

CASE # PSP-25-08-192

Commission District # 4

1. GENERAL INFORMATION

Applicant: John Prowell, VHB

Owner: Eagle Creek Development Corp.

Project Name: Eagle Creek Planned Development (PD) /
Parcel O-1 Preliminary Subdivision Plan
(PSP)

Hearing Type: Preliminary Subdivision Plan (PSP)

Request: To subdivide Parcel O-1 into 17 single-family
lots, and to modify Golf Course Hole 5 by
adding a dry retention pond.

The applicant is also requesting the following
waiver from Code:

A waiver from Orange County Code Section
34-152(c) is requested to allow the 20 ft.
frontage for SW-1 to be along Emerson Lake
Boulevard, in lieu of the required access from
an internal subdivision street (Street A).

Applicant Justification: *There is an existing
curb cut that is used for golf cart access and
current maintenance operations. Emerson
Lake Blvd is owned and maintained by the
same HOA entity that is to receive a
dedicated drainage easement over SW-1.*

2. PROJECT INFORMATION

A. Overview: The subject property is zoned PD (Planned
Development District) within the Eagle Creek
PD and is identified as Parcel O-1 per the most
recent LUP (CDR-23-06-204). Parcel O-1 is
located in the South Residential portion of the
Eagle Creek PD, which includes Parcels I, J,
K, and O-1. All of the South Residential
parcels are collectively entitled to 915 dwelling
units. Parcels I, J, and K combined have been
approved for 735 dwelling units, leaving a
remainder of 180 dwelling units. This request

is consistent with the approved development program.

Through this PSP the applicant is requesting to subdivide Parcel O-1 (5.73 developable acres) within the Eagle Creek PD into 17 single-family lots, and to modify Golf Course Hole 5 by adding a dry retention pond. The applicant is also requesting a waiver from Orange County Code Sec. 34-152(c) to allow the 20-foot frontage for Tract SW-1 to be along Emerson Lake Boulevard instead of the internal subdivision street (Street A).

- B. Location: South of Tyson Road / East of Narcoossee Road / West of Kirby Smith Road / North of Eagle Creek Sanctuary Boulevard
- C. Parcel ID(s): 29-24-31-2210-00-001 (a portion of)
- D. Total Acres: 10.64 gross acres
- E. Water Supply: Orlando Utilities Commission
- F. Sewer System: Orange County Utilities
- G. Schools:
- Eagle Creek ES**
Enrollment: 832 / Capacity: 832
 - Luminary MS**
Enrollment: 896 / Capacity: 1,250
 - Lake Nona HS**
Enrollment: 2,475 / Capacity: 2,807
- H. School Population: 7.33
- I. Parks: Bomberos Field Park – 5.6 Miles
- J. Proposed Use: 17 Single-Family Residential Dwelling Units
- K. Site Data:
- Maximum Building Height: 35 feet (2 stories)
 - Minimum Living Area: 1,300 square feet
 - Minimum Lot Width: 32 feet
 - Building Setbacks:
 - Front: 20 feet
 - Rear: 20 feet / 25 feet adjacent to conservation corridors
 - Street Side: 15 feet
 - Interior Side: 4 feet
 - Garage: 20 feet

DRC Staff Report
Orange County Planning Division
BCC Hearing Date: January 27, 2026

- L. Fire Station: Fire Station 76 – 11351 Narcoossee Road
- M. Public Notification: The notification area for this public hearing extended beyond 600 feet. Chapter 30-40(c)(3)(a) of Orange County Code requires the owners of the property within three hundred (300) feet of the subject property to be notified at least 10 days prior to the date of the hearing. Five hundred and two (502) notices were mailed to those property owners in the mailing area.
- N. Community Meeting Summary: A community meeting was not required for this request.
- O. Transportation: The proposed project will generate less than 50 PM Peak trips; therefore, an operational analysis is not required.
- Based on the Concurrency Management database (CMS) dated 9/5/2025, there are multiple failing roadway segments within the project's impact area along Narcoossee Road, from Osceola County Line to Central Florida Greenway (2 segments). This information is dated and subject to change.
- Existing/Valid transportation capacity entitlements not found. Development will require transportation capacity via a Capacity Encumbrance Letter (CEL) Application. Should this project be located near failing roadways then a traffic study will be required with the CEL application. If you believe this development qualifies for vested rights, please submit a Vested Rights Verification Package, along with all supporting documentation, to the Concurrency Management Office for review by the Concurrency Attorney.
- Based on the recently approved Standard Procedures Manual for Specific Transportation Analysis Methodology Plan (STAMP), published February 27, 2024 (Sec.30-562-2 of the Code of Ordinances), an operational traffic analysis study (intersection analysis) will be required at DP level for proposed developments projected to generate 50 or more net PM peak hour vehicle trips (not including pass-by and internal capture). The

operational traffic study will be based on the most updated STAMP.

