



Interoffice Memorandum

DATE: April 7, 2023

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

FROM: Tim Boldig, Interim Director
Planning, Environmental and Development
Services Department 

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

SUBJECT: May 2, 2023 – Public Hearing
Jose Ortiz, L&J Signs and Awnings
Wyndham Orlando Resort & Shops Planned Development
Case # CDR-22-02-033/ District 6

The Wyndham Orlando Resort & Shops Planned Development (PD) is generally located on the east side of International Drive between Sand Lake Road and Jamaican Court. The overall PD has existing land use entitlements for of 138,000 square feet of commercial retail uses; 1,613 hotel rooms; and 110,310 square feet of convention center uses.

Through this PD substantial change, the applicant is seeking to amend the approved Master Sign Plan for Lot 5 only, and request one waiver from Orange County Code Section 31.5-163.a(2) to allow Suite 507 an additional 15.39 square feet of wall sign copy area, beyond the code allowed 34.00 square feet.

On November 16, 2022, 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 Wyndham Orlando Resort & Shops Planned Development / Land Use Plan (PD/LUP) dated “Received September 13, 2022”, subject to the conditions listed under the DRC Recommendation in the Staff Report. District 6

Attachments
TB/NT/JK

CASE # CDR-22-02-033

Commission District: 6

GENERAL INFORMATION

APPLICANT	Jose Ortiz, L&J Signs and Awnings
OWNER	I Shops LLC
PROJECT NAME	Wyndham Orlando Resort & Shops Planned Development
PARCEL ID NUMBER(S)	36-23-28-3865-05-000 (affected parcel only)
TRACT SIZE	41.84 gross acres (overall PD) 2.99 gross acres (affected parcel only)
LOCATION	8145 International Drive. Generally located on the east side of International Drive between Sand Lake Road and Jamaican Court.
REQUEST	<p>A PD substantial change to modify the PD To amend the approved Master Sign Plan for Lot 5 only.</p> <p>In addition, the applicant has requested the following waivers from Orange County Code:</p> <ol style="list-style-type: none">1. Waiver from Orange County Code Section 31.5-163.a(2) to allow Suite 507 an additional 15.39 square feet of wall sign copy area, beyond the code allowed 34.00 square feet. <p><i>Applicant Justification:</i> The tenant (The Escape Game) added a third unit in 2022 and are currently adding three more games to this space. The requested additional signage to the exterior (as shown in the renderings attached to the master sign plan) will help the three spaces feel more like one cohesive unit.</p>
PUBLIC NOTIFICATION	A notification area extending beyond one thousand five hundred (1,500) feet was used for this application [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred nineteen (219) notices were mailed to those property owners in the notification buffer area. A community meeting was not required for this application.

IMPACT ANALYSIS

Special Information

The Wyndham Orlando Resort & Shops Planned Development (PD) was originally approved in January 2015. The overall PD has existing land use entitlements for 138,000 square feet of commercial retail uses; 1,613 hotel rooms; and 110,310 square feet of convention center uses.

Through this PD substantial change, the applicant is seeking to amend the approved Master Sign Plan for Lot 5 only, and request one waiver from Orange County Code Section 31.5-163.a(2) to allow Suite 507 an additional 15.39 square feet of wall sign copy area, beyond the code allowed 34.00 square feet.

Land Use Compatibility

The proposed PD substantial change would not adversely impact any adjacent properties or result in an incompatible land use pattern.

Comprehensive Plan (CP) Consistency

The subject property has an underlying Future Land Use Map (FLUM) designation of Commercial (C). The Wyndham Orlando Resort & Shops PD was approved in January 2015 and includes uses such as commercial/retail, hotel, and convention center. The proposed Change Determination Request (CDR) is consistent with the designation and all applicable CP provisions; therefore, a CP amendment is not necessary.

Overlay Ordinance

The subject property is located in the I-Drive District Overlay Zone. Per Section 38-868(b)(1)(A) of the I-Drive Code, a property with an existing Planned Development Land Use Plan (PD-LUP) approved prior to February 7, 2017, and a Development Plan (DP) submitted prior to February 7, 2020 is exempt from the District policies and only has to comply with the development standards approved by the PD rezoning.

