



Board of County Commissioners

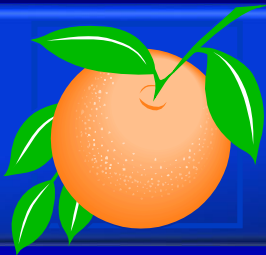
Public Hearings

August 21, 2018

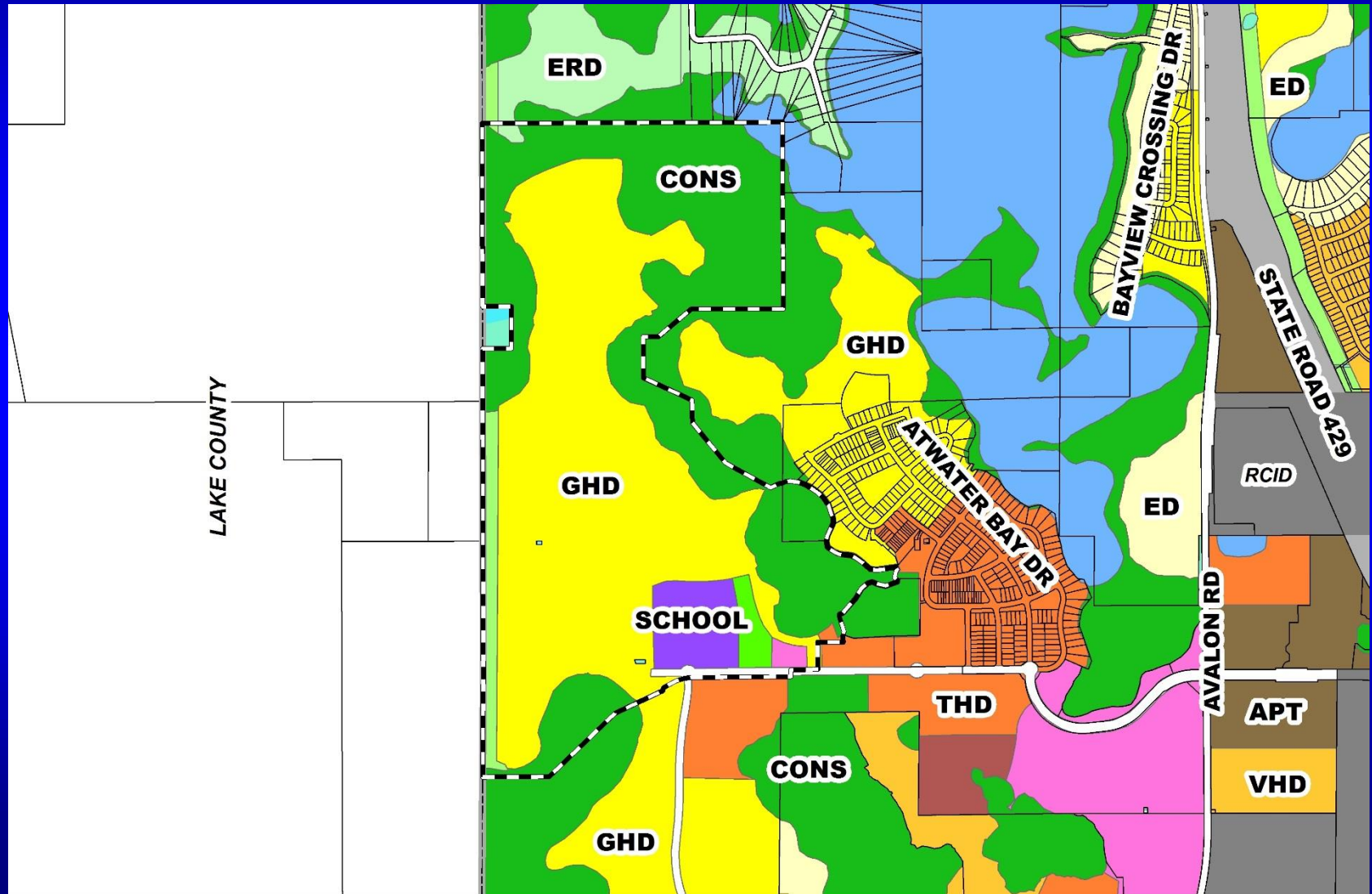


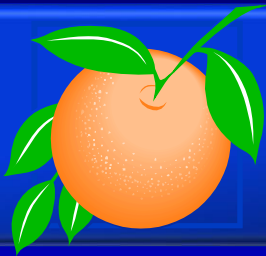
Waterleigh PD / Waterleigh Phase 3 Preliminary Subdivision Plan (PSP)

Case:	PSP-17-10-324
Project Name:	Waterleigh PD / Waterleigh Phase 3 PSP
Applicant:	Adam Smith, VHB, Inc.
District:	1
Acreage:	355.02 gross acres
Location:	West of Avalon Road / South of Old YMCA Road
Request:	<p>To subdivide 355.02 acres in order to construct 709 single-family attached and detached residential dwelling units.</p> <p>Additionally, two (2) waivers from Orange County Code are being requested to allow lots to front a new in lieu of a dedicated public paved street and to allow lots greater than 50' in width that face neighborhood squares to be front loaded in lieu of access from a rear alley or rear-yard garage.</p>

