





Interoffice Memorandum

DATE: July 29, 2021

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

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

CONTACT PERSON: Eric Raasch, DRC Chairman 
Development Review Committee
Planning Division
(407) 836-5523

SUBJECT: August 10, 2021 – Public Hearing
Eric Warren; Poulos & Bennett, LLC
Springhill Planned Development
Case # CDR-21-03-100 / District 1

The Springhill Planned Development (PD) is located north of Water Spring Boulevard and west of Avalon Road. The existing PD development program allows for 1,334 residential dwelling units, and 112,391 square feet of nonresidential uses. In addition, the PD provides numerous Adequate Public Facilities (APF) including an elementary school, neighborhood park, fire station, utility tract, and other rights-of-way and multi-purpose paths.

Through this PD substantial change, the applicant is seeking to increase the unit count for Parcel 37 from 79 to 81 units. Additionally, one waiver is requested from Orange County Code regarding building separation for townhomes.

On June 6, 2021, 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 Springhill Planned Development / Land Use Plan (PD/LUP) dated “Received May 26, 2021”, subject to the conditions listed under the DRC Recommendation in the Staff Report. District 1**

Attachments
JWW/EPR/jsh

CASE # CDR-21-03-100

Commission District: # 1

GENERAL INFORMATION

APPLICANT Eric Warren; Poulos & Bennett, LLC

OWNER Lennar Homes LLC

PROJECT NAME Springhill Planned Development (PD)

PARCEL ID NUMBER(S) 07-24-27-0000-00-008
07-24-27-0000-00-009 (affected parcels only)

TRACT SIZE 361.91 gross acres (overall PD)
121.10 gross acres (affected parcels only)

LOCATION North of Water Springs Boulevard / West of Avalon Road

REQUEST A PD substantial change to revise Parcel 37 unit count from 79 to 81. In addition, the applicant has requested the following waiver from Orange County Code:

1. A waiver from Section 38-1387.1(a)(10), for parcels 36, 37, 39, to allow 14' minimum building separation for townhomes in lieu of 20'.

Applicant Justification: Per Code Section 38-1387.1.(a)(10) requiring 20-foot building separation is in conflict with 38-1387.1.(a)(9).b. Orange County has recognized this in the past and 14-foot building separation has been approved and constructed throughout Horizon West in the past. The townhomes are designed to meet code for building separations.

PUBLIC NOTIFICATION A notification area extending beyond one thousand (1,000) feet was used for this application [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Eight hundred fifty (850) 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 Springhill PD was originally approved on April 9, 2013 and is located within the Village H Special Planning Area boundary of Horizon West in southwest Orange County. Consistent with the underlying Village H SPA land use map, the overall PD includes areas designated Village Center District, Neighborhood Center District, Apartment District, Townhome District, Village Home District, Estate District, and Garden Home District. The

PD provides for 1,334 residential dwelling units, and 112,391 square feet of nonresidential uses. In addition, the PD provides numerous Adequate Public Facilities (APF) including an elementary school, neighborhood park, fire station, utility tract, and other rights-of-way and multi-purpose paths.

Through this PD substantial change, the applicant is seeking to increase the unit count for Parcel 37 from 79 to 81 units. Additionally, one waiver is requested from Orange County Code regarding building separation for townhomes.

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 Village (V). The subject parcel located in Village H and is designated as Village Home District (Parcel 37). The proposed PD substantial change is consistent with this designation and all applicable CP provisions; therefore, the request is consistent with the Comprehensive Plan.

Overlay Ordinance

The subject property is not located within an Overlay District.

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, but did not identify any issues or concerns.

Transportation Concurrency

Transportation Planning Division staff reviewed the request but did not identify any issues or concerns.

Community Meeting Summary

A community meeting was not required for this request.