The subject property is located in the Tourist Commercial Signage overlay. Signage for new development must comply with the requirements for signs found in Section 31.5, Division 2 of the County Code.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a JPA.

Environmental

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

Transportation Planning

Transportation Planning staff has reviewed the proposed request and did not identify any issue or concerns.

Community Meeting Summary

A community meeting was not required for this application.

Schools

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

Parks and Recreation

Orange County Parks and Recreation staff reviewed the Change Determination Request but did not identify any issues or concerns.

Specific Project Expenditure Report and Relationship Disclosure Forms

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

ACTION REQUESTED

Development Review Committee (DRC) Recommendation – November 16, 2022

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Wyndham Orlando Resort & Shops Planned Development / Land Use Plan (PD/LUP), dated "September 13, 2022", subject to the following conditions:

1. Development shall conform to the Wyndham Orlando Resort & Shops Planned Development / Land Use Plan (PD / LUP) dated "Received September 13, 2022" 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 September 13, 2022," the condition of approval shall control to the extent of such conflict or inconsistency.

2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.
3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this 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. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to issuance of the initial certificate of occupancy. 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 capacity encumbrance letter or a capacity reservation certificate.
7. The developer shall obtain wastewater and reclaimed water service from Orange County Utilities subject to County rate resolutions and ordinances.
8. Billboards and new pole signs shall be prohibited. All other signage shall comply with the master sign plan and Orange County Code Chapter 31.5, Tourist Commercial sign standards, as applicable.
9. Outdoor sales, storage, and display shall be prohibited.
10. A waiver from Orange County Code Section 31.5-163(a)(2) is granted to allow Suite 507 an additional 15.39 square feet of wall sign copy area, beyond the code-allowed 34.00 square feet to the Master Sign Plan (MSP) for Lot 5 only.
11. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated January 6, 2015, shall apply:
 - a. Prior to approval of the first set of construction plans within this PD, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed wastewater and reclaimed water systems have been designed to support the PD.
 - b. A waiver from Orange County Code is granted to allow the project and development to be subject to the requirements of Orange County Code, Article VII, Division 4.5 (Convention Plaza District Overlay Zone), in lieu of the requirements of Orange County Code, Article VIII (Planned Development District).
 - c. The following waivers from Orange County Code Section 31.5 are granted and applicable to Master Sign Plan (MSP) Lot 1 only:
 - 1) From Code Section 31.5-168(b) to allow (2) wall signs per building face for a single tenant, in lieu of a maximum of (1) wall sign per building face;

- 2) From Code Section 31.5-168(f) to allow a wall sign to extend 42" from the face of the wall on which it is erected, in lieu of the maximum 12" projection of a wall sign; and
- 3) From Code Section 31.5-163(a)(2) to allow a tenant an additional 84.79 sq. ft. of wall sign copy area and total of 115.79 sq. ft. in lieu of a maximum wall sign copy area of 31 sq. ft.
- d. The following waivers from Orange County Code Section 31.5 are granted and applicable to Master Sign Plan (MSP) Lot 2 only:
 - 1) From Code Section 31.5-163(a)(2) to allow a tenant an additional 36.28 sq. ft. of wall sign copy area and a total of 126.28 sq. ft., in lieu of the maximum wall sign copy area of 90 sq. ft; and
 - 2) From Code Section 31.5-168(b) to allow (2) wall signs per building face for a single tenant, in lieu of (1) wall sign per building face for a single tenant.
- e. The following waiver from Orange County Code Section 31.5 is granted and applicable to Master Sign Plan (MSP) Lot 3 only:
 - 1) From Code Section 31.5-166(a) to allow a tenant an additional 9.65 sq. ft. of copy area for a ground sign and a total copy area of 60 sq. ft., in lieu of the maximum allowed copy area for a ground sign of 50.35 sq. ft.
- f. The following waivers from Orange County Code Section 31.5 are granted and applicable to Master Sign Plan (MSP) Lot 5 only:
 - 1) From Code Section 31.5-163(a)(2) to allow a tenant an additional 57.50 sq. ft. of wall sign copy area and a total copy area of 152.50 sq. ft., in lieu of a maximum wall sign copy area of 95 sq. ft;
 - 2) From Code Section 31.5-168(b) to allow (2) wall signs per building face for a single tenant, in lieu of (1) wall sign per building face;
 - 3) From Code Section 31.5-163(a)(2) to allow a tenant an additional 13 sq. ft. of wall sign copy area and a total copy area of 40.50 sq. ft., in lieu of a maximum wall sign copy area of 27.50 sq. ft.; and
 - 4) From Code Section 31.5-67(i) to allow individual tenant panels on a multitenant sign to contain a minimum 6.5 sq. ft. of copy area, in lieu of a minimum 12 sq. ft. of copy area.
- g. The following waivers from Orange County Code Section 31.5 are granted and applicable to Master Sign Plan (MSP) Lot 6 only:

- 1) From Code Section 31.5-168(f) to allow a wall sign to extend 36" from the face of the wall on which it is erected, in lieu of a maximum extension of 12" from the wall on which it is erected;
 - 2) From Code Section 31.5-167(f) to allow two (2) pole signs, (erected on a tenant lot without the proper permit) to remain; in lieu of the requirement limiting the maximum number of pole signs to one (1) per parcel;
 - 3) From Code Section 31.5-167(c) to allow for a minimum pole sign setback of 15' from the right-of-way and 8' from a side property line; in lieu of the minimum pole sign setback of 150' from the right-of way and 20' from the side property line; and
 - 4) From Code Section 31.5-167(g) to allow the minimum spacing of pole signs on a single parcel to be 100', in lieu of the minimum pole sign spacing of 200' on a single parcel.
- h. The following waivers from Orange County Code Section 31.5 are granted and applicable to Master Sign Plan (MSP) Lot 7 only:
- 1) From Code Section 31.5-168(b) to allow multiple wall signs per building face for a single tenant, in lieu of a maximum of one (1) wall sign per building face for a single tenant; and
 - 2) From Code Section 31.5-172(a) to allow for an additional 3.79 sq. ft. of copy area for any directional sign and a total of 9.79 sq. ft of copy area; in lieu of the maximum allowable copy area of 6 sq. ft. for any directional sign.
- i. The following waivers from Orange County Code Section 31.5 are granted and applicable to Master Sign Plan (MSP) Lot 8 only:
- 1) From Code Section 31.5-163(a)(2) to allow a tenant an additional 83.58 sq. ft. of wall sign copy area and a total of 231.58 sq. ft. of wall sign copy area; in lieu of the maximum allowable wall sign copy area of 148 sq. ft.;
 - 2) From Code Section 31.5-168(b) to allow two (2) wall signs per building face for a single tenant, in lieu of a maximum of one (1) wall sign per building face; and
 - 3) From Code Section 31.5-172(a) to allow an additional 3.79 sq. ft. of copy area for any directional sign and a total of 9.79 sq. ft. of copy area, in lieu of the maximum allowable copy area of 6 sq. ft. for any directional sign.
- j. The following waivers from Orange County Code Section 31.5 are granted and applicable to Master Sign Plan (MSP) Lot 9 only:

