

Interoffice Memorandum

DATE: March 31, 2025

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: N/A

FROM: Tanya Wilson, AICP, Director Planning, Environmental, and Development Services Department 

CONTACT: Jason Sorensen, AICP, Chief Planner, Planning Division

PHONE: (407) 836-5602

DIVISION: Development Review Committee

ACTION REQUESTED:

Make a finding of consistency with the Comprehensive Plan and adopt Planned Development-Commercial (PD-C) Future Land Use Map designation with Text Amendment 24-01-FLUE-4, adopt the associated ordinance, and approve the Hope City Refuge Planned Development / Land Use Plan (PD/LUP), dated "Received September 17, 2024", subject to the eighteen (18) conditions.
District 3

PROJECT: Hope City Refuge – SS-24-01-120 & 24-01-FLUE-4 & LUP-23-03-077

PURPOSE: The 6.23-acre subject property is located at 1701, 1709, 1710, 1717, Harrell Road; generally south of E. Colonial Dr., east of Renee Ave, west of SR 417. The request is to change the Future Land Use Map designation from Planned Development - Commercial/Office (PD-C/O) to Planned Development - Commercial (PD-C) with a text amendment to Policy FLU8.1.4 to establish the development program (24-01-FLUE-4) and rezone from A-2 (Farmland Rural District) to PD (Planned Development District) to allow for 120 transitional housing units, 120 emergency housing units, 9,000 square feet for a drug treatment center and associated office use, and 9,000 square feet for educational facilities and associated office use.

A community meeting was held on September 3, 2024, at Colonial High School, with approximately 55 residents in attendance. Residents voiced concerns about the proposed development's impact on nearby residential properties, particularly the potential for increased crime. Additional concerns included traffic impacts and the maintenance of the proposed uses on the site.

On March 20, 2025, the Planning and Zoning Commission/Local Planning Agency recommended approval of the request. The first motion, which sought denial, failed, while the second motion for approval passed. This case was initially presented in January but continued to the March hearing to give the applicant time to address code enforcement violations. The Commission engaged in an extensive discussion regarding the outstanding code enforcement violations, which are detailed in the staff report.

BUDGET: N/A



Interoffice Memorandum

DATE: March 21, 2025

TO: Jennifer Lara Klimetz, Assistant Manager,
Clerk of the Board of County Commissioners,
County Comptroller's Office

THRU: Agenda Development BCC

FROM: Alberto A. Vargas, MArch, Manager
Planning Division

CONTACT PERSON: **Jason H. Sorensen, AICP, Chief Planner**
Planning Division
(407) 836-5602 or Jason.Sorensen@ocfl.net

SUBJECT: Request Public Hearing on April 22, 2025
Ordinance/Comprehensive Plan – Adoption of Small-Scale Amendments and Ordinance

TYPE OF HEARING: Adoption of Future Land Use Map and Text
Amendment, Ordinance, and Concurrent Rezoning

APPLICANT: Kendell Keith, Oak Hill Planning

AMENDMENTS: SS-24-01-120; Planned Development – Commercial
/ Office (PD-C/O) to Planned Development –
Commercial (PD-C)

AND

24-01-FLUE-4: Text Amendment to Future Land Use
Element Policy FLU8.1.4 amending the development
program

AND

Ordinance for Proposed Amendment

AND

**CONCURRENT
REZONING:** LUP-23-03-077 (Hope City Refuge PD); A-2
(Farmland Rural District) to PD (Planned
Development District)

DISTRICT #:	3
GENERAL LOCATION:	1701, 1709, 1710, and 1717 Harrell Road; generally located south of E. Colonial Drive and west of SR 417.
ESTIMATED TIME REQUIRED FOR PUBLIC HEARING:	55 minutes
HEARING CONTROVERSIAL:	Yes
HEARING REQUIRED BY FL STATUTE OR CODE:	Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30
ADVERTISING REQUIREMENTS:	At least 15 days before the BCC public hearing date, publish an advertisement in the Legal Notices section of The Orlando Sentinel describing the particular request, the general location of the subject property, and the date, time, and place when the BCC public hearing will be held;
ADVERTISING TIMEFRAMES:	At least ten (10) days prior to public hearings for Comprehensive Plan Amendments. At least fifteen (15) days prior to public hearings for rezonings.
APPLICANT/ABUTTERS TO BE NOTIFIED:	At least 10 days before the BCC public hearing date, send notices of BCC public hearing by U.S. mail to owners of property within 300 feet of the subject property and beyond.
SPANISH CONTACT PERSON:	Para más información en español acerca de estas reuniones públicas o de cambios por ser efectuados, favor de llamar a la División de Planificación, al 407-836-5600.
ADVERTISING LANGUAGE FOR AMENDMENT:	
To change the Future Land Use designation from Planned Development – Commercial / Office (PD-C/O) to Planned Development – Commercial (PD-C) and a text amendment to FLU8.1.4 to amend the development program.	
ADVERTISING LANGUAGE FOR REZONING:	
To rezone approximately 6.23 acres from A-2 to PD in order to allow for 120 transitional housing units, 120 emergency housing units, 9,000 square feet for a drug treatment	

center and associated office use, and 9,000 square feet for educational facilities and associated office use.

ADVERTISING LANGUAGE FOR ORDINANCE:

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 Small-Scale development amendments pursuant to Section 163.3187, Florida Statutes; and providing effective dates.

**MATERIALS BEING SUBMITTED
AS BACKUP FOR PUBLIC
HEARING REQUEST:**

(1) Names and last known addresses of property owners within 300 feet and beyond (via email from Fiscal and Operational Support Division); and

(2) Location map (to be mailed to property owners).

**SPECIAL INSTRUCTIONS TO
CLERK (IF ANY):**

Please schedule the public hearing concurrent with the Ordinance for the proposed amendment and the concurrent rezoning.

c: Jon Weiss, P.E., Deputy County Administrator
Georgiana Holmes, Deputy County Attorney, County Attorney's Office
Tanya Wilson, AICP, Director, Planning, Environmental, and Development Services Department
Nik Thalmueller, AICP, Planning Administrator, Planning Division
Alberto Vargas, Manager, Planning Division
Olan Hill, Assistant Manager, Planning Division