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 – (June 9, 2021)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Springhill Planned Development / Land Use Plan (PD/LUP), dated “May 26, 2021”, subject to the following conditions:

1. Development shall conform to the Springhill PD Land Use Plan (LUP) dated "Received May 26, 2021," 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 May 26, 2021," 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. The project shall comply with the terms and conditions of that certain Village H Horizon West Road Network Agreement approved on February 12, 2013 and recorded at OR Book/Page 10525/6172, Public Records of Orange County, Florida, as may be amended.
7. Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement. Unless the property is otherwise vested or exempt, the applicant shall be subject to school concurrency and required to go through the review process prior to platting.
8. A waiver from Orange County Code Section 38-1387.1.(a)(10) is granted to allow fourteen foot (14') minimum building separation for townhomes in lieu of twenty feet (20') for PD Parcels 36, 37, and 39 only.
9. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated June 4, 2019 shall apply:

- a. 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)

- b. The following waivers from Orange County Code are granted for PD Parcel 35 only:
 - 1) A waiver from Section 38-1258(a), for parcel 35, to allow multi-family residential buildings located within ten (10) feet of single-family zoned property along the west parcel line and one hundred (100) feet along the south parcel line to be constructed up to four-stories and 61 feet in height in lieu of the requirement that multi-family buildings within one hundred (100) feet of a single-family zoned property be restricted to a single-story height.

 - 2) A waiver from Section 38-1258(b), for parcel 35, to allow multi-family buildings located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned property to be constructed up to four-stories and 61 feet in height, in lieu of the requirement that multi-family buildings located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned property shall vary in building height with a maximum of fifty (50) percent of the buildings being three (3) stories (not to exceed forty (40) feet) in height with the remaining buildings being one (1) story or two (2) stories in height.

 - 3) A waiver from Section 38-1258(c), for parcel 35, to allow multi-family buildings located within ten (10) feet of single-family zoned property along the west parcel line and one hundred (100) feet along the south parcel line to be constructed up to four-stories and 61 feet in height, in lieu of the requirement that multi-family buildings located within one hundred and fifty (150) feet of single-family zoned property shall not exceed three (3) stories (forty (40) feet) in height.

- 10. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated April 10, 2018, shall apply:
 - a. 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.

 - b. 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.

- c. Construction plans for residential and commercial development within this PD, submitted after January 31, 2020, shall not be approved until the APF Utility tract(s) (water and wastewater) and 50-foot access & utility easement are conveyed to Orange County Utilities.
11. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated December 13, 2016, shall apply:
- a. The owner must comply with the terms of the Springhill PD Adequate Public Facilities and Impact Fee Credit Agreement (Village H) OR Book 10577 / Page 2017.
 - b. At least thirty (30) days prior to construction plan submittal, the applicant shall submit a Master Utility Plan (MUP) for the PD, including hydraulically dependent parcels outside the PD boundaries; such MUP shall include supporting calculations showing that the PD-level MUP is consistent with the approved MUP for the Village, or shall include an update to the Village MUP to incorporate any revisions. The MUP(s) must be approved prior to construction plan approval.
 - c. The following waivers from Orange County Code Section 38-1385 are granted for PD Parcels 38, 44a, and 44b only (Estate District):
 - 1) A waiver from Section 38-1385(B)(4) to allow for a minimum lot width of seventy (70) feet, in lieu of the required minimum lot width of eighty-five (85) feet.
 - 2) A waiver from Section 38-1385(B)(2) to allow for a minimum average lot size of 8,400 square feet, in lieu of the required minimum average lot size of 10,000 square feet.
 - 3) A waiver from Section 38-1385(B)(9) to allow for minimum front porch setback of 15 feet, in lieu of the required minimum front porch setback of 20 feet.
 - d. The following waivers from Orange County Code are granted for PD Parcels 35, 40, 41 and / or 44a only (Estate District, Village Home District, Townhome District, and Apartment District):
 - 1) Waivers from Section 31.5-67(b) and Section 31.5-73(c) to allow a ground sign with architectural features (such as an entry tower, corner turret, archway, etc.) at two (2) primary project entrances along County Road 545 with a maximum height of eight (8) feet. These features shall be exclusive of lightning protection and may include signage; however, the features shall be consistent with the locations shown on the Spring Hill PD – Phase 1 with no signage exceeding

the allowable square footage for a primary entry sign. Copy area will remain below eight (8) feet in height.

- 2) A waiver from Section 38-79(114)(h) to allow accessory structures in the form of entry features with architectural components (such as an entry column, corner turret, archway, etc.) at two (2) primary project entrances along County Road 545, within PD Parcel 35, 40, 41 and / or 44a, with a maximum height of twenty (20) feet. These features shall be exclusive of lightning protection, with an additional two (2) feet allowed for lightning protection. The features may include signage; however, the features shall be consistent with the locations shown on Springhill PD – Phase 1 with no signage exceeding the allowable square footage for a primary entry sign.
- e. The project contains 702 unvested units that are subject to the County's school capacity policy (a/k/a the "Martinez Doctrine".) The developer acquired school capacity credits established under the Capacity Enhancement Agreement by and between DR Horton, Inc. and the School Board dated August 18, 2006 (CEA #05-030) as amended. The number of school capacity credits equals or exceeds the number of unvested units. The Developer shall comply with all provisions of CEA #05-030.