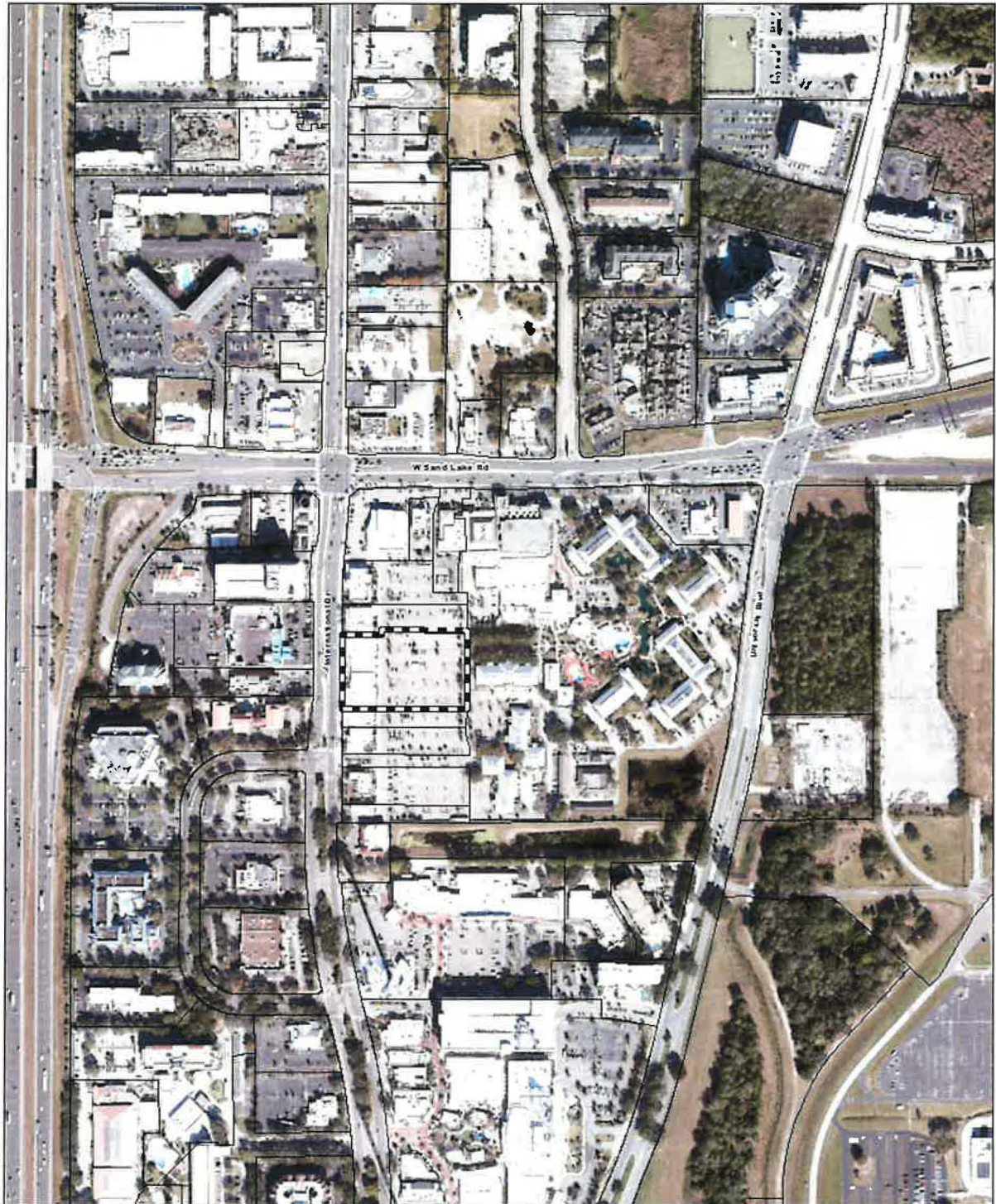
- 1) From Code Section 31.5-163(a)(2) to allow a tenant an additional 67.5 sq. ft. of wall sign copy area and a total of 88.5 sq. ft. of copy area, in lieu of the maximum allowable copy area of 21 sq. ft.;
 - 2) From Code Section 31.5-163(a)(2) to allow a tenant an additional 8.66 sq. ft. of wall sign copy area and a total of 38.16 sq. ft. of copy area, in lieu of the maximum allowable copy area of 29.50 sq. ft.;
 - 3) From Code Section 31.5-168(b) to allow two (2) wall signs per building face for a single tenant, in lieu of a maximum of one (1) wall sign per building face for a single tenant; and
 - 4) From Code Section 31.5-67(i) to allow individual tenant panels on a multitenant sign to contain a minimum six (6) sq. ft. of copy area, in lieu of a minimum 12 sq. ft. of copy area.
- k. The following waivers from Orange County Code Section 31.5 are granted and applicable to Master Sign Plan (MSP) Lot 10 only:
- 1) From Code Section 31.5-163(a)(2) to allow an additional 68.18 sq. ft. of copy area and a total of 173.18 sq. ft. of copy area, in lieu of the maximum allowable copy area of 105 sq. ft.;
 - 2) From Code Section 31.5-168(b) to allow two (2) wall signs on the west elevation, in lieu of a maximum of one (1) wall sign per building face for a single tenant or per store front for a multi-tenant site;
 - 3) From Code Section 31.5-166(d) to allow for four (4) ground-monument signs within the subject parcel, in lieu of the allowance for only two (2) ground monument signs within the subject parcel;
 - 4) From Code Section 31.5-166(d) to allow for two (2) ground-monument signs within 100 ft. of each other within the subject parcel; in lieu of the requirement that any two (2) ground-monument signs within a parcel be separated by a distance of not less than 100 ft.;
 - 5) From Code Section 31.5-166(a) to allow ground sign "RM-4" (as depicted on the Master Sign Plan) to have a maximum copy area of 94 sq. ft, in lieu of a maximum copy area of 60 sq. ft.;
 - 6) From Code Section 31.5-166(a) to allow a maximum ground sign copy area of 240.43 sq. ft., in lieu of a maximum ground sign copy area of 120 sq. ft.;
 - 7) From Code Section 31.5-172(a) to allow an additional 3.8 sq. ft. of copy area for any directional sign and a total of 9.8 sq. ft of copy area; in lieu of the maximum allowable copy area of 6 sq. ft. for any directional sign;

