

ORANGE COUNTY
PLANNING DIVISION
**2020-1 REGULAR
CYCLE AMENDMENT**

2010 - 2030 COMPREHENSIVE PLAN

**BOARD OF COUNTY
COMMISSIONERS**

**October 13, 2020
ADOPTION PUBLIC HEARING**

PREPARED BY:
ORANGE COUNTY PLANNING, ENVIRONMENTAL
AND DEVELOPMENT SERVICES

PLANNING DIVISION
COMPREHENSIVE PLANNING SECTION





DATE: October 13, 2020

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

FROM: Alberto A. Vargas, M.Arch., Manager
Planning Division

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

SUBJECT: Adoption Public Hearing – 2020-1 Regular Cycle Comprehensive Plan Amendment and Concurrent Rezoning Request

Please find the attached staff report and associated back-up materials for proposed 2020-1 Regular Cycle Comprehensive Plan Amendment 2020-1-A-3-1 and concurrent Rezoning Case LUP-20-01-004 (Colonial Greens PD/LUP). The adoption public hearing for this amendment was conducted before the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) on June 18, 2020, and is scheduled before the Board of County Commissioners (BCC) on October 13, 2020. Also, the adoption public hearings for two 2020-1 Regular Cycle privately-initiated Future Land Use Map Amendments (2020-1-A-1-1 and 2020-1-A-4-1) and one staff-initiated text amendment (2020-1-B-FLUE-1) were heard by the PZC/LPA on June 18, 2020. These amendments will be scheduled for adoption hearings before the BCC at a later date.

Amendment Summary

The **2020-1 Regular Cycle – State-Expedited Review** Amendment scheduled for consideration on October 13 is a privately-initiated Future Land Use Map Amendment located in District 3. The proposed Future Land Use Map Amendment entails a change to the Future Land Use Map for a property greater than ten acres in size.

The **Regular Cycle – State-Expedited Review** Amendment was reviewed by the Department of Economic Opportunity (DEO), as well as other state and regional agencies. On August 3, 2020, DEO issued a comment letter, which did not contain any concerns about the amendment undergoing the State-Expedited

PLANNING DIVISION

ALBERTO A. VARGAS, MArch., *Planning Manager*

201 South Rosalind Avenue, 2nd Floor ■ Reply To: Post Office Box 1393 ■ Orlando FL 32802-1393
Telephone 407-836-5600 ■ FAX 407-836-5862 ■ orangecountyfl.net



Review process. Pursuant to 163.3184, F.S., the proposed amendment must be adopted within 180 days of the comment letter. The Regular Cycle Amendment undergoing the State-Expedited Review process will become effective 31 days after DEO notifies the County that the plan amendment package is complete. This amendment is expected to become effective in November 2020, provided no challenges are brought forth for the amendment.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division, at (407) 836-5802 or Alberto.Vargas@ocfl.net or Greg Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or Gregory.Golgowski@ocfl.net.

AAV/sw

Enc: 2020-1 Regular Cycle Amendment – BCC Adoption Staff Report

c: Christopher R. Testerman, AICP, Assistant County Administrator
Joel Prinsell, Deputy County Attorney
Whitney Evers, Assistant County Attorney
Roberta Alfonso, Assistant County Attorney
Gregory Golgowski, AICP, Chief Planner, Planning Division
Olan D. Hill, AICP, Assistant Manager, Planning Division
Eric P. Raasch, AICP, Planning Administrator, Planning Division
Read File

PLANNING DIVISION

ALBERTO A. VARGAS, MArch., *Planning Manager*

201 South Rosalind Avenue, 2nd Floor ■ Reply To: Post Office Box 1393 ■ Orlando FL 32802-1393
Telephone 407-836-5600 ■ FAX 407-836-5862 ■ orangecountyfl.net

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	-and-		
	Rezoning LUP-20-01-004	C-1 (Retail Commercial District) and A-2 (Farmland Rural District) to PD (Planned Development District)(Colonial Greens PD) Also requested are seven (7) waivers from Orange County Code: 1) A waiver from Section 38-1254(2) to allow a right-of-way setback of eight (8) feet for no more than fifty (50) percent of the linear right-of-way frontage in lieu of a twenty (20) foot setback from the entire right-of-way; 2) A waiver from Section 38-1258(b) to allow the entire senior affordable housing complex to be a maximum of four (4) stories, forty-four (44) feet, in lieu of the restriction that fifty (50) percent of the building being a maximum height of three (3) stories, forty (40) feet, and the remaining fifty (50) percent be one (1) story or two (2) stories in height; 3) A waiver from Section 38-1258(c) to allow the senior affordable housing complex to be a maximum of four (4) stories, forty-four (44) feet, in lieu of the maximum height of three (3) stories, forty (40) feet; 4) A waiver from Section 38-1258(f) to allow a six (6) foot composite screening wall or a precast concrete wall system in lieu of a six (6) foot high masonry, brick or block wall; 5) A waiver from Section 38-1255 to allow shade trees at a ratio of one (1) shade tree per two (2) units in lieu of the required one (1) shade tree per unit; 6) A waiver from Section 38-1476 to allow 1.4 parking spaces per unit in lieu of the required two (2) parking spaces per unit; and 7) A waiver from Section 38-1258(g) to access a multi-family site from a right-of-way serving a platted single family residential.	

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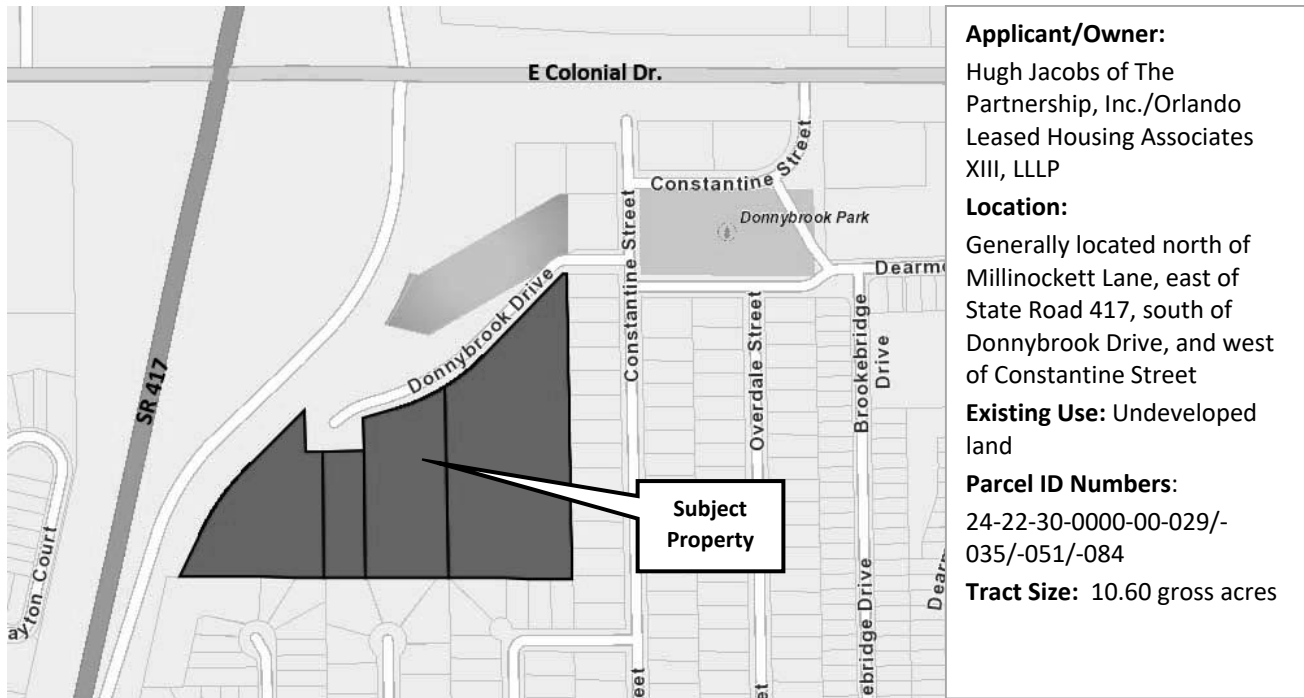
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**2020-1 Continued Regular Cycle State Expedited Review Comprehensive Plan Amendments
Privately Initiated Future Land Use Map and Text Amendments**

