



Interoffice Memorandum

May 25, 2023

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

A handwritten signature in black ink, appearing to be "T. Boldig".

FROM: Timothy L. Boldig, Interim Director
Planning, Environmental and Development
Services Department

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

SUBJECT: June 6, 2023 – Public Hearing
Applicant: Neel Shivcharran, Galleon Consulting Group, LLC
South Goldenrod Townhomes Planned Development / South
Goldenrod Subdivision Preliminary Subdivision Plan
Case # PSP-21-06-195 / District 3

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of March 22, 2023, to approve the South Goldenrod Townhomes Planned Development (PD) / South Goldenrod Subdivision Preliminary Subdivision Plan (PSP) to subdivide 14.33 acres, generally located south of Curry Ford Road and west of South Goldenrod Road, to construct 96 single-family attached residential dwelling units.

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 PSP may be found in the Planning Division for further reference.

ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan and approve South Goldenrod Townhomes PD / South Goldenrod Subdivision PSP dated "Received April 12, 2023", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 3

TB/JK/lme
Attachments

CASE # PSP-21-06-195

Commission District # 3

1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of March 22, 2023, to approve the South Goldenrod Townhomes Planned Development (PD) / South Goldenrod Subdivision Preliminary Subdivision Plan (PSP) to subdivide 14.33 acres, generally located south of Curry Ford Road and west of South Goldenrod Road, in order to construct 96 single-family attached residential dwelling units.

2. PROJECT ANALYSIS

A. Location: South of Curry Ford Road / West of South Goldenrod Road

B. Parcel ID: 02-23-30-3024-00-120, 02-23-30-3024-00-141,
02-23-30-3024-00-150, 02-23-30-3024-00-160

C. Total Acres: 14.33 gross acres

D. Water Supply: Orange County Utilities

E. Sewer System: Orange County Utilities

F. Schools: Pinar ES – Enrollment: 393 / Capacity: 438
Liberty MS - Enrollment: 927 / Capacity: 1,499
Colonial HS - Enrollment: 3,383 / Capacity: 3,788

G. School Population: 33

H. Parks: Capehart Park – 1.7 Miles

I. Proposed Use: 96 Single-Family Attached Residential Dwelling Units

J. Site Data: Maximum Building Height: 50' (8-stories)
Minimum Living Area: 1,200 Square Feet
Minimum Lot Width: 20'
Building Setbacks:
20' Front
10' Side
20' Rear
15' Side Street

K. Fire Station: 68 – 1945 South Goldenrod Road

L. Transportation: Based on the Concurrency Management database (CMS) dated 9/30/2021, there is a failing roadway segment within the

project's impact area along Goldenrod Road, from Pershing Avenue to Curry Ford Road. This information is dated and subject to change.

This project is located in the Alternative Mobility Area (AMA) and, therefore, shall be required to provide for alternative mobility strategies related to the development. The applicant must submit a Mobility Analysis to be reviewed and approved by the Transportation Planning Division ; provided, however, if the County removes the Alternative Mobility Area from its Code prior to approval of the first building permit, then this project shall comply with the County's then-current transportation concurrency requirements.

This development will require School Concurrency via a Capacity Encumbrance Letter (CEL) Application. Encumbered school capacity must be reserved (aka prepay school reservation fees) by the CEL expiration date or prior to platting.

M. EPD

An Orange County Conservation Area Determination CAD-20-06-098 was completed with a certified survey of the conservation area boundary approved by the Environmental Protection Division (EPD) on 9/10/2020.

An Orange County Conservation Area Impact (CAI) permit CAI-20-09-065 was approved on 12/11/2020 for direct impacts to 0.66 acre of Class III wetlands . This plan will comply with all related permit conditions of approval.

3. COMPREHENSIVE PLAN

The subject property is designated on the Future Land Use Map (FLUM) as Low Medium Density Residential. The zoning is currently PD (Planned Development). The request appears to be consistent with the comprehensive plan.