- 8) From Code Section 31.5-167(a) to allow for a maximum allowable copy area of 222 sq. ft. within an existing pole sign, in lieu of a maximum allowable copy area of 100 sq. ft.;
 - 9) From Code Section 31.5-167(b) to allow an existing pole sign with a height of fifty-two (52) feet to remain, in lieu of the maximum pole sign height of thirty (30) feet;
 - 10) From Code Section 31.5-167(c) to allow for an existing pole sign with a setback of 20' from the right-of-way to remain, in lieu of the requirement for a minimum pole sign setback of 150' from the right-of way; and
 - 11) From Code Section 31.5-172(a) to allow for a maximum of two (2) directional signs with a maximum copy area of eight (8) sq. ft. each; in lieu of a maximum of one (1) directional sign with a maximum copy area of six (6) sq. ft.
- l. Parking structure shall be provided for additional hotel rooms (beyond 613 rooms) with a parking rate of 1.2 spaces per room, above the parking that is currently provided.
 - m. Vehicular and pedestrian connectivity shall be provided between International Drive and Universal Boulevard, and to development to the south.
 - n. Parking within the overall PD shall be shared by all lots and tenants.

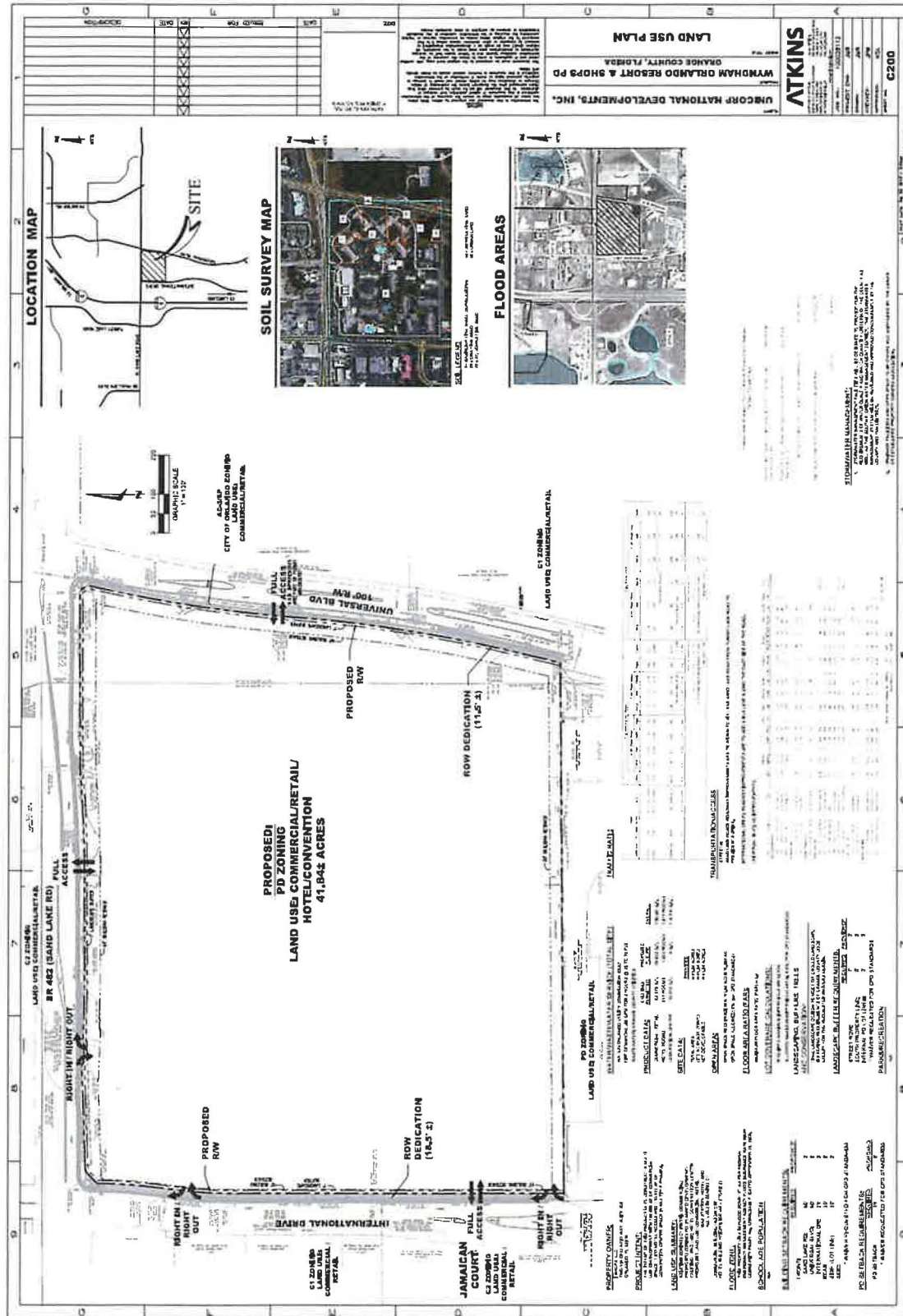
PREVIOUS BOARD OF COUNTY COMMISSIONERS ACTION (January 6, 2015)