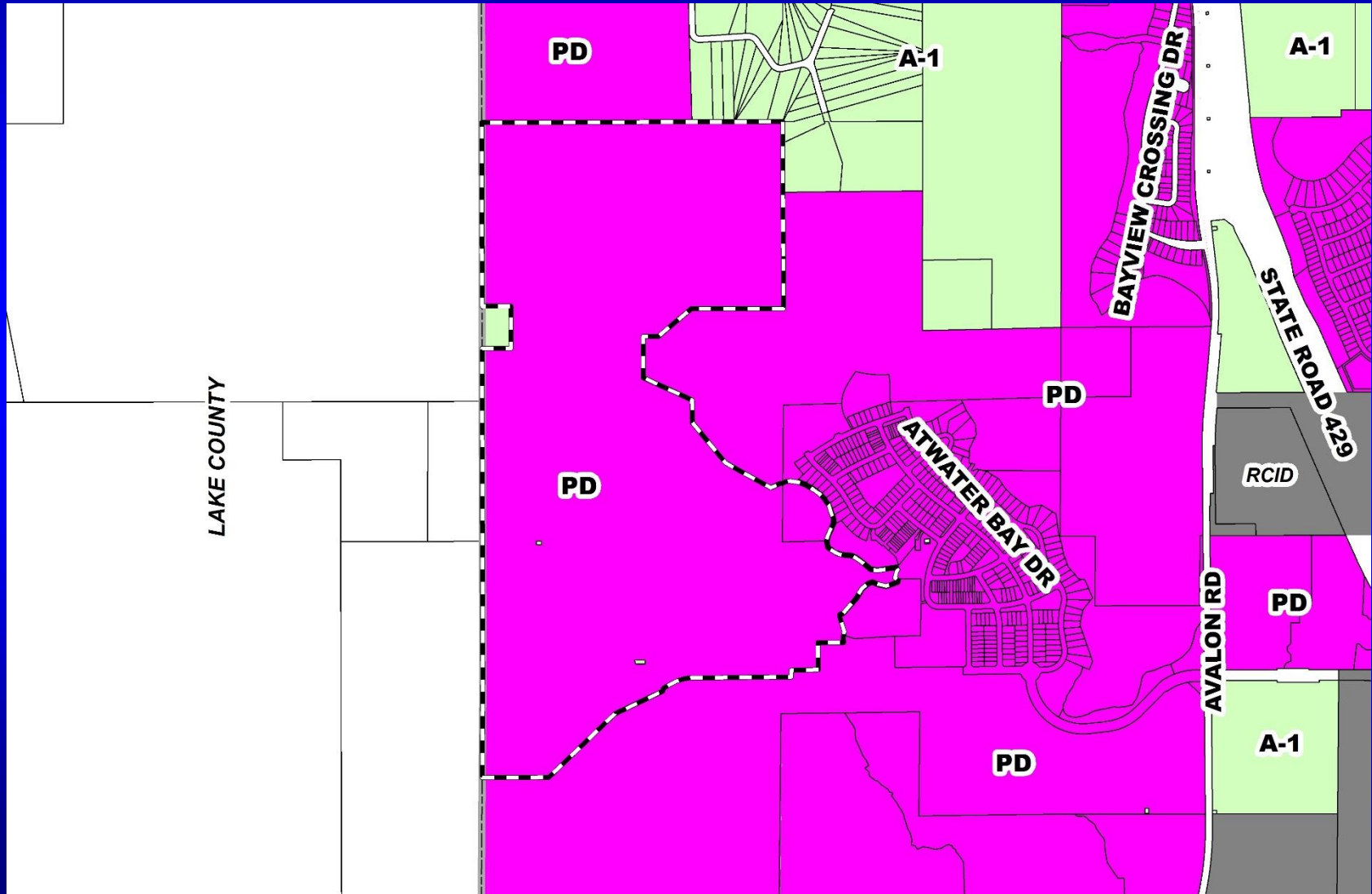


Waterleigh PD / Waterleigh Phase 3 Preliminary Subdivision Plan (PSP) Future Land Use Map





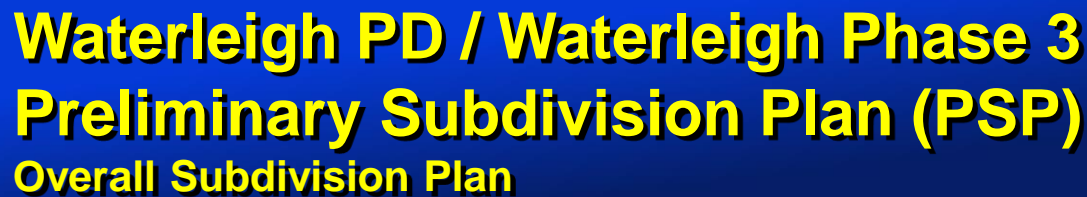
Waterleigh PD / Waterleigh Phase 3 Preliminary Subdivision Plan (PSP) Zoning Map





Waterleigh PD / Waterleigh Phase 3 Preliminary Subdivision Plan (PSP) Aerial Map







Action Requested

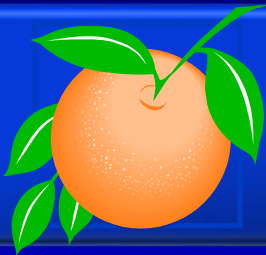
Make a finding of consistency with the Comprehensive Plan (CP) and approve the Waterleigh Planned Development / Waterleigh Phase 3 Preliminary Subdivision Plan dated “Received May 30, 2018”, subject to the conditions listed under the DRC Recommendation in the Staff Report.