Location Map

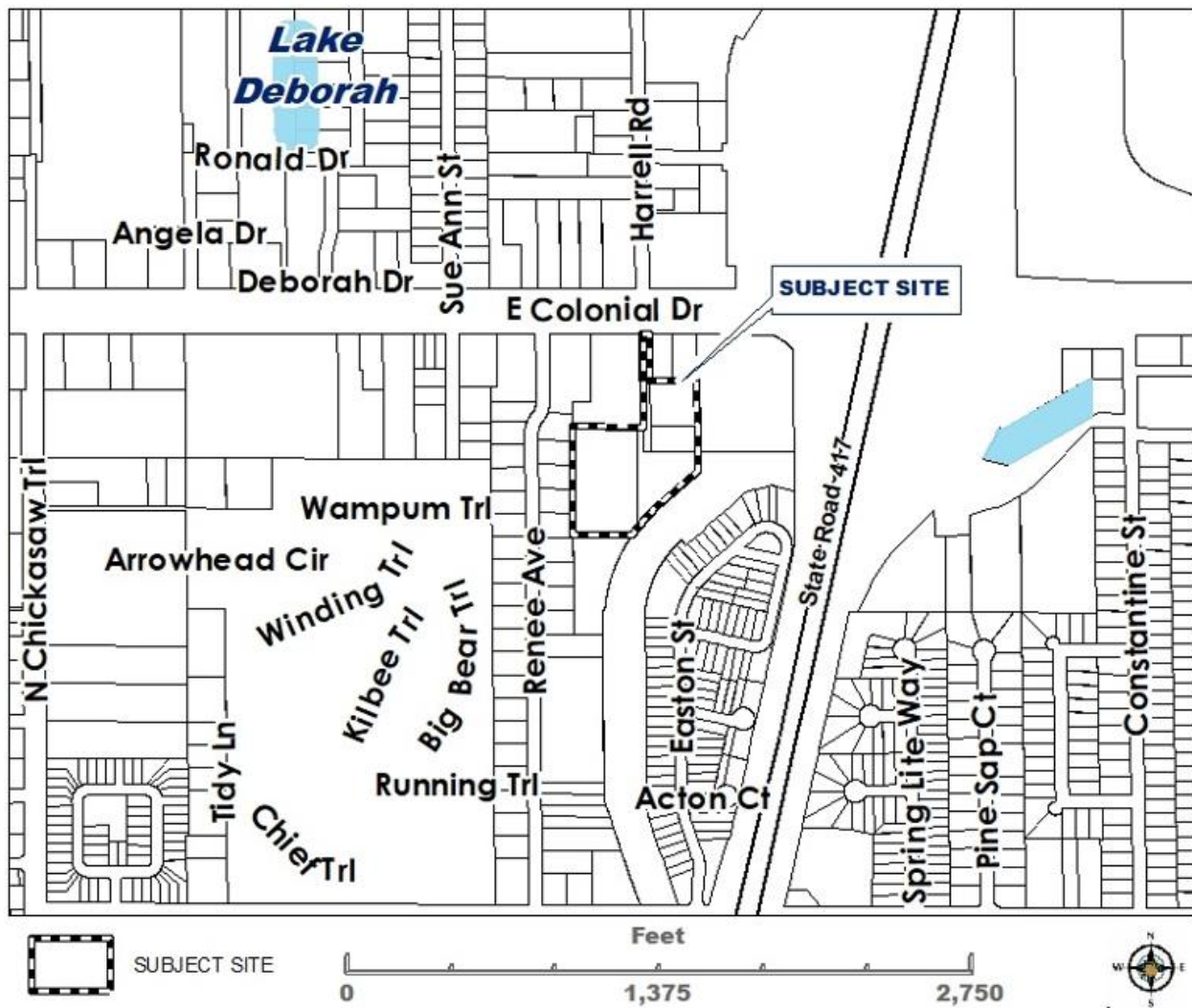
Case #: SS-24-01-120 & LUP-23-03-077

Hope City

1701, 1709, 1710, and 1717 Harrell Road

Parcel #s:

24-22-30-0000-00-055, 24-22-30-0000-00-062,
24-22-30-0000-00-069, 24-22-30-8440-00-012, and
24-22-30-0000-00-160



Small-Scale Future Land Use Map Amendment and Rezoning
Orange County Planning Division
BCC Hearing Date: April 22, 2025

CASE # SS-24-01-120
24-01-FLUE-4
LUP-23-03-077

Commission District: #3

GENERAL INFORMATION

APPLICANT:	Kendell Keith, Oak Hill Planning Studio
OWNERS:	Dolores Diaz and William Diaz
HEARING TYPE:	Small-Scale Future Land Use Map Amendment and Planned Development / Land Use Plan (PD/LUP) Rezoning
FLUM REQUEST:	Planned Development - Commercial/Office (PD-C/O) to Planned Development - Commercial (PD-C) <i>with a text amendment to Policy FLU8.1.4 to establish the development program (24-01-FLUE-4)</i>
ZONING REQUEST:	A-2 (Farmland Rural District) to PD (Planned Development District) (Hope City Refuge PD)
LOCATION:	1701, 1709, 1710, 1717, Harrell Road; generally south of E. Colonial Dr., east of Renee Ave, west of SR 417
PARCEL ID NUMBERS:	24-22-30-0000-00-055, 24-22-30-8440-00-012, 24-22-30-0000-00-069, 24-22-30-0000-00-062 and 24-22-30-0000-00-160
TRACT SIZE:	6.23 gross acres
PUBLIC NOTIFICATION:	The notification area for this public hearing was 800 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Four hundred ninety-nine (499) notices were mailed to those property owners in the notification area.
COMMUNITY MEETING:	A community meeting was held on September 3, 2024, and is summarized further in this report.
PROPOSED USE:	120 transitional housing units, 120 emergency housing units, 9,000 square feet for a drug treatment center and associated office use, and 9,000 square feet for educational facilities and associated office use.

STAFF RECOMMENDATION

PLANNING

Future Land Use Map Amendment

Make a finding of consistency with the Comprehensive Plan and ADOPT the requested Planned Development-Commercial (PD-C) Future Land Use.

Staff-Initiated Text Amendment 24-01-FLUE-4

Make a finding of consistency with the Comprehensive Plan and ADOPT Amendment 24-01-FLUE-4.

Rezoning

Development Review Committee – (July 24, 2024)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Hope City Refuge Planned Development / Land Use Plan (PD/LUP), dated "Received September 17, 2024", subject to the following conditions:

1. Development shall conform to the Hope City Refuge Land Use Plan (LUP) dated "Received September 17, 2024," 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 17, 2024," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be

deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. If applicable, an Acknowledgement of Contiguous Sustainable Agricultural Land pursuant to Section 163.3163, Florida Statutes, must be executed and recorded in the Public Records of Orange County, Florida, prior to final approval of this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.
7. All acreages identified as wetlands, surface waters and upland buffers are considered approximate until finalized by a Wetland Determination (WD) and/or a Natural Resource Impact Permit (NRIP). Approval of this plan does not authorize any direct or indirect wetland/surface water impacts.

8. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.
9. Pursuant to Article XII, Chapter 30, Orange County Code, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential, and non-residential properties which are required to plat, must obtain concurrency prior to approval of the plat and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.
10. The developer shall obtain water and wastewater service from Orange County Utilities subject to County rate resolutions and ordinances.
11. 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 (including hydraulically dependent development) within the PD.
12. Prior to approval of any plans that require filling within the 100-year flood zone, such as Site Construction Plans or Mass Grading Excavation/Fill permit or the like, the applicant must obtain the required permit(s) and approval(s) from the Orange County Floodplain Administrator authorizing any fill pursuant to Chapter 19, Orange County Code, as may be amended from time to time.
13. In compliance with Section 19 of the Orange County Code, the property owner/engineer may be required to provide a series of FEMA Letter of Map Changes (LOMC). For development within the 1% annual chance flood (100-year flood) floodplain without an established Base Flood Elevations (BFE), depicted as Zone A, the owner/engineer must perform a study to establish the BFE and obtain a FEMA LOMR (Letter of Map Revision) prior to site construction plan submittal. For modifications to determined BFE (Zone AE), floodway, or flood hazard area boundaries on the Flood Insurance Rate Maps (FIRMs), a FEMA Conditional Letter of Map Revision (CLOMR) must be obtained prior to site construction plan approval; a subsequent FEMA Letter of Map Revision (LOMR) reflecting final construction will be required. Said FEMA LOMR approval must be obtained by the owner/engineer and must be submitted to the Floodplain Administrator prior to the release of the Certificate of Occupancy and/or Certificate of Completion. Compensation Storage for all projects within the 1% annual chance flood (100-year flood)

floodplain shall be provided on a "cup for cup" basis in accordance with Chapter 19-107(1).