Upon the County's receipt of written notice from OCPS that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for any unvested units. The County may again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the cessation of the County's issuance of residential building permits resulting from such notification from OCPS. Developer, and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of Developer's rights. Orange County shall be held harmless by the Developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the Developer and OCPS over any interpretation or provision of the Capacity Enhancement Agreement. Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.

- f. The following Education Condition of Approval shall apply:
- 1) Developer shall comply with all provisions of the Capacity Enhancement Agreement entered into with the Orange County School Board as of August 30, 2016.

- 2) Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for any residential units in excess of the 7 residential units allowed under the zoning existing prior to the approval of the PD zoning. The County may again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits
- 3) Developer, and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's rights.
- 4) Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement.

Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.

12. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated September 13, 2016, shall apply:
 - a. The developer must provide a valid Assignment of Vested Trips document together with the applicable Confirmation Letter issued by Orange County, concurrently with or prior to Preliminary Subdivision Plan / Development Plan submittal. In addition, the Preliminary Subdivision Plan and each subsequent Development Plan must show a legend with trip allocations by parcel identification number and phase of the development.
 - b. All home designs and types proposed with any subsequent Preliminary Subdivision Plan (PSP) shall be submitted to the County for setback and architectural review a minimum of 90 days prior to model home requests and/or permitting.
13. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated January 14, 2014:
 - a. A waiver from Orange County Code Section 38-1385.8(b)(9)(a) is granted to allow for a minimum front porch setback of seven (7) feet in the Garden Home

Mixed Use District, in lieu of the required minimum front porch setback ten (10) feet.

- b. A waiver from Orange County Code Section 38-1387.1(a)(7) is granted to allow the minimum 30% open space of each townhouse development to be distributed throughout the respective Preliminary Subdivision Plan (PSP), in lieu of having to provide the 30% open space within the townhouse development only. In no case, shall a deficit of required park and open space acreage occur collectively within the PSP land use districts.
14. All previous applicable BCC Conditions of Approval, dated April 9, 2013, shall apply:
- a. A Master Utility Plan (MUP) consistent with Village H MUP shall be submitted to Orange County Utilities prior to approval of the first PSP/DP. The MUP must be approved prior to Construction Plan approval.
 - b. The Developer shall obtain water, wastewater and reclaimed water service from Orange County Utilities.
 - c. The developer shall be responsible for building master utilities transmission and collection infrastructure adequate to serve the PO and to accommodate the ultimate flows for the entire Village (SAP). Utilities infrastructure shall be built connection to the build-out points of connection approved in the Village H Master Utilities Plan (MUP).
 - d. Prior to construction plan approval, all property owners within Village H, excluding public entities, shall be required to sign an agreement between the parties, addressing their proportionate share of funds for the costs of the offsite and onsite master utilities, sized to Village H requirements. Property owners may elect to use alternate financing in lieu of the private proportionate cost share agreement, provided master utilities sized for Village requirements are constructed.
 - e. Payment of 500 ERUs (wastewater) and 500 ERCs (water) are due prior to construction plan approval for the first construction plan set within Village H unless previously satisfied by another Village H Parcel. Alternatively, property owners may elect to enter into an agreement with Orange County to construct, with the first set of construction plans, the utility improvements beyond what is required by the Village H Master Utility Plan.
 - f. Waivers from Orange County Code:
 - 1) A waiver is granted from Section 38-1253(c) to allow for on-street parking for recreational areas in lieu of off-street parking.
 - 2) A waiver is granted from Section 38-1384(f)(1) to eliminate the requirement of each block face having at least two (2) distinct lot sizes excluding the end units.