District 1



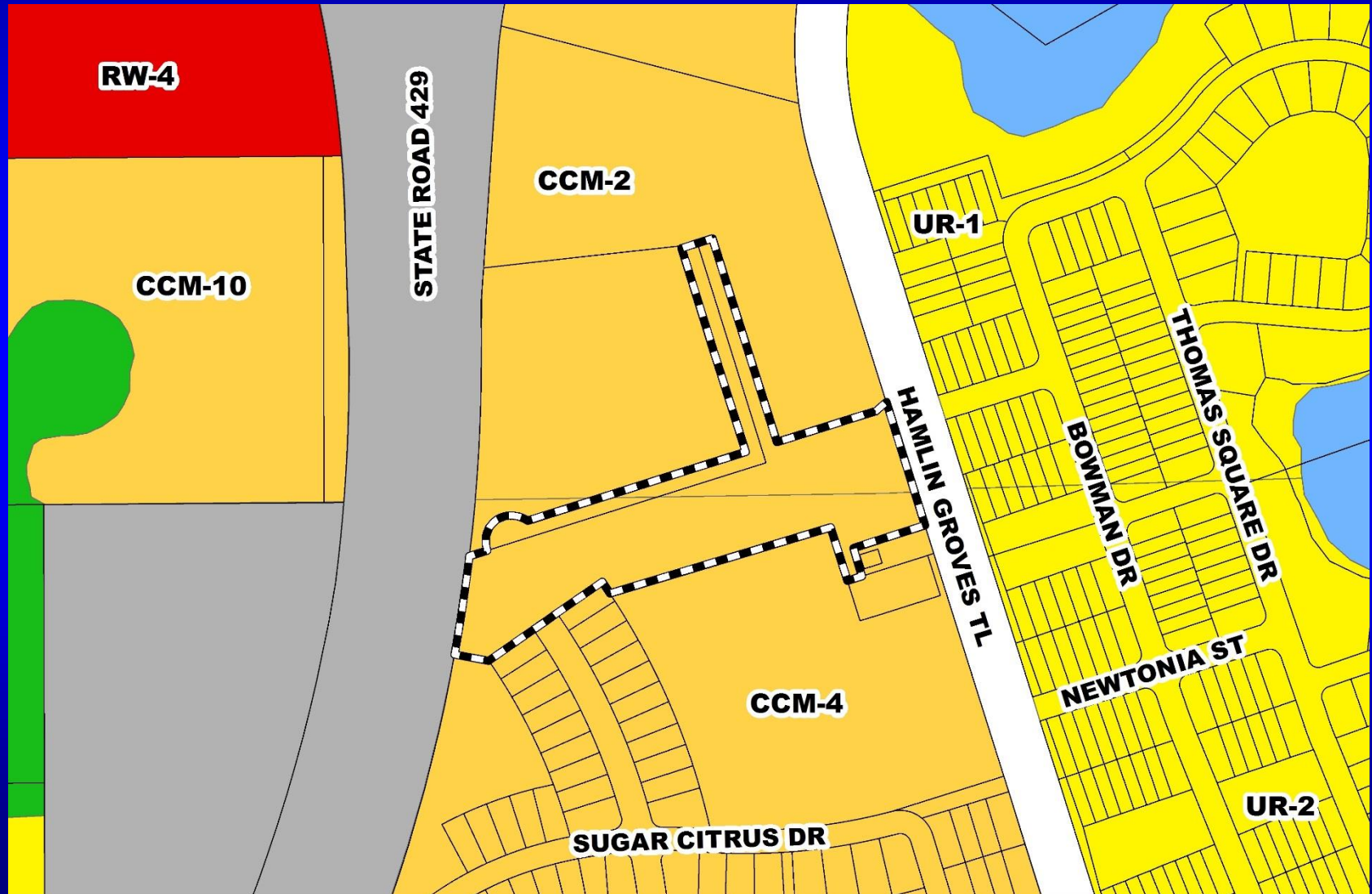
Hamlin PD / Hamlin Self Storage & Infrastructure for Lots 2A and 2B PSP / DP

Case:	PSP-17-03-080
Project Name:	Hamlin PD / Hamlin Self Storage & Infrastructure for Lots 2A and 2B PSP / DP
Applicant:	Scott Gentry, Kelly, Collins & Gentry, Inc.
District:	1
Acreage:	7.13 gross acres
Location:	West of Hamlin Groves Trail / South of New Independence Parkway
Request:	To subdivide 7.13 gross acres in order to create two lots, consisting of a 141,637 square foot self-storage facility on Lots 2A and infrastructure for Lots 2A and 2B.



