

Applicant/Owner: John McCutcheon, CASCO, Inc. / International Paper

Location: 711 E. Lancaster Rd.; Generally located north of E. Lancaster Rd., east of Anno Ave., south of E. Oak Ridge Rd., west of S. Orange Ave.

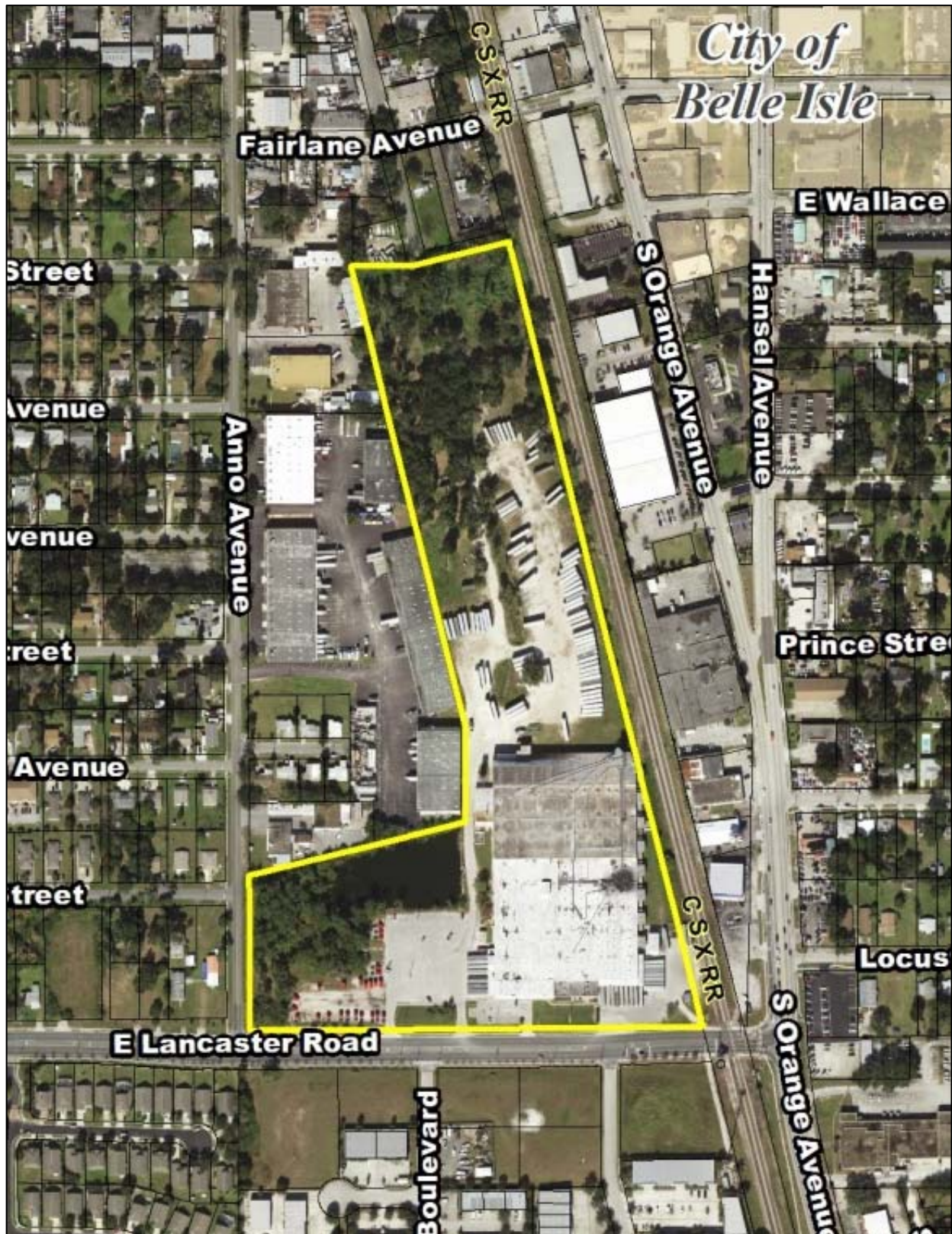
Existing Use: 224,144 sq. ft. of warehousing and office