- 3) A waiver is granted from Section 38-1385.7(b)(2) within the Garden Home Mixed Use District to allow an average lot size of three thousand eight hundred and forty (3,840) feet in lieu of six thousand (6,000) feet.
 - 4) A waiver is granted from Section 38-1385.7(b)(4) within the Garden Home Mixed Use District to allow a minimum lot width of thirty-two (32) feet in lieu of forty (40) feet.
 - 5) A waiver is granted from Section 38-1385.7(b)(9)(b) within the Garden Home Mixed Use District to allow a four (4) foot side yard setback in lieu of five (5) feet.
 - 6) A waiver is granted from Section 38-1386(b)(2) within the Village Home District to allow an average lot size of three thousand eight hundred and forty (3,840) feet in lieu of four thousand two hundred (4,200) feet.
 - 7) A waiver is granted from Section 38-1386(b)(4) within the Village Home District to allow a minimum lot width of thirty-two (32) feet in lieu of thirty-five (35) feet.
 - 8) A waiver is granted from Section 38-1386(b)(10)(a) within the Village Home District to allow a seven (7) foot front porch setback in lieu of ten (10) feet.
 - 9) A waiver is granted from Section 38-1386(b)(10)(b) within the Village Home District to allow a four (4) foot side yard setback in lieu of five (5) feet.
 - 10) A waiver is granted from Section 38-1387.1(9)(a) within the Townhouse District to allow a seven (7) foot front porch setback in lieu of ten (10) feet.
- g. At the time of approval of a plan for a single-family detached residential unit project, the developer shall have prepared and submitted for review a document containing covenants, conditions, and restrictions (CC&Rs) for the property being platted. The CC&Rs, which shall be recorded simultaneous with the recording of the plat, shall include a provision incorporating, verbatim, the following requirements:
- 1) The same front facade for single-family residential units may not be repeated more than 5 times within 1 block length for both sides of any street, and shall be separated by at least 2 units with different facades.
 - 2) House front facades shall be varied and articulated to provide visual interest to pedestrians along the street frontage. The front facade of the main body of the house shall not exceed 40 feet in length, except

for wings of "L"s which are setback from the front facade. In no case shall more than 50 percent of the front facade of a house consist of an unobstructed block wall or garage door.

- 3) At least 50 percent of all single-family residential units 75' in width or less shall have a front porch. A front porch shall be a minimum of 7 feet in depth; 8 feet in width and cover a minimum 10 feet in width or 1/3 of the front facade, whichever is greater.
 - 4) Flat roofs shall be prohibited.
 - 5) Unless otherwise prohibited by the CC&Rs, fencing in the front yard shall be located within 3 feet of the sidewalk to define the separation of public and private spaces. Such fences shall be no higher than 3 feet, 6 inches, and be limited to decorative wrought iron or wood picket style. The provisions of the CC&Rs incorporating the above referenced requirements shall not be amended, removed, or superseded without the prior approval of the Board of County Commissioners, which approval may be withheld in the Board's sole discretion, and the CC&Rs shall contain a statement to that effect. Furthermore, the CC&Rs shall provide that the homeowner's association and any person owning property in the development have the right to enforce these requirements in the event they are violated. Finally, the CC&Rs shall also state that Orange County shall have the right, but not the duty, to enforce these requirements in the same manner as it enforces other Orange County ordinances and regulations.
 - 6) Tree removal / earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
- h. The applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to platting. Nothing in this condition, and nothing in the decision to approve this plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.
- i. The following public education-related Conditions of Approval shall apply:
- 1) Developer shall comply with all provisions of the Capacity Enhancement Agreement entered into with the Orange County School Board as of 08/16/06, and amended on 4/29/08 and 06/24/08, and all future amendments.
 - 2) Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately

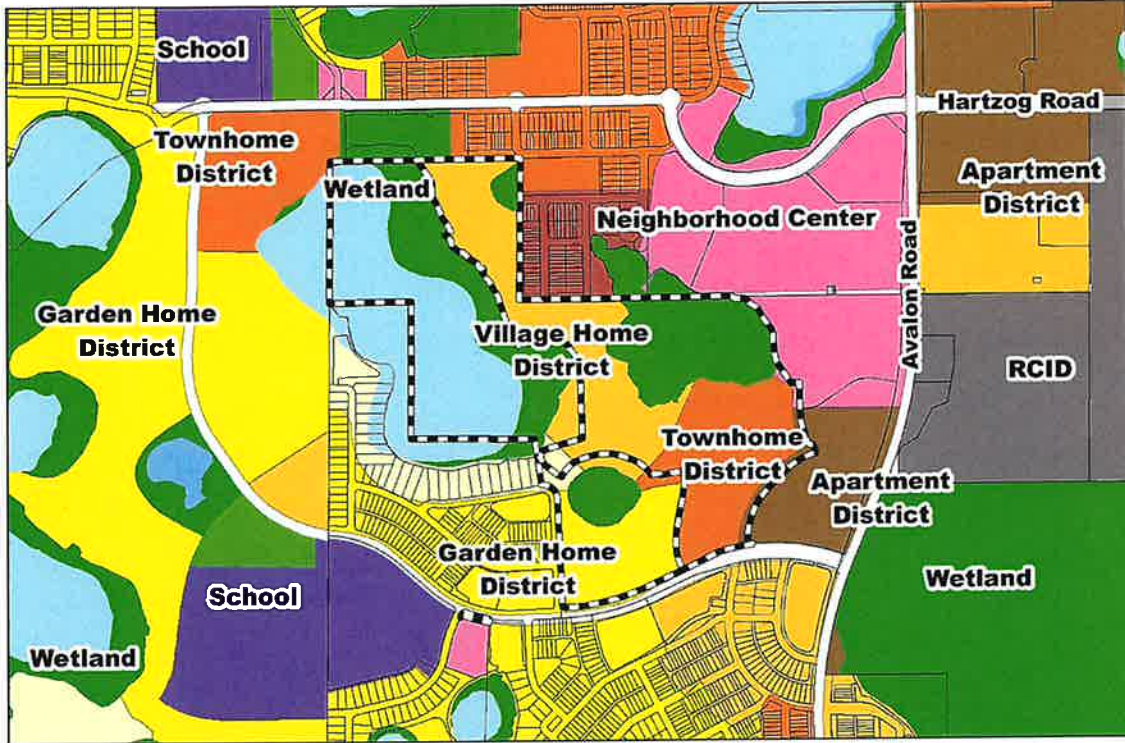
cease issuing building permits for any residential units in excess of the 199 residential units allowed under the zoning existing prior to the approval of the PO zoning. The County shall begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.

- 3) Developer, or its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's rights.
- 4) Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement.
- 5) At the time of platting, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.
- 6) An APF agreement shall be scheduled simultaneously with this Land Use Plan.

PREVIOUS BOARD OF COUNTY COMMISSIONERS ACTION (June 4, 2019)

Upon a motion by Commissioner VanderLey, seconded by Commissioner Moore, and carried by a vote of 6-0, the board voted to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report; and further, approve modified condition of approval # 9 (a), (b), and (c). Reflected as condition 9(b) (1,2,3) in the staff report.

CDR-21-03-100



Subject Property



Subject Property

Future Land Use Map

FLUM: Village Home District,
 Garden Home District,
 Townhome District

APPLICANT: Eric Warren; Poulos & Bennett, LLC

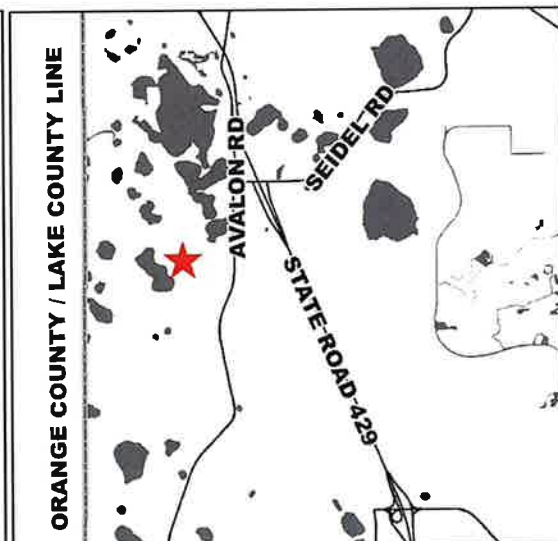
LOCATION: North of Water Springs Boulevard,
 West of Avalon Road

TRACT SIZE: 361.91 gross acres (overall PD)
 121.10 gross acres (affected parcel only)

