



ORANGE COUNTY

PLANNING DIVISION

2022-2 REGULAR CYCLE AMENDMENT 2022-2-P-FLUE-1

2010 - 2030 COMPREHENSIVE PLAN

BOARD OF COUNTY COMMISSIONERS

**SEPTEMBER 13, 2022
TRANSMITTAL PUBLIC HEARING**

PREPARED BY:
ORANGE COUNTY PLANNING, ENVIRONMENTAL
AND DEVELOPMENT SERVICES

PLANNING DIVISION
COMPREHENSIVE PLANNING SECTION






Interoffice Memorandum

September 13, 2022

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

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

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

SUBJECT: 2022-2 Regular Cycle Comprehensive Plan Amendment
2022-2-P-FLUE-1 (Hannah Smith Property PD)
Board of County Commissioners (BCC) Transmittal Public Hearing

2022-2 Regular Cycle Privately-Initiated Text Amendment 2022-2-P-FLUE-1 is scheduled for a BCC transmittal public hearing on September 13, 2022. This amendment was heard by the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) at a transmittal public hearing on August 18, 2022.

The report is also available under the Amendment Cycle section of the County's Comprehensive Planning webpage.

See: <http://www.orangecountyfl.net/PlanningDevelopment/ComprehensivePlanning.aspx>.

Proposed Amendment 2022-2-P-FLUE-1 is a privately-initiated text amendment. This amendment includes changes to the Goals, Objectives, and/or Policies of the Comprehensive Plan.

In summary, the action item addressed by this memo for September 13 is:

- Amendment 2022-2-P-FLUE-1 (Future Land Use Element Policy FLU8.1.4).

Following the BCC transmittal public hearing, the proposed amendment will be transmitted to the Florida Department of Economic Opportunity (DEO) and other State agencies for review and comment. Staff expects to receive comments from DEO and/or the other State agencies in October 2022. Pursuant to 163.3184, Florida Statutes, the proposed amendment must be adopted within 180 days of receipt of the comment letter. The adoption hearings are tentatively scheduled before the LPA on November 17, 2022, and before the BCC on December 13, 2022.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch., Manager, Planning Division, at (407) 836-5802 or Alberto.Vargas@ocfl.net, or Gregory Gologowski, AICP, Chief Planner, Comprehensive Planning Section, Planning Division, at (407) 836-5624 or Gregory.Gologowski@ocfl.net.

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2022-2 Regular Cycle Comprehensive Plan Amendments													
Privately-Initiated Comprehensive Plan Text Amendment													
Amendment Number	Concurrent Rezoning or Substantial Change	Owner	Agent	Parcel ID Number(s)	General Location / Comments	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:	Zoning Map Designation FROM:	Zoning Map Designation TO:	Acreage	Project Planner	Staff Rec	LPA Rec
District 1													
2022-2-P-FLUE-1 Hannah Smith Property PD	CDR-21-09-288	City Center at O-town West, LLC	Jim Hall, HDSi	Text amendment to Future Land Use Element Policy FLU8.1.4 amending the maximum density/intensity of the Hannah Smith Property PD through the modification of the development program of the portion of the PD designated as Tract 4 on the PD Land Use Plan.							Jennifer DuBois	Transmit	Recommend Transmittal (6-0)
ABBREVIATIONS INDEX: ABBREVIATIONS INDEX: PD-Planned Development; CP-Comprehensive Plan; FLUE-Future Land Use Element; GOPS-Goals, Objectives, and Poicies; OBJ-Objective; SR-State Road; AC-Acres													