Amendment Number	Concurrent Rezoning or Substantial Change	Owner	Agent	Tax ID Number(s)	General Location / Comments	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:	Zoning Map Designation FROM:	Zoning Map Designation TO:	Acreage	Project Planner	Staff Rec	LPA Rec
District 1													
2020-1-A-3-1 (Colonial Greens)	LUP-20-01-004	Orlando Leased Housing Associates, XIII, LLP	Hugh Jacobs, The Partnership, Inc.	24-22-30-0000-00-029/035/051/084	Generally located north of Millinockett Ln., east of SR 417, south of Donnybrook Dr., and west of Constantine St.	Commercial (C)	Medium-High Density Residential (Senior Housing) (MHDR) (Senior Housing)	C-1 (Retail Commercial District) and A-2 (Farmland Rural District)	PD (Planned Development District) (Colonial Greens PD)	10.60 gross ac.	Alyssa Henriquez	Adopt & Approve rezoning with 15 conditions	Adopt & Approve rezoning with 15 conditions (6-0)

ABBREVIATIONS INDEX:

ABBREVIATIONS INDEX: IND-Industrial; D9C-Commercial; O-Office; LDR-Low Density Residential; LMDR-Low-Medium Density Residential; MDR-Medium Density Residential; MHDR-Medium-High Density Residential; HDR-High Density Residential; PD-Planned Development; EDU-Educational; CONS-Wetland/Conservation; PR/OS-Parks/Recreation/Open Space; OS-Open Space; R-Rural/Agricultural; RS-Rural Settlement; ACMU-Activity Center Mixed Use; RCID-Reedy Creek Improvement District; GC-Growth Center; PD-Planned Development; USA-Urban Service Area; WB-Water Body; CP-Comprehensive Plan; FLUM-Future Land Use Map; FLUE-Future Land Use Element; TRAN-Transportation Element; GOPS-Goals, Objectives, and Policies; OBJ-Objective; LUP-Land Use Plan; SR-State Road; AC-Acres



The following meetings and hearings have been held for this proposal:		Project Information
Report/Public Hearing	Outcome	Request: Commercial (C) to Medium-High Density Residential (MHDR) (Senior Housing)
✓	Community Meetings	Proposed Development Program: Up to 374 304 multi-family dwelling units
	November 18, 2019- Negative September 16, 2020- Neutral	Division Comments: Environmental, Public Facilities and Services: Please see the Public Facilities Analysis Appendix for specific analysis of each public facility. Environmental: Development of the subject property shall comply with all state and federal regulations regarding wildlife or plants listed as endangered, threatened, or species of special concern. Schools: No permanent residency by school-aged children shall result from any development within the subject parcel. Transportation: The subject property is located within the County's Alternative Mobility Area (AMA), but not along a backlogged/constrained facility. Concurrent Rezoning: The associated Planned Development rezoning application, Case LUP-20-01-004, was approved by the DRC and will be considered in conjunction with the requested amendment during the BCC adoption public hearing.
✓	Staff Report	
✓	LPA Transmittal January 16, 2020	
✓	BCC Transmittal February 11, 202	
✓	State Agency Comments	
✓	LPA Adoption June 18, 2020	
✓	BCC Adoption	
	November 18, 2019- Negative September 16, 2020- Neutral	
	Recommend Transmittal	
	Recommend Transmittal (6-0)	
	Transmit (6-0)	
	March 2020	
	Recommend Adoption (6-0)	
	October 13, 2020	

AERIAL



FUTURE LAND USE - CURRENT



FUTURE LAND USE - PROPOSED



ZONING - CURRENT



Current Zoning District:
 C-1 (Retail Commercial District) and A-2 (Farmland Rural District)

Existing Uses:

North: Water body

South: Single-family residential

East: Single-family residential

West: State Road 417

ZONING-PROPOSED



Proposed Zoning District: PD (Planned Development) (Colonial Greens PD/LUP)

Staff Recommendation

Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Element Goal FLU 1 and Future Land Use Element Objectives FLU1.1, and Policies FLU1.1.1, 1.1.2, FLU1.4.1), FLU1.4.2, FLU8.2.1, FLU8.2.2, and FLU8.2.11; Housing Element Goal H 1. And Housing Element Objective H 1.1, Housing Element Policies H 1.3.11 and H.1.3.15) determine that the amendment is in compliance, and **ADOPT** Amendment 2020-1-A-3-1, Commercial (C) to Medium-High Density Residential (Senior Housing).

Planned Development Rezoning LUP-20-01-004: Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the Colonial Greens Planned Development / Land Use Plan (PD/LUP) dated "Received April 17, 2020", subject to the following conditions:

1. Development shall conform to the Colonial Greens Land Use Plan (LUP) dated "Received April 17, 2020," 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 17, 2020," 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. 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).
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 construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water and wastewater systems have been designed to support all development within the PD.
9. The developer shall obtain water and wastewater service from Orange County Utilities subject to County rate resolutions and ordinances.
10. Tree removal/earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
11. Short term/transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.

12. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
13. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal and must be approved prior to Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.
14. This multi-family project is limited to a senior housing community intended and operated for occupancy by persons fifty-five (55) years or older, as set forth in Section 22.55 of the Orange County Code, as may be amended.
15. The following waivers from Orange County Code are granted:
 - a. A waiver from Section 38-1254 (2) to allow a right-of-way setback of eight (8) feet for no more than 50% of the linear right-of-way frontage in lieu of a twenty (20) foot setback from the entire right-of-way.
 - b. A waiver from Section 38-1258 (b) to allow the entire senior affordable housing complex to be a maximum of four (4) stories, forty-four (44) feet, in lieu of the restriction that fifty (50) percent of the building be a maximum height of three stories (3), forty (40) feet, and the remaining fifty (50) percent be one (1) story or two (2) stories in height.
 - c. A waiver from Section 38-1258 (c) to allow the senior affordable housing complex to be a maximum of four (4) stories, forty-four (44) feet, in lieu of the maximum height of three stories (3), forty (40) feet.
 - d. A waiver from Section 38-1258 (f) to allow a six (6) foot composite screening wall or a precast concrete wall system in lieu of a six-foot high masonry, brick, or block wall.
 - e. A waiver from Section 38-1255 to allow shade trees at a ratio of one (1) shade tree per two (2) units in lieu of the required one (1) shade tree per unit.
 - f. A waiver from Section 38-1476 to allow 1.4 parking spaces per unit in lieu of the required two (2) parking spaces per unit.
 - g. A waiver from Section 38-1258 (g) to access a multifamily site from a right-of-way serving a platted single family residential.

Analysis

1. Background and Development Program

The applicant, Hugh Jacobs of The Partnership, Inc., has requested to change the Future Land Use Map (FLUM) designation of four parcels totaling 10.60 acres from Commercial (C) to Medium-High Density Residential (MHDR) (Senior Housing). In conjunction with this proposed FLUM Amendment,

the applicant has submitted an application to rezone the parcels from C-1 (Retail Commercial District) and A-2 (Farmland Rural District) to PD (Planned Development District) to allow for the creation of the Colonial Greens PD, featuring up to ~~374~~ 304 age-restricted multi-family units. This request, Rezoning Case LUP-20-01-004, is currently proceeding through the Orange County Development Review Committee (DRC) review process. Staff expects that if the proposed FLUM Amendment is transmitted to the Florida Department of Economic Opportunity (DEO) for review and comment, it will be considered concurrently with the PD rezoning petition during the adoption public hearing stage.

The currently-undeveloped subject site is located north of Millinockett Lane, east of State Road 417, south of Donnybrook Drive, and west of Constantine Street. The abutting property to the north of the site is an Orange County canal and has a future land use designation of Commercial and a zoning classification of C-1. The abutting properties to the east and south of the subject site have a future land use designation of Low Density Residential (LDR), possess zoning classifications of R-1 and R-1A (Single-Family Dwelling District), and are developed with single-family homes. The abutting property to the southwest of the subject site, also developed with single-family homes, has a future land use designation of Low-Medium Density Residential (LMDR) and a zoning classification of R-3 (Multiple-Family Dwelling District). State Road 417 is located west of the subject property.

A community meeting for the proposed age-restricted multi-family project was held on November 18, 2019. 25 area residents were in attendance and expressed objections to the request. The meeting attendees voiced concern about the compatibility of apartments with the surrounding single-family residences, the proposed height and design of the development, the number of residents in each unit, and the increased traffic the proposed project would generate. A second community meeting was scheduled for March 31, 2020, but was cancelled due to current health restrictions on public gatherings. The applicant organized a second community meeting on September 16, 2020. Three residents were in attendance, and the meeting was live-streamed virtually. The overall tone of the meeting was neutral.

Statutes codified in Section 163.3184 – Process for adopting of comprehensive plan or plan amendment -- establish the requirements for the review and adoption of comprehensive plan amendments. Orange County processes Future Land Use Map Amendments twice a year for both small-scale (requests involving ten acres or less) and large-scale amendments (requests involving more than ten acres). Section 163.3184(11)(b), Florida Statutes, requires two advertised public hearings on the amendment: one at the transmittal stage and the second at the adoption stage. At the first public hearing, the County will vote to transmit the requested Future Land Use Map Amendment to DEO for State review. State reviewing agencies then return comments to the County Staff. Following the review period, the amendment moves into the second part of the amendment process, the adoption stage. It is during the adoption hearings the County will vote to either adopt or deny the request.

2. Future Land Use Map Amendment Analysis

Consistency

The requested Future Land Use Map amendment appears to be consistent with the applicable Comprehensive Plan Goals, Objectives, and Policies, which are specifically discussed in the paragraphs below.

Future Land Use Element Goal FLU1, Objective FLU1.1, and Policy FLU1.1.1 describe Orange County's urban planning framework, including the requirement that urban land uses shall be concentrated within the Urban Service Area. As required by **OBJ FLU1.1**, the proposed amendment is within the Urban Service Area, and the development of up to ~~371~~ 304 age-restricted multi-family units in accordance with the requested Medium-High Density Residential (MHDR) (Senior Housing) future land use designation would contribute to the mix of available housing options in an area of the County deemed appropriate for urban uses, as set forth in **Policy FLU1.1.1**. The MHDR future land use category permits residential development at a maximum density of thirty-five (35) dwelling units per net acre. As described in **Policy FLU1.1.2 B**, this designation is intended to recognize a transition in density between highly-urbanized areas and medium-density residential development that support public transit and neighborhood-serving amenities within a reasonable pedestrian walkshed. The proposed development is in close proximity to a LYNX bus stop along E. Colonial Drive located less than one-quarter mile north of the subject property and is thus supported by public transit within a reasonable pedestrian walkshed. The area bus route, LYNX 104, has six main stops (LYNX Central Station, Orlando Fashion Square, Semoran Boulevard/Colonial Drive, Valencia College East, Alafaya Trail/Colonial Drive and the University of Central Florida, with multiple stops between these major points) and has headways of about fifteen minutes. The property also lies in the immediate vicinity of a small County park, Donnybrook Park, featuring such amenities as a paved multi-purpose path, basketball courts, and picnic areas. Additionally, the intensely-developed E. Colonial Drive commercial corridor offers multiple shopping, dining, and personal service options within a short vehicular travel distance to meet the daily needs of area residents.

The proposed FLUM amendment is consistent with **Housing Element GOAL H1 and Objective H1.1**, which state that the County will promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated housing needs. As the population of seniors continues to grow, the availability of a variety of housing options of various prices will be increasingly in demand. The proposed project seeks to build up to ~~371~~ 304 affordable multifamily units, which will serve low-income seniors who qualify for affordable housing. **Policy FLU8.2.2** states that continuous stretches of similar housing types and density of units shall be avoided. The addition of up to ~~371~~ 304 multi-family dwelling units will provide a diverse housing type in an area characterized by Low Density Residential (4 dwelling units/acre) and Low-Medium Density Residential (10 dwelling units/acre) single-family residences. The proposed amendment will provide a diverse housing type in an area of the County which is appropriate for urban uses. The subject site is positioned in a location

Future Land Use Element Policy FLU1.4.1 calls for Orange County to promote a range of living environments to achieve a stable and diversified population and community. **Housing Element Policies H1.3.11 and H1.3.15** state that Orange County shall encourage the development of affordable housing projects in the Urban Service area and that affordable housing is allowed within all residential zoning categories. As discussed above, the subject property is located within the Urban Service Area, and the construction of up to ~~371~~ 304 age-restricted multi-family units in accordance with the design and development standards established via the PD rezoning process would provide an affordable housing option for seniors in the area.