14. 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.
15. 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.
16. Outdoor sales, storage, and display shall be prohibited.
17. Transitional Housing and Emergency Lodging is intended and operated for occupancy by persons receiving services from the education facilities and drug treatment services on-site.
18. An eight foot (8') high masonry wall shall be constructed in tandem with the required Type B Opaque Buffer on the west and south property lines abutting residential. This wall shall be situated immediately adjacent to the property line and shall be composed of split face block or other finish. Painted CMU block will not be permitted. All plantings shall be placed behind the wall.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is seeking a Small-Scale Future Land Use Map Amendment to change the Future Land Use Map (FLUM) designation of the 6.23-acre subject property from PD-C/O (Planned Development - Commercial/Office) to Planned Development-Commercial (PD-C) in order to allow for 120 transitional housing units, 120 emergency housing units, 9,000 square feet for a drug treatment center, associated office use, and 9,000 square feet for educational facilities and associated office use.

The subject property is generally located west of State Road 417 and south of East Colonial Drive. The property is surrounded by commercial uses to the north and east, and single-family detached residential to the west. There is a stormwater canal to the south of the property, on the other side of which is more single-family detached residential.

Prior to 2005, the entire subject property was designated Low-Medium Density Residential (LMDR) on the Future Land Use Map, which allows residential uses up to 10 units per acre. However, the property still had, and continues to have, the A-2 (Farmland Rural District) Zoning designation, which only allows for rural, agricultural uses.

In 2006, two simultaneous applications were submitted to change the FLUM designations of the property. At that time, Parcel "-069" was undeveloped; Parcel "-062" was developed with a single-family residence (which remains today); Parcel "-055" was developed with a non-conforming boat detailing business; Parcel "-012" was developed with two rental homes; and Parcel "-160" was, and continues to be, a private access drive for the property (Harrell Road). The two applications proposed a unified development of a commercial

center. Both requests were approved by the Board of County Commissioners on November 14, 2006, and received a FLUM designation of Planned Development – Commercial/Office (PD-C/O) with a specific development program of commercial center. This designation required the property to rezone to PD before any new development could be approved. A rezoning application was never submitted.

The site has been used for unpermitted storage of trucks, trailers, and other items for at least the past 6 years according to aerial imagery. The Code Enforcement violations are listed further in this report. Originally, this request to rezone from A-2 to PD (Case # LUP-23-03-077) included the uses of outdoor storage of trucks and RVs for a period of up to 30 months. The request also included two waivers from the County Code. One waiver was to allow semi-trucks to park on stabilized base instead of paved surface; and the other waiver was to allow a masonry wall to buffer the east boundary between the proposed truck parking area and existing single-family homes, instead of a landscape buffer. However, the proposed truck and RV parking use, and associated waivers, have now been removed from the most recent LUP submittal, meaning that even if this case is approved, outdoor storage will continue to be prohibited on the site.

The current request is for 120 transitional housing units, 120 emergency housing units, 9,000 square feet for a drug treatment center and associated office use, and 9,000 square feet for educational facilities and associated office use. The transitional housing and emergency lodging is proposed to be restricted through PD condition of approval # 17 for occupancy by persons receiving services from the education facilities and drug treatment services on-site.

For compatibility, proposed PD condition of approval #18 would require an 8-foot-high masonry wall and a Type B opaque landscape buffer on the west and south property lines abutting residential.

A Conservation Area Determination (CAD-23-08-122) was approved, showing no wetlands located within the boundaries of the project site.

Existing FLUM Development Program

The existing Planned Development - Commercial/Office (PD-C/O) designation allows for a mixture of commercial and office uses.

Proposed FLUM Development Program

The proposed Planned Development-Commercial Future Land Use Map designation would allow 120 transitional housing units, 120 emergency housing units, 9,000 square feet for a drug treatment center and associated office use, and 9,000 square feet for educational facilities and associated office use.

Land Use Compatibility

The proposed PD-C Future Land Use and proposed PD zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

Small-Scale Amendment # SS-24-01-120
Text Amendment 24-01-FLUE-4
PD Rezoning LUP-23-03-077
Orange County Planning Division
BCC Hearing Date: April 22, 2025

Site Analysis

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	*See the summary table below

***Code Enforcement summary**

1717 Harrell Road (Kaleo Ministries)

Regulating Division	Code Violation	Date of Violation	In Compliance?	Comment
Neighborhood Services	Parking and storage of dual rear wheeled vehicles	May-21	Yes (2/25)	
Neighborhood Services	Unpermitted deck and alterations to the garage (bunkhouse)	May-21	No	Permit B25001785 is in review with deficiencies from Zoning and Building Safety. Applied for permit 1/2025
Neighborhood Services	Open and outdoor storage of trash, junk and debris	May-21	Yes (4/24)	
Neighborhood Services	Unpermitted impervious surfaces (sidewalks and slabs)	May-21	No	Permit application B24008834 is void. Applied for a permit in 4/2024
Neighborhood Services	Unpermitted accessory structure (event tent)	May-21	Yes (11/22)	
Neighborhood Services	Temporary portable storage containers without a permit	May-21	No	Permit applications B25005627, -28, -29, -30, -31 are in review. Applied for a permits in 3/2025

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Orange County Planning Division
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Neighborhood Services	Unpermitted occupancy of accessory structures (bunkhouse) (People living in shipping containers)	May-21	No	A reinspection has not been completed to determine if the structure is vacant. Received a 311 (9/2024) report about people occupying the structure
Neighborhood Services	Storage of inoperative vehicles	Dec-23	No	Violation was in compliance and it reoccurred on 3/2025. SM hearing pending.
Fire Marshal	Failed to obtain Certificate of Occupancy	Nov-23	No	
Fire Marshal	A fire alarm system shall be installed	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Smoke alarms shall not remain in service longer than 10 years	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Smoke alarms and connected appliances shall be inspected and tested at least monthly	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Smoke alarms shall be installed	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	All buildings shall be protected throughout by an approved, supervised automatic sprinkler system	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Device or alarm restricting the means of egress	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Marking a means of egress	Nov-23	Yes	Violations came into compliance when the injunction was executed

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Fire Marshal	Exit sign illumination	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Installation and maintenance of fire extinguishers, as required	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Fire extinguisher obstructions	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Fire extinguisher physical condition and testing status	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Extension cords shall not be used as a substitute for permanent wiring	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Floor diagrams required	Nov-23	Yes	Violations came into compliance when the injunction was executed
Fire Marshal	Fire watch until system repaired/installed	Nov-23	Yes	Violations came into compliance when the injunction was executed
Building Safety	Obtain all required permits for unpermitted work (building, electric, mechanical, fire, zoning)	Dec-23	No	Applied for two permits. One in review (deck) and one completed (plumbing)
Building Safety	Obtain required permit and install toilet facilities	Dec-23	Yes	
Building Safety	Obtain all required zoning approvals, permits, approved inspections and certificate of occupancy to be issued	Dec-23	No	
Building Safety	Obtain required permits and install potable water supply system	Dec-23	Yes	
Building Safety	Obtain required permits, utility approvals and install sewage system	Dec-23	Yes	