2022 SECOND REGULAR CYCLE PRIVATELY-INITIATED TEXT AMENDMENT

AMENDMENT TO THE 2010-2030 COMPREHENSIVE PLAN BOARD OF COUNTY COMMISSIONERS TRANSMITTAL BOOK

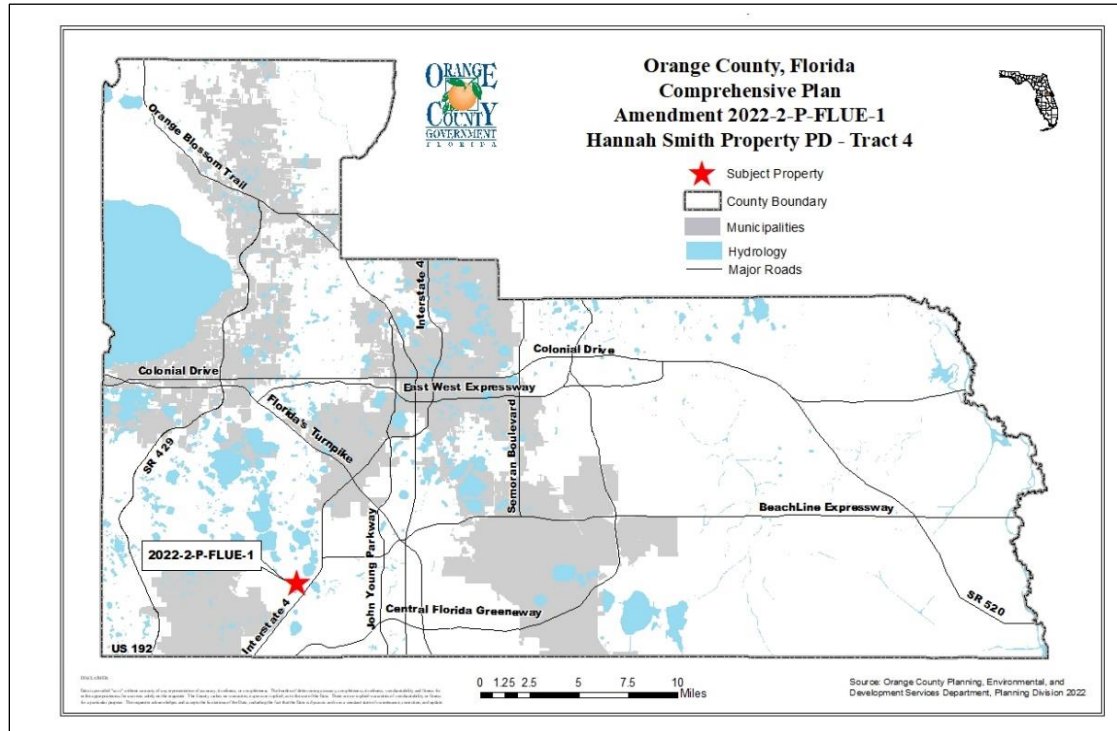
INTRODUCTION

This is the Board of County Commissioners (BCC) transmittal staff report for the Second Regular Cycle Amendment 2022-2-P-FLUE-1 to the Comprehensive Plan (CP). This amendment was heard by the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) at a transmittal public hearing on August 18, 2022.

Proposed Amendment 2022-2-P-FLUE-1 is a privately-initiated text amendment. Since this is the transmittal stage for this amendment, there will be a second round of public hearings for adoption after the Florida Department of Economic Opportunity (DEO) and other State agencies complete their review of the proposed amendment and provide comments, expected in October 2022. Adoption public hearings are tentatively scheduled before the LPA on November 17, 2022 and before the BCC on December 13, 2022.

Once the Regular Cycle amendment has been adopted by the BCC, it will become effective 31 days after DEO notifies the County that the plan amendment package is complete. This amendment is expected to become effective in January 2023, provided no challenges are brought forth for it.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch., Manager, Planning Division, at (407) 836-5802 or Alberto.Vargas@ocfl.net, or Gregory Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or Gregory.Golgowski@ocfl.net.