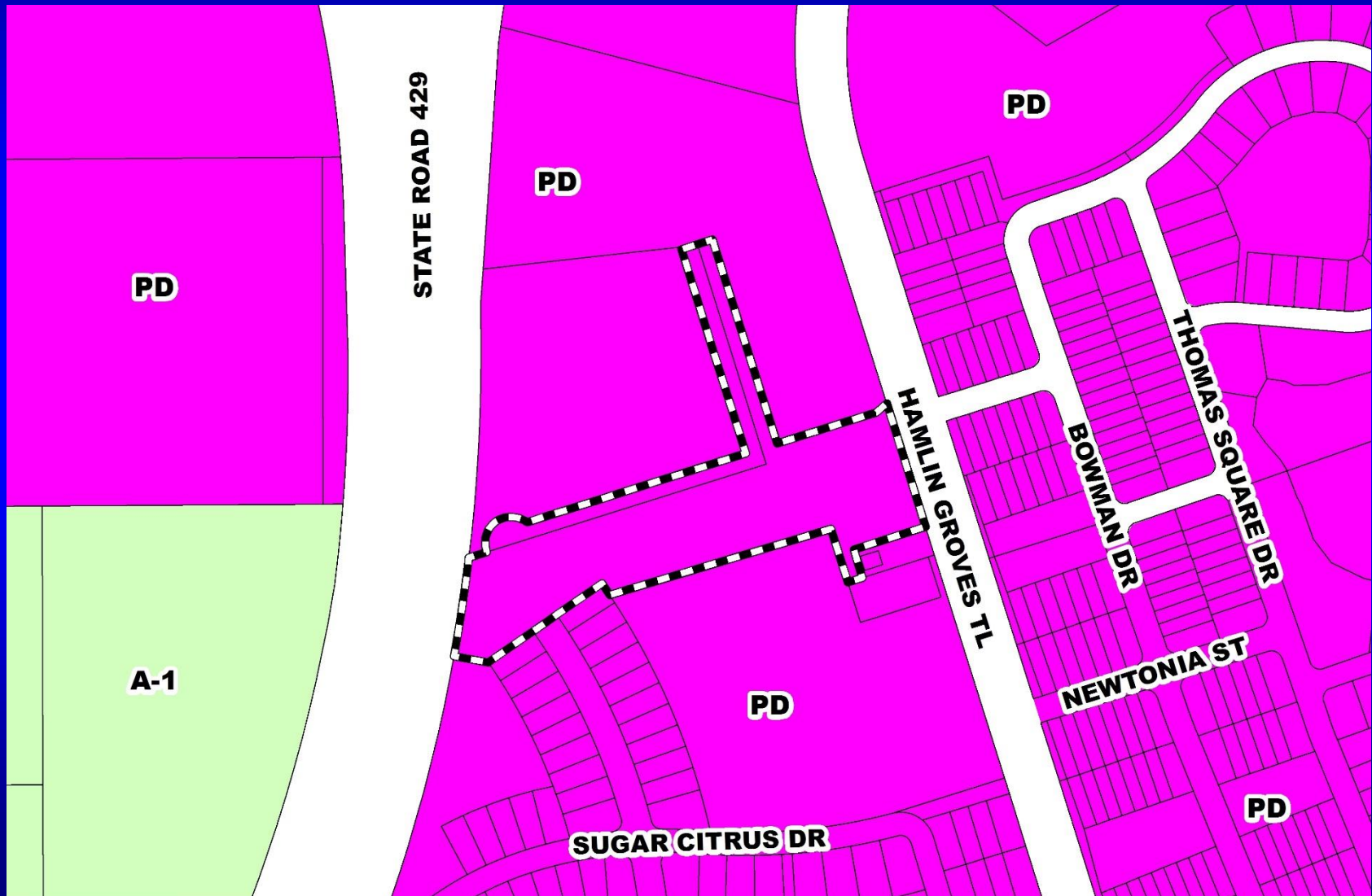
Hamlin PD / Hamlin Self Storage & Infrastructure for Lots 2A and 2B PSP / DP

Future Land Use Map





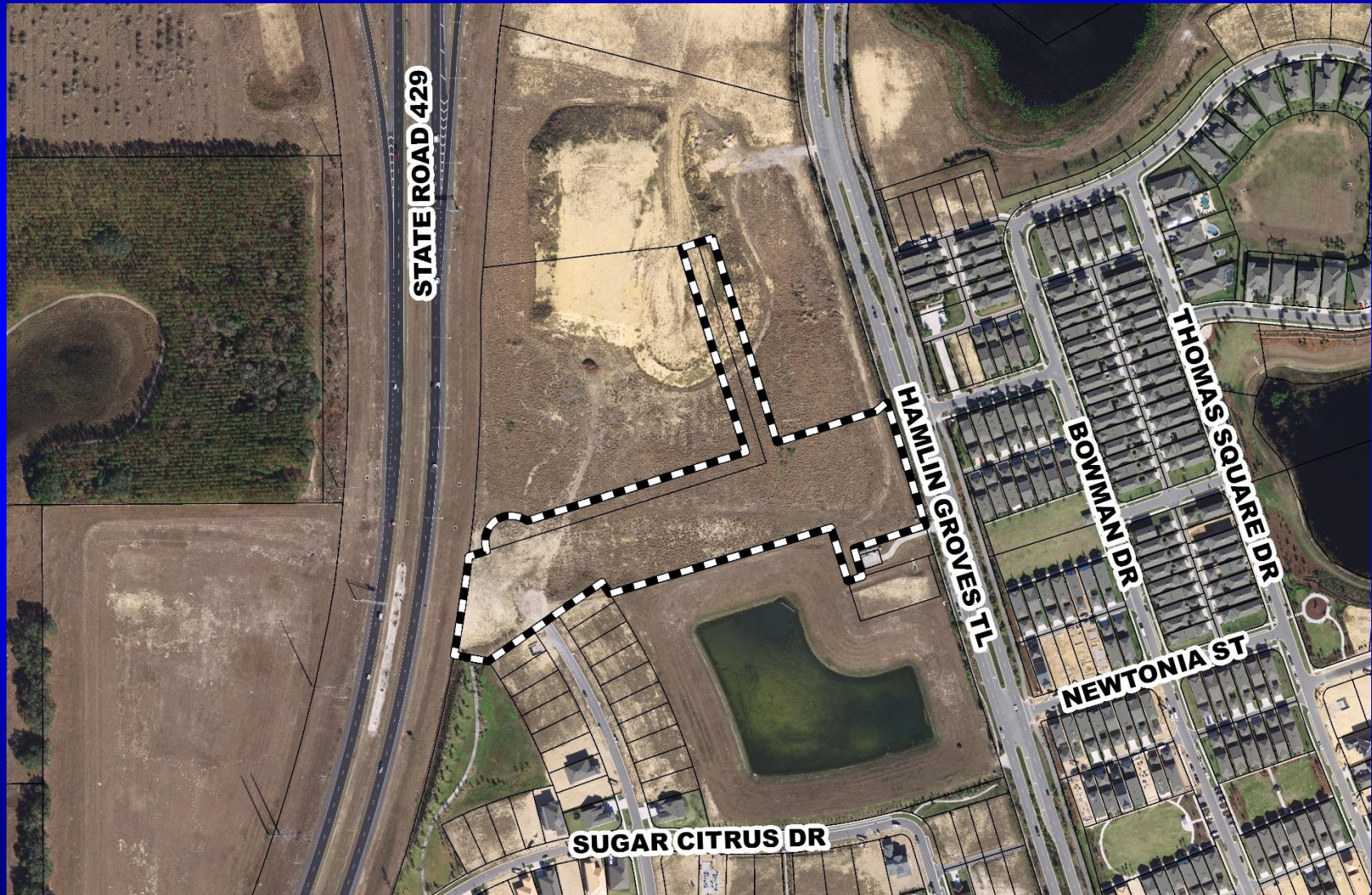
Hamlin PD / Hamlin Self Storage & Infrastructure for Lots 2A and 2B PSP / DP Zoning Map