4. ZONING

PD (Planned Development District) (South Goldenrod Townhomes PD)

5. REQUESTED ACTION:

Approval subject to the following conditions:

1. Development shall conform to the South Goldenrod Townhomes PD Land Use Plan; Orange County Board of County Commissioners (BCC) approvals; South Goldenrod Subdivision Preliminary Subdivision Plan dated "Received April 12, 2023" 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 BCC, or by action of the BCC. 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 April 12, 2023" 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 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, 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. 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.
8. 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.

9. Unless a Conservation Area Impact (CAI) permit is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland Conservation Areas", prior to Construction Plan approval, no conservation area or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect conservation area impacts.
10. 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 Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.
11. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
12. 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 National Pollutant Discharge Elimination System (NPDES) Supervisor at the Orange County Environmental Protection Division for details.
13. A Master Utility Plan (MUP) for the PD 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 PD 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.
14. 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.
15. Short term/transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.

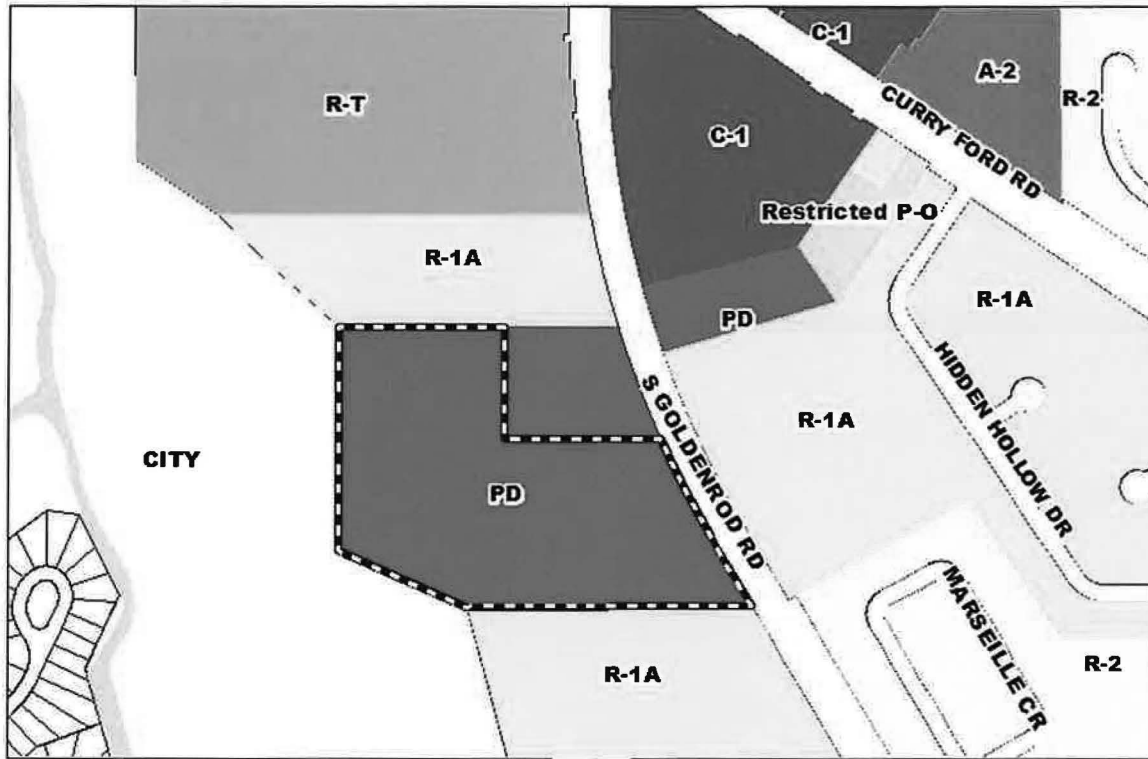
16. New streets that are extensions of or in alignment with existing streets shall bear the same names as those borne by such existing streets.
17. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code.
18. Roads and drainage system(s), including any retention pond(s), will be owned and maintained by Orange County with a Municipal Service Benefit Unit (MSBU) established for stormwater system functionality. Routine maintenance, including mowing, beyond that provided by the County, shall be the responsibility of the Homeowners' Association.
19. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Construction Plan submittal and must be approved prior to Construction Plan approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.
20. 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.
21. A Municipal Service Benefit Unit (MSBU) shall be established for the standard operation and maintenance of street lighting inventory including leasing, fuel, and energy costs for this project. Street lighting fixtures, poles, and luminaries used in this project shall be selected from the approved inventory list supplied by the Orange County Comptroller. Street lighting fixtures, poles, and luminaries used in this project shall be supplied and installed by the utility company that services the area of the project, as authorized by law or agreement, and thereafter maintains the street lighting inventory. The developer shall obtain approval of the street lighting fixtures, poles, and luminaries from the Orange County Comptroller Special Assessments Department via a "Letter of Commitment" prior to the installation of the street lighting fixtures, poles, and luminaries and prior to the plat being recorded by Orange County Comptroller Official Records section. All installation costs and street lighting operational costs prior to the effective date of the MSBU approval by the Orange County Board of County Commissioners shall be the sole responsibility of the developer.
22. 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.