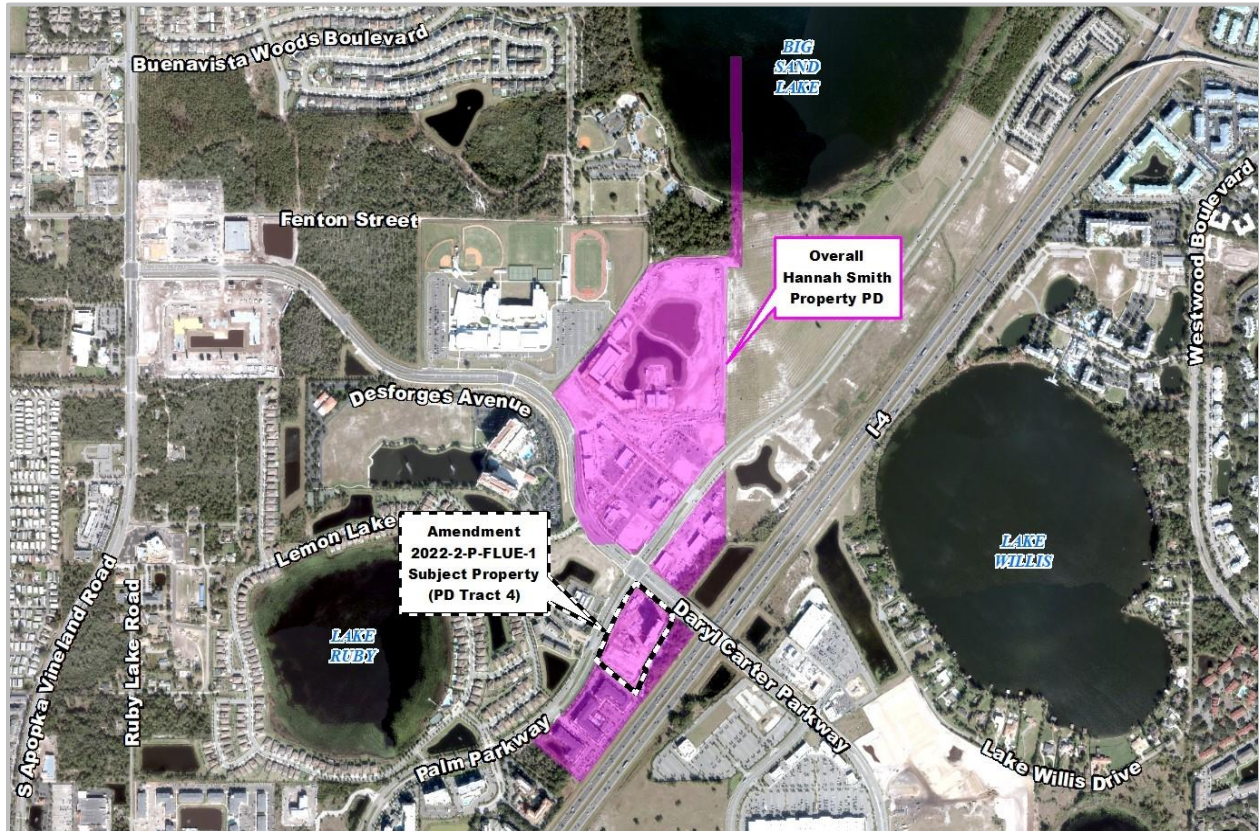


The following meetings and hearings have been held:			Project Information
Report/Public Hearing		Outcome	
✓	Staff Report	Recommend transmittal	<p>Applicant/Owner: Jim Hall, HDSi/City Center at O-town West, LLC</p> <p>Location: Tract 4 of the Hannah Smith Property PD, generally located in the southeast quadrant of the intersection of Palm Parkway and Daryl Carter Parkway</p> <p>Parcel ID Number: 14-24-28-6180-01-000</p> <p>Existing Use: Boardwalk at O-Town West (under construction)</p> <p>Tract Size: 7.13 gross/net developable acres</p> <p>Request: Privately-initiated text amendment to Future Land Use Element Policy FLU8.1.4 amending the maximum density/intensity of the Hannah Smith Property PD through the modification of the development program of the portion of the PD designated as Tract 4 on the PD Land Use Plan. As a text amendment and per County policy, this is reviewed as a Regular Cycle amendment.</p> <p>Revision: Future Land Use Element Policy FLU8.1.4</p> <p>From: Overall Hannah Smith Property PD: 314,000 SF Office, 165 Hotel Rooms, 349,000 SF Commercial, 1,300 Multi-Family Units, 1 Timeshare Unit</p> <p>Tract 4: 314,000 SF Office, 165 Hotel Rooms, 50,000 SF Commercial</p> <p>To: Overall Hannah Smith Property PD: 347,000 SF Office, 220 Hotel Rooms, 343,000 SF Commercial, 1,300 Multi-Family Units, 1 Timeshare Unit</p> <p>Tract 4: 347,000 SF Office, 220 Hotel Rooms, 44,000 SF Commercial</p>
✓	LPA Transmittal August 18, 2022	Recommend transmittal (6-0)	
	BCC Transmittal September 13, 2022		
	Agency Comments October 2022		
	LPA Adoption November 17, 2022		
	BCC Adoption December 13, 2022		

