



Interoffice Memorandum

DATE: March 8, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

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

CONTACT PERSON: John Smogor, Chairman
Development Review Committee
Planning Division
(407) 836-5616

SUBJECT: March 21, 2017 – Public Hearing
Applicant: Larry Poliner, Landsmart Consultants, LLC
Lakeside Village Center South PD / Lakeside Village Center
South PSP / Sweetwater Car Wash Development Plan - Case
DP-16-06-217

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of January 25, 2017, to construct a 6,234 square foot car wash building and accessory structures on a total of 1.789 acres.

In addition, the following waiver from Orange County Code is being requested:

1. A waiver from Orange County Code Section 38-1389(c)(10) is requested to allow a sidewalk less than ten (10) feet in width, in lieu of a ten (10) foot wide sidewalk, to be placed in the right of way in lieu of a utility easement.

The subject property is adjacent to the Silverlake Park Drive, which has an existing eight (8) foot sidewalk within the public right-of-way.

The application for this request is subject to the requirements of Ordinance 2008-14, which mandates the disclosure of expenditures related to the presentation of items or lobbying of items before the BCC. A copy will be available upon request in the DRC Office.

A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation, including an 11" x 17" plan, is in the top drawer of the BCC file cabinet in the supply room adjacent to District 4 Commissioner's office.

March 21, 2017 – Public Hearing

Larry Poliner, Landsmart Consultants, LLC

Lakeside Village Center South PD / Lakeside Village Center South PSP / Sweetwater Car Wash
Development Plan - Case # PSP-15-10-300 / District 1

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ACTION REQUESTED: **Make a finding of consistency with the Comprehensive Plan (CP) and approve the Lakeside Village Center South PD / Lakeside Village Center South PSP / Sweetwater Car Wash Development Plan dated "Received January 11, 2017", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 1**

JVW/JS/lme
Attachments

CASE # DP-16-06-217

Commission District # 1

1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of January 25, 2017, to construct a 6,234 square foot car wash building and accessory structures on a total of 1.789 acres.

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2. PROJECT ANALYSIS

- | | |
|-----------------------|---|
| A. Location: | North side of Silver Park Drive / Southwest of Winter Garden Vineland Road |
| B. Parcel ID: | 36-23-27-5452-01-002 (a portion of) |
| C. Total Acres: | 1.789 acres |
| D. Water Supply: | Orange County Utilities |
| E. Sewer System: | Orange County Utilities |
| F. Schools: | N/A |
| G. School Population: | N/A |
| H. Parks: | N/A |
| I. Proposed Use: | 6,234 square foot car wash building and accessory structures |
| J. Site Data: | Maximum Building Height: 50'
Building Setbacks:
10' Front
0' Side
6' Side Street
0' Rear |
| K. Fire Station: | 34 – 7435 Winter Garden Vineland Road |

- L. Transportation: There project is covered under capacity reservation certificate (CRC) #04-059, which includes 187,000 square feet of retail uses, 434 single-family units and 1,032 multi-family units. This certificate expires March 3, 2018.

3. COMPREHENSIVE PLAN

The subject property has an underlying Future Land Use Map (FLUM) designation of V (Village) and a Lakeside Village Specific Area Plan (SAP) designation of Village Center District (VCD). The proposed use is consistent with the Comprehensive Plan.

4. ZONING

PD (Lakeside Village Center South Planned Development)