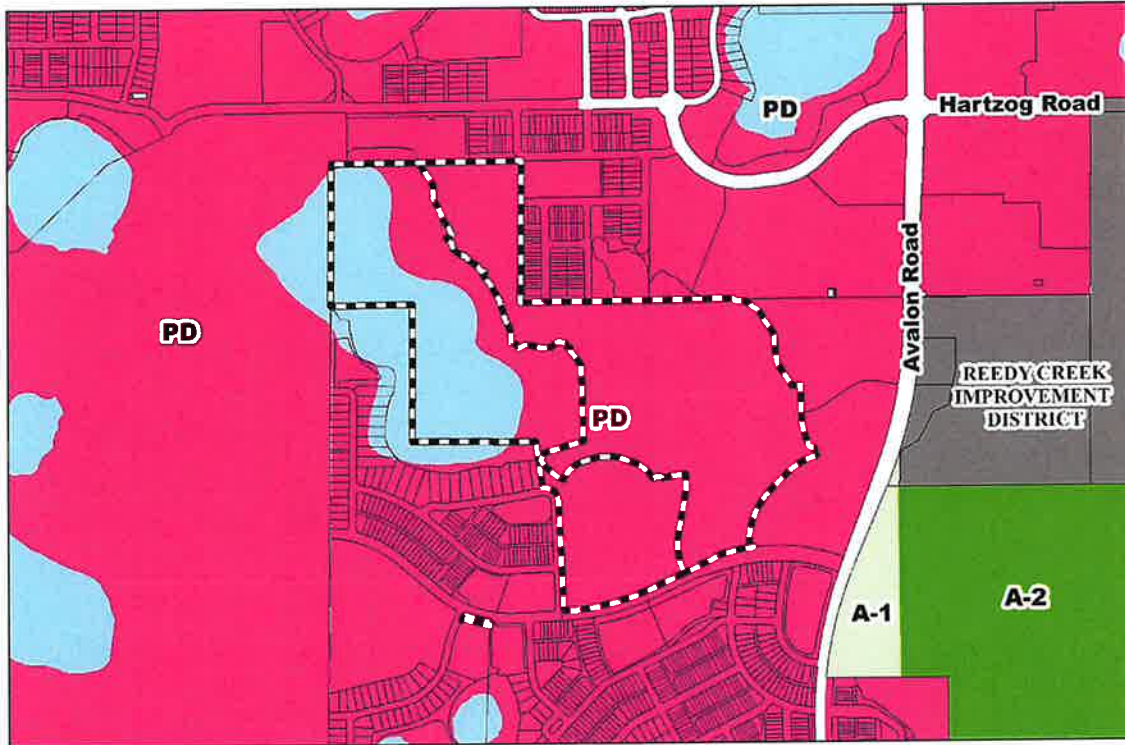
DISTRICT: # 1

S/T/R: 07/24/27

1 inch = 1,000 feet



CDR-21-03-100

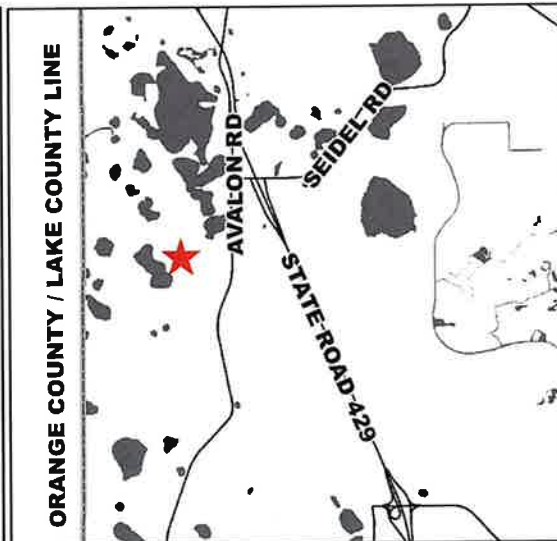


 Subject Property



 Subject Property

Zoning Map	
ZONING:	PD (Planned Development District)
APPLICANT:	Eric Warren; Poulos & Bennett, LLC
LOCATION:	North of Water Springs Boulevard, West of Avalon Road
TRACT SIZE:	361.91 gross acres (overall PD) 121.10 gross acres (affected parcel only)
DISTRICT:	# 1
S/T/R:	07/24/27
1 inch = 1,000 feet	



Springhill PD / LUP (Cover Sheet)

1	COVER SHEET
2	BOUNDARY SURVEY & LEGAL DESCRIPTION
3	LAND USE PLAN
4	SOILS & VEGETATION
5	EXISTING TOPOGRAPHY AND WETLANDS
6	ADJACENT PROPERTY
7	ADJACENT ZONING
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**SPRINGHILL
 P.D. LANDUSE PLAN
 ORANGE COUNTY, FLORIDA
 (VILLAGE H, HORIZON WEST)
 REVISED FEBRUARY 2021
 CDR-21-03-100**