Parcel ID Number:
24-23-29-8680-31-000

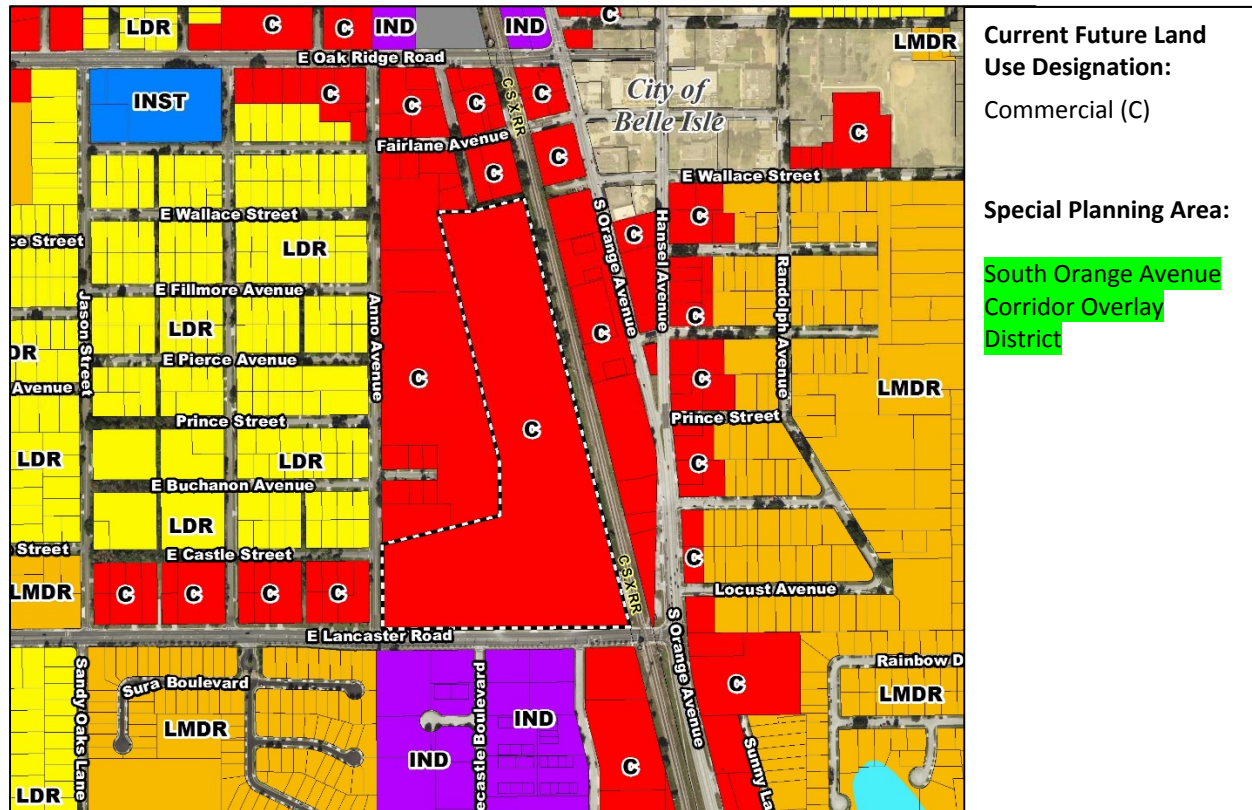
Tract Size: 25.52 gross acres

The following meetings and hearings have been held for this proposal:			Project Information	
Report/Public Hearing		Outcome	Future Land Use Map Amendment: From Commercial (C) to Industrial (IND)	
✓	Community Meeting held April 26, 2017; 3 attendees. See public notification map for notice area	Neutral	Concurrent Rezoning: From C-3 (Wholesale Commercial) to I-1/I-5 (Industrial District)	
✓	Staff Report	Recommend Transmittal	Proposed Development Program: The Industrial (IND) future land use permits a FAR of 0.75 or up to 833,085 square feet of development	
✓	LPA Transmittal June 15, 2017	Recommend Transmittal (8-0)	Public Facilities and Services: Please see the Public Facilities Analysis Appendix for specific analysis on each public facility.	
✓	BCC Transmittal July 11, 2017	Transmit (6-0)	Environmental: The site is the location of ongoing waste cleanup. A CAD is required prior to construction in the undeveloped vegetated areas.	
✓	Agency Comments August 2017	No comments	Transportation: Site is within the Alternative Mobility Area (AMA) and the proposed amendment will result in a reduction of pm peak hour trips by 4,825 trips.	
✓	LPA Adoption October 19, 2017	Recommend Adoption (9-0)		
✓	PZC Rezoning October 19, 2017	Recommend Approval, subject to four restrictions (9-0)		
BCC Adoption BCC Rezoning Hearing		November 14, 2017		