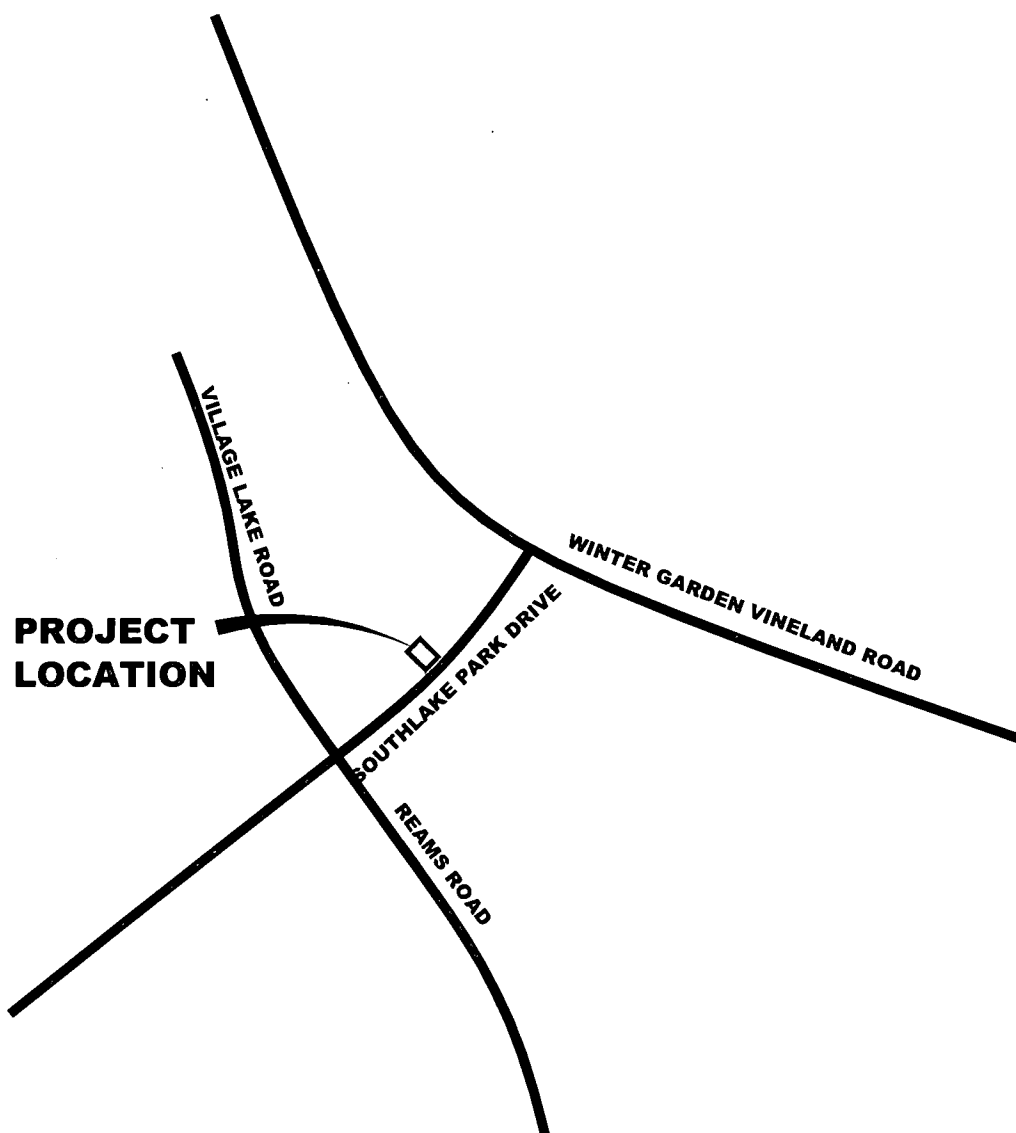
5. REQUESTED ACTION:

Approval subject to the following conditions:

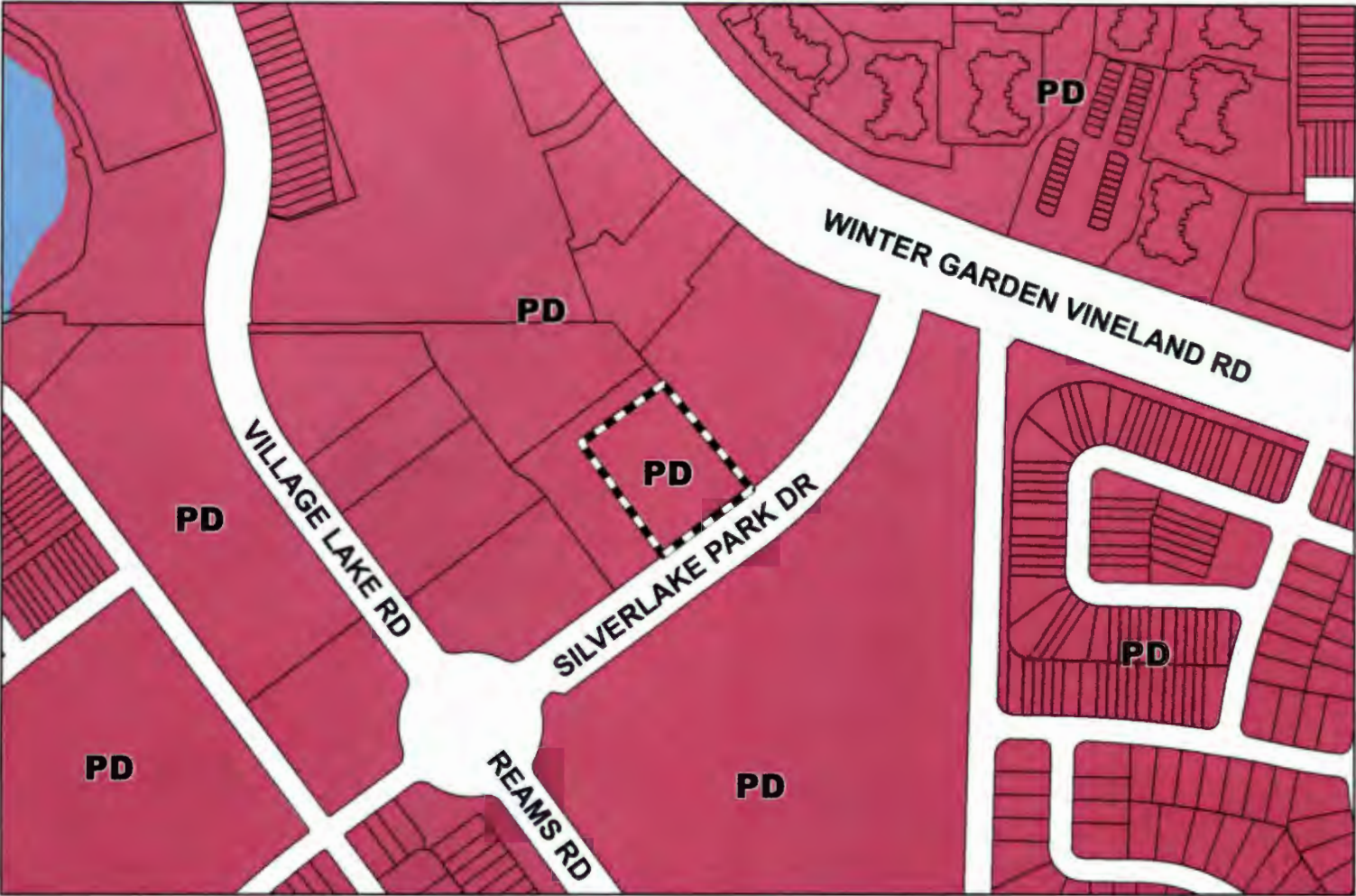
1. Development shall conform to the Lakeside Village Center South Planned Development; Orange County Board of County Commissioners (BCC) approvals; Lakeside Village Center South Preliminary Subdivision Plan; BCC approvals; Sweetwater Car Wash Development Plan dated "Received January 11, 2017" and to 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.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this development 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. Development plan (DP) approval by the DRC (or BCC, as applicable), shall automatically expire if construction plans are required and have not been submitted and approved within two (2) years from DP approval; if construction plans are not required, such DP shall expire two (2) years from approval unless a building permit has been obtained within such two-year period. The foregoing notwithstanding, the DRC may, upon good cause shown, grant successive one (1) year extensions to the expiration date of a DP if the developer makes written request to the DRC chair prior to the expiration date.