Along with being consistent with the goals, objectives, and policies of the Future Land Use and Housing elements of the Comprehensive Plan, the proposed FLUM amendment is consistent with the **Housing for All 10-Year Action Plan**. The Housing for All 10-Year Action plan was developed to address the growing housing crisis and expand housing options for Orange County residents, and was accepted

by the Orange County Board of County Commissioners in December 2019. As a result of implementing the Plan's recommendations, it is projected that 30,300 new affordable and attainable housing units will be produced in Orange County between the years 2020-2030. Of the 30,300 affordable and attainable housing units expected to be produced in the next 10 years, 11,000 are expected to be affordable, serving households with incomes between \$26,000 and \$83,000 (based on 2019 Area Median Income of 30-120% AMI). To meet the goal of 11,000 affordable units produced by 2030, 1,100 affordable units will need to be produced per year for the next 10 years. The proposed FLUM amendment is proposing to build up to ~~371~~ 304 senior affordable multifamily units, which will make up one-third (1/3) of the affordable housing units goal for the year 2020.

Compatibility

Policy FLU8.2.1 states that land use changes shall be required to be compatible with the existing development and development trends in the area, and **Policy FLU1.4.2** states that Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods. The development trend in this area is Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Commercial (C). The proposed age-restricted multi-family project would serve as a transitional use from the major roadway to the west (State Road 417) and the existing single family residential development to the south and east of the subject site.

Policy FLU8.2.11 states that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. The multi-family community proposed for the subject property is not identical to the existing development in the surrounding area, but is compatible with the adjacent major roadways to the west (State Road 417), and north (E. Colonial Drive)—the latter providing access to public transit and offering multiple shopping, dining, and personal service options to meet the needs of area residents, as noted previously. Therefore, staff recommends transmittal of this requested amendment.

Division Comments: Environmental, Public Facilities, and Services

Environmental: Development of the subject properties shall comply with all state and federal regulations regarding wildlife or plants listed as endangered, threatened, or species of special concern. The applicant is responsible for determining the presence of listed species and obtaining any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Please refer to Orange County Code Sections 30-277 and 30-278.

Schools: No permanent residency by school-aged children shall result from any development within the subject parcel. In conjunction with the proposed FLUM Amendment, the applicant has submitted a Planned Development (PD) rezoning application, Case LUP-20-01-004 (Colonial Greens PD/LUP). If the two requests are ultimately approved by the BCC, the age restriction issue will be addressed via the imposition of the Senior Housing qualifier on the MHDR future land use designation and as a Condition of Approval for the associated PD rezoning. Any proposed conversion of senior housing to market rate housing will necessitate the submittal and approval of a new FLUM Amendment application to remove the Senior Housing qualifier and a concurrent Change Determination Review (CDR) petition to eliminate the PD Condition of Approval.

Transportation:

The applicant is requesting a land use change and rezoning change for 10.6 acres from C to MHDR and approval to develop ~~371~~ 304 senior multi-family dwelling units.

The subject property is located within the County's Alternative Mobility Area (AMA), but not along a backlogged/constrained facility.

There is a complete link of sidewalk on the south side of E Colonial Drive that extends east and west beyond the one-quarter-mile study radius. On the north side of E Colonial Drive, there is a link of sidewalk that begins west of the study radius and ends at the SR 417 southbound off-ramp. The sidewalk begins again at Constantine Street and extends east beyond the study radius. Within the study radius, there are five marked crosswalks along and across E Colonial Drive. The sidewalks along E Colonial Drive are in fair condition. Starting at E Colonial Drive, there is a sidewalk along Constantine Street that leads southwest towards the proposed project driveway. There are no marked crosswalks on Constantine Street south of E Colonial Drive. The sidewalks along Constantine Street are in fair condition.

The nearest existing trail is the Little Econ Greenway, which runs along the Little Econlockhatchee River, located approximately one-third mile north of the project site.

The nearest LYNX bus route (LYNX 104) is located on E Colonial Drive, just north of the proposed project site. There are no other LYNX routes within the one-quarter-mile study radius. LYNX 104 services LYNX Central Station, Orlando Fashion Square, Valencia College East, and the University of Central Florida. This route has six main stops and has headways of about fifteen minutes. The nearest bus stop is located less than one-quarter mile north of the project site.

The allowable development based on the approved Commercial future land use designation will generate 1,846 new pm peak hour trips. The proposed age-restricted multi-family development under the requested Medium-High Density Residential (Senior Housing) designation will generate 163 new pm peak hour trips, resulting in a net decrease of 1,683 new pm peak hour trips.

The subject property is located adjacent to SR 417 and Colonial Dr. The following summarizes the deficient segments for existing (2019), short-term (2020), and long-term (2030):

- Central Florida Greenway
 - East-West Expressway to Northern Extension (Long-Term Daily and PM)
 - Northern Extension to Colonial Drive (Existing PM, Short-Term PM, and Long-Term Daily and PM)
 - Colonial Drive to University Boulevard (Long-Term Daily and PM)
- Colonial Drive
 - Goldenrod Road to Central Florida Greenway (Existing, Short-Term, and Long-Term Daily and PM)
 - Central Florida Greenway to Dean Road (Existing, Short-Term, and Long-Term Daily and PM)
- Econlockhatchee Trail
 - Colonial Drive to Trevarthon Road (Long-Term Daily and PM)
 - Trevarthon Road to Central Florida Greenway (Long-Term Daily and PM)
- Valencia College Lane
 - Econlockhatchee Trail to Central Florida Greenway (Long-Term Daily and PM)

Final permitting of any development on this site will be subject to review and approval under the capacity constraints of the County's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment to mitigate any transportation deficiencies.

3. Rezoning Analysis

Subject Property Analysis

The applicant is seeking to rezone the subject parcels from C-1 (Retail Commercial District) and A-2 (Farmland Rural District) to PD (Planned Development District) in order to construct 304 (age restricted) multi-family residential dwelling units.

The proposed development program is compatible with existing development in the area, and would not adversely impact any adjacent properties.

Comprehensive Plan (CP) Amendment

The subject property has an underlying Future Land Use Map (FLUM) designation of Commercial (C). The proposed PD zoning district and development program is inconsistent with the Commercial FLUM designation. However, through concurrent FLUM amendment #2020-1-A-3-1, the applicant is seeking to change the FLUM designation to Medium-High Density Residential (MHDR). The proposed PD zoning district and development program is consistent with the proposed FLUM designation.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JAP)

The subject property is not located within a Joint Planning Area.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Environmental

Any miscellaneous garbage, hazardous waste, yard waste (including excess fertilizers, herbicides and pesticides), and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations.