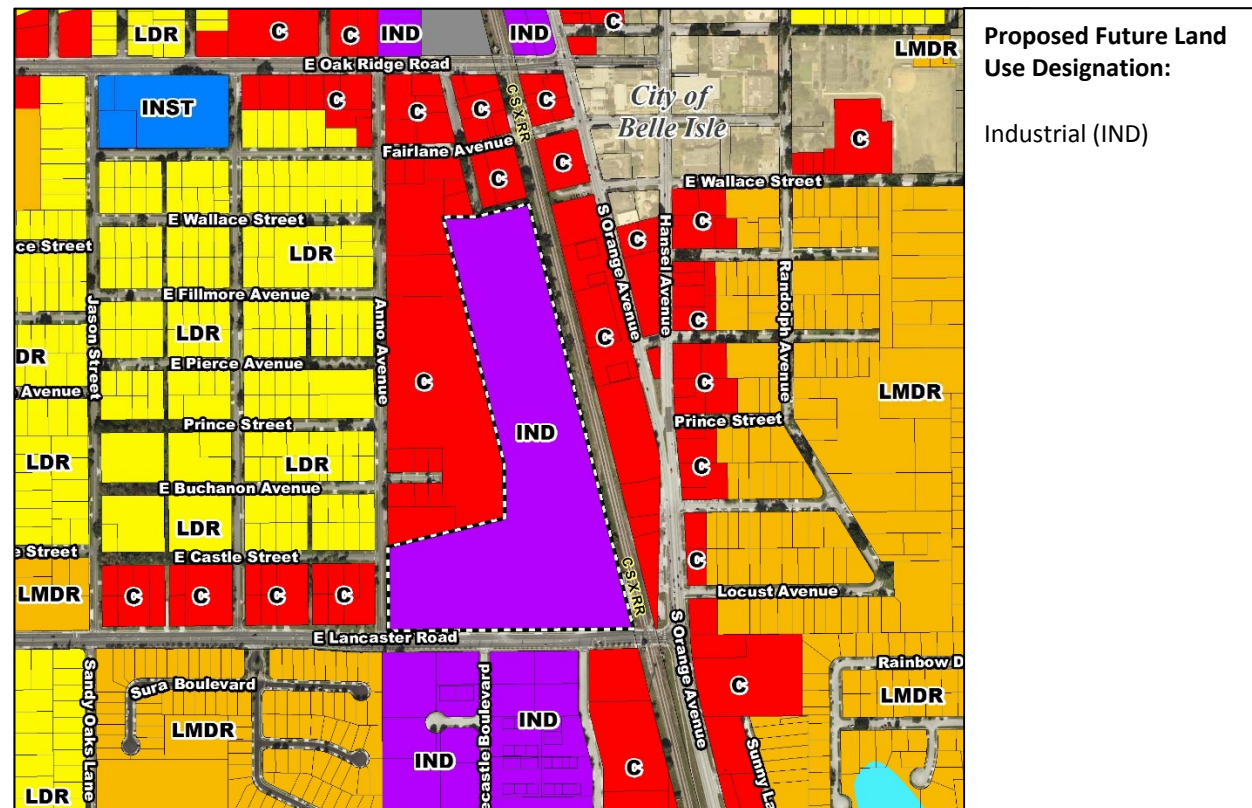
SITE AERIAL



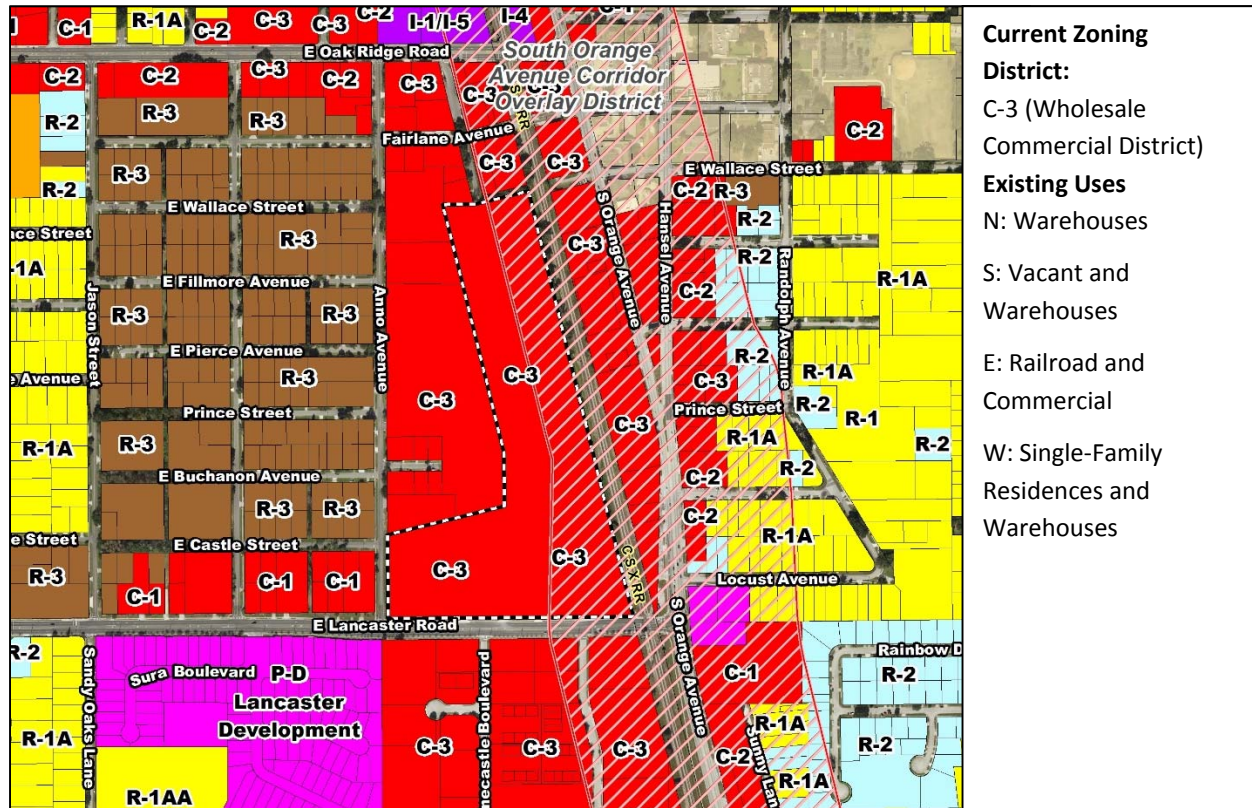
FUTURE LAND USE - CURRENT



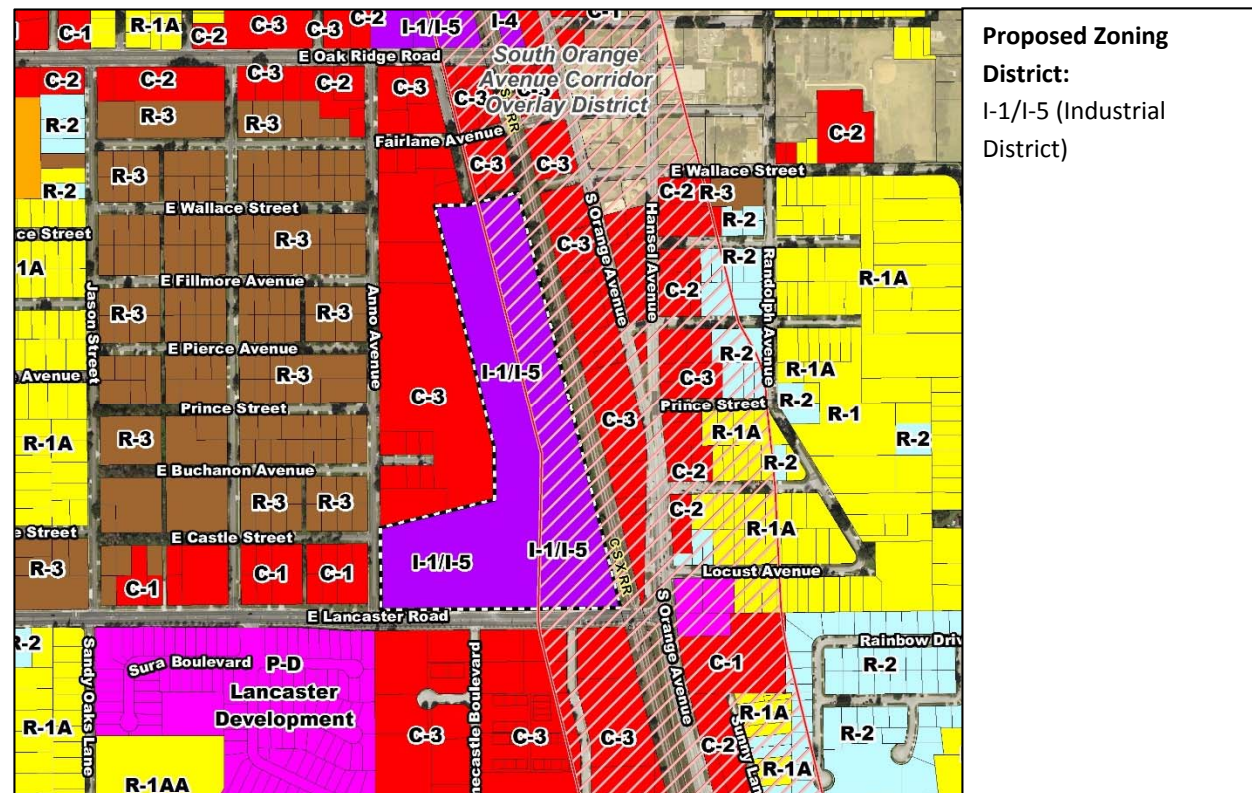
FUTURE LAND USE - AS PROPOSED



ZONING – CURRENT



ZONING – PROPOSED



Staff Recommendation

If the requested Future Land Use Map Amendment is approved, the Board would then need to take action on the requested rezoning. These items need to be addressed as two separate motions by the Board. Below are the staff recommendations for each of these items.

1. **FUTURE LAND USE MAP AMENDMENT:** Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Element objective OBJFLU1.4 and policies FLU1.4.16, FLU1.4.18, FLU1.4.21, FLU1.4.24, FLU1.4.25, FLU8.2.1, FLU8.2.11), determine that the amendment is in compliance, and **ADOPT** Amendment 2017-2-A-3-1, Commercial (C) to Industrial (IND).
2. **REZONING REQUEST:** Make a finding of **consistency** with the Comprehensive Plan and **APPROVE** of the I-1/I-5 (Industrial District) zoning, subject to the following restrictions:
 1. New billboard and pole signs shall be prohibited;
 2. Vehicular access shall be restricted to E. Lancaster Road only; and
 3. The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping) prior to the expansion of any existing structures or new site improvements to accommodate I-1/I-5 uses; and
 4. The applicant shall provide enhanced landscaping along the western property line along Anno Avenue.

Analysis

1. Background Development Program