7. Prior to construction plan approval, documentation with supporting calculations shall be submitted which certifies that the existing drainage system and pond have the capacity to accommodate this development and that this project is consistent with the approved Master Drainage Plan (MDP) for this PD.
8. Prior to construction plan approval, documentation must be provided certifying that this project has the legal right to tie into the master drainage system.
9. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to issuance of the initial certificate of occupancy. Nothing in this condition and nothing in the decision to approve this development plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
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 construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water, wastewater, and reclaimed water systems have been designed to support all development within the DP, and that construction plans are consistent with an approved Master Utility Plan for the PD.
12. Billboards and pole signs shall be prohibited. Ground and fascia signs shall comply with the Master Sign Plan.
13. A waiver from Orange County Code Section 38-1389(c)(10) is granted to allow a sidewalk less than ten feet (10') in width, in lieu of a ten foot (10') wide sidewalk, to be placed in the right of way in lieu of a utility easement.
14. Approval of this DP shall constitute a lot split approval.



LANDSMART CONSULTANTS, LLC	Scale: NTS	LOCATION MAP	FIGURE 1
	Date: JAN 2017		
	Job No.:	SWEETWATER CAR WASH ORANGE COUNTY, FLORIDA	
	COA No. 29307		



 Subject Property



 Subject Property

Zoning

ZONING: PD (Planned Development District)
(Lakeside Village Center South PD)

APPLICANT: Larry Poliner,
Landsmart Consultants, LLC

LOCATION: North side of Silver Park Drive / Southwest
of Winter Garden Vineland Road