P. Environmental Protection Division:

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).

Use caution to prevent erosion during construction along the boundary of the property, into surface waters, wetlands and upland buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control. Minimize the extent of area exposed at one time, apply perimeter controls where necessary, and perform maintenance checks every seven (7) days and after every 1/2 inch rain. The construction entry area shall be designed to prevent trucks from tracking soil onto local roads and the affected storm drainage system shall be protected. This may require periodic street sweeping. Reference OC Code Chapter 34 Subdivision Regulations, Article VII Stormwater Management, Division 2 General Design Criteria, Sec. 250 Open Drainage Facilities, (g).

Q. Comprehensive Plan:

The subject property has a Future Land Use Map (FLUM) designation of Planned Development – Low Density Residential / Low Medium Density Residential / Medium Density Residential / Commercial/ Institutional / Parks and Recreation – Open Space / Conservation (PD-LDR/LMDR/MDR/C/INST/PR-OS/CON) and is currently zoned Planned Development (PD) which is consistent with the FLUM designation. The request is consistent with the comprehensive plan.

R. Zoning:

PD (Planned Development)

3. REQUESTED ACTION:

Development Review Committee (DRC) Recommendation – (December 3, 2025)

Make a finding of consistency with the Comprehensive Plan and approve the substantial change to the Eagle Creek PD / Parcel O-1 PSP dated "Received December 4, 2025", subject to the following conditions:

1. Development shall conform to the Eagle Creek PD Land Use Plan; Board approvals; Parcel O Preliminary Subdivision Plan dated "Received December 4, 2025," and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the Board, or by action of the Board. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the preliminary subdivision plan dated "Received December 4, 2025," 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 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, as may be amended, 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 preliminary subdivision plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. If applicable, an Acknowledgement of contiguous Sustainable Agricultural Land pursuant to Section 163.3163, Florida Statutes, as may be amended, must be executed and recorded in the Public Records of Orange County, Florida, prior to issuance of any permits associated with this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.
7. A Master Utility Plan (MUP) for the PSP shall be submitted to Orange County Utilities at least thirty (30) days prior to submittal of the first set of construction plans. Construction plans within this PSP shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The MUP and updates must be approved prior to Construction Plan approval.
8. This project shall be a gated community subject to and governed by Article VIII, Chapter 34, as it may be amended from time to time (the "Gated Communities Ordinance") and the infrastructure, other than public utilities, shall be privately owned and maintained. The developer, as that term is defined by the Gated Communities Ordinance, including its successors and assigns, shall fully comply with the Gated Communities Ordinance. To that end, the developer acknowledges and agrees that, pursuant to the Gated Communities Ordinance, a gated community is a privilege and not a right, and, as such, approval of this project as

a gated community by the Board constitutes a contract between the developer and the Board, the consideration for which is the developer's understanding and acknowledgment that the developer shall create and maintain the reserve accounts as set forth in, and in accordance with, the Gated Communities Ordinance, including, notwithstanding Section 720.303(6)(i), Florida Statutes, the requirement that the developer make the initial contributions under Section 34-291(c)(6) of the Gated Communities Ordinance to help ensure the financial ability of its successors and assigns to maintain the infrastructure after the turnover of the infrastructure. Furthermore, prior to or concurrent with submittal of the plat, the developer shall enter into an agreement with the County and recorded in the public records confirming its obligations under the Gated Communities Ordinance.