23. In accordance with FEMA requirements, a Letter of Map Change (LOMC) is required by the owner/engineer. New development within the 100-year floodplain where no established Base Flood Elevations (BFE) have been identified must perform a study to establish the BFE prior to construction plan review. Compensation storage must be provided for all floodwater displaced by development within 100-year floodplain in accordance with Orange County Ordinance 2021-37, and as may be amended from time to time.
24. Prior to any site construction plan approval and any filling within the 100-year flood zone, 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. Review and approval of compensating storage calculations must accompany the above permit as provided for in Chapter 19-107.
25. All fencing abutting Tract SW-1 shall be limited to 50% opaque, such as aluminum picket or similar, up to 6 feet tall, or opaque up to 4 feet tall (e.g. along rear yards of Lots 82-96).

Zoning Map

PSP-21-06-195



Subject Property



Subject Property

Zoning Map

ZONING: PD (Planned Development)

APPLICANT: Neel Shivcharran, Galleon Consulting Group, LLC

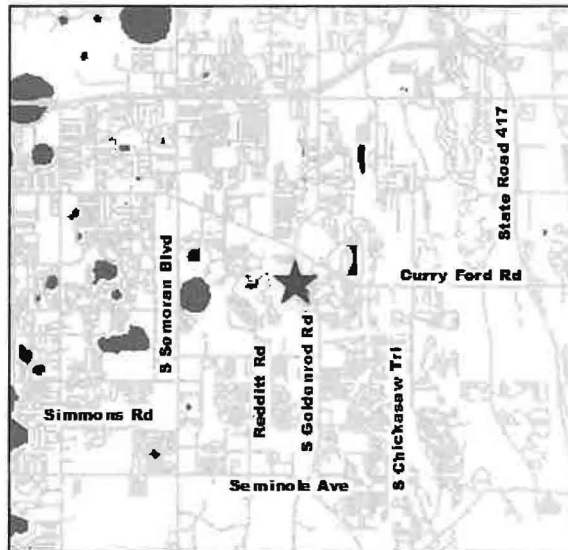
LOCATION: South of Curry Ford Road / West of South Goldenrod Road