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).

The development plan will need to indicate compliance of related codes. All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Chapter 34, Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Plan ahead for the area adjacent to existing canals. If

boundary line retaining walls are proposed then typical sections will need to indicate the project area surface transition down into the adjacent canal.

Transportation/Concurrency

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. A Mobility Analysis was submitted with the associated comprehensive plan amendment application.

Water/Wastewater/Reclaim

	<u>Existing service or provider</u>
Water:	Orange County Utilities
Wastewater:	Orange County Utilities
Reclaimed Water:	Orange County Utilities

Schools

This project is an age-restricted 55+ community; therefore, a Capacity Enhancement Agreement (CEA) is not required.

Code Enforcement

There are no active Code Enforcement violations on the subject property.

SITE DATA

Existing Use	Undeveloped Land
Adjacent Zoning	N: C-1 (Retail Commercial District) (1973) E: R-1 (Single-Family Dwelling District) (1958) W: R-3 (Multi-Family Dwelling District) (1981) S: R-1 (Single-Family Dwelling District) (1958) R-1A (Single-Family Dwelling District) (1978) R-3 (Multi-Family Dwelling District) (1984)
Adjacent Land Uses	N: Undeveloped Land / Drainage Canal E: Single-Family Residences W: State Road 417 / Dingle Family Residence (Across SR 417) S: Single-Family Residences / Duplexes

APPLICABLE PD DEVELOPMENT STANDARDS

PD Perimeter Setback 25 feet (8 feet adjacent to frontage road) (see waiver)

Maximum Building Height: 44 feet / 4 stories
 Minimum Living Area: 500 square feet (under HVAC)

Minimum Building Setbacks

EXPRESSWAY (SR-417) 75 feet
 FRONTAGE ROAD: 0 feet (see waiver)
 SIDE: 100 feet
 REAR: 100 feet

4. Policy References

Future Land Use Element

GOAL FLU1 URBAN FRAMEWORK. Orange County shall implement an urban planning framework that provides for long-term, cost-effective provision of public services and facilities and the desired future development pattern for Orange County.

OBJ FLU1.1 Orange County shall use urban densities and intensities and Smart Growth tools and strategies to direct development to the Urban Service Area and to facilitate such development (See FLU1.1.2.B and FLU1.1.4). The Urban Service Area shall be the area for which Orange County is responsible for providing infrastructure and services to support urban development.

FLU1.1.1 Urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay (Scenario 5), Growth Centers, and to a limited extent, Rural Settlements.

FLU1.1.2 B. The following are the maximum residential densities permitted within the Urban Service Area for all new single use residential development or redevelopment. Future Land Use densities for the following categories shall be:

FLUM Designation	General Description	Density
Urban Residential – Urban Service Area		
Low Density Residential (LDR)	Intended for new residential projects within the USA where urban services such as water and wastewater facilities are present or planned. This category generally includes suburban single family to small lot single family development.	0 to 4 du/ac

FLUM Designation	General Description	Density
Low Medium Density Residential (LMDR)	Recognizes low- to medium-density residential development within the USA, including single family and multi-family residential development.	0 to 10 du/ac
Medium Density Residential (MDR)	Recognizes urban-style multifamily residential densities within the USA.	0 to 20 du/ac
Medium-High Density Residential (MHDR)	Recognizes a transition in density between highly urbanized areas and medium density residential development that support public transit and neighborhood serving amenities within a reasonable pedestrian walkshed.	0 to 35 du/ac
High Density Residential (HDR)	Recognizes high-intensity urban-style development within the USA.	0 to 50 du/ac

- FLU1.4.1** Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.
- FLU1.4.2** Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.
- FLU8.2.1** Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.
- FLU8.2.11** Compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.
- FLU8.2.2** Continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

Housing Element

- GOAL H1** Orange County's goal is to promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, to meet current and anticipated housing needs so that all our residents have the opportunity to purchase or rent standard housing.
- OBJ H1.1** The County will continue to support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.
- H1.3.11** Affordable housing is allowed within all residential zoning categories.
- H1.3.15** Orange County shall encourage the development of affordable housing projects in the Urban Service Area, Activity Centers, Rural Settlements consistent with Future Land Use

Policy 2.1.10, by establishing and continuing to seek innovative incentives such as incentives to include density bonuses and transfer of development rights.

Site Visit Photos

Subject Site



South

West

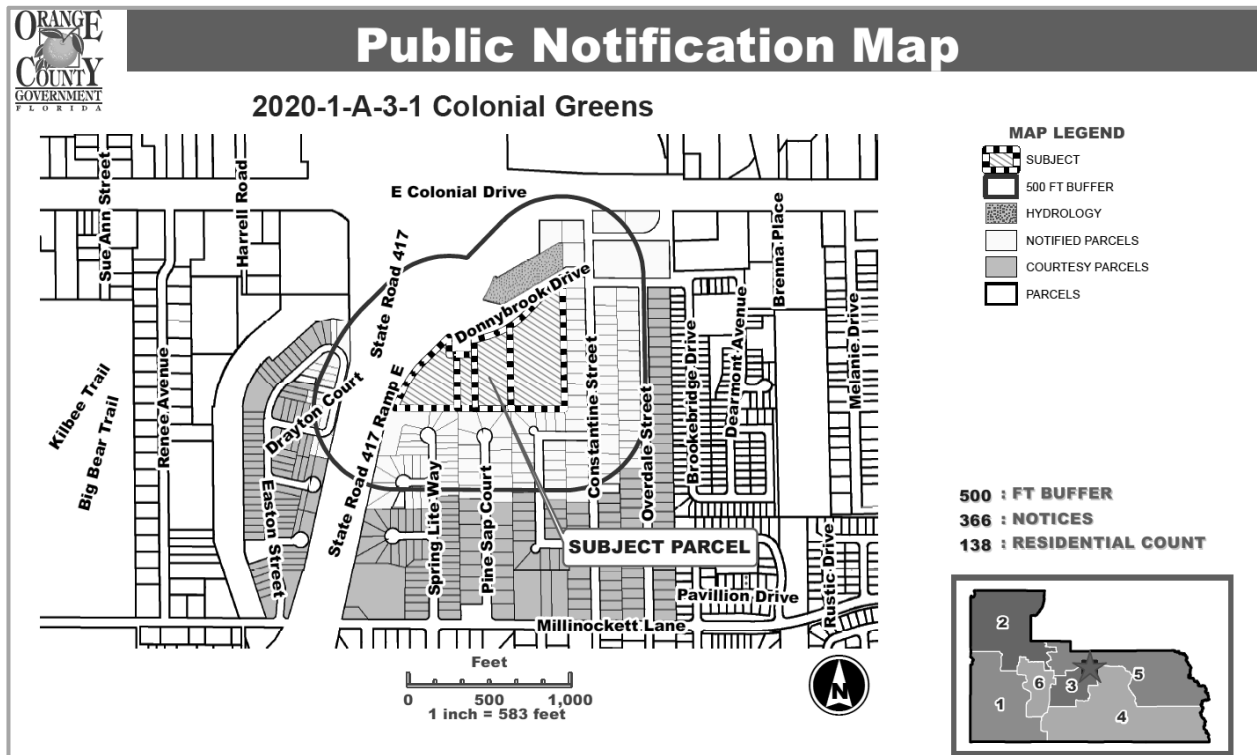


North



East



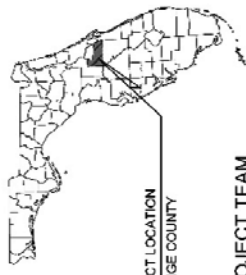




Notification Area:

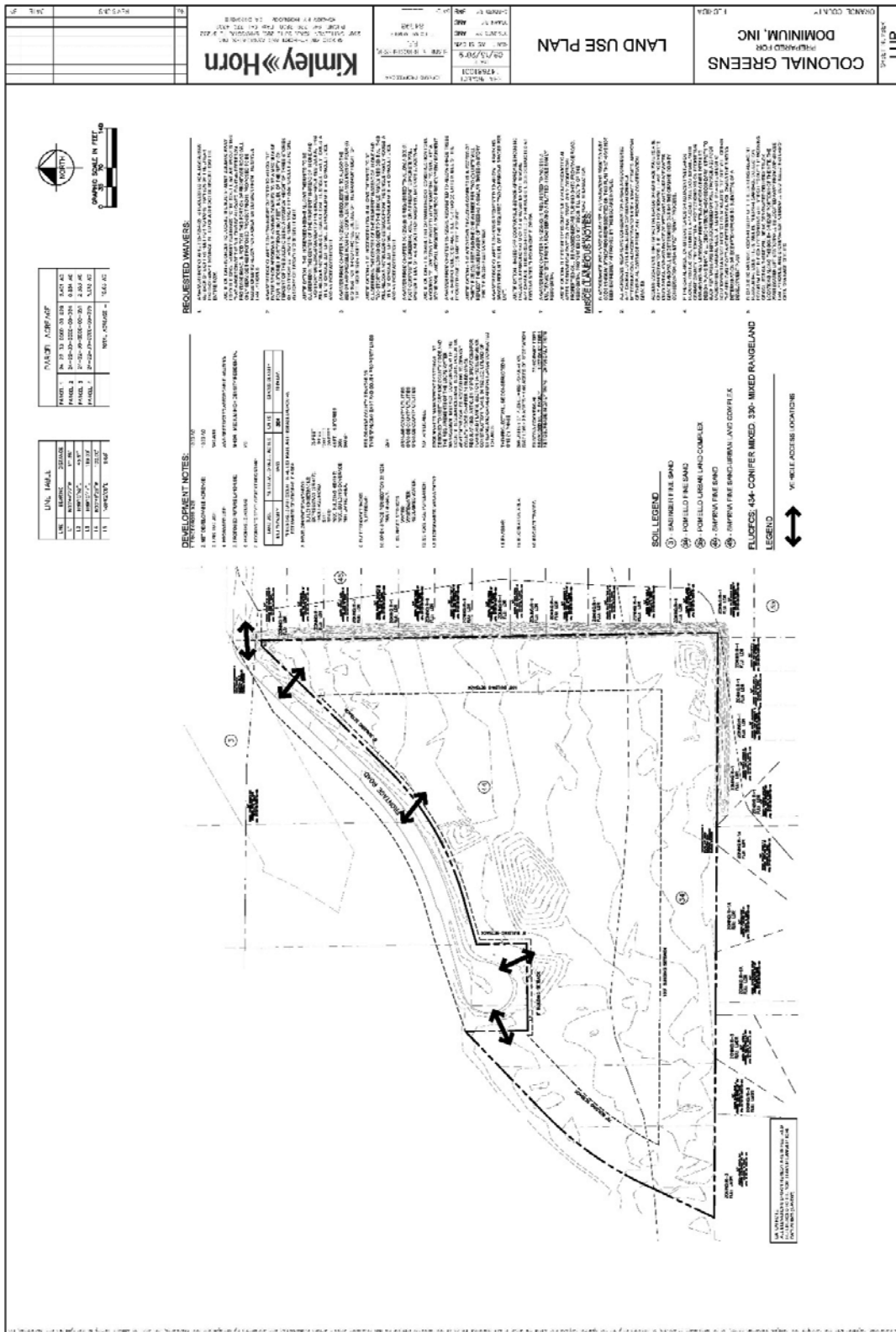
500-foot buffer, plus community and neighborhood organizations within a one-mile radius

366 notices sent

Colonial Greens PD Cover Sheet

<p>PROJECT LOCATION ORANGE COUNTY</p>  <p>PROJECT TEAM ORANGE COUNTY ENGINEER CIVIL ENGINEER JENNIFER DUBOIS, PE PROJECT NO. 20-001 DATE: 04/17/2020 PLANNER: JENNIFER DUBOIS, PE DATE: 04/17/2020</p>	<p>COLONIAL GREENS LAND USE PLAN ORANGE COUNTY, FLORIDA PARCEL ID #'s: 24-22-30-0000-00-029, 24-22-30-0000-00-084, 24-22-30-0000-00-051, & 24-22-30-0000-00-035 LUP-20-01-004 APRIL 17, 2020</p>	<p>PREPARED BY: </p>				
 <p>VICINITY MAP 1:2500</p>						
<p>PROJECT LOCATION</p>						
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">SHEET INDEX</th> <th style="width: 50%;">DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> </tr> </table>			SHEET INDEX	DESCRIPTION		
SHEET INDEX	DESCRIPTION					
<p>LEGAL DESCRIPTION</p> <p>PARCEL 1 PART ONE (40% INTEREST) BEING ALL THAT PART OF PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.</p>						
<p>RECEIVED By DRC Office at 4:08 pm, Apr 17, 2020</p>						

Colonial Greens PD Land Use Plan



ORDINANCE NO. 2020-_____

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE “2010-2030 COMPREHENSIVE PLAN,” AS AMENDED, BY ADOPTING AN AMENDMENT PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2020 CALENDAR YEAR (FIRST CYCLE); AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Legislative Findings, Purpose, and Intent.

a. Part II of Chapter 163, Florida Statutes, sets forth procedures and requirements for a local government in the State of Florida to adopt a comprehensive plan and amendments to a comprehensive plan;

b. Orange County has complied with the applicable procedures and requirements of Part II of Chapter 163, Florida Statutes, for amending Orange County’s 2010-2030 Comprehensive Plan; and

c. On October 13, 2020, the Board of County Commissioners held a public hearing on the adoption of the proposed amendment to the Comprehensive Plan, as described in this ordinance, and decided to adopt it.

