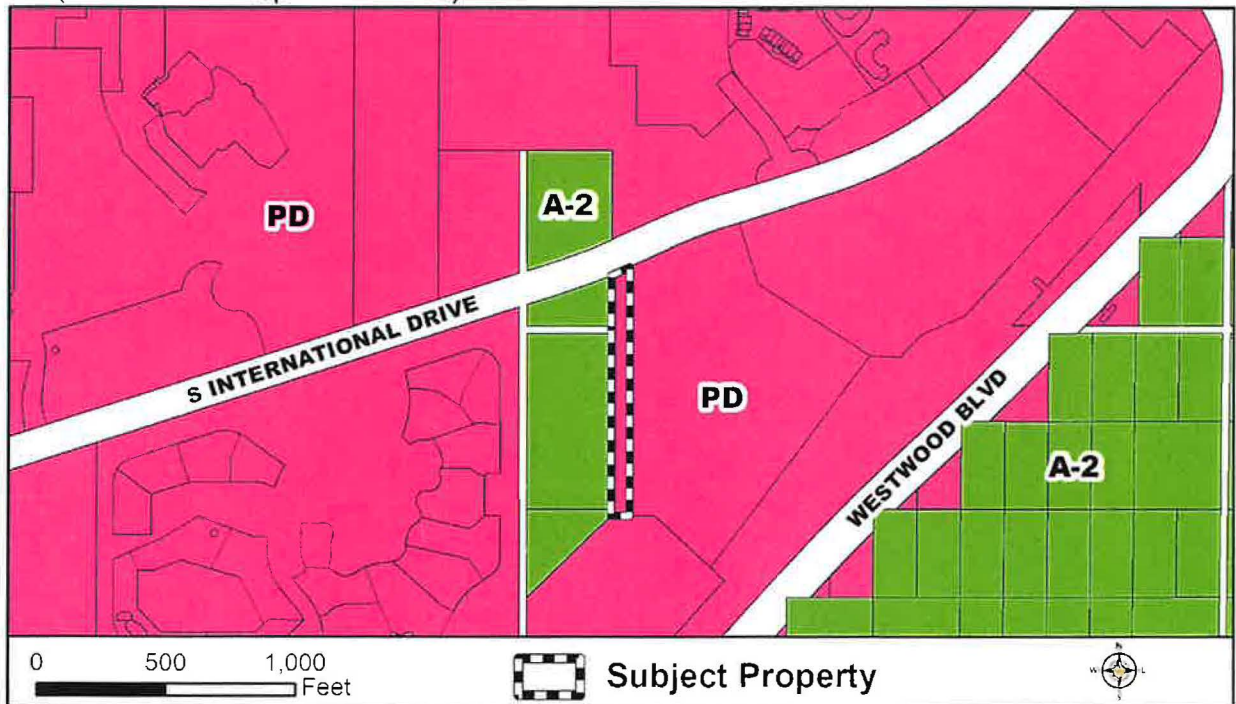
0 250 500 Feet



FUTURE LAND USE - CURRENT
Village (V)



ZONING - CURRENT
PD (Planned Development District)



Wilderness Creek PD / LUP (Cover Sheet)



ANTIGRAVITY PARCEL NO.:
24-24-28-0000-00-014

RECEIVED
 By DRC at 11:29 am, Apr 19, 2023

WILDERNESS CREEK PD AMENDED LAND USE PLAN

**ORANGE COUNTY, FL
 SEPTEMBER 2005**

CDR-21-03-085

Amendments

1. An amendment is requested to the Wilderness Creek PD amended land use plan approved by BCC February 17, 2009 to change the land use of parcel 402 from "access" to "commercial".

Justification: The amendment is needed to allow for the development of an athletic training facility.

Waivers

1. A waiver from Orange County Code Sec. 38-1287(2) to allow a 9' side setback from the west side PD boundary in lieu of a 30' side setback.

Justification: The waiver is needed because the site is narrow and otherwise would not allow for the development of the facility.

2. A waiver from Orange County Code Sec. 38-1287(2) to allow a 21' side setback to the residential parcel on the east property line in lieu of a 30' side setback.

Justification: The waiver is needed because the site is narrow and otherwise would not allow for the development of the facility.

3. A waiver from Orange County Code Sec. 38-1260 to allow a building height of 57' in lieu of 34' within one hundred (100) of single-family residential.