**AFFECTED PARCEL WITH THIS CDR
 PARCEL ID. NO. 07-24-27-0000-00-008; 07-24-27-0000-00-009**

DEVELOPER: WILSON PROPERTIES, LTD.
 1333 PALMETTO AVENUE W
 WINTER PARK, FLORIDA 32789
 TEL: 407-755-7800



LOCATION MAP
 SCALE: 1" = 200'
 NORTH

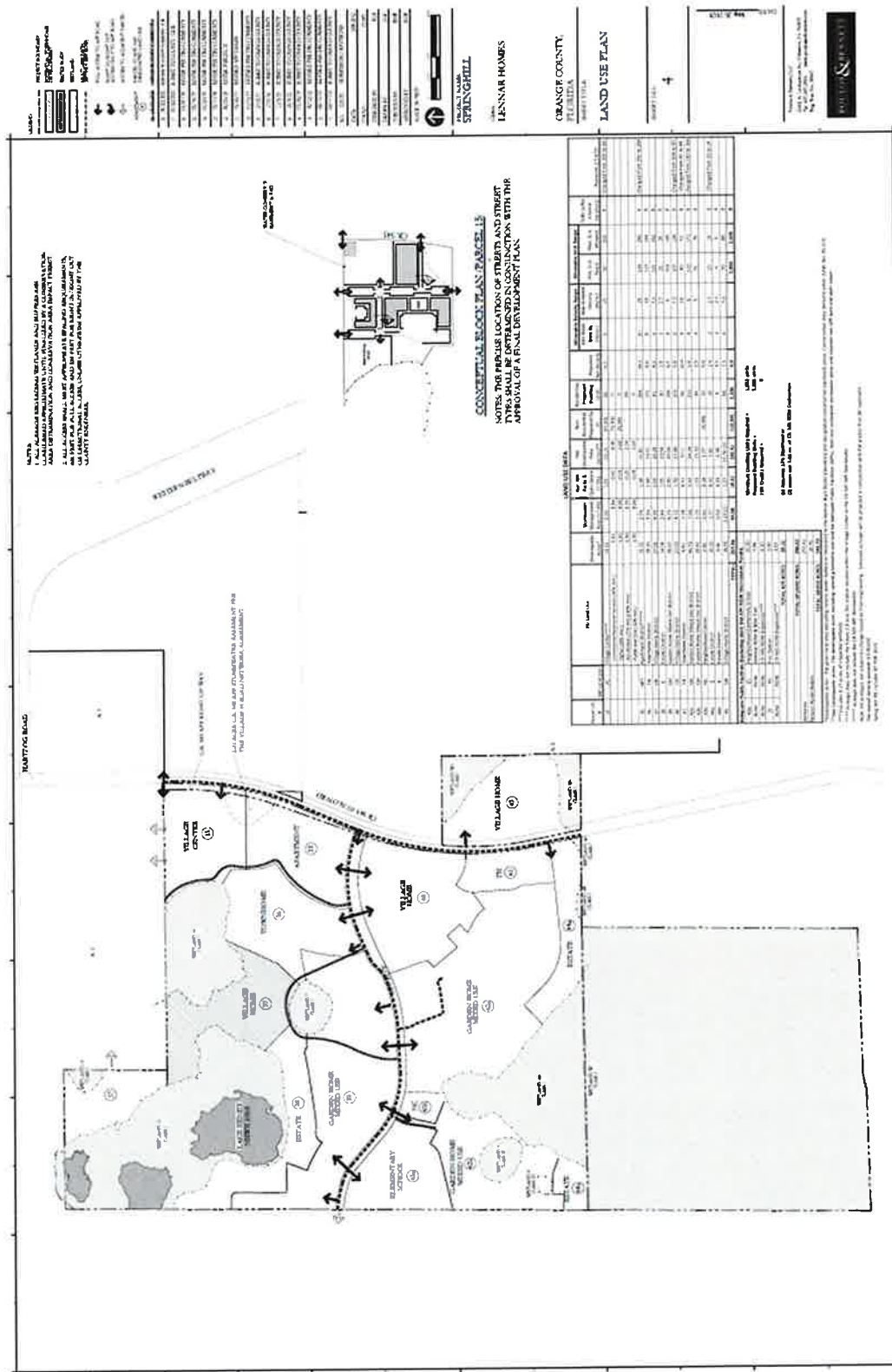
CONSULTANTS:
ENGINEERING:
POULOS & BENNETT, LLC
 286 E. LEPAGE AVENUE, SUITE 100
 WINTER PARK, FLORIDA 32789
 TEL: 407-461-2394
 FAX: 407-461-2394
 P.O. BOX 100, WINTER PARK, FLORIDA 32789