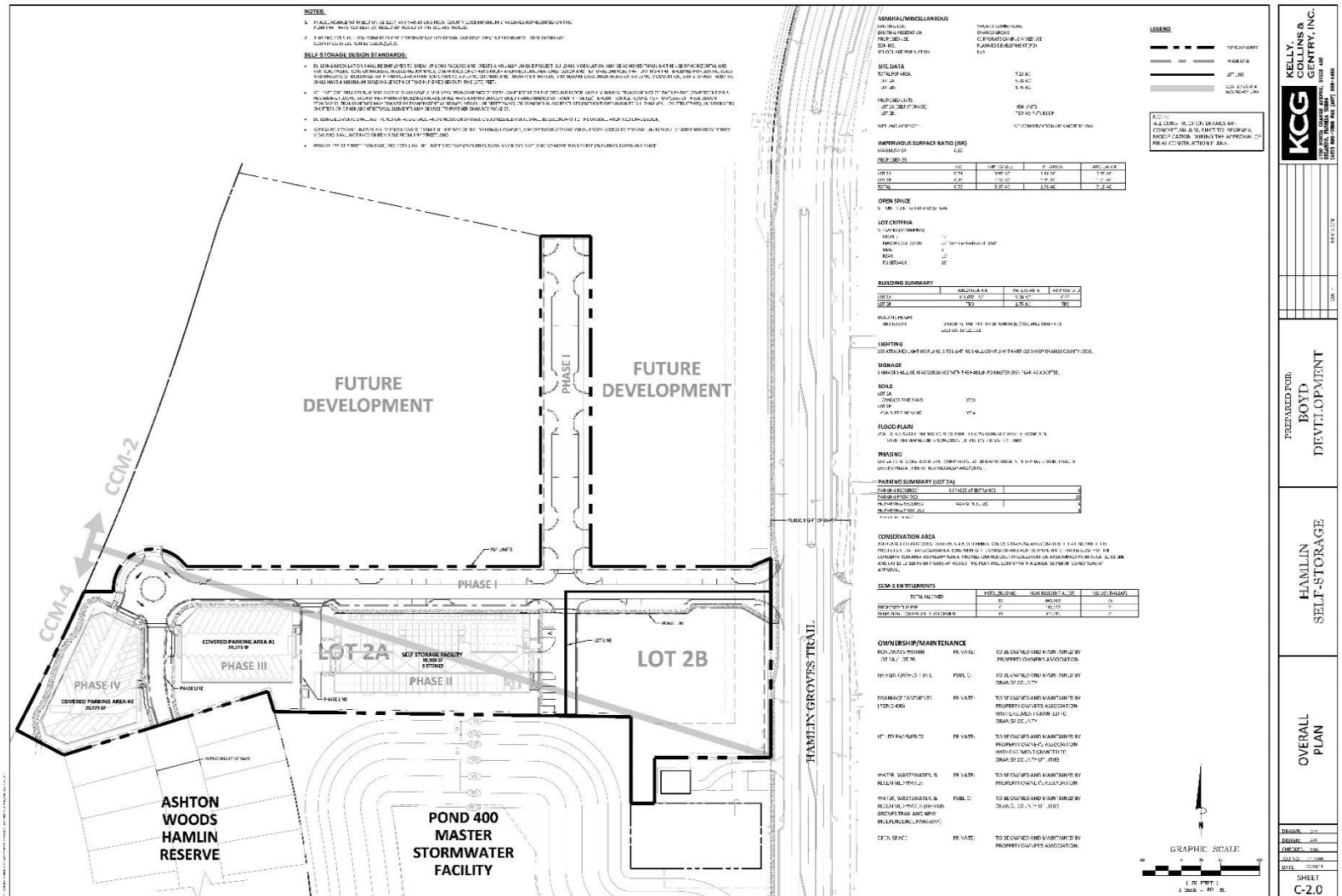




Hamlin PD / Hamlin Self Storage & Infrastructure for Lots 2A and 2B PSP / DP

Aerial Map



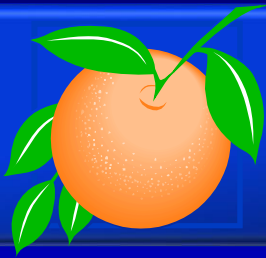




Action Requested

Make a finding of consistency with the Comprehensive Plan (CP) and approve the Hamlin PD - UNP / Hamlin Self Storage & Infrastructure for Lots 2A & 2B PSP / DP dated “Received June 19, 2018”, subject to the conditions listed under the DRC Recommendation in the Staff Report.