Upon a motion by Commissioner Siplin, seconded by Commissioner Edwards, and carried by all present The Board approved the request by Chuck Whittall, Unicorp National Developments, Inc., Wyndham Orlando Resort and Shops Planned Development (PD)- Case # LUP-13-09-227, to rezone the subject property from C-1 (Retail Commercial District) to PD (Planned Development District) in order to reflect existing development with limited expansion of commercial and hotel uses, and to incorporate a proposed Master Sign Plan (MSP); further, the existing development program consists of 102,378 square feet of commercial / retail uses; 613 hotel rooms; and 110,310 square feet of convention center uses; further, modified and expanded development program consists of 138,000 square feet of commercial I retail uses; 1,613 hotel rooms; and 110,310 square feet of convention center uses; and further, the applicant requested the following waivers from Orange County Code to allow development to be subject to the Convention Plaza District Overlay Zone development standards, and to incorporate alternative project sign standards consistent with a proposed Master Sign Plan (MSP).

CDR-22-02-033

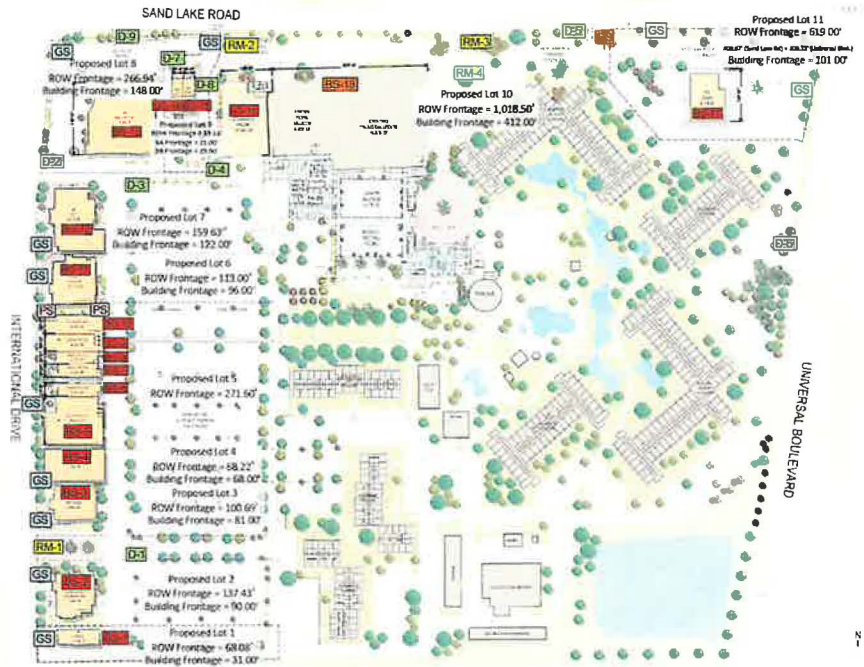


Wyndham Orlando Resort and Shops PD / LUP



Wyndham Orlando Resort and Shops PD / LUP

SIGN TYPE LEGEND	
	Tenant Ground Monument Sign
	Wyndham Resort Ground Monument Sign
	Wyndham Existing Pole Sign
	Tenant Building Signage
	Directional Signage
	Pole Sign

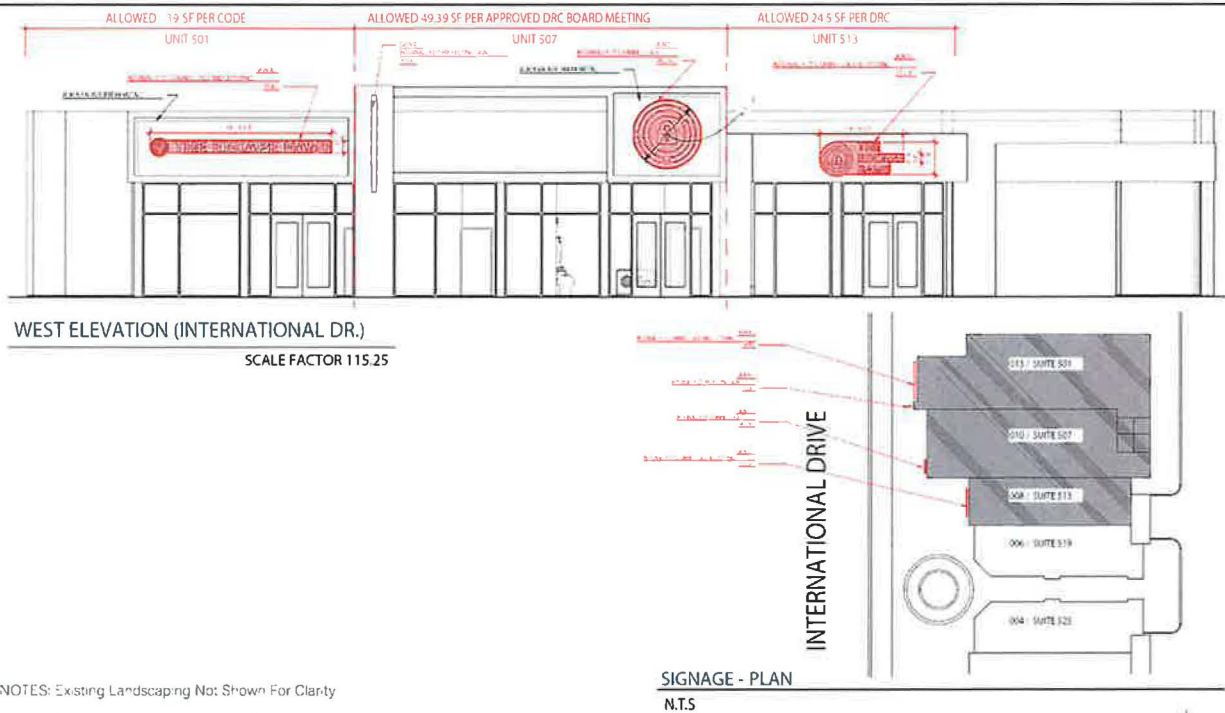


I Shops Orlando Master Signage Program

I Shops Orlando, LLC - Developer | Antunovich Associates - Architects & Planners

Site Signage Plan

Orlando, FL | May 5, 2015



NOTES: Existing Landscaping Not Shown For Clarity

I Shops Orlando Master Signage Program

I Shops Orlando, LLC - Developer | L&J Signs and Awnings - Sign Designer and Contractor