TRACT SIZE: 14.33 gross acres

DISTRICT: # 3

S/T/R: 02/23/30

1 inch = 420 feet



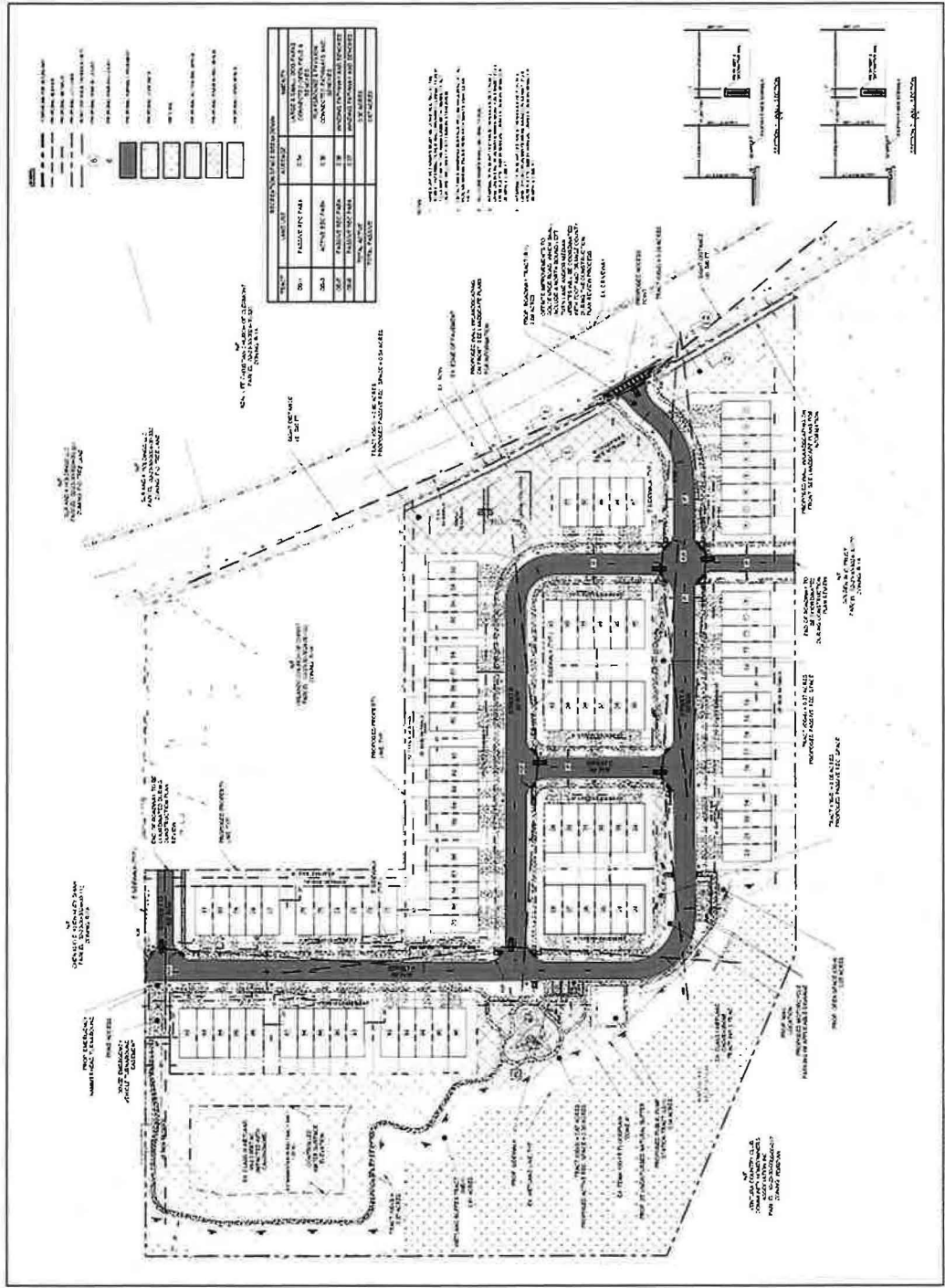
Site Plan Sheet

LandDesign
 1411 W. COLLEGE AVENUE, SUITE 100
 SANTA ANA, CALIFORNIA 92704
 TEL: 714.241.1111
 FAX: 714.241.1112
 WWW.LANDDESIGN.COM