Small-Scale Amendment # SS-24-01-120
Text Amendment 24-01-FLUE-4
PD Rezoning LUP-23-03-077
Orange County Planning Division
BCC Hearing Date: April 22, 2025

1709 Harrell Road (Residential Property)

Regulating Division	Code Violation	Date of Violation	In Compliance?	Comment
Neighborhood Services	Storage of inoperative vehicles	May-21	Yes (6/22)	Fine reduced to \$1,000.00 through our fine reduction process and paid.
Neighborhood Services	Parking and storage of dual rear wheeled vehicles	Mar-22	Yes (5/22)	CEB imposed a \$1,000 fine for repeat offenses (non negotiable). Repeat offender fine paid.
Neighborhood Services	Parking a storage of dual rear wheeled vehicles	Jan-23	Yes (3/23)	CEB imposed a \$10,000 fine for repeat offenses (non negotiable)

1701 Harrell Road (Vacant Lot)

Regulating Division	Code Violation	Date of Violation	In Compliance?	Comment
Neighborhood Services	Parking & Storage of dual rear wheeled vehicles, RVs not allowed (no principal structure), trash and debris.	May-21	Yes (10/22)	Paid \$1,500 using the fine reduction process
Neighborhood Services	Parking & Storage of dual rear wheeled vehicles.	Nov-22	Yes (8/23)	Fines for noncompliance reduced to \$15,000. CEB imposed a \$20,000 fine for repeat offenses (non negotiable).
Neighborhood Services	Parking & Storage of dual rear wheeled vehicles	Nov-23	Yes (1/24)	Fines for noncompliance are \$30,000. CEB imposed a \$20,000 fine for repeat offenses (non negotiable).
Neighborhood Services	Parking & Storage of dual rear wheeled vehicles	Mar-24	Yes (3/25)	Fines for noncompliance are \$13 million. SM imposed a \$15,000 fine for repeat offenses (non negotiable)

Small-Scale Amendment # SS-24-01-120
Text Amendment 24-01-FLUE-4
PD Rezoning LUP-23-03-077
Orange County Planning Division
BCC Hearing Date: April 22, 2025

1710 Harrell Road (Vacant Lot)

Regulating Division	Code Violation	Date of Violation	In Compliance?	Comment
Neighborhood Services	Unpermitted demolition	May-21	Yes (7/22)	Permit B22014996
Neighborhood Services	Parking & storage of dual rear wheeled vehicles	May-21	Yes (3/25)	
Neighborhood Services	Unpermitted modular trailer	May-21	Yes (3/25)	

Comprehensive Plan (CP) Consistency

The proposed CP Future Land Use Map (FLUM) designation of Planned Development-Commercial (PD-C) is consistent with the PD (Planned Development District) zoning. The proposed request is consistent with the following Comprehensive Plan provisions:

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.

FLU1.4.24 Orange County will encourage the use of vacant land within the Urban Service Area for redevelopment to improve existing conditions on-site.

GOAL FLU2 URBAN STRATEGIES. Orange County will encourage urban strategies such as, but not limited to, infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

OBJ FLU2.1 INFILL. Orange County shall promote and encourage infill development for vacant and underutilized parcels within the Urban Service Area.

OBJ FLU8.2 COMPATIBILITY. Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following policies shall guide regulatory decisions that involve differing land uses.

FLU8.2.1 Future Land use changes shall be required to be compatible with the existing development and development trends 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.

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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.

Staff-Initiated Text Amendment 24-01-FLUE-4

Future Land Use Element Policy FLU8.1.4 establishes the development programs for Planned Development (PD) and Lake Pickett (LP) FLUM designations adopted since January 1, 2007. The development program for this requested amendment is proposed for incorporation into Policy FLU8.1.4 via a corresponding staff-initiated text amendment, Amendment 23-01-FLUE-4.

The maximum development program for Amendment SS-24-01-120, if adopted, would be as follows:

Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
<u>SS-24-01-120</u> <u>Hope City Crisis Center</u>	<u>Planned Development-Commercial (PD-C)</u>	<u>Up to 120 transitional housing units, 120 emergency housing units, 9,000 square feet for a drug treatment center and associated office use, and 9,000 square feet for educational facilities and associated office use. .</u>	<u>2025-</u>

SITE DATA

Existing Use Undeveloped

Adjacent	FLUM	Zoning
North	C (Commercial) (1991)	A-2 (Farmland Rural District) (1957) C-2 (General Commercial District) (1975)
South	LMDR (Low Medium Density Residential) (1991)	A-2 (Farmland Rural District) (1957)
East	C (Commercial) (1991)	C-1 (Retail Commercial District) (1966) A-2 (Farmland Rural District) (1957)

Small-Scale Amendment # SS-24-01-120
Text Amendment 24-01-FLUE-4
PD Rezoning LUP-23-03-077
Orange County Planning Division
BCC Hearing Date: April 22, 2025

West	LMDR (Low Medium Density Residential) (1991)	C-2 (General Commercial District) (1966) A-2 (Farmland Rural District) (1957)
-------------	--	--

Adjacent Land Uses

N: Restaurant, car lot
E: Retail Plaza
W: Single-Family Residential
S: Storm water retention

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See comments below table.
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See comments below table.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Not applicable to this request.

Environmental Comments

CAD Complete - An Orange County Conservation Area Determination CAD-23-08-122 was completed with a certified survey of the conservation area boundary approved by the Environmental Protection Division (EPD) on 9/14/2023. No wetlands were determined to be located within the boundaries of this project site.

Demolition - Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information, or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400 or AsbestosInquiriesOrangeCounty@ocfl.net. Reference OC Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 4 Asbestos requirements, Sec.108 Notification procedure and requirements, Subsection A (1).

Potential Soil/Groundwater Contamination - Due to the site's prior use for semitruck/auto storage, there is potential for contamination to be located within the property boundaries. EPD may request a Phase I Environmental Site Assessment (ESA) to be submitted prior to any plan or permit approvals.

Proximity to FDEP Cleanup Site - Proximity to parcels with known FDEP cleanup sites associated with the 7-Eleven Food Store #17868 located adjacent of the project site. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose

of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.

Existing Septic and Well - If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management District, about the system permit application, modification or abandonment prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies. Contact the FDOH for the septic system and both FDOH and the Water Management District for wells. Refer to Orange County Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal for details on Individual On-Site Sewage Disposal.

No Enhanced Septic Requirement - This property is not currently located within a delineated Basin Management Action Plan (BMAP) Area, a Reasonable Assurance Plan (RAP) Area, or a Pollution Reduction Plan (PRP) Area as defined in Florida Statutes.

Solid Waste Disposal - Any miscellaneous regulated solid waste found or generated onsite including land clearing debris, construction and demolition debris, tires, garbage, and hazardous waste shall be properly managed through recycling and/or off-site disposal in accordance with local, state, and federal regulations.