9. The stormwater management system shall be designed to retain the 100-year/24-hour storm event onsite, unless documentation with supporting calculations is submitted which demonstrates that a positive outfall is available. If the applicant can show the existence of a positive outfall for the subject basin, then in lieu of designing for the 100-year/24-hour storm event, the developer shall comply with all applicable state and local stormwater requirements and regulations. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas.
10. This project shall be a private community and the infrastructure, other than public utilities, shall be privately owned and maintained. Residential development shall comply with the requirements of Article VIII, Sections 34-280, 34-290, and 34-291, of the Orange County Code, as they may be amended from time to time.
11. A mandatory pre-application/sufficiency review meeting for the plat shall be required prior to plat submittal, but after approval of the site construction plans. The applicant shall resolve, to the County's satisfaction, all items identified in the pre-application/ sufficiency review meeting prior to formal submittal of the plat to the County.
12. Prior to platting, all drainage easements and ponds within the Parcel O-1 Preliminary Subdivision Plan that accept stormwater from the network of streets and not already dedicated to Orange County for emergency purposes, must record such drainage easement(s) in the public records of Orange County.
13. The site shall be stabilized following grubbing, clearing, earth work or mass grading to establish a dense stand of grass, or shall incorporate other approved Best Management Practices, on all disturbed areas if development does not begin within 7 days. Final stabilization shall achieve a minimum of seventy percent (70%) coverage of the disturbed land area and shall include a maintenance program to ensure minimum coverage survival and overall site stabilization until site development. Prior to clearing or grubbing, or approval of mass grading or constructions plans a letter of credit or cash escrow acceptable to the County shall be submitted to guarantee the required site stabilization and maintenance of all disturbed areas. The County Engineer shall establish the amount of the letter of credit or cash escrow.

14. Prior to issuance of any certificate of completion, all storm drain inlets shall have metal medallion inlet markers installed. Text on the marker shall read "No Dumping, Only Rain in the Drain." Specification detail will be provided within all plan sets. Contact the Orange County Environmental Protection Division National Pollutant Discharge Elimination System (NPDES) Supervisor at NPDES@ocfl.net for details.
15. Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Supervisor at NPDES@ocfl.net. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.
16. New streets that are extensions of or in alignment with existing streets shall bear the same names as those borne by such existing streets.
17. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code, as may be amended.
18. Short term/transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.
19. Unless otherwise specified to the County's satisfaction in the PSP, a Development Plan, in conformance with the requirements of Section 34-131(b) (20), including the appropriate group type, is required for the park / recreation tract(s) within this Preliminary Subdivision Plan (PSP), or phase thereof, as appropriate. Regardless of whether the park / recreation tract is included in the PSP or approved via a separate Development Plan, the park / recreation area tract(s) shall be constructed in conjunction with the subdivision infrastructure and completed prior to issuance of the Certificate of Completion (C of C) for the infrastructure for the phase in which the park / recreation tract(s) is located.
20. "No Parking" signage shall be installed within the development, per the approved plan, prior to the county issued certificate of completion for the infrastructure.
21. Pursuant to Article XII, Chapter 30, Orange County Code, as may be amended, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential properties must obtain concurrency prior to approval of the plat; non-residential properties that are required to plat must obtain concurrency for any lot with an assigned use prior to approval of the plat (lots without an assigned use shall be labeled as "future development") and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the

development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.

22. A waiver from Orange County Code Section 34-152(c) is granted to allow the 20 ft. frontage for SW-1 to be along Emerson Lake Boulevard, in lieu of the required access from an internal subdivision street (Street A).