The applicant, John McCutcheon, CASCO, Inc., has requested to change the Future Land Use Map (FLUM) designation on the 25.52 gross-acre site from Commercial (C) to Industrial (IND). Concurrently, the applicant requests to rezone from C-3 (Wholesale Commercial District) to I-1/I-5 (Industrial District). The subject site is currently used to produce containerboard and according to the Orange County Property Appraiser, the site has been used for light manufacturing since 1955.

The applicant is proposing to expand the existing 223,100 sq. ft. facility owned by International Paper, which would occur in two phases: first, a thirty thousand square foot (30,000 sq. ft.) expansion on the north end of the building for roll stock storage and second, a forty thousand square foot (40,000 sq. ft.) finished goods expansion along the west side of the building.

The subject site is located along East Lancaster Road and is generally bounded by East Oak Ridge Road to the north, South Orange Avenue to the east, and Anno Avenue to the west. The CSX railroad is directly adjacent to the site with an spur that leads into the facility.

The site is located in an area characterized by a mix of industrial, commercial, and residential uses. Uses abutting the site to the north include an open storage yard and a mini-warehouse. To the east of the petitioned site is a rail road and commercial uses such as strip retail, a gun range, and a wholesale furniture warehouse. To the east, across from Lancaster Road is vacant land with and condominium warehouse spaces whose uses include boat repair, wholesale glass, commercial sales, and wholesale uses. Uses abutting the site to the northwest include manufacturing, wholesale distribution, and construction related businesses, such as roofing supplies, custom cabinets, and insulation. To the west of the site, along Anno Avenue, is a church and residential neighborhood. There are six (6) single-family residences approximately two hundred eighty-five feet (285') west from

the petitioned site that were built in 1957 and are zoned C-3 that directly abut uses permitted in the C-3 zoning district such as custom cabinet making and warehousing.

2. Project Analysis

Consistency

The requested FLUM Amendment appears to be consistent with the applicable goals, objectives, and policies of the Comprehensive Plan. The site is situated at the intersection of East Lancaster Road and South Orange Avenue and the CSX railroad. The site is located within an area characterized by a mix of active industrial, commercial, and residential development. The proposed FLUM Amendment to change the site from Commercial (C) to Industrial (IND) would bring the existing use into conformity with the site's future land use designation as well as permit the proposed seventy thousand square foot (70,000 sq. ft.) expansion.

Future Land Use **Objective FLU1.4** establishes location and development criteria of urban land uses to encourage compatibility on non-residential uses with existing neighborhoods. Policy **FLU1.4.21** encourages the use of land within the Urban Service Area for redevelopment to improve existing conditions on-site. The applicant is proposing to expand the existing facility to accommodate storage of raw and finished goods in order to eliminate the need for storing products off-site, which will reduce transportation impacts the existing facility has on local roadways.