Transportation Comments

The Applicant is requesting to change ~5.87 acres from PD-C/O to PD-C and rezone from A-2 to PD to allow for a crisis center to serve the existing homeless population with following uses; transitional housing, emergency housing, drug treatment center administrative offices, RV and semi-truck parking as an interim use.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed development will result in an increase in the number of pm peak trips (140 trips) and therefore will impact the area roadways. The subject property is located West of State Road 417 and south of East Colonial Drive. Based on the Concurrency Management System (CMS) database dated 06/03/2024, Econlockatchee Trail from Colonial Drive to Trevathon Road currently operates at Level of Service F and capacity is not available to be encumbered. All other roadway segments within the project impact area operate at acceptable levels of service. This information is dated and is subject to change.

Roadway Capacity Analysis: a Traffic Study was submitted with the case for review and comment. No road agreements are associated with this parcel.

Final permitting of any development on this site will be subject to review and approval under 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. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

Community Meeting Summary

A community meeting was held for these applications on September 3, 2024, at Colonial High School. There were approximately 55 residents in attendance. Concerns were expressed about the effect of the proposed development on the residential properties in the vicinity, in particular the potential for increased crime in the area as a result. Other concerns included traffic impacts, and maintenance of the proposed uses on the site.

Several participants spoke in favor of the proposed use, while several participants spoke in opposition.

Utilities

Water: Orange County Utilities

Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

Detailed Utility Information:

This property is within Orange County Utilities Water, Wastewater, and Reclaimed Water Service Areas. In accordance with Orange County Code Chapter 37:

Potable Water: Development within this property will be required to connect to Orange County Utilities Water system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Wastewater: Development within this property will be required to connect to Orange County Utilities wastewater system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

State of Florida Notice

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.

Specific Project Expenditure Report and Relationship Disclosure Form

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

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – March 20, 2025

Future Land Use Map Amendment

Make a finding of consistency with the Comprehensive Plan and ADOPT the requested Planned Development-Commercial (PD-C) Future Land Use.

Staff-Initiated Text Amendment 24-01-FLUE-4

Make a finding of consistency with the Comprehensive Plan and ADOPT Amendment 24-01-FLUE-4.

Rezoning

Development Review Committee – (July 24, 2024)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Hope City Refuge Planned Development / Land Use Plan (PD/LUP), dated “Received September 17, 2024”, subject to the eighteen (18) conditions.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC at the January 16th and March 20th PZC hearings (the request was continued from January 16th to March 20th) with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of the requested PD-C (Planned Development – Commercial) Future Land Use Map Designation and associated text amendments and APPROVAL of the Planned Development (PD) rezoning. Staff indicated that one hundred eighty (499) notices were sent to property owners extending beyond 800 feet surrounding the property, and that staff had received forty-one (41) responses in opposition citing concerns such as increased crime, prostitution, drug activity, vehicle break-ins, littering, trespassing, and safety risks for children playing outside. Additionally, concerns were raised about the parking of semi-trucks and commercial vehicles on the property. Meanwhile, nineteen (19) residents expressed their support for the proposal, and thirteen (13) testimonies were submitted.

At the 1st PZC hearing, twenty-two members of the public participated during public comment. Eight expressed opposition, citing concerns about the nature of the proposed development, potential negative impacts on the residential community, and existing code enforcement issues. In contrast, fourteen members supported the request. At the 2nd PZC hearing, sixteen members participated during public comment with three voicing opposition and thirteen in support.

Discussion ensued regarding the request, proposed uses and code enforcement violations. This case was initially presented in January but continued to the March hearing to give the applicant time to address code enforcement violations. By the time of the hearing, only one permit (P25002318) had been issued. Several county staff members have addressed the outstanding

code enforcement violations. The board engaged in an extensive discussion regarding the code enforcement violations.

The first motion, proposed by Commissioner Fernandez to deny the request, was seconded by Commissioner Evans but failed. The second motion, made by Commissioner Gray and seconded by Commissioner Arrington, was approved, recommending the ADOPTION of the requested Planned Development Commercial (PD-C) Future Land Use Map designation and associated text amendment, along with APPROVAL of the Planned Development (PD) zoning, subject to eighteen (18) conditions.

Motion / Second

Eric Gray / Michael Arrington

Voting in Favor

Evelyn Cardenas, Michael Arrington, Eric Gray, Nelson Pena, Marjorie Holt

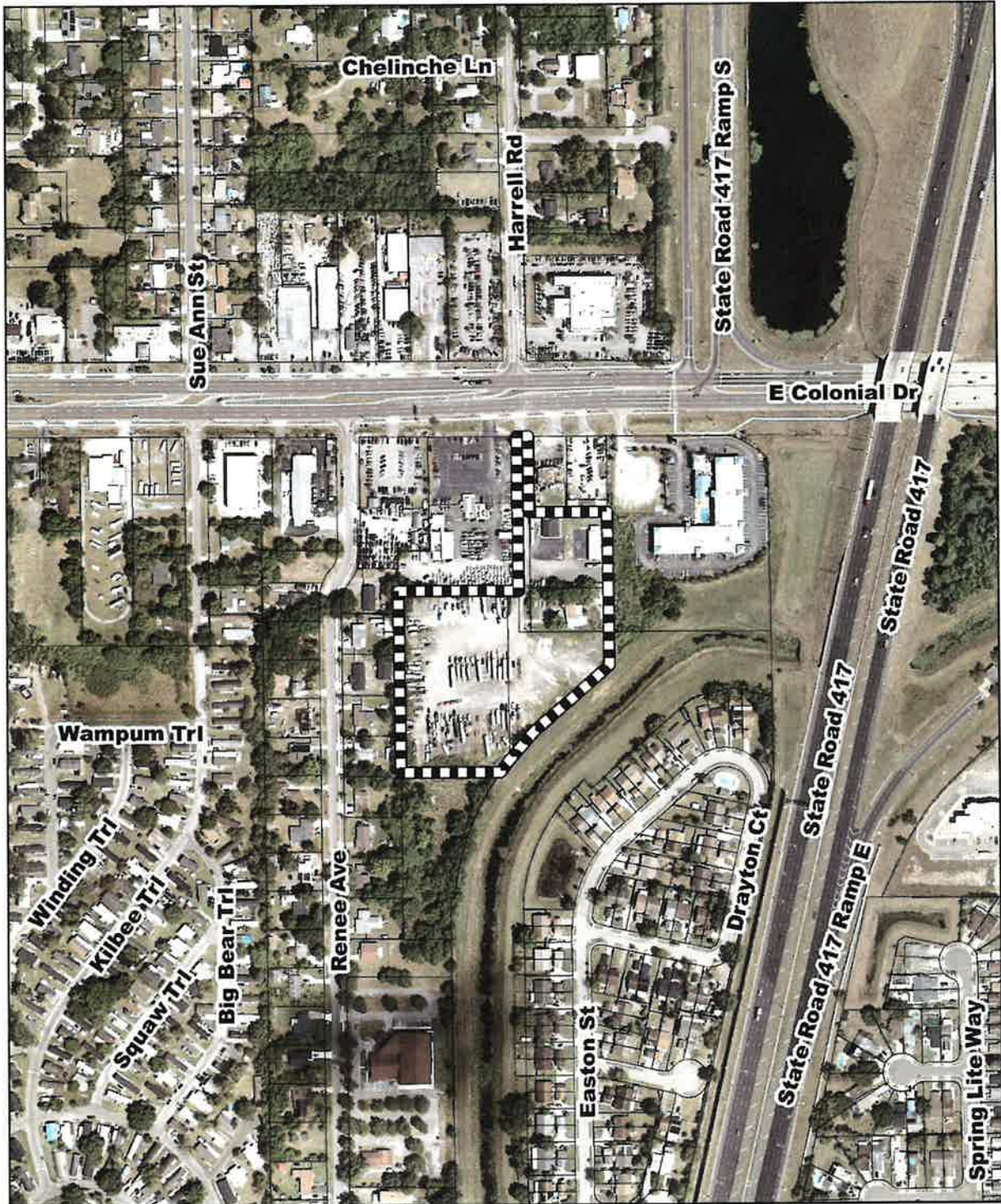
Voting in Opposition

Camille Evans, George Wiggins, Eddie Fernandez

Absent

David Boers

SS-24-01-120 & LUP-23-03-077



 Subject Property



0 200 400
Feet

Hope City Refuge PD / LUP (Cover Sheet)