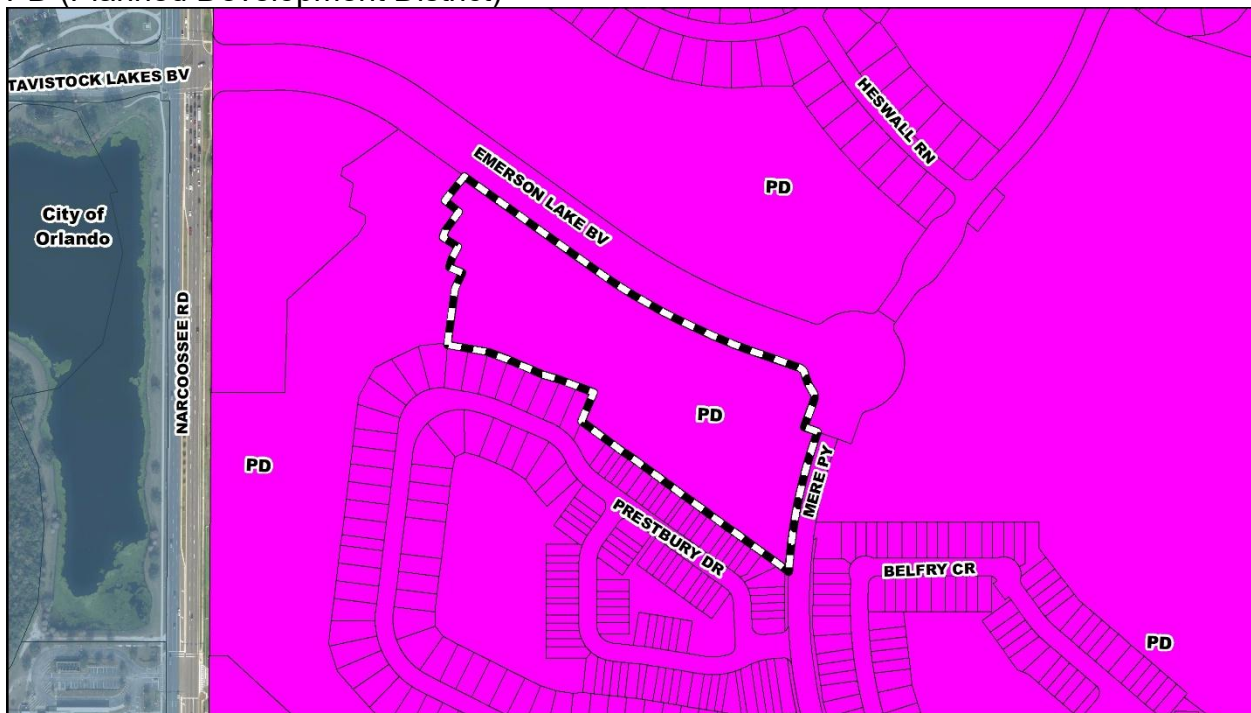
FUTURE LAND USE

Planned Development – Low Density Residential / Low Medium Density Residential / Medium Density Residential / Commercial/ Institutional / Parks and Recreation – Open Space / Conservation (PD-LDR/LMDR/MDR/C/INST/PR-OS/CON)



ZONING

PD (Planned Development District)

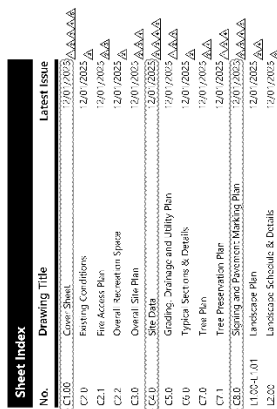


225 E. Robinson Street
Suite 300
Orlando, FL 32801
407.639.4006
Certificate of Authorization
Number: FL 93932

Geotechnical Engineer:
Universal Engineering Sciences
5532 Maggie Boulevard
Orlando, Florida 32811
307.433.0504

THE PROJECT : 010220
ISSUED FOR : Approval

June 24, 2002

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Witness Account:

1. A waiver from Orange County Code Section 36-151(c) is required to allow the 20 L fording for SW 1 to be along Emerson Lake Boulevard, in lieu of the required access from an internal subdivision street (SAL).

Witness Justification:

1. There is an existing curb cut that is used for golf cart access and current maintenance operations; no new lake Boulevard is to be constructed; the same HOA entity that is to receive a dedicated drainage easement over SW 1.

**Eagle Creek PD /
Parcel O-1 PSP** ▲
Orange County, Florida
Parcel ID:
229-24-31-2210-00-001
PSP-25-08-192

Applicant/Developer:
Contact: Scott Stearns
Eagle Creek Development Corporation
283 Cranes Roost Blvd, Ste 250
Suite 250
Altamonte Spring, FL 32701
P (407) 834-9560
F (407) 834-4023