District 1



RZ-18-05-026 – Alison M. Yurko

PZC Board-Called Public Hearing

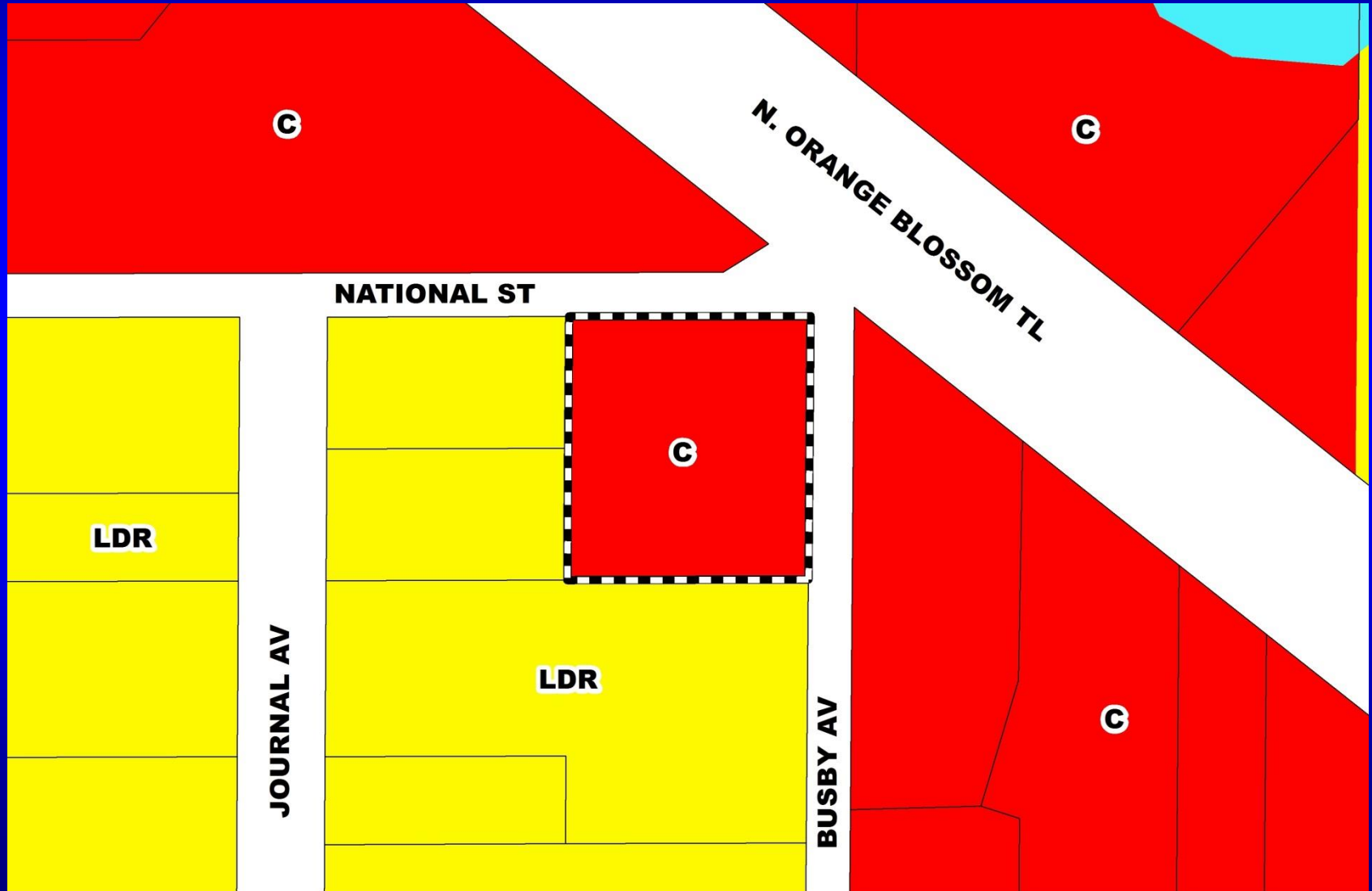
Case:	RZ-18-05-026
Applicant:	Alison M. Yurko
District:	2
Acreage:	0.475-gross acre
Location:	Generally on the southwest side of N. Orange Blossom Trail, south of National Street, and west of Busby Avenue (Formerly known as 6448 N. Orange Blossom Trail)
From:	C-1 (Retail Commercial District)
To:	C-2 (General Commercial District)
Proposed Use:	Development of C-2 commercial uses