HOPE CITY REFUGE PLANNED DEVELOPMENT LAND USE PLAN LUP-23-03-077

ORANGE COUNTY, FLORIDA


**PARCELS: 24-22-30-0000-00-055, 24-22-30-0000-00-062,
24-22-30-0000-00-069, 24-22-30-8440-00-012,
24-22-30-0000-00-160**

RECEIVED
 24-01-120, 24-01-120, 24-01-120, 24-01-120

NO.	REVISION	DATE
1	THIS COMMENTS	07-01-2024

SHEET INDEX

- 1 Cover Sheet
- 2 FLUCCS, Soils, Aerial
- 3 Land Use Plan
- 4 Survey



LOCATION MAP

ENGINEER
 Linn Engineering and Design, Inc.
 P.O. Box 140024
 Orlando, FL 32814
 Phone: 407-775-5194

SURVEYOR
 Donoghue Construction Layout
 711 Turnbull Avenue
 Altamonte Springs, FL 32701
 Phone: 321-248-7979

ENVIRONMENTAL
 ECI, Inc.
 3751 Maguire Blvd., Suite 234
 Orlando, FL 32803
 Phone: 407-903-0005

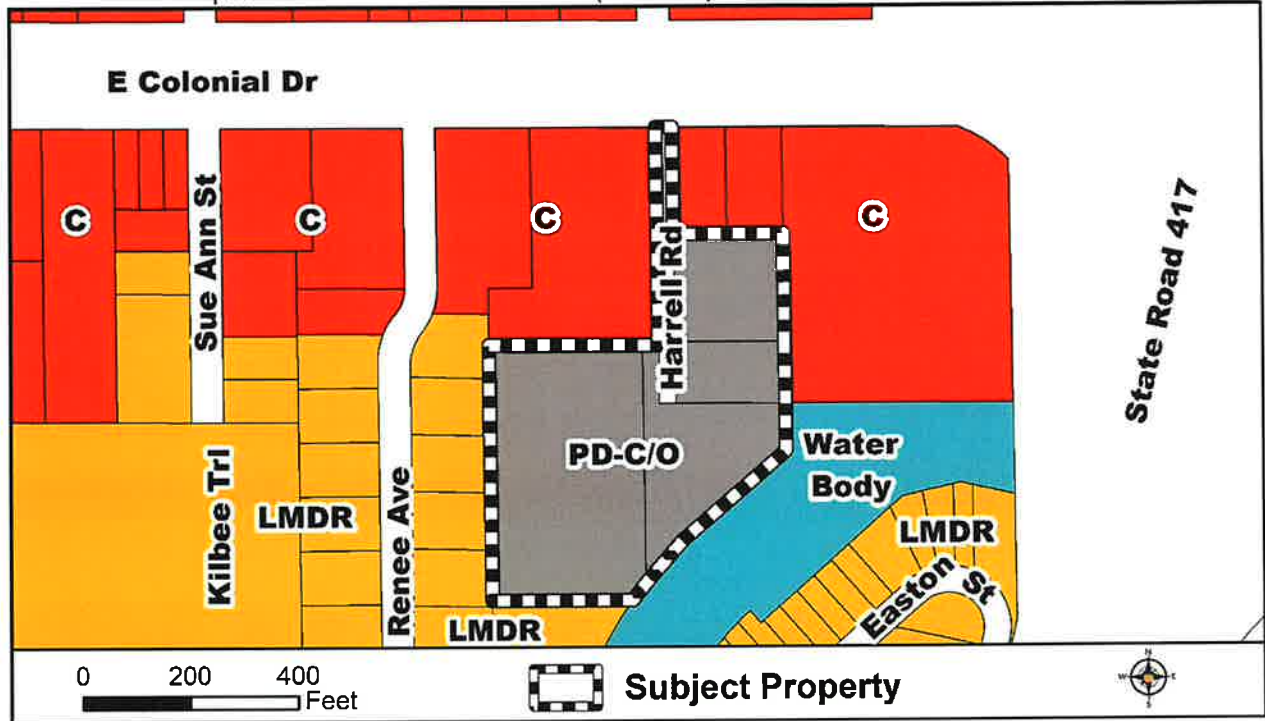
TRAFFIC
 Traffic & Mobility Consultants, LLC
 3103 Maguire Blvd., Suite 235
 Orlando, FL 32803
 Phone: 407-531-5332

OWNER
 William and Doreen Darz
 Marcos Darz & Melissa Rodriguez
 1717 Harriet Road
 Orlando, FL 32825
 Phone: 407-556-1225

OWNER
 C. Faith Fredrick
 3870 N. Tanner Road
 Orlando, FL 32826
 Phone: 407-247-1036