ARCHITECTURE:
BAUTCH CONSULTING INC.
 1000 W. UNIVERSITY AVENUE, SUITE 100
 WINTER PARK, FLORIDA 32789
 TEL: 407-755-7800

RECEIVED
 By DRC Approved Stamp at 8:22 am, May 26, 2021

PAUL OSBORN
 PROJECT MANAGER
 CDR-21-03-100

Springhill PD / LUP

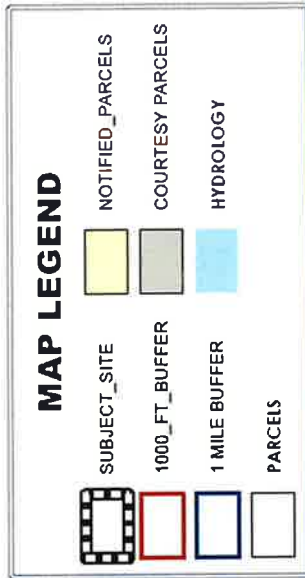
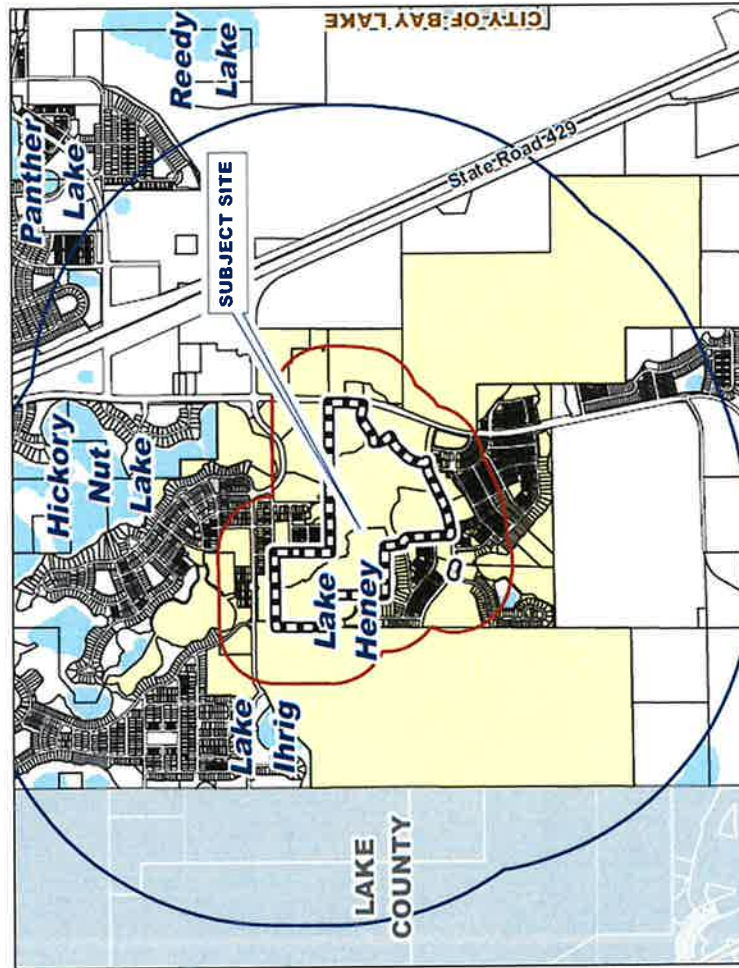


Notification Map

\\ocnsgm\dept\Business Systems\Board Administrators\SUBSTANTIAL CHANGE\2021\DR\CS\pnhill_PD_CDR-21-03-100\pnhill_CDR-2-

Public Notification Map

Springhill PD_CDR-21-03-100



BUFFER DISTANCE: 1000
 # OF NOTICES: 850