RZ-18-05-026 – Alison M. Yurko

PZC Board-Called Public Hearing

Future Land Use Map

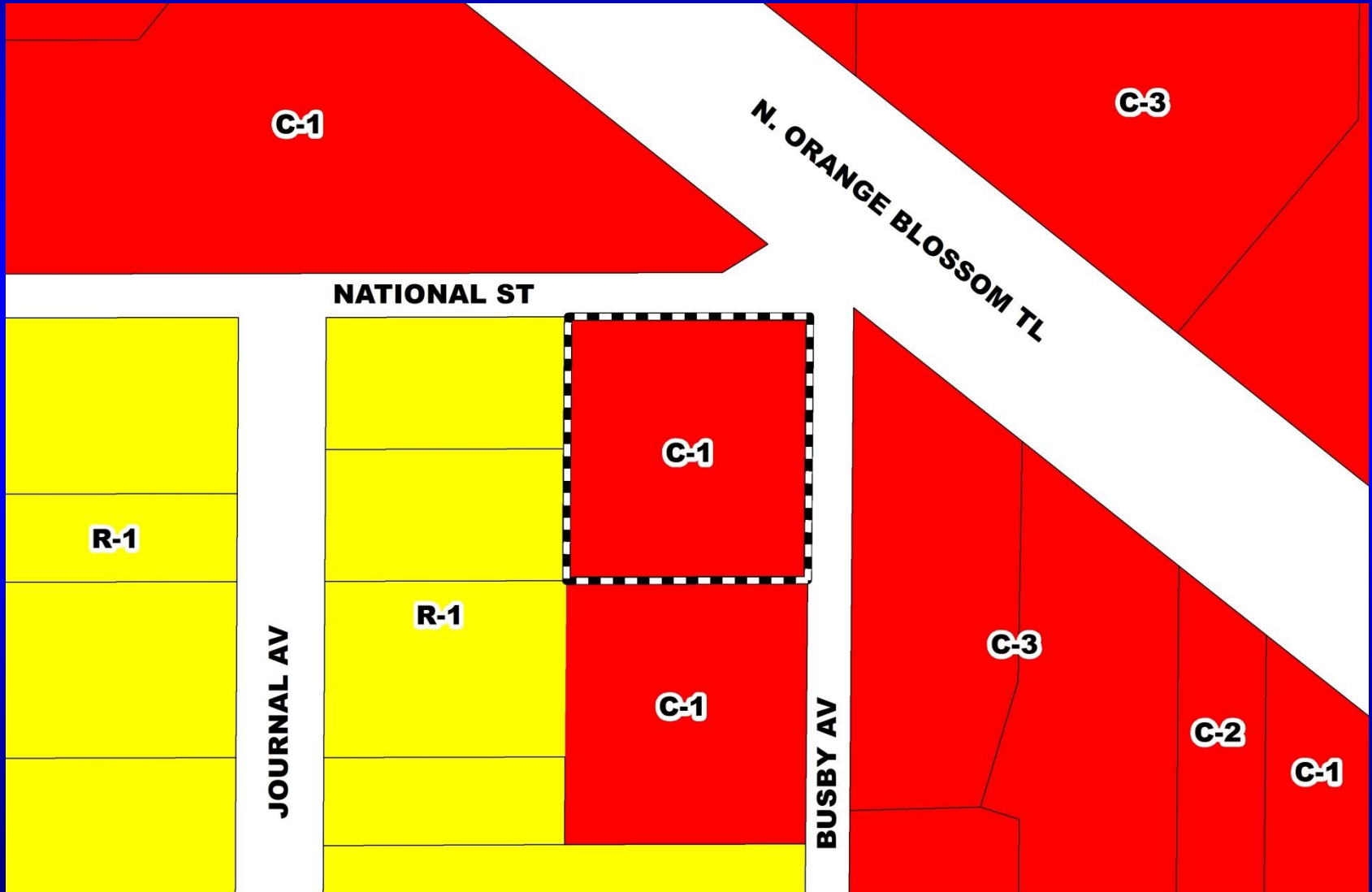


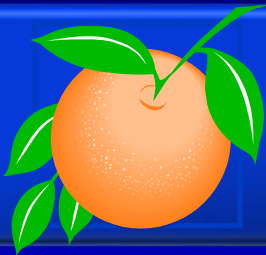


RZ-18-05-026 – Alison M. Yurko

PZC Board-Called Public Hearing

Zoning Map

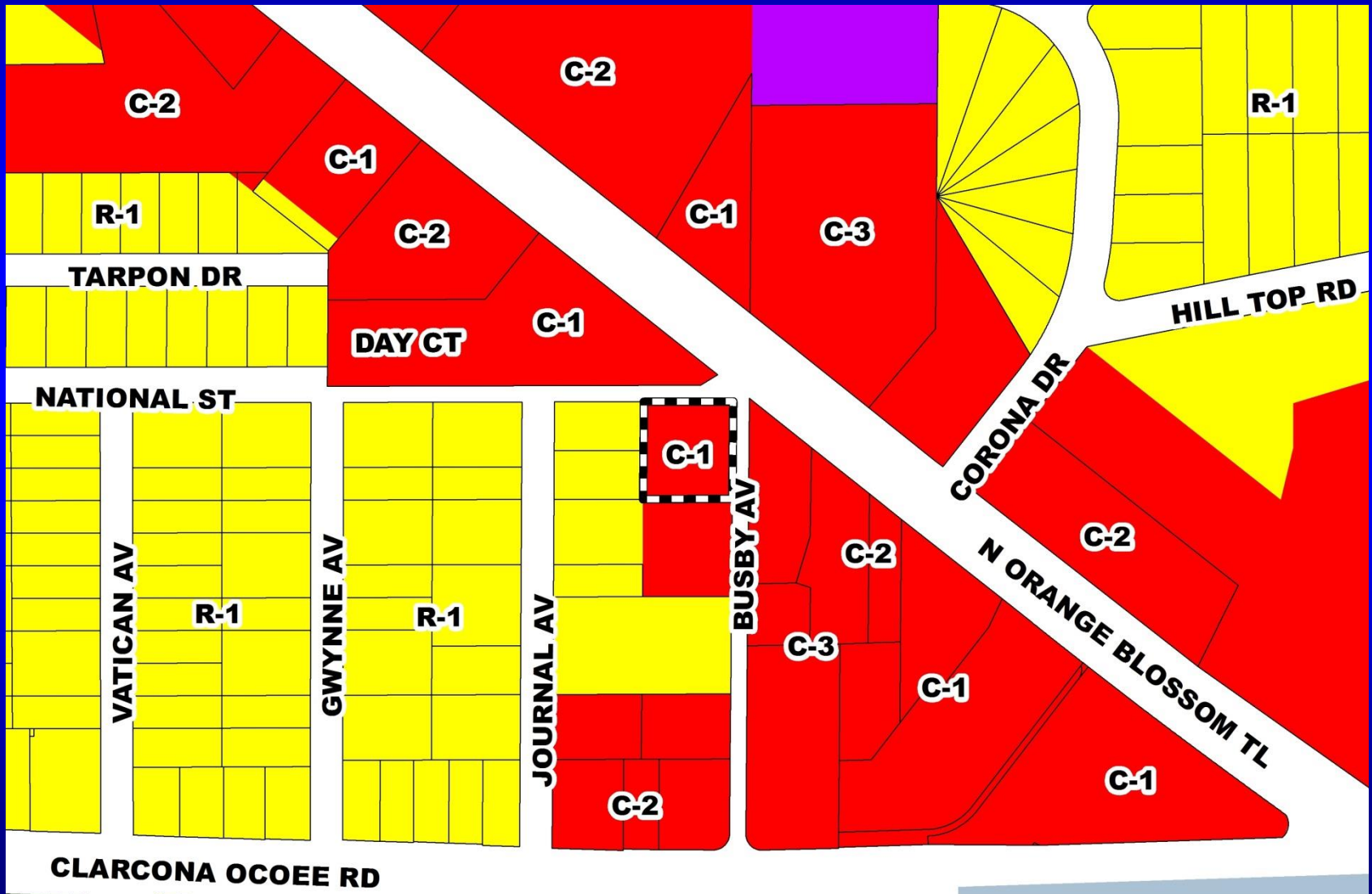




RZ-18-05-026 – Alison M. Yurko

PZC Board-Called Public Hearing

Expanded Zoning Map





RZ-18-05-026 – Alison M. Yurko

PZC Board-Called Public Hearing

Aerial Map



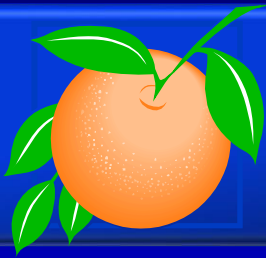