Policy FLU1.4.16 supports the proposed FLUM Amendment by describing the appropriate location for industrial uses. Potentially incompatible land use designations, such as residential or neighborhood commercial, shall not be established adjacent to industrial land use designations. There are no residential or neighborhood/retail commercial zoning districts abutting the petitioned site, as the abutting properties are Commercial (C) future land use and C-3 (Wholesale Commercial District) zoning. As mentioned, there are existing residences within two hundred eighty-five feet (285') of the petitioned site, but these homes have existed since the facility opened. **Policies FLU1.4.24** and **FLU1.4.25** ensure the protection of residential areas through prohibiting industrial uses proximate to homes that produce or emit noises or noxious/hazardous wastes unless such impacts are mitigated and require appropriate design controls for each industrial district to ensure compatibility with surrounding area.

Policy FLU1.4.18 encourages the distribution of industrial areas throughout the Urban Service Area to reduce the journey to work, provide sufficient locations for industrial uses – particularly in existing corridors – and provide a variety of locations with different transportation accessibility opportunities. The petitioned site is located along East Lancaster Road and South Orange Avenue and is served by an existing rail line. Also, the petitioned site is located near established neighborhoods and is served by transit. LYNX bus route #11 South Orange Avenue/Orlando International Airport operates along South Orange Avenue. Bus stops are located approximately seven hundred feet (700') north and five hundred sixty feet (560') south of the petitioned site. This route also provides connections to the nearby SunRail station. Oak Ridge Road is north of the petitioned site and is served by LYNX bus routes #7 South Orange Avenue/Florida Mall, #8 West Oak Ridge Road/International Drive, and #42 International Drive/Orlando International Airport.

Compatibility

According to **Policy FLU8.2.1**, land use changes shall be compatible with existing development and the development trend in the area.

The subject site is located in an urbanized area characterized by active industrial and commercial businesses. **Policy FLU8.2.11** states compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it and other factors may be considered, such as design attributes, urban form, physical integration, and the project's function in the broader community. In the case of International Paper, this facility has been part of the urban fabric of the surrounding area since the 1950s and is not a nuisance business that emits noise or noxious waste.

At this time, the County is also working to implement a new vision for the Pine Castle community along the S. Orange Ave. corridor through designating the community as an Urban Center (Amendments 2017-2-B-FLUE-1 and 2017-2-B-FLUM-1). The intent is to transform the corridor into a walkable, mixed-use area that encourages redevelopment with flexible code standards. The new standards and future land use designations associated with the Urban Center designation support light industrial uses along the S. Orange Ave. corridor and would allow for the expansion of the International Paper facility. The Urban Center amendments are scheduled to be adopted out-of-cycle in December 2017 and January 2018.

3. Rezoning Analysis

SITE DATA

Adjacent Zoning	N:	C-3 (Retail Commercial District) (1959, 1962)
	E:	C-3 (Retail Commercial District) (1959)
	W:	C-1 (Retail Commercial District) (1960)
		C-3 (Retail Commercial District) (1962)
	S:	C-3 (Retail Commercial District) (1992)
Adjacent Land Uses	N:	Warehousing, Undeveloped Commercial
	E:	Industrial Park, Retail Commercial, Animal Boarding
	W:	Industrial Park, Warehousing
	S:	Undeveloped Commercial, Multi-Tenant Commercial

APPLICABLE I-1/I-5 (Industrial District) DEVELOPMENT STANDARDS

Minimum Floor Area: 500 sq. ft.

Maximum Floor Area Ratio: 0.75

Minimum Building Setbacks

Front:	35 feet
Rear:	25 feet (50 ft. when abutting residential districts)
Side:	25 feet (50 ft. when abutting residential districts)

PERMITTED USES

I-1 / I-5 (Industrial District) zoning is composed of lands and structures used primarily for the operation of general industrial uses.

Specific uses shall be identified by the letter "P" in the use table set forth in Section 38-77 of the Orange County Code. Permitted uses include, but are not limited to, religious institutions, warehouses, offices, contractors storage and offices, food processing and packaging; woodchipping, mulching, and composting; textile manufacturing; garment manufacturing; manufacturing of furniture and fixtures; manufacturing of medicinal chemicals and botanical products; manufacturing

of commercial and industrial machinery; motor vehicle assembly; boat manufacturing; aluminum recycling collection drop-off sites; community correction centers; juvenile correction homes; etc.

SPECIAL INFORMATION

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a Joint Planning Area.

Overlay District Ordinance

The subject property is located within the South Orange Avenue Corridor Overlay District.