Justification: The waiver is needed to allow for vehicular access under the building required to maintain the Duke Energy easement and access to the Duke Energy site immediately south of parcel 402. Also the single-family residential zoning in question pertains to a parcel that is currently vacant. Furthermore, the future land use is ACMU so it cannot be developed as a single-family home and will likely be developed as a tourist commercial at a height over 35', so the height that is being requested will be compatible.

4. A waiver from Orange County Code Sec. 38-1287(4) to allow a pavement setback from side lot line of 0' in lieu of 7.5' on a 45' strip along the western property line to accommodate for the emergency vehicle turnaround.

Justification: The waiver is needed because the site is narrow and otherwise would not allow for the emergency vehicle turnaround. The adjacent parcel is vacant and mostly a wetland system, and for that reason, the likelihood of it being developed as ACMU is reduced.

PARCEL IDs:

- 24-24-28-0000-00-001;
- 24-24-28-2810-00-010;
- 24-24-28-0000-00-003;
- 24-24-28-5844-00-160;
- 24-24-28-2810-00-020;
- 24-24-28-2840-00-002;
- 24-24-28-2810-00-001;
- 24-24-28-9285-00-010;
- 24-24-28-0000-00-011;
- 24-24-28-5844-00-444;
- 24-24-28-2809-00-010;
- 24-24-28-9320-02-101;
- 24-24-28-2811-00-020;
- 24-24-28-2811-00-010;
- 24-24-28-0000-00-013;
- 24-24-28-2811-00-030;
- 24-24-28-5844-00-010



LOCATION MAP
 NOT TO SCALE

The 0' setback on each short strip is 1% of property line length and should not be a detriment to the adjacent property owners. Along the western property line, we are providing a 9' landscape and open space buffer along the 300' longitudinal west facing building façade.

5. A waiver from Orange County Code Sec. 38-1287(4) to allow a dumpster setback from side lot line of 3' in lieu of 7.5' on a 20' strip along the western property line to accommodate for the emergency vehicle turnaround.

Justification: The waiver is needed because the site is narrow and a 7.5' buffer would not allow for the dumpster placement and access. Along the western property line, we are providing a 9' landscape and open space buffer along the 300' longitudinal west facing building façade.

6. A waiver from Orange County Code Sec. 38-1287(4) to allow a pavement setback from side lot line of 0' in lieu of 7.5' on a 580' strip along the eastern property line.

Justification: The waiver is needed because the site is narrow and otherwise would not allow for the placement of the stormwater pond while maintaining Duke Energy's access easement. Along the western property line, we are providing a 9' landscape and open space buffer along the 300' longitudinal west facing building façade.

7. A waiver is requested from Orange County Code Sec. 18-1231(c) and Sec. 24-10(b)(1) to allow no perimeter landscaping along a 580' strip on the eastern property line, in lieu of providing one tree every 75 linear feet in buffer yard areas with at least 50% of the required trees located within 15' from the property line.

Justification: The waiver is needed because the site is narrow and otherwise would not allow for the placement of the stormwater pond while maintaining Duke Energy's access easement.

8. A waiver from Orange County Code Sec. 24-10(b)(3) to allow no building landscaping along the eastern side of the building in lieu of providing a minimum of a 4 foot wide landscaped area at the building base and trees provided at a ratio of one tree per 200 square feet of required landscaped area.

Justification: The waiver is needed because the site is narrow and otherwise would not allow for the placement of the stormwater pond while maintaining Duke Energy's access easement.

OWNER/DEVELOPER:

JOINT VENTURE BETWEEN
 NADEEN CORPORATION & TANMORE CORPORATION
 C/O BOB STANISLAW
 7041 GRAND NATIONAL DR.
 ORLANDO, FL 32819

PLANNER:

CANIN ASSOCIATES, INC
 500 DELANEY AVE
 ORLANDO, FL 32801

ENGINEER:

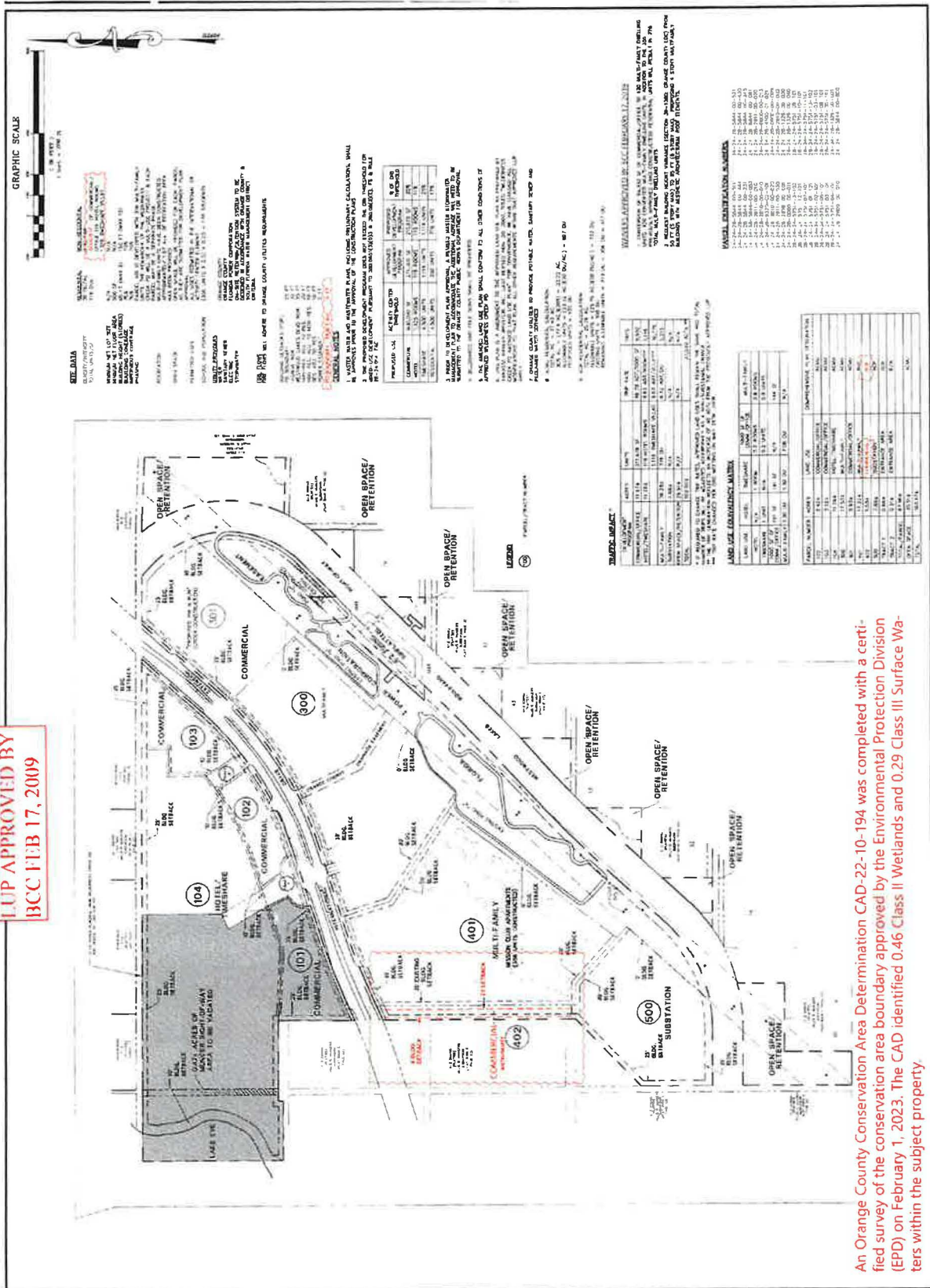
HARTMAN & ASSOCIATES, INC
 201 EAST PINE ST
 SUITE 100
 ORLANDO, FL 32801

RECEIVED
 SEP 21 10
 PLANNING DIVISION
 CITY OFFICE

RECEIVED
 SEP 21 2023
 PLANNING DIVISION
 CITY OFFICE

CANIN ASSOCIATES
 Urban & Environmental Planners Landscape Architects
 500 Delaney Avenue, Orlando, Florida 32801 (407) 527-4090
 WWW.CANINASSOCIATES.COM
 PREPARED BY: J. STANISLAW
 DATE: 09/05/23
 PROJECT NO.: 24-28-0000-00-014
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 SUSTAINABLE DESIGN

Wilderness Creek PD / LUP



LUP APPROVED BY
 BCC FEB 17, 2009

An Orange County Conservation Area Determination CAD-22-10-194 was completed with a certified survey of the conservation area boundary approved by the Environmental Protection Division (EPD) on February 1, 2023. The CAD identified 0.46 Class II Wetlands and 0.29 Class III Surface Waters within the subject property.

Notification Map