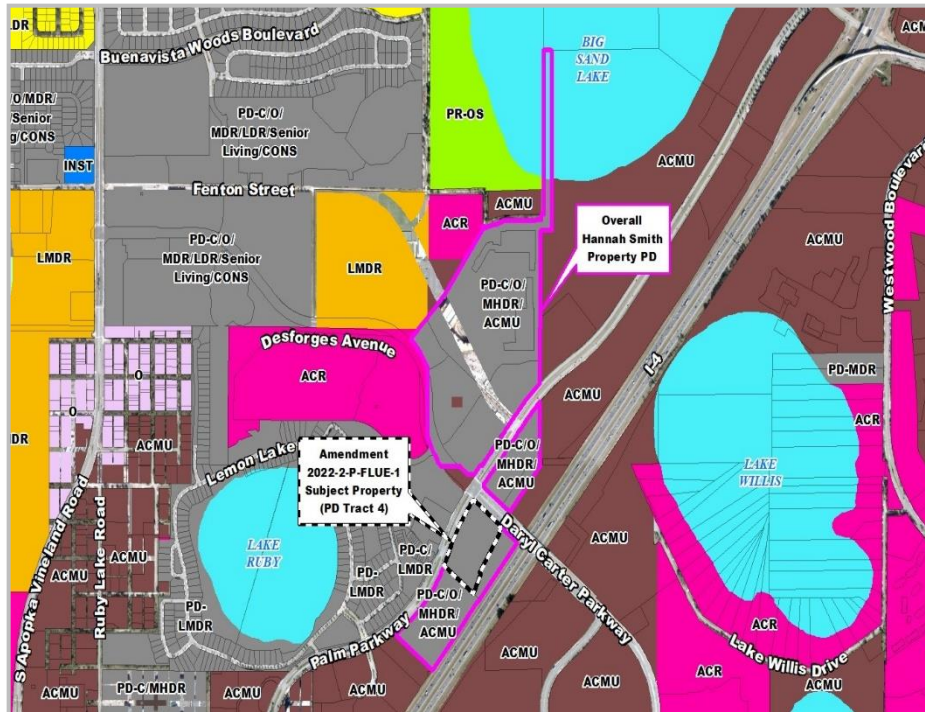
Staff Recommendation

Make a finding that the proposed amendment has the potential to be found “in compliance,” as defined by Section 163.3184(1)(b), Florida Statutes; and recommend that Amendment 2022-2-P-FLUE-1 be **TRANSMITTED** to the state reviewing agencies.

AERIAL



FUTURE LAND USE – CURRENT



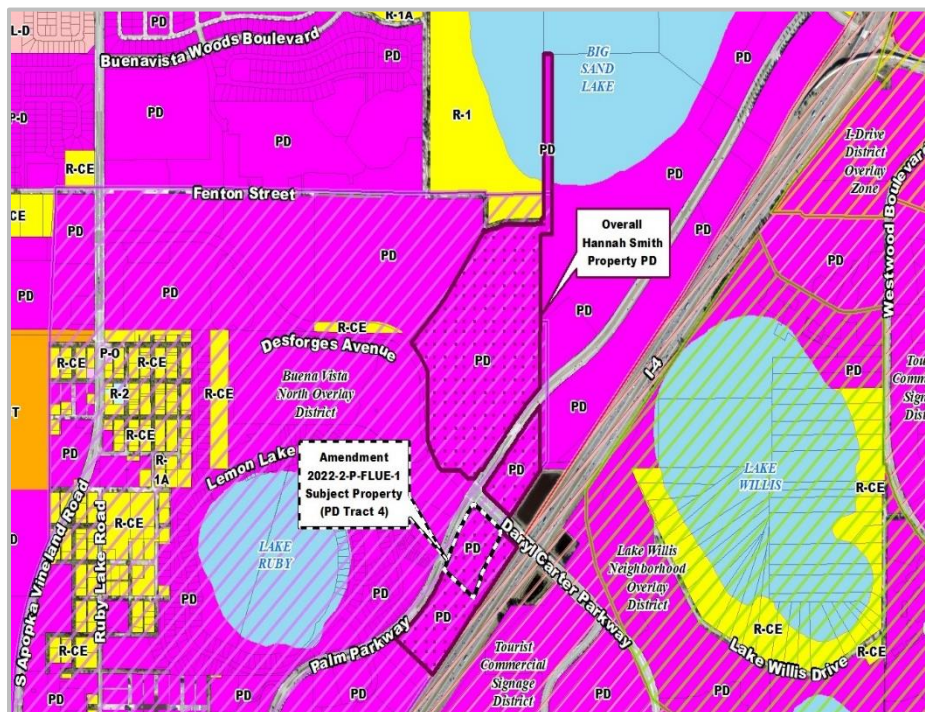
Current Future Land Use Designation:

Planned Development-Commercial/Office/Medium-High Density Residential/Activity Center Mixed Use (PD-C/O/MHDR/ACMU)

Special Area Information:

The subject property is located within the Buena Vista North Overlay District and the Dr. Phillips Urban Preservation District.

ZONING – CURRENT



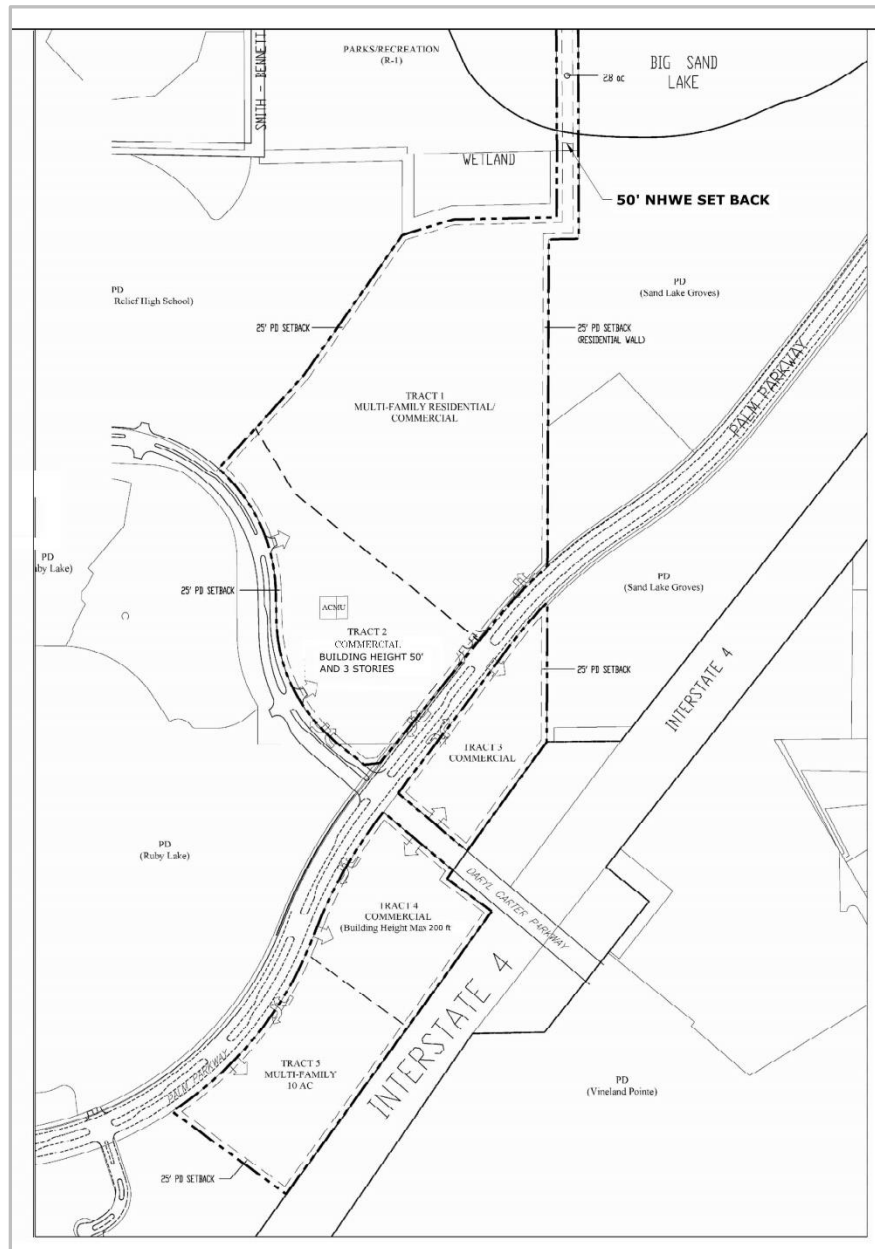
Current Zoning Classification:

PD (Planned Development District) (Hannah Smith Property PD/LUP)

A. Background

The applicant, Jim Hall of HDSi, is seeking to amend Future Land Use Element Policy FLU8.1.4—which establishes the maximum densities and intensities for Planned Development (PD) and Lake Pickett (LP) Future Land Use Map designations adopted subsequent to January 1, 2007—to allow for a revision to the currently-approved development program for the Hannah Smith Property PD. Specifically, Mr. Hall, representing City Center at O-town West LLC, is requesting to revise the development program of the 7.13-acre parcel, Parcel 14-24-28-6180-01-000, identified as Tract 4 on the current PD Land Use Plan below.

Hannah Smith Property PD Land Use Plan



As illustrated on the Future Land Use Map included in this report, the 86.64-acre Hannah Smith Property PD currently possesses a future land use designation of Planned Development-Commercial/Office/Medium-High Density Residential/Activity Center Mixed Use (PD-C/O/MHDR/ACMU), the result of Future Land Use Map Amendment 2020-1-C-1-1, adopted by the Orange County Board of County Commissioners (BCC) on June 23, 2020. The adoption of this amendment established the present Tract 4 development program of up to 314,000 square feet of office uses, 165 hotel rooms, and 50,000 square feet of commercial uses and the maximum development program of the overall Hannah Smith Property PD of up to 314,000 square feet of office uses, 1,300 multi-family units, 165 hotel rooms, one (1) timeshare unit, and 349,000 square feet of commercial uses. These entitlements were incorporated into Policy FLU8.1.4 via the concurrent adoption of Staff-Initiated Text Amendment 2020-1-C-FLUE-1.

As shown on the accompanying photographs of the subject site, construction of the Boardwalk at O-Town West, a non-residential development featuring a mix of hotel, office, and commercial uses consistent with the adopted FLU8.1.4 development program, is substantially underway on Tract 4. However, the applicant is now proposing to amend the non-residential development program by reducing 6,000 square feet of commercial space to allow for the simultaneous addition of 33,000 square feet of office uses and 55 hotel rooms, thus necessitating this requested amendment to Policy FLU8.1.4. If adopted, the revised FLU8.1.4 development program, which encompasses the overall Hannah Smith Property PD, will be established as follows:

Commercial:	343,000 square feet
Office:	347,000 square feet
Hotel:	220 rooms
Multi-Family	1,300 dwelling units
Timeshare:	1 villa.

Development of Tract 4 shall be limited to 220 hotel rooms, 347,000 square feet of office uses, and 44,000 square feet of commercial uses.

Staff notes that a proposed substantial change to the overall Hannah Smith Property PD-LUP, Case CDR-21-09-288, to revise the PD's current entitlement mix is proceeding through the DRC review process and is dependent upon the outcome of this requested text amendment. Staff anticipates that this text amendment petition and the substantial change application will be considered concurrently at the BCC adoption public hearing.

B. Privately-Initiated Text Amendment

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. If adopted, the maximum development program requested by Amendment 2022-2-P-FLUE-1 will replace the currently-approved Hannah Smith Property development program adopted by Ordinance No. 2020-13 as follows:

Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
* * *	* * *	* * *	* * *
<u>2020-1-C-1-1</u> <u>Hannah Smith Property</u>	<u>Planned Development-Commercial/Office/Medium-High Density Residential/Activity Center Mixed Use (PD-C/O/MHDR/ACMU)</u>	<u>Multi-Family: Up to 1,300 dwelling units</u> <u>Commercial: Up to 349,000 square feet</u> <u>Office: Up to 314,000 square feet</u> <u>Hotel: Up to 165 rooms</u> <u>Timeshare: 1 unit</u> <u>Development of Tract 4 shall be limited to 165 hotel rooms, 314,000 square feet of office uses, and 50,000 square feet of commercial uses.</u>	2020-13
* * *	* * *	* * *	* * *
<u>2022-2-P-FLUE-1</u> <u>Hannah Smith Property</u>	<u>Planned Development-Commercial/Office/Medium-High Density Residential/Activity Center Mixed Use (PD-C/O/MHDR/ACMU)</u>	<u>Multi-Family: Up to 1,300 dwelling units</u> <u>Commercial: Up to 343,000 square feet</u> <u>Office: Up to 347,000 square feet</u> <u>Hotel: Up to 220 rooms</u> <u>Timeshare: 1 unit</u> <u>Development of Tract 4 shall be limited to 220 hotel rooms, 347,000 square feet of office uses, and 44,000 square feet of commercial uses.</u>	<u>2022-</u>

C. Analysis

Consistency

The requested text amendment appears to be **consistent** with the applicable Goals, Objectives, and Policies of the Comprehensive Plan. Future Land Use Element **Goal FLU1, Objective FLU1.1, and Policy FLU1.1.1** describe Orange County's urban planning framework, including the requirement that urban land uses be concentrated within the Urban Service Area (USA). As required by **Policy FLU1.1**, the subject property lies within the USA, and development of Tract 4 under the existing FLUM designation of Planned Development-Commercial/Office/Medium-High Density Residential/Activity Center Mixed Use will create employment opportunities and contribute to the mix of retail, service, and hotel

options in an area of the County deemed appropriate for urban uses, as set forth in **Policy FLU1.1.1**. Future Land Use Element **Objective FLU1.2** requires Orange County to use the Urban Service Area concept as an effective fiscal and land use technique for managing growth. Per **Objective FLU1.2**, the USA shall be used to identify the area in which Orange County has the primary responsibility for providing infrastructure and services to support urban development.

In addition, the proposed amendment is consistent with Future Land Use Element **Policy FLU1.4.1**, which states that Orange County shall promote a range of living environments and employment opportunities to achieve a stable and diversified community. If approved, the 347,000-square-foot office development will likely serve as a significant employment center and will be complemented by the planned 220-room hotel and 44,000 square feet of commercial uses.

The requested amendment is further consistent with Future Land Use Element **Objective FLU2.2**, which establishes that Orange County shall develop, adopt, and implement mixed-use strategies and incentives as part of its comprehensive plan and land development code efforts, including standards for determining consistency with the Future Land Use Map. Other objectives of mixed-use development include reducing trip lengths, providing for diverse housing types, using infrastructure efficiently, and promoting a sense of community. As stated above, the applicant is proposing an amended combination of office, hotel, and commercial uses on the site, located in an area characterized by tourist-oriented commercial activity and residential development with a variety of housing types. It is staff's belief that the project will complement both residential and non-residential development in the neighboring area upon completion and could reduce the travel distance to purchase goods and services and shorten the commute for nearby residents employed on the premises. To ensure that the existing residential neighborhoods are not adversely impacted by the commercial uses, Future Land Use Element **Policy FLU1.4.4** states that the disruption of residential areas by poorly located and designed commercial activities shall be avoided. As depicted on the aerial photograph, the subject property is located at the intersection of two major roads: Palm Parkway and Daryl Carter Parkway. The site photographs show the planned office, hotel, and commercial uses concentrated near this intersection, away from the neighboring Veere Apartments to the south and the Overlook at Ruby Lake townhome community to the west. Staff notes that the current Hannah Smith Property PD Land Use Plan designates Tract 4 as a commercial parcel, with which the revised non-residential development program is consistent.

Lastly, Future Land Use Element **Policy FLU1.4.3** states that the location of commercial development shall be concentrated at major intersections within the Urban Service Area. The Boardwalk at O-Town West development—with its mix of commercial, office, and hotel uses—is situated at the intersection of Palm Parkway and Daryl Carter Parkway, thus meeting the intent of this policy. Similarly, Future Land Use Element **Policy FLU1.4.9** follows by stating that the full retail/general commercialization of an intersection shall be avoided unless sufficient justification of need is provided. This policy additionally states that office, hotel, and multi-family uses can be used to avoid the full commercialization of an intersection. Along with the proposed 44,000 square feet of commercial development, the request is to add entitlements for 347,000 square feet of office uses and 220 hotel rooms, thereby rendering the project—upon its completion—consistent with the intent of **Policy FLU1.4.9**.

Compatibility

The requested text amendment appears to be **compatible** with the existing development and development trend of the surrounding area. Future Land Use Element **Objective FLU8.2** states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions,

while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development pattern and development trends in the area. The subject property is located in an area characterized by existing and planned tourist-oriented development, as well as single-family and multi-family residential communities. It is staff's belief that the proposed project is compatible with this mixed-use development trend.

Future Land Use Element **Policy FLU8.2.11** states that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Although the existing and proposed mix of office, hotel, and commercial uses is not identical to existing neighboring development, it is staff's belief that it complements the commercial uses and residential communities in the surrounding area, including the adjacent multi-family complex to the south. The PD-C/O/MHDR/ACMU FLUM designation—which will remain unchanged—is consistent with Future Land Use Element **Policy FLU1.4.2**, which mandates that Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods. The proposed 44,000 square feet of commercial uses will serve both the local and tourist populations and, combined with the increased 347,000 square feet of office development and 220-room hotel, will generate employment opportunities for residents of the neighboring area.

Staff believes the mixed-use project will continue to contribute to the County's larger goals of promoting infill and compact urban form within the Urban Service Area, creating additional employment opportunities, efficiently using existing infrastructure, reducing trip lengths, and encouraging accessibility via multiple modes of transportation. Staff, therefore, recommends transmittal of this requested amendment.

D. Policy References

GOAL FLU1 - URBAN FRAMEWORK. Orange County shall implement an urban planning framework that provides for long-term, cost-effective provision of public services and facilities and the desired future development pattern for Orange County. (Goal One-r)

OBJ FLU1.1 - Orange County shall use urban densities and intensities and Smart Growth tools and strategies to direct development to the Urban Service Area and to facilitate such development (See FLU1.1.2.B and FLU1.1.4). The Urban Service Area shall be the area for which Orange County is responsible for providing infrastructure and services to support urban development. (Added 12/00, Ord. 00-25-r, Obj. 1.1)

FLU1.1.1 - Urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay (Scenario 5), Growth Centers, and to a limited extent, Rural Settlements. (Added 12/00, Ord. 00-24, Policy 1.1.1-r)

OBJ FLU1.2 - URBAN SERVICE AREA (USA) CONCEPT; USA SIZE AND MONITORING. Orange County shall use the Urban Service Area concept as an effective fiscal and land use technique for managing growth. The Urban Service Area shall be used to identify the area where Orange County has the primary responsibility for providing infrastructure and services to support urban development. (Added 12/00, Ord. 00-25, Obj. 1.1-r; Amended 5/13, Ord. 2013-11)

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.

FLU1.4.2 - Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.

FLU1.4.3 - The location of commercial development shall be concentrated at major intersections and within Activity Centers and Neighborhood Activity Nodes within the Urban Service Area. (Added 12/00, Ord. 00-25, Policy 3.2.1-r)

FLU1.4.4 - The disruption of residential areas by poorly located and designed commercial activities shall be avoided. Primary access to single-family residential development through a multi-family development shall be avoided. (Added 12/00, Ord. 00-25, Policy 3.2.12-r).

FLU1.4.9 - The full retail/general commercialization of an intersection shall be avoided unless sufficient justification of need is provided. Office, hotel, and multi-family uses can be used to avoid the full commercialization of an intersection. (Policy 3.2.13)

OBJ FLU2.2 - MIXED-USE. Orange County shall develop, adopt and implement mixed-use strategies and incentives as part of its comprehensive plan and land development code efforts, including standards for determining consistency with the Future Land Use Map. Other objectives of mixed-use development include reducing trip lengths, providing for diverse housing types, using infrastructure efficiently and promoting a sense of community. (Obj. 3.8-r)

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.

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 - Land use changes shall be required to be compatible with the existing development and development trend 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. (Policy 3.2.25)

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.

Site Visit Photos

Subject Site	Subject Site
	
West of Subject Site	West of Subject Site
	
North of Subject Site	South of Subject Site
	