Airport Noise Zone

The subject property is not located within an Airport Noise Zone.

Water / Wastewater / Reclaim

Existing service or provider

Water: Orlando Utilities Commission

Wastewater: Orange County Utilities 24inch gravity main located on E. Lancaster Road and an 8-inch gravity main located on Anno Avenue

Reclaimed: Orange County Utilities Not currently available

Schools

Orange County Pubic Schools (OCPS) did not comment on this case as it does not involve an increase in residential units or density.

Parks and Recreation

Orange County Parks and Recreation did not comment on this case as it does not involve an increase in residential units or density.

Code Enforcement

No code enforcement, special magistrate or lot cleaning issues on the subject property have been identified.

Specific Project Expenditure Report and Relationship Disclosure Forms

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

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.

3. Division Comments: Environmental, Public Facilities and Services Analysis

Environmental Protection Division

Prior to earthwork or construction in the undeveloped vegetated areas, contact the Orange County Environmental Protection Division (EPD) at 407-836-1400 to determine if a Conservation Area Determination (CAD) and/or Impact (CAI) permit is required, consistent with Orange County Code Chapter 15, Article X, Wetland Conservation Areas. Approval of this request does not authorize any direct or indirect encroachments into wetlands or buffer areas.

This site is the location of ongoing waste cleanup. No activity will be permitted on site that may disturb, influence or interfere with: areas of soil or groundwater contamination, any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division (EPD) of Orange County. For additional information, contact the FDEP Central District at 407-897-4100 with regard to Facility Site ID No. COM_27446.

Transportation Planning Division

The applicant is requesting to change 25.52 gross acres from Commercial use with a maximum development program of 3,334,953 sq. ft. to Industrial use with a maximum development program of up to 833,788 sq. ft. The requested amendment will result in a reduction of pm peak hour trips by 4,825 trips.

The subject property is located within the County's Alternative Mobility Area, and as such, development of the subject property will be subject to the requirements of Transportation Element Objective 2.3, particularly Policies T2.3.5 and T2.3.7. Per Objective T.2.3.2 of the County's comprehensive Plan, the proposed development is exempt from meeting transportation concurrency requirements.

In accordance with Policy 2.3.7 of the Comprehensive Plan, a Transportation Context Study was conducted to determine the availability of alternative modes of transportation in the area, the level of connectivity among the various modes including sidewalks, bicycle facilities and transit service. This information will be used to help identify system level and site level strategies that would enhance mobility and accessibility within a quarter mile radius of the project site. Based on LYNX's current bus schedule, transit service is available within a quarter mile walk distance of the project and there are 3 transit routes within a half mile of the subject property. Links # 11 and 18 operate along Orange Avenue, adjacent to the property and Link #7 operates along Oakridge Road, a half mile from the site. The area is well served by an interconnected network of public sidewalks and the proposed development will connect to the existing sidewalk network. There is no signed bicycle route/lane within the project impact area.

Final permitting of any development on this site will be subject to further review and approval by Transportation Planning, and the applicant may be required to include site level mobility enhancements on the development plan for this project.

4. Policy References

OBJ FLU1.4 **The following location and development criteria shall be used to guide the distribution, extent, and location of urban land uses, and encourage compatibility with existing neighborhoods as well as further the goals of the 2030 CP.**

- FLU1.4.16 The Future Land Use Map shall reflect appropriate locations for industrial use. Potentially incompatible land use designations, such as residential or neighborhood commercial, shall not be established adjacent to industrial land use designations. Proposed land use changes from industrial to residential or commercial shall be evaluated in the context of potential impacts to long-term viability of surrounding industrial uses and of freight transportation corridors included in the National Highway Freight Network or identified in state and regional freight plans, such as the Florida Department of Transportation's Freight Mobility and Trade Plan and the MetroPlan Orlando Regional Freight Study. Proposed industrial changes shall be evaluated relative to the need to maintain adequate industrial sites to serve the projected market demand, freight movement and efficiency, and corresponding needs for job creation and economic development.
- FLU1.4.18 The Future Land Use Map shall reflect a distribution of industrial areas throughout the Urban Service Area to reduce the journey to work, ensure efficient freight movement and operations, avoid large concentrations of freight traffic, provide adequate and sufficient locations for industrial uses – particularly in existing corridors and areas in proximity to Activity Centers – and provide a variety of locations with different transportation accessibility opportunities (such as arterials, limited-access highways, airports and railroad).
- FLU1.4.21 Orange County will encourage the use of vacant land within the Urban Service Area for redevelopment to improve existing conditions on-site.
- FLU1.4.24 Orange County shall not approve industrial uses that produce or emit noises, significant vibrations or noxious/hazardous wastes/fumes resulting in adverse impacts to adjacent residential uses, unless such impacts are mitigated.
- FLU1.4.25 Orange County may require appropriate design controls for each industrial district such as, but not limited to, building setbacks, lot size building coverage ratios, impervious surface limitations and landscaping provisions to ensure industrial districts are compatible with surrounding areas.
- 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.
- 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 – Warehousing and Office