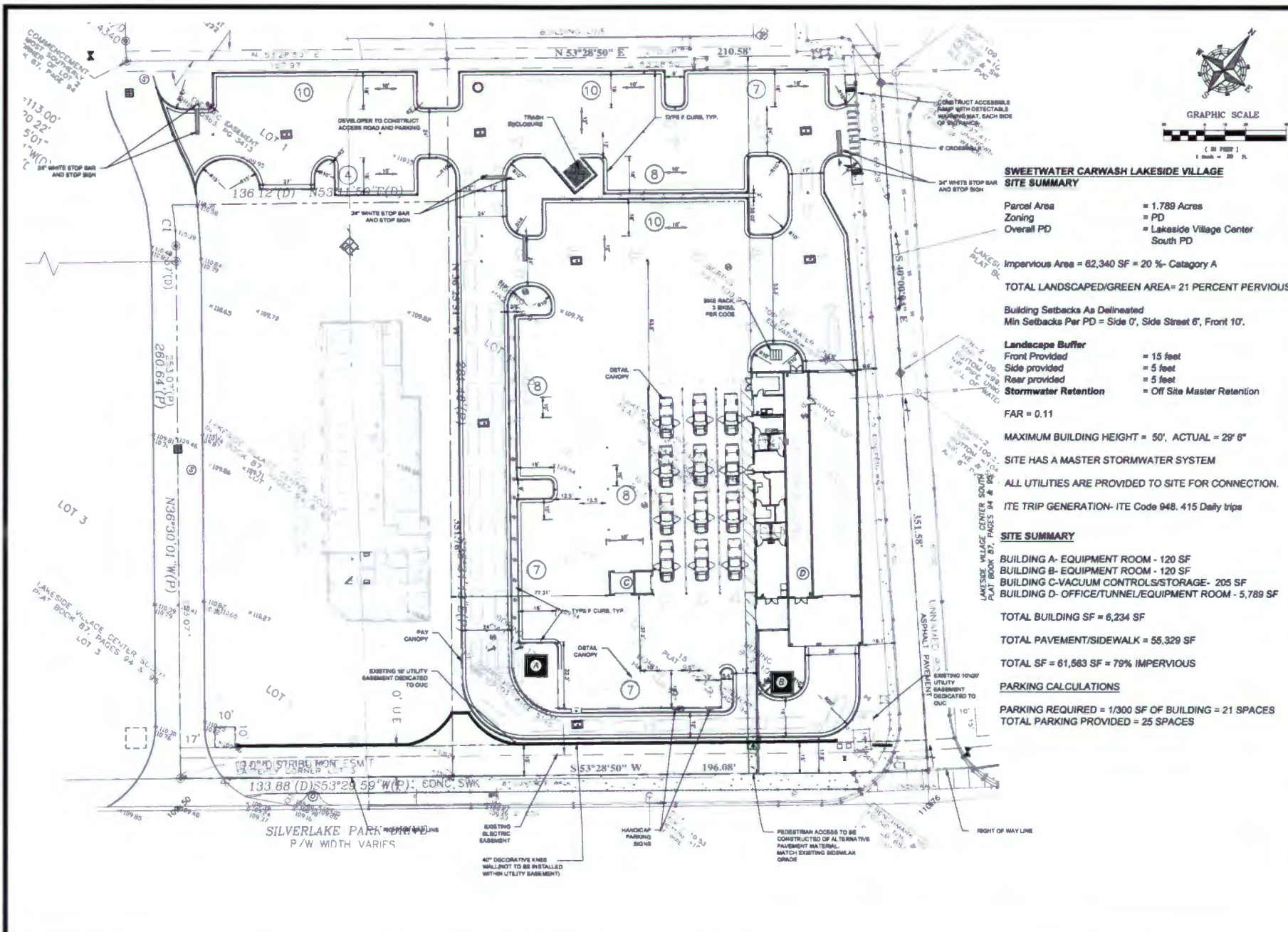
TRACT SIZE: 1.79 gross acres

DISTRICT: #1

S/T/R: 36/23/27

1 inch = 375 feet





**SWEETWATER CARWASH
LAKESIDE VILLAGE CENTER, ORANGE COUNTY, FL
SITE GEOMETRY PLAN**

**SWEETWATER CARWASH LAKESIDE VILLAGE
SITE SUMMARY**

- Parcel Area = 1.789 Acres
- Zoning = PD
- Overall PD = Lakeside Village Center South PD
- Impervious Area = 62,340 SF = 20 % - Category A
- TOTAL LANDSCAPED/GREEN AREA = 21 PERCENT PERVIOUS
- Building Setbacks As Delineated
- Min Setbacks Per PD = Side 0', Side Street 6', Front 10'.
- Landscape Buffer
 - Front Provided = 15 feet
 - Side provided = 5 feet
 - Rear provided = 5 feet
 - Stormwater Retention = Off Site Master Retention
- FAR = 0.11
- MAXIMUM BUILDING HEIGHT = 50', ACTUAL = 29' 6"
- SITE HAS A MASTER STORMWATER SYSTEM
- ALL UTILITIES ARE PROVIDED TO SITE FOR CONNECTION.
- ITE TRIP GENERATION- ITE Code 948. 415 Daily trips

SITE SUMMARY

- BUILDING A- EQUIPMENT ROOM - 120 SF
- BUILDING B- EQUIPMENT ROOM - 120 SF
- BUILDING C-VACUUM CONTROLS/STORAGE- 205 SF
- BUILDING D- OFFICE/TUNNEL/EQUIPMENT ROOM - 5,789 SF
- TOTAL BUILDING SF = 6,234 SF
- TOTAL PAVEMENT/SIDEWALK = 55,329 SF
- TOTAL SF = 61,563 SF = 79% IMPERVIOUS
- PARKING CALCULATIONS**
- PARKING REQUIRED = 1/300 SF OF BUILDING = 21 SPACES
- TOTAL PARKING PROVIDED = 25 SPACES

DATE	REVISION / SCALE

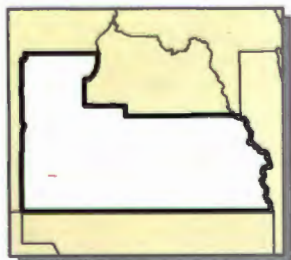
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Explosion of River

Landmark Survey
2018

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PROJECT
SWEETWATER CARWASH CHECKED LMP
DATE 2018
SCALE 1"=20'
SHEET C-3
SITE GEOMETRY PLAN



**Lakeside Village Center South PD
Lakeside Village Center South PSP
Sweetwater Car Wash DP**