**SOUTH
 GOLDENROD
 TOWNHOMES
 POISOUTH
 GOLDENROD PSP
 SUBDIVISION PSP**

REVISION	DATE	BY	DESCRIPTION
1	08/15/22	ML	ISSUED FOR PERMITS
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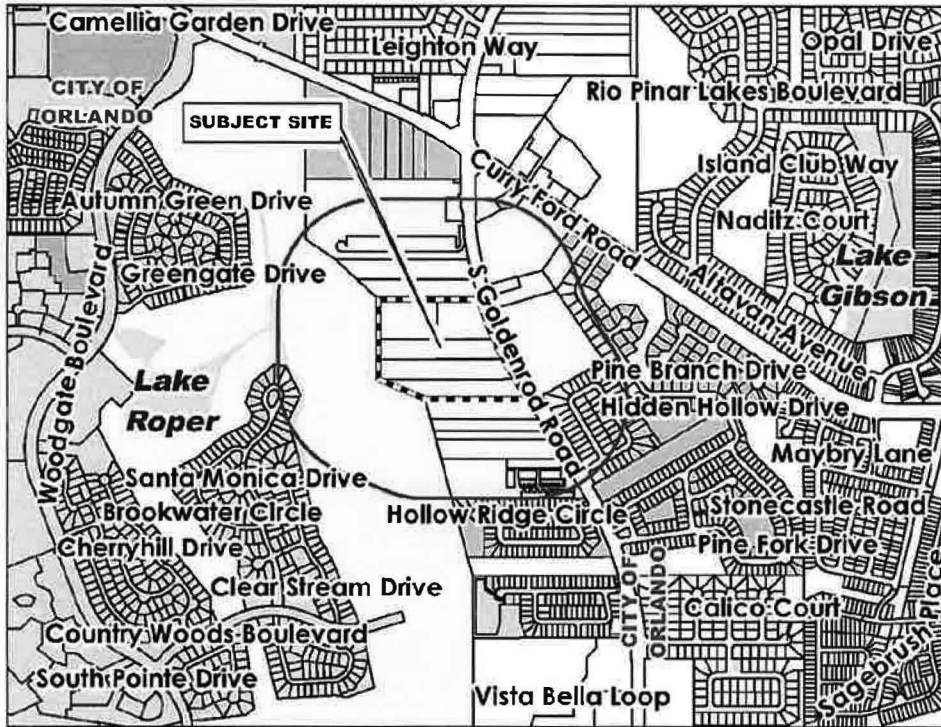
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Public Notification Map

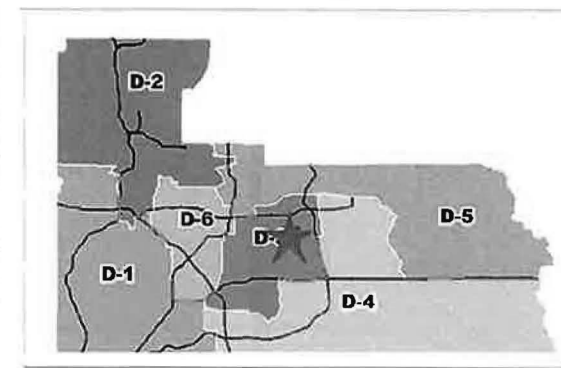
South Goldenrod Townhomes PD_PSP-21-06-195



MAP LEGEND

	SUBJECT		NOTIFIED_PARCELS
	800_FT_BUFFER		COURTESY_PARCELS
	PARCELS		
	HYDROLOGY		

BUFFER DISTANCE: 800
 # OF NOTICES: 502



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Notification Map

DRC Staff Report
 Orange County Planning Division
 BCC Hearing Date: June 6, 2023