Action Requested

Planning and Zoning Commission Recommendation

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested C-2 (General Commercial District) zoning.

District 2



Sand Lake Plaza Planned Development / Land Use Plan

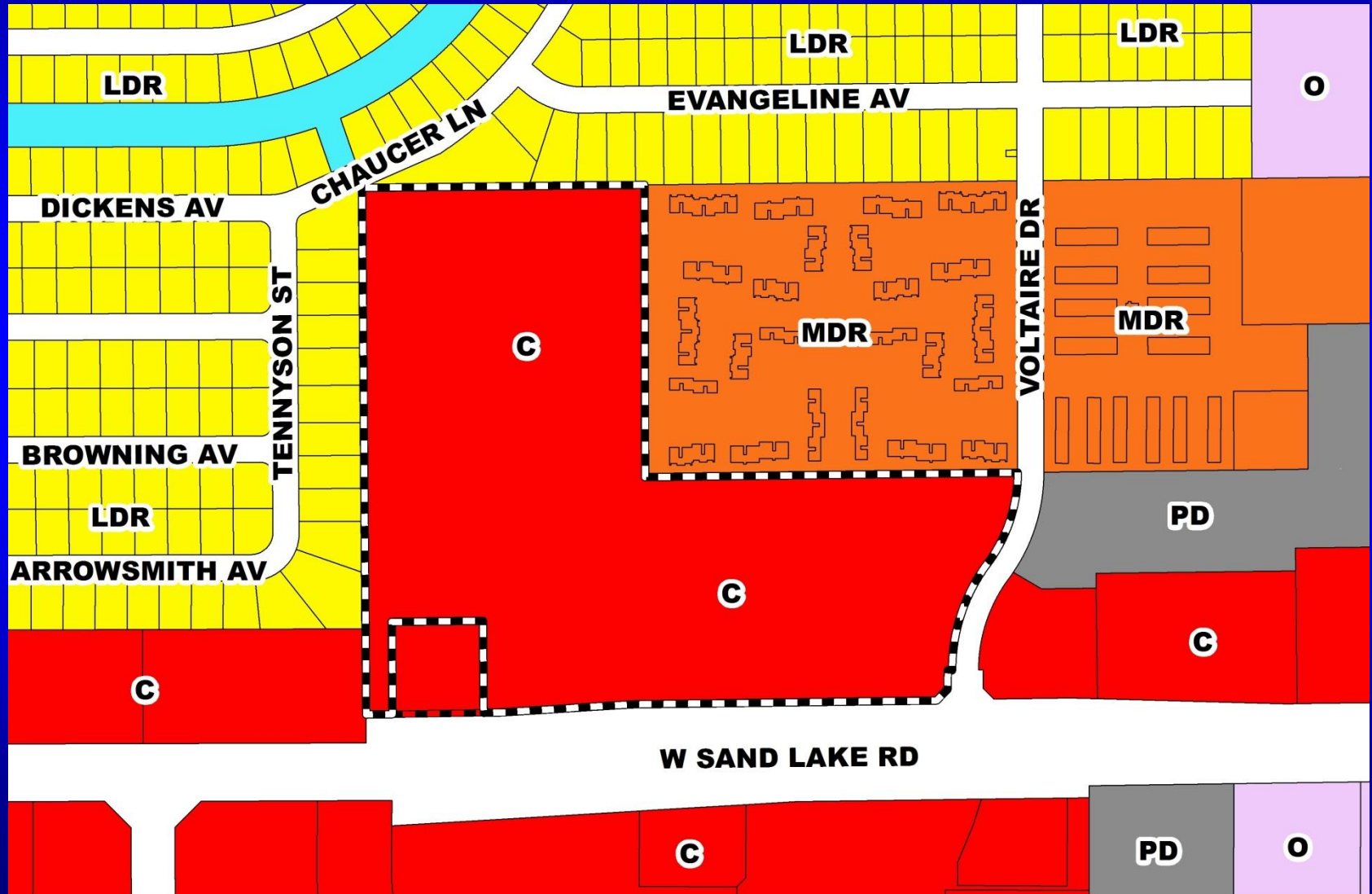
Case:	CDR-18-05-138
Project Name:	Sand Lake Plaza PD/LUP
Applicant:	Don Cousins, Discovery Church, Inc.
District:	3
Acreage:	26.63 gross acres (<i>overall PD</i>) 25.60 gross acres (<i>affected parcel only</i>