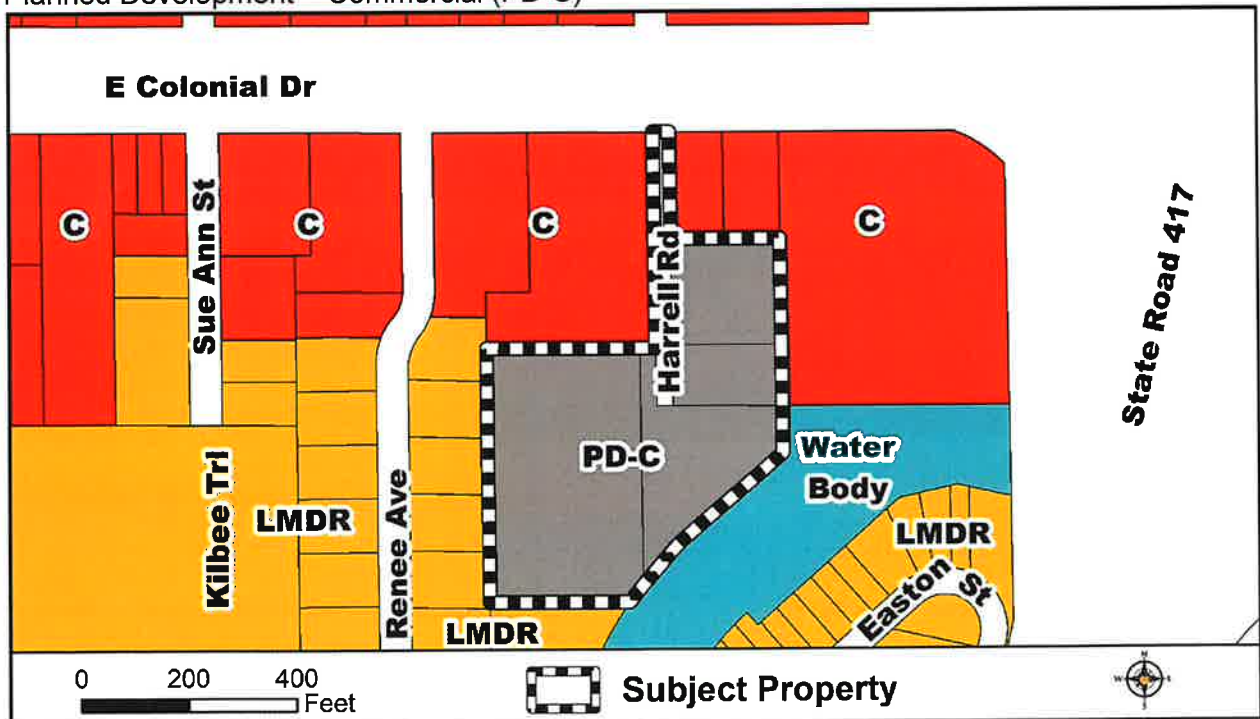
FUTURE LAND USE MAP EXISTING

Planned Development – Commercial / Office (PD-C/O)

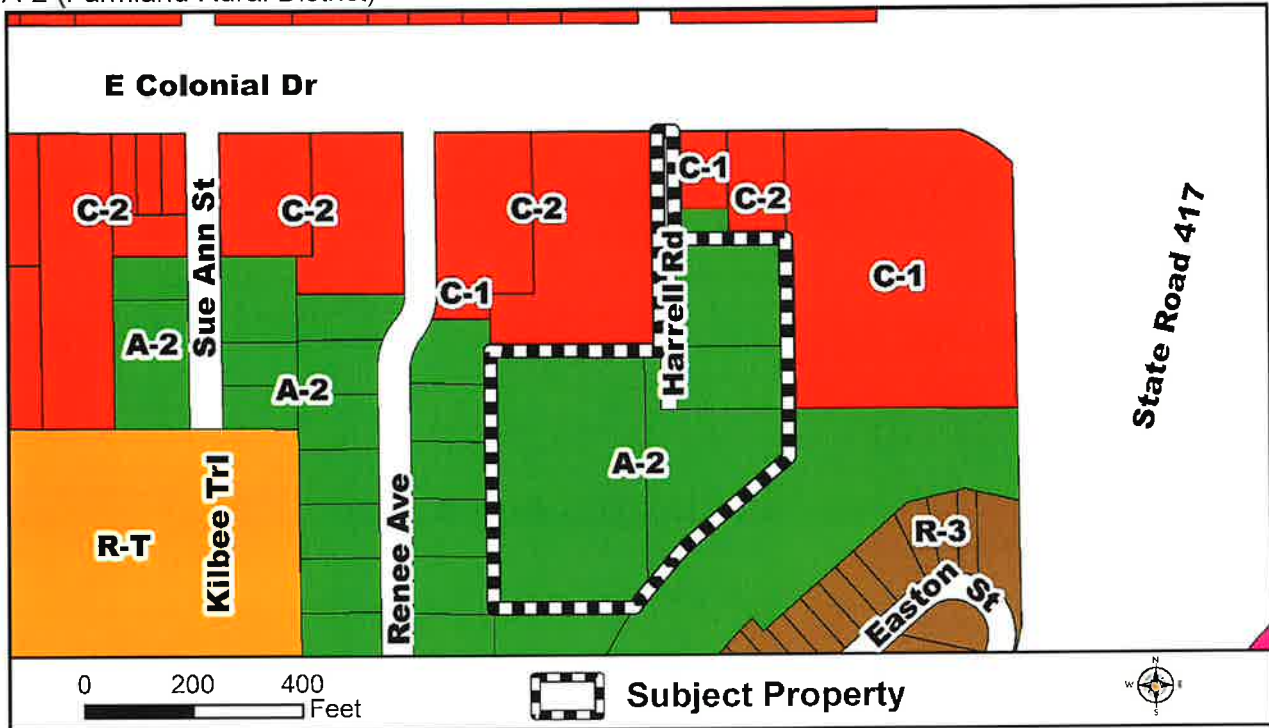


FUTURE LAND USE MAP PROPOSED

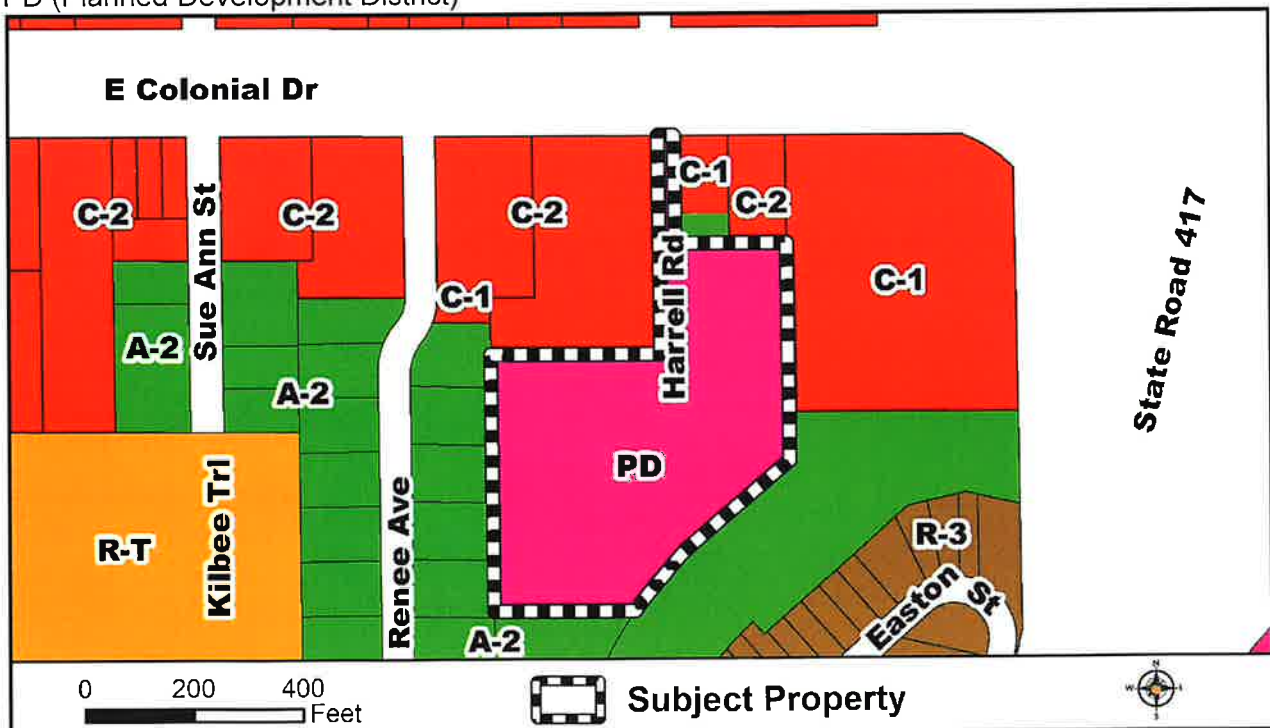
Planned Development – Commercial (PD-C)