East – Strip Commercial

East – CSX Rail Road



West – Residential



West – Cabinet Manufacturing



West – Church



South - Warehousing



South - Warehousing

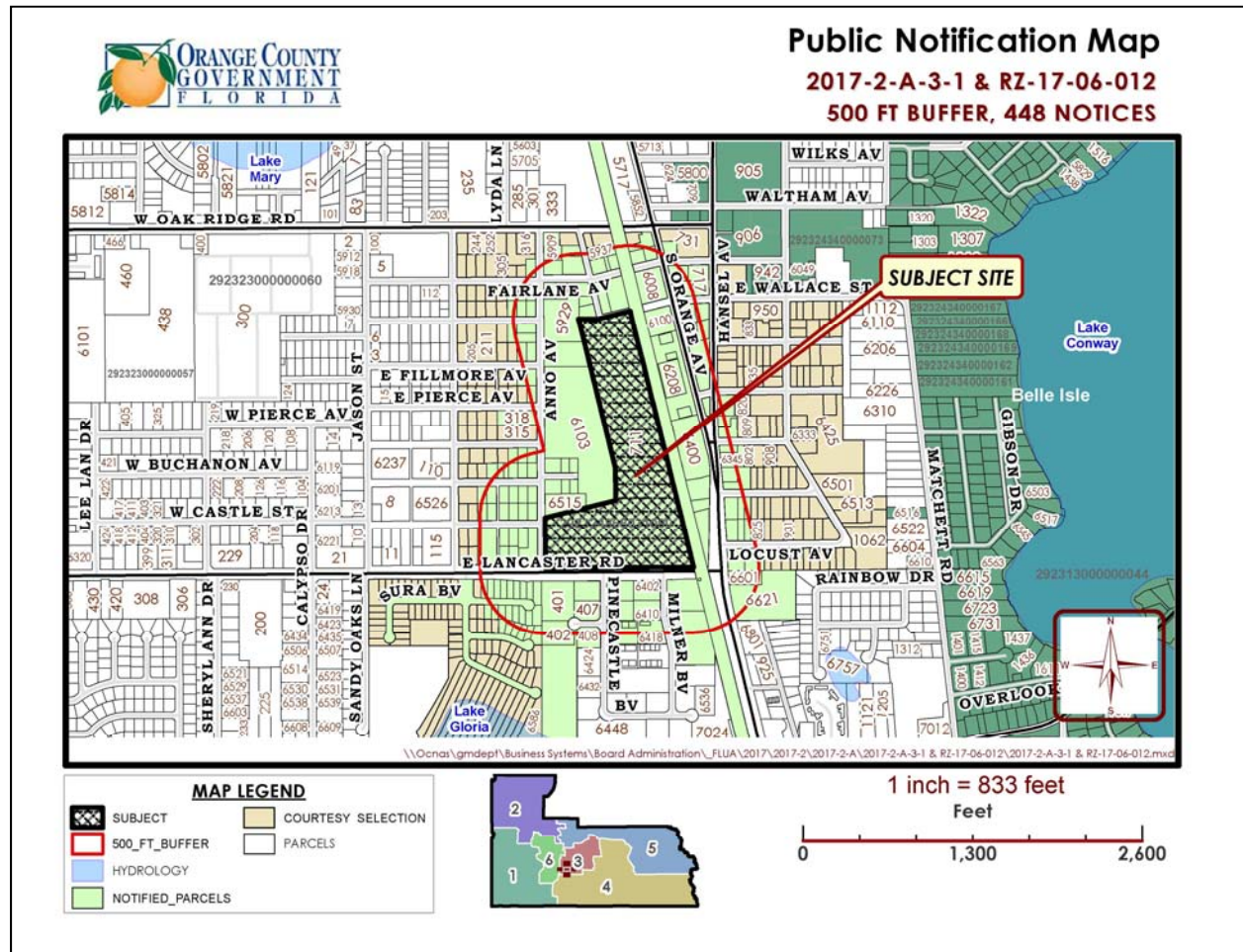


North – Self-Storage



North - Towing





Notification Area

500 ft. plus homeowner associations within a one (1) mile radius of the subject site

448 notices sent