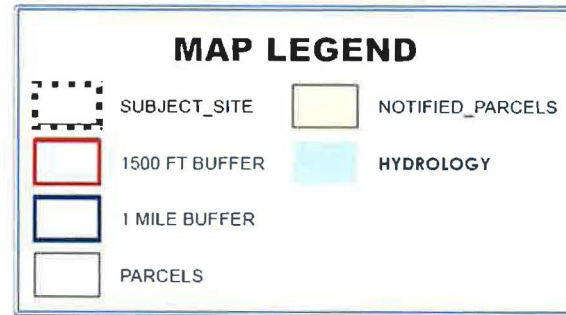
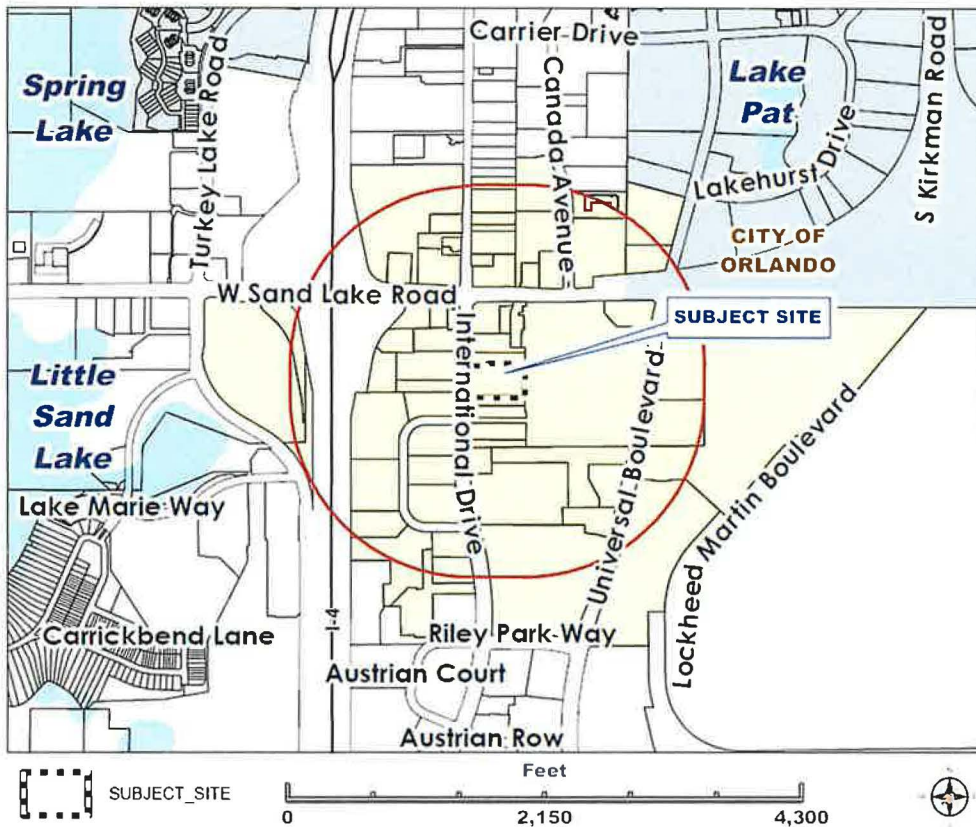
Lot 5: Signage for Escape Game

Orlando, FL | September 12, 2022

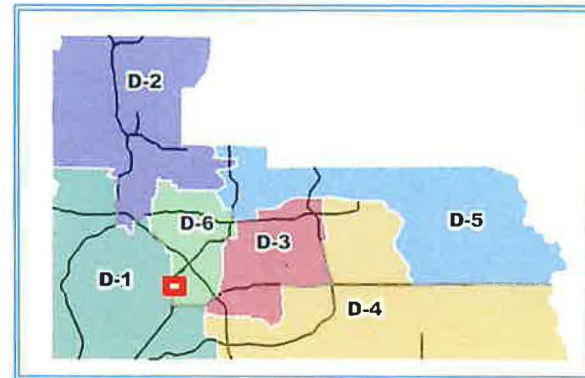


Public Notification Map

Wyndham Orlando Resort & Shops PD_CDR-22-02-033



BUFFER DISTANCE: 1500
OF NOTICES: 219



Notification Map

DRC Staff Report
Orange County Planning Division
BCC Hearing Date: May 2, 2023