Section 2. Authority. This ordinance is adopted in compliance with and pursuant to Part II of Chapter 163, Florida Statutes.

29 **Section 3. Amendments to Future Land Use Map.** The Comprehensive Plan is
30 hereby amended by amending the Future Land Use Map designation as described at **Appendix**
31 “A,” attached hereto and incorporated herein.

32 **Section 4. Effective Dates for Ordinance and Amendments.**

33 (a) This ordinance shall become effective as provided by general law.

34 (b) In accordance with Section 163.3184(3)(c)4., Florida Statutes, no plan amendment
35 adopted under this ordinance becomes effective until 31 days after the DEO notifies the County
36 that the plan amendment package is complete. However, if an amendment is timely challenged,
37 the amendment shall not become effective until the DEO or the Administration Commission issues
38 a final order determining the challenged amendment to be in compliance.

39 (c) No development orders, development permits, or land uses dependent on this
40 amendment may be issued or commence before the amendment has become effective.

41 ADOPTED THIS 13th DAY OF OCTOBER, 2020.

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ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

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By: _____
Jerry L. Demings
Orange County Mayor

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52 ATTEST: Phil Diamond, CPA, County Comptroller

53 As Clerk to the Board of County Commissioners

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By: _____
Deputy Clerk

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APPENDIX “A”
FUTURE LAND USE MAP AMENDMENT

<i>Appendix A*</i>		
<i>Privately-Initiated Future Land Use Map Amendment</i>		
Amendment Number	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:
2020-1-A-3-1	Commercial (C)	Medium-High Density Residential (MHDR) (Senior Housing)
*The Future Land Use Map (FLUM) shall not depict the above designation until such time as it becomes effective.		

64



Community Meeting Memorandum

DATE: November 20, 2019

TO: Gregory Golgowski, Chief Planner, Comprehensive Planning

FROM: Alyssa Henriquez, Planner

SUBJECT: Amendment 2020-1-A-3-1- Community Meeting Notes

C: Project File

Location of Project: Generally located north of Millinockett Lane, east of State Road 417, south of Donnybrook Drive, and west of Constantine Street

Property Identification: 24-22-30-0000-00-029/-035/-051/-084

Meeting Date and Location: November 18, 2019 at Union Park Elementary School

Attendance:

Planning Division staff: Alyssa Henriquez, Case Planner
Nate Wicke, Planner

Applicant: Devon Quist, Dominionium
Owen Metz, Dominionium
Becky Wilson, Lowndes Law

Residents: 25 residents in attendance;
366 notices sent

Overview of Project:

The proposed plan is to change the Future Land Use Map designation on the four (4) parcels totaling 10.597 acres from Commercial (C) to Medium-High Density Residential (MHDR) and to rezone the property from C-1 (Retail Commercial District) and A-2 (Farmland Rural District) to Planned Development (P-D). The applicant is requesting to change the future land use designation for the development of up to 346 multifamily dwelling units. The applicant has indicated that the multifamily dwellings will be affordable and age-restricted to 62+.

Meeting Summary:

Alyssa Henriquez opened the meeting at 6:07 p.m. and provided an overview of the proposed Future Land Use Map Amendment and the public hearing process, noting the upcoming transmittal public hearings before the Local Planning Agency (LPA) on January 16, 2020; and the Board of County Commissioners (BCC) on February 11, 2020. Ms. Henriquez then noted the upcoming adoption public hearings before the LPA on April 16, 2020 and the BCC on a date to be announced in May 2020.

Mr. Devon Quist of Dominion gave a description of the proposed project. Mr. Quist gave some background information about the developer, Dominion, which has done multiple large-scale affordable senior housing developments elsewhere in the country. Mr. Quist noted that the property would be made affordable/income-restricted by the Low Income Housing Tax Credit program, and would be held as age restricted in perpetuity.

Several residents had questions about the design and layout of the building. Mr. Devon Quist and Mr. Owen Metz informed residents that the proposed building height was five-stories, and would be one building with several wings. Residents raised concerns about the height of the building, noting concerns that they would lose their privacy, and the height would be incompatible with the existing single-family residences in the area. Mr. Quist and Metz noted that they would work to address the residents' concerns through the Planned Development process.

Residents raised concerns about how many people would be living in each unit, citing concerns that multiple people (such as children and grandchildren) of residents would be living in the proposed development, and would add to the traffic count. Mr. Quist and Metz ensured that the proposed development would be deed-restricted.

Many residents raised concerns about the effect of the proposed development on traffic in the area. One resident noted that many people cut through the neighborhood via Constantine Ave from Valencia College, and that traffic backed up for vehicles accessing E. Colonial Dr. Residents were concerned that the added trips from emergency vehicles to the proposed development would generate more traffic. Concerns about the access points of the proposed development were also raised, and how close the parking lot would be to existing single-family homes.

The meeting for the Colonial Greens future land use map amendmened concluded at around 7:10 pm. The overall tone of the community meeting was **negative**.

Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

August 3, 2020

The Honorable Jerry L. Demings
Mayor, Orange County
201 South Rosalind Avenue, 5th Floor
Orlando, Florida 32801

Dear Mayor Demings:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for Orange County (Amendment No. 20-03ESR) received on July 24, 2020. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the County is reminded that:

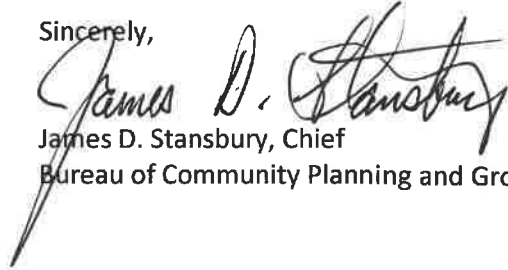
- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the County. **If the County receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the County that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

If you have any questions concerning this review, please contact Kelly D. Corvin, Regional Planning Administrator, by telephone at (850) 717-8503 or by email at kelly.corvin@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink that reads "James D. Stansbury". The signature is written in a cursive style with a large, sweeping initial "J".

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/kdc

Enclosure(s): Procedures for Adoption

cc: Alberto A. Vargas, MArch., Manager, Orange County Planning Division
Hugh W. Harling, Jr., P.E., Executive Director, East Central Florida Regional Planning Council

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

MEMORANDUM

TO: Florida Department of Environmental Protection
Florida Department of Education
Florida Department of State
Florida Department of Transportation District 5
East Central Florida Regional Planning Council
St Johns River Water Management
South Florida Water Management District
Florida Fish and Wildlife Conservation Commission
Florida Department of Agriculture and Consumer Services

DATE: July 27, 2020

SUBJECT: COMMENTS FOR PROPOSED EXPEDITED STATE REVIEW PLAN AMENDMENT

LOCAL GOVERNMENT/ STATE LAND PLANNING AGENCY AMENDMENT #: ORANGE COUNTY 20-03ESR

STATE LAND PLANNING AGENCY CONTACT PERSON/PHONE NUMBER: Kelly Corvin/(850)717-8503

The referenced proposed comprehensive plan amendment is being reviewed pursuant the Expedited State Review Process according to the provisions of Section 163.3184(3), Florida Statutes. Please review the proposed documents for consistency with applicable provisions of Chapter 163, Florida Statutes.

Please note that your comments must be sent directly to and received by the above referenced local government within 30 days of receipt of the proposed amendment package. A copy of any comments shall be sent directly to the local government and to the State Land Planning Agency to the attention of Ray Eubanks, Administrator, Plan Review and Processing at the Department E-mail address: DCPexternalagencycomments@deo.myflorida.com

Please use the above referenced State Land Planning Agency AMENDMENT NUMBER on all correspondence related to this amendment.

Note: Review Agencies - The local government has indicated that they have mailed the proposed amendment *directly to your agency*. See attached transmittal letter. *Be sure to contact the local government if you have not received the amendment*. Also, letter to the local government from State Land Planning Agency acknowledging receipt of amendment is attached.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

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Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

July 27, 2020

Mr. Greg Gologowski, AICP
Chief Planner
Orange County
Comprehensive Planning Section
201 South Rosalind Avenue, 2nd Floor
Post Office box 1393
Orlando, Florida 32802-1393

RE: 2020-1-A-1-1 Vitru Florida Inc.
2020-1-A-3-1 Orlando Leased Housing Associates
2020-1-A-4-1 AdventHealth/Systems/Sunbelt, Inc.
2020-1-A-4-2 Center Pointe Community Church of the Nazarene, Inc.
2020-1-B-FLUE-1 Text Amendment

Dear Mr. Gologowski:

Thank you for submitting Orange County's proposed comprehensive plan amendment submitted for our review pursuant to the Expedited State Review process. The reference number for this amendment package is 20-03ESR.

The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the Department's Comment Letter no later than August 26, 2020.

If you have any questions please contact Donna Harris, Plan Processor at (850) 717-8491 or Kelly Corvin, Regional Planning Administrator, whom will be overseeing the review of the amendments, at (850)717-8503.

Sincerely,

D. Ray Eubanks, Administrator
Plan Review and Processing

DRE/dh

cc: External Agencies

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February 25, 2020

Mr. Ray Eubanks, Plan Processing Administrator
Florida Department of Economic Opportunity (DEO)
State Land Planning Agency
Caldwell Building
107 East Madison – MSC 160
Tallahassee, Florida 32399

Re: Orange County Transmittal of the 2020-1 Regular Cycle State-Expedited Review Comprehensive Plan Amendments

Dear Mr. Eubanks:

The Orange County Board of County Commissioners (BCC) is pleased to transmit to the Florida Department of Economic Opportunity (DEO) this 2020-1 transmittal packet, which consists of Regular Cycle – State-Expedited Review amendments to the Orange County 2010-2030 Comprehensive Plan. This is the first amendment package of the calendar year 2020 and therefore is referred to as 2020-1 for Orange County filing purposes. Transmittal public hearings for these amendments were held on January 16, 2020, and February 11, 2020, before the Local Planning Agency (LPA) and BCC, respectively. One paper and two electronic copies (CD) of the proposed amendments are enclosed.

Regular Cycle Amendments

Per 163.3184(3), Florida Statutes, please note the following:

The Regular Cycle – State-Expedited Review amendments included four privately-initiated Future Land Use Map amendments and one staff-initiated map and/or text amendment. All of the proposed amendments were on a regular agenda.

Privately-Initiated Map Amendments

- | | |
|--------------|---|
| 2020-1-A-1-1 | Thomas Sullivan, Grey Robinson, P.A., for Vitru Florida, Inc.
Activity Center Mixed Use (ACMU) to Planned Development-Activity Center Residential (PD-ACR) |
| 2020-1-A-3-1 | Hugh Jacobs, The Partnership, Inc., for Orlando Leased Housing Associates, XIII, LLP
Commercial (C) to Medium-High Density Residential (MHDR) |
| 2020-1-A-4-1 | Jonathan P. Huels, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for AdventHealth System/Sunbelt, Inc. |

Planned Development-Institutional/Conservation (PD-INST/CONS) to Planned Development-Commercial/ Office/Low-Medium Density Residential/Medium Density Residential/Conservation (PD-C/O/LMDR/MDR/CONS)

2020-1-A-4-2 Brian Denham, P.E., Denham Engineering, LLC, for Center Pointe Community Church of the Nazarene, Inc.
Low Density Residential (LDR) to Low-Medium Density Residential (LMDR)Parks and Recreation/Open Space (PR/OS) to Medium Density Residential (MDR)

Staff-Initiated Amendment

2020-1-B-FLUE-1 Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County

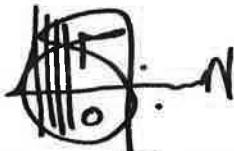
Orange County certifies that the proposed amendments, including associated data and analysis and all supporting documents, have been submitted to the parties listed below simultaneously with submittal to DEO, pursuant to 163.3184(3)(b)1, Florida Statutes. The amendment package is available for public inspection at the Orange County Planning Division as well as online at:

<http://www.orangecountyfl.net/PlanningDevelopment/ComprehensivePlanning> or www.tinyurl.com/OCCompPlan

Agency	Contact
Department of Agriculture and Consumer Services	Comprehensive Plan Review
Department of Education	Mark Weigly, Director
Department of Environmental Protection	Plan Review
Department of State	Robin Jackson, Historic Preservation Planner
Florida Fish and Wildlife Conservation Commission	Scott Sanders
Department of Transportation, District Five	Jean Parlow, Growth Management Coordinator
East Central Florida Regional Planning Council	Fred Milch, AICP, Project Review Coordinator
St. Johns River Water Management District	Steven Fitzgibbons, AICP, Intergovernmental Planner
South Florida Water Management District	Terry Manning, AICP, Policy and Planning Analyst

We look forward to working with DEO staff during your review of the amendment packet. If you have any questions, please contact Gregory Gologowski, AICP, Chief Planner, Comprehensive Planning Section, at 407.836.5624 or via email at Gregory.Gologowski@ocfl.net.

Sincerely,



Alberto A. Vargas, MArch., Manager
Orange County Planning Division

AAV/GG/tlp

enc: 2019-2 Regular Cycle State-Expedited Review Amendments DEO Transmittal Binder

c w/enclosures: Chris Testerman, AICP, Assistant County Administrator
Jon V. Weiss, P.E., Director, Planning, Environmental, and Development Services Department
Joel Prinsell, Deputy County Attorney
Roberta Alfonso, Assistant County Attorney
Whitney Evers, Assistant County Attorney
Erin Hartigan, Assistant County Attorney
Gregory Golgowski, AICP, Chief Planner, Planning Division
Sue Watson, Planner II, Planning Division