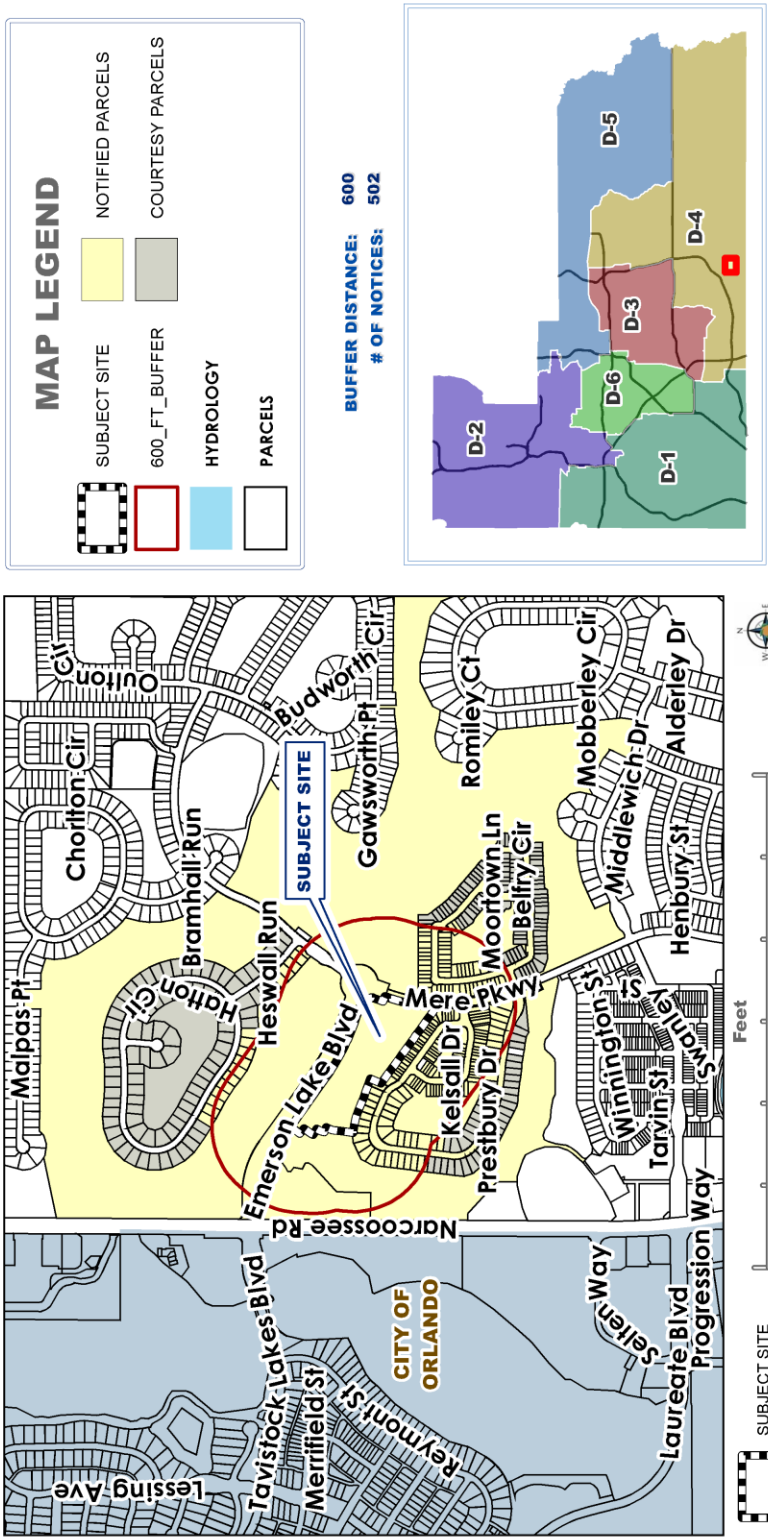
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Notification Map



Public Notification Map

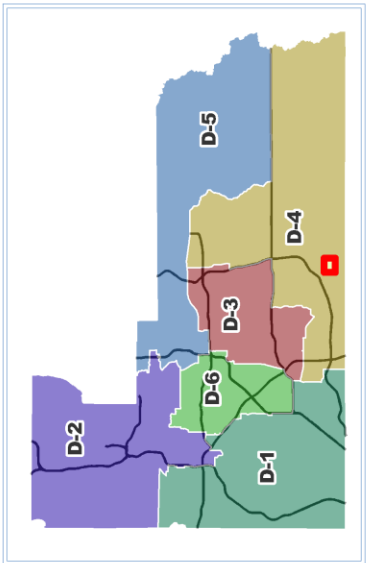
Eagle Creek PD Parcel O-1 PSP_PSP-25-08-192



MAP LEGEND



BUFFER DISTANCE: 600
OF NOTICES: 502



S:\Business Systems\Board Administration\5.SUBSTANTIAL CHANGE\2025\DRC\Eagle Creek PD Parcel O-1 PSP_PSP-25-08-192\Eagle Creek