



Interoffice Memorandum

DATE: February 20, 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
Robert Grassman, Bowman Consulting
South Park Planned Development (PD) / Sand Lake Corners
Preliminary Subdivision Plan (PSP) / Development Plan (DP)
Case # CDR-16-07-238 / District 6

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of January 25, 2017, to approve a substantial change to the South Park PD / Sand Lake Corners Preliminary Subdivision Plan to add a 2,200 square foot coffee shop with drive through on 1.02 acres.

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.

ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the South Park Planned Development (PD) / Sand Lake Corners Preliminary Subdivision Plan (PSP) / Development Plan (DP) dated "Received December 29, 2016", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 6

JVW/JS/lme
Attachments

CASE # CDR-16-07-238

Commission District # 6

1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of January 25, 2017, to approve a substantial change to the South Park PD / Sand Lake Corners Preliminary Subdivision Plan to add a 2,200 square foot coffee shop with drive through on 1.02 acres.

2. PROJECT ANALYSIS

- A. Location: South of Sand Lake Road / East of South John Young Parkway
- B. Parcel ID: 33-23-29-7457-04-001
- C. Total Acres: 53.34 (entire PSP) / 1.02 (affected area)
- D. Water Supply: Orlando Utilities Commission
- E. Sewer System: Orange County Utilities
- F. Schools: N/A
- G. School Population: N/A
- H. Parks: N/A
- I. Proposed Use: 2,200 Square Foot Coffee Shop with Drive-Through
- J. Site Data: Maximum Building Height: 19'
Building Setbacks:
50' Front
10' Side
10' Rear
- K. Fire Station: 52 – 4765 West Sand Lake Road
- L. Transportation: 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 approval of the plat.

Nothing in the decision to approve this preliminary subdivision plan / 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.

3. COMPREHENSIVE PLAN

The subject property has an underlying Future Land Use Map (FLUM) designation of Industrial (IND). This project was initially approved as a part of the Orlando Central Park PD, which was issued a State "Binding Letter of Interpretation" that recognized commercial as a permitted use. Therefore, the proposed request is consistent with the Comprehensive Plan.

4. ZONING

PD (Planned Development) (South Park PD)

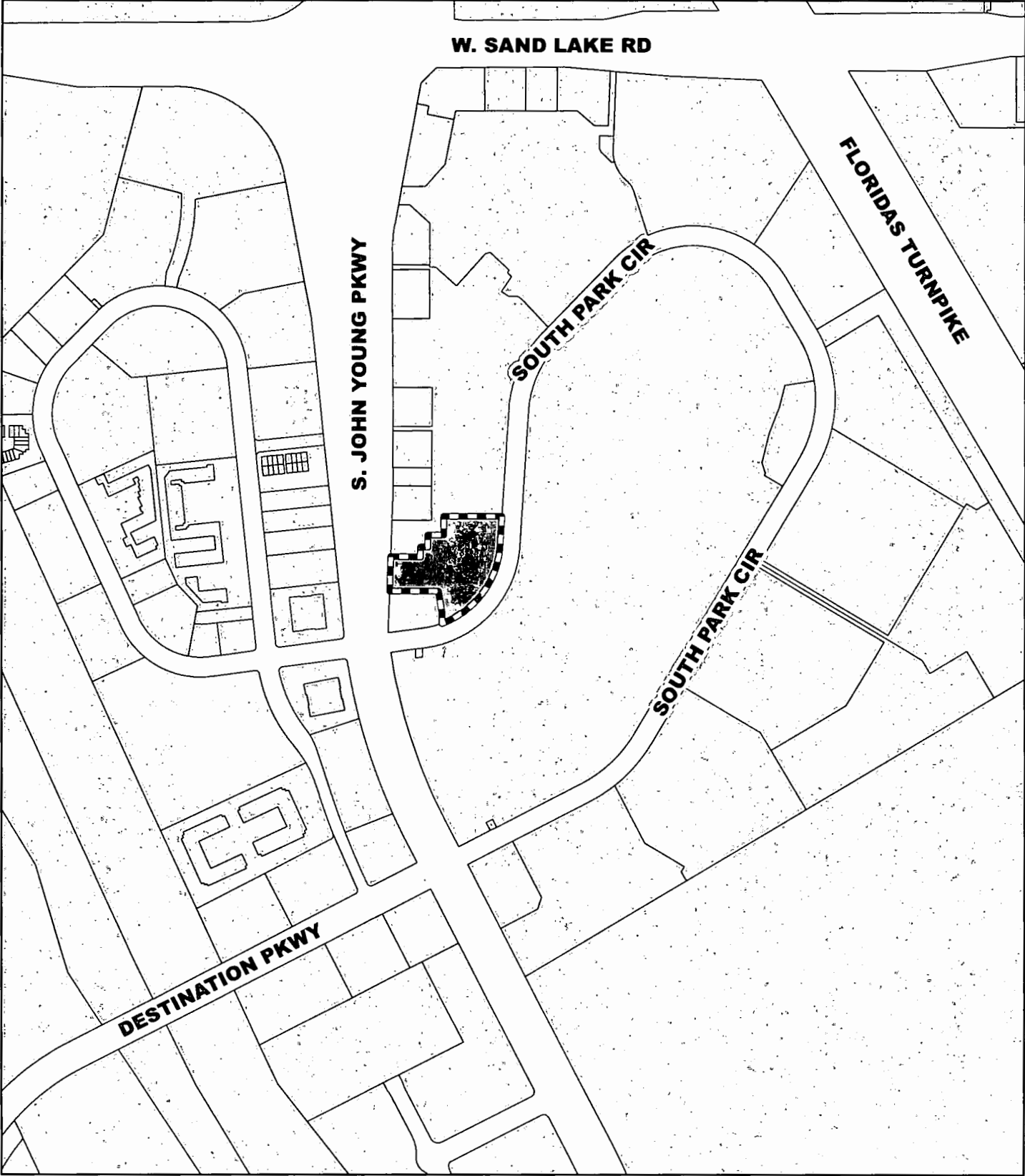
5. REQUESTED ACTION:

Approval subject to the following conditions:

1. Development shall conform to the South Park Planned Development; Orange County Board of County Commissioners (BCC) approvals; Sand Lake Corners Preliminary Subdivision Plan; BCC approvals; Starbucks - Sand Lake Development Plan dated "Received December 29, 2016" 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. 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.
7. Prior to construction plan approval, documentation must be provided certifying that this project has the legal right to tie into the master drainage system.

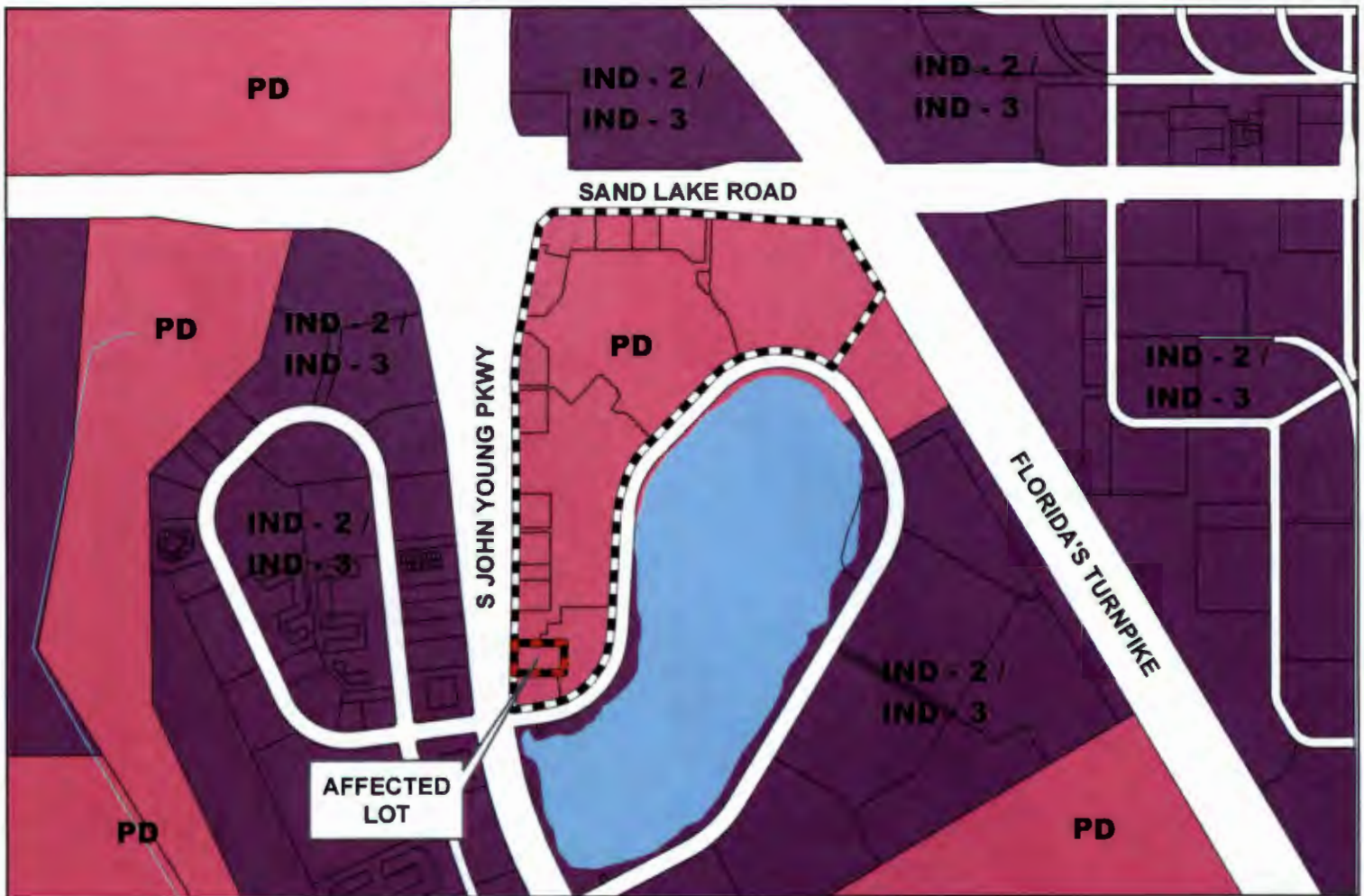
8. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to issuance of the initial certificate of occupancy. Nothing in this 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.
9. 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.
10. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing wastewater systems have been designed to support all development within the PD.
11. Signage shall comply with the Master Sign Plan (MSP). New billboards and pole signs shall be prohibited.
12. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated October 28, 2007, shall apply:
 - a. Orange County will not own, operate, or maintain on-site wastewater systems.
 - b. Section 34-152 (a) (c) concerning lot size and access are waived to allow Tracts B-1 and D-1 as freestanding unoccupied automatic teller machines.
 - c. Waiver of Section 38-1772 to allow a zero-foot side yard setback in lieu of ten feet (10') between Tract B and D is granted. Waiver is granted to facilitate ownership pattern and will not affect adjacent property owners.



Subject Property



1 inch = 667 feet



 Subject Property



 Subject Property

Zoning

ZONING: PD (Planned Development District)
(South Park PD)

APPLICANT: Robert Grassman,
Bowman Consulting

LOCATION: South of Sand Lake Road /
East of South John Young Parkway

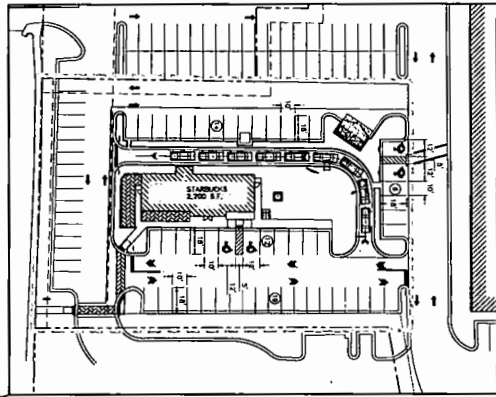
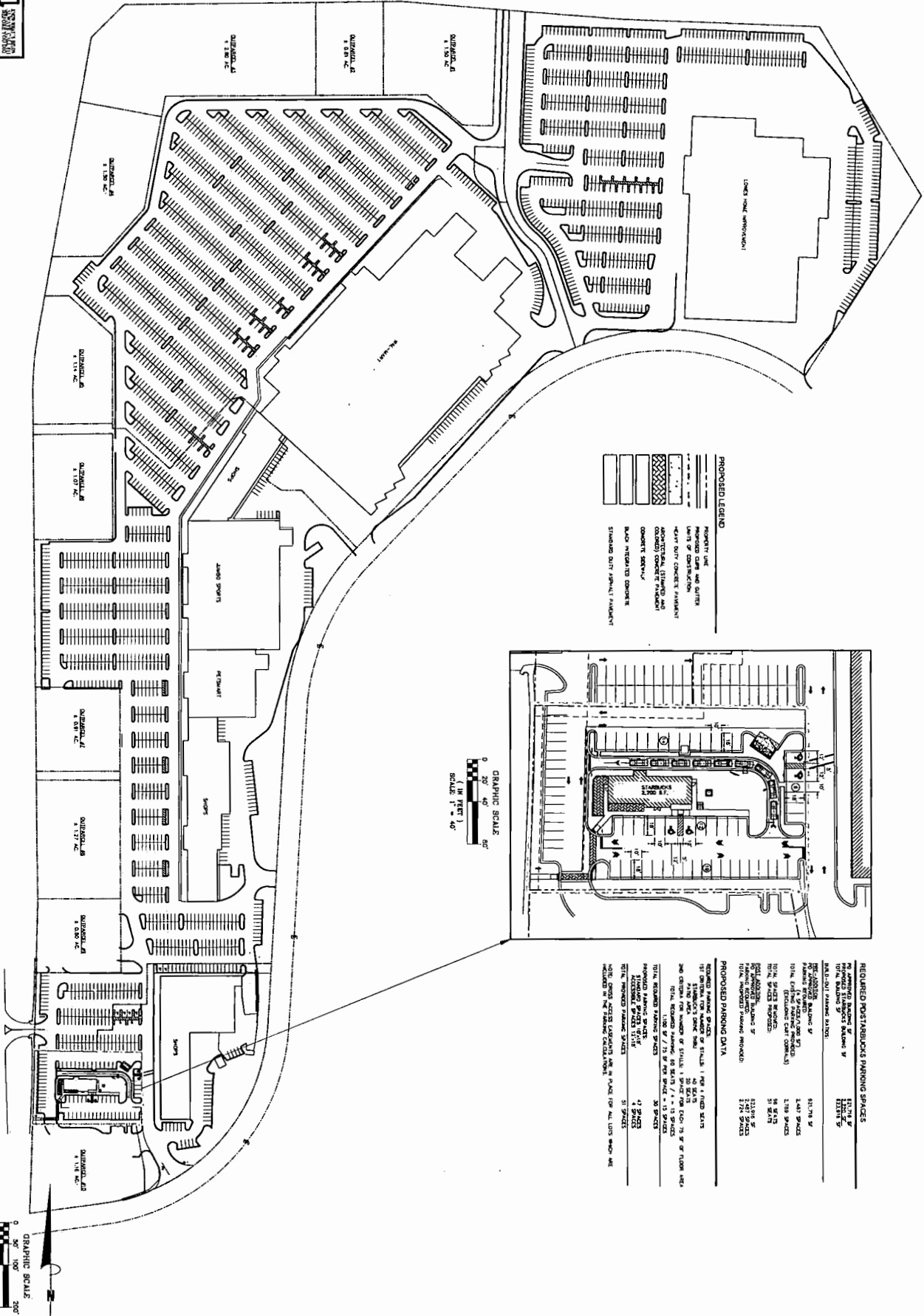
TRACT SIZE: 1.02 (affected lot only)

DISTRICT: #6

S/T/R: 33/23/29

1 inch = 1,000 feet





REQUIRED POSTBACKS PARKING SPACES

TYPE OF BUILDING	MINIMUM REQUIRED SPACES	RECOMMENDED SPACES
OFFICE BUILDING	1.00 SPACES PER 1,000 SQ. FT.	1.00 SPACES PER 1,000 SQ. FT.
RETAIL BUILDING	1.00 SPACES PER 1,000 SQ. FT.	1.00 SPACES PER 1,000 SQ. FT.
RESTAURANT	1.00 SPACES PER 1,000 SQ. FT.	1.00 SPACES PER 1,000 SQ. FT.
AMUSEMENT BUILDING	1.00 SPACES PER 1,000 SQ. FT.	1.00 SPACES PER 1,000 SQ. FT.
THEATER BUILDING	1.00 SPACES PER 1,000 SQ. FT.	1.00 SPACES PER 1,000 SQ. FT.
CONVENTION CENTER	1.00 SPACES PER 1,000 SQ. FT.	1.00 SPACES PER 1,000 SQ. FT.
STADIUM	1.00 SPACES PER 1,000 SQ. FT.	1.00 SPACES PER 1,000 SQ. FT.
OTHER BUILDINGS	1.00 SPACES PER 1,000 SQ. FT.	1.00 SPACES PER 1,000 SQ. FT.

PROPOSED PARKING DATA

TYPE OF PARKING	NUMBER OF SPACES	PERCENTAGE OF TOTAL
STANDARD DUTY ASPHALT	1,000	40.0%
HEAVY DUTY CONCRETE	1,000	40.0%
ASPHALT DRIVEWAYS AND SIDEWALKS	1,000	40.0%
CONCRETE DRIVEWAYS	1,000	40.0%
BLACK TOP DRIVEWAYS	1,000	40.0%
STANDARD DUTY ASPHALT PAVEMENT	1,000	40.0%

DEVELOPMENT PLAN
STARBUCKS - SAND LAKE ROAD
8421 S. JOHN YOUNG PARKWAY
ORLANDO, FL 32819
CITY OF ORLANDO ORANGE COUNTY

Bowman Consulting Group, Ltd.
4450 W. Eau Claire Blvd.
Suite 202
Melbourne, FL 32934
Phone: (321) 255-7771
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www.bowmanconsulting.com

Bowman
CONSULTING

Certificate of Authorization License No. 30482

ANDERSON, J. REEDSON
LOCUS NO. 75483
PLAN STAFFS

DATE: 12/18/2018
SCALE: 1" = 100'

DP-1



South Park PD / Sand Lake Corners PSP / DP