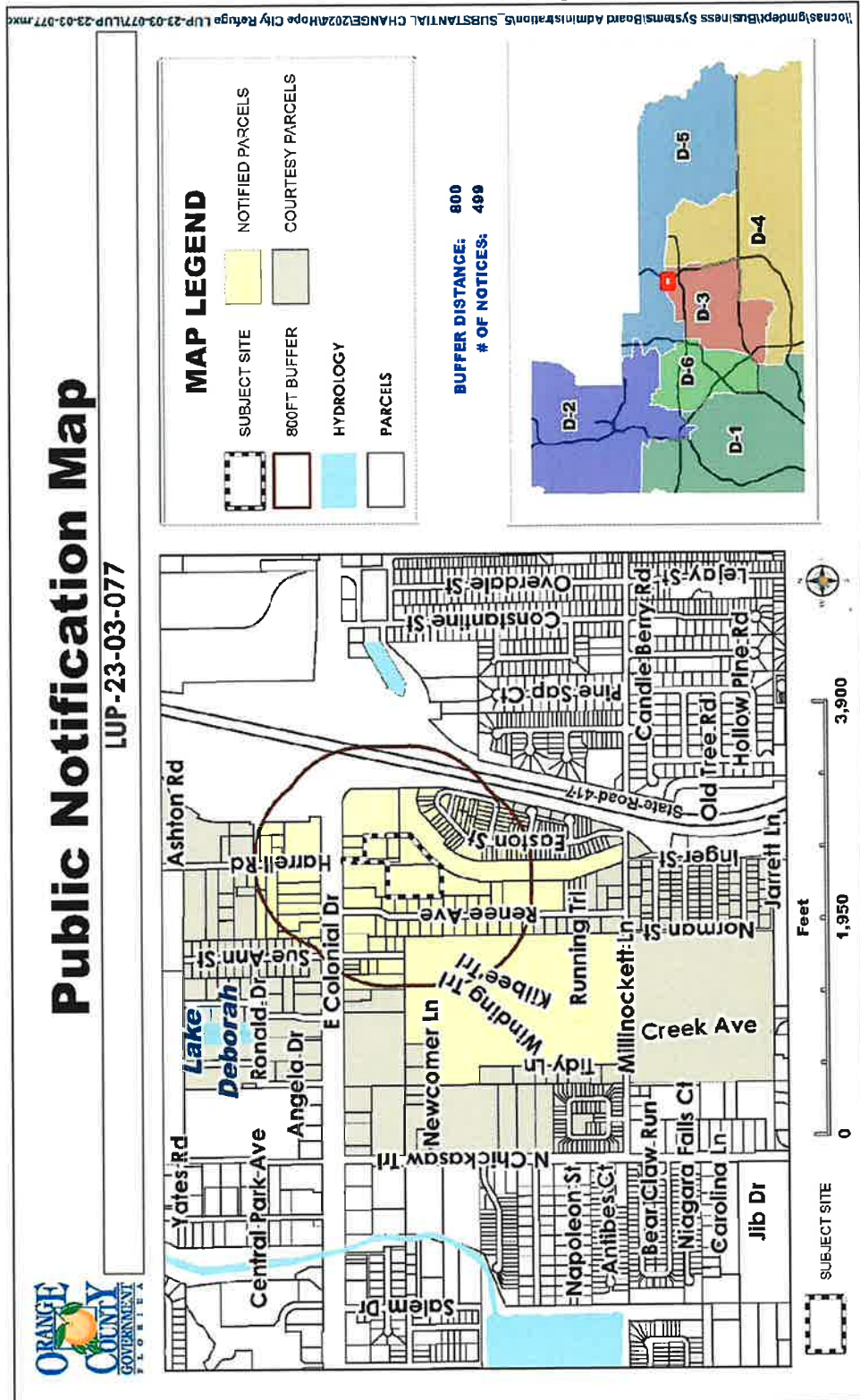
ZONING MAP CURRENT
A-2 (Farmland Rural District)



ZONING MAP PROPOSED
PD (Planned Development District)



Notification Map



ORDINANCE NO. 2025-_____

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
SMALL SCALE DEVELOPMENT AMENDMENTS
PURSUANT TO SECTION 163.3187, FLORIDA STATUTES;
AND PROVIDING EFFECTIVE DATES.

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 April 22, 2025, the Board of County Commissioners held a public hearing on
the adoption of the proposed amendments to the Comprehensive Plan, as described in this
ordinance, and decided to adopt them.

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

Section 3. Amendment to Future Land Use Map. The Comprehensive Plan is hereby
amended by amending the Future Land Use Map designation as described at **Appendix “A,”**

attached hereto and incorporated herein.

* * *

Section 4. Amendment to the Text of the Future Land Use Element. The Comprehensive Plan is hereby further amended by amending the text of the Future Land Use Element to read as follows, with underlines showing new numbers and words, and strike-throughs indicating repealed numbers and words. (Words, numbers, and letters within brackets identify the amendment number and editorial notes, and shall not be codified.)

* * *

[Amendment 24-01-FLUE-4:]

FLU8.1.4 The following table details the maximum densities and intensities for the Planned Development (PD) and Lake Pickett (LP) Future Land Use designations that have been adopted subsequent to January 1, 2007.

* * *

Amendment Number	Adopted FLUM Designation	Maximum Density/ Intensity	Ordinance Number
* * *	* * *	* * *	* * *
<u>SS-24-01-120</u> <u>Hope City Crisis</u> <u>Center</u>	<u>Planned</u> <u>Development-</u> <u>Commercial</u> <u>(PD-C)</u>	<u>Up to 120 transitional</u> <u>housing units, 120 emergency</u> <u>housing units, 9,000 square</u> <u>feet for a drug treatment</u> <u>center and associated office</u> <u>use, and 9,000 square feet for</u> <u>educational facilities and</u> <u>associated office use.</u>	<u>2025-</u>

Such policy allows for a one-time cumulative density or intensity differential of 5% based on ADT within said development program.

* * *

Section 5. Effective Dates for Ordinance and Amendments.

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

(b) Pursuant to Section 163.3187(5)(c), Florida Statutes, the small scale development amendments adopted in this ordinance may not become effective until 31 days after adoption. However, if an amendment is challenged within 30 days after adoption, the amendment that is challenged may not become effective until the Department of Commerce or the Administration Commission issues a final order determining that the adopted amendment is in compliance.

(c) In accordance with Section 163.3184(12), Florida Statutes, any concurrent zoning changes approved by the Board are contingent upon the related Comprehensive Plan amendment becoming effective. Aside from any such concurrent zoning changes, no development orders, development permits, or land uses dependent on either of these amendments may be issued or commence before the amendments have become effective.

ADOPTED THIS 22nd DAY OF APRIL, 2025.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Jerry L. Demings
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk to the Board of County Commissioners

By: _____
Deputy Clerk

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:
SS-24-01-120	Planned Development – Commercial / Office (PD-C/O)	Planned Development – Commercial (PD-C)
*The Future Land Use Map (FLUM) shall not depict the above designation until such time as it becomes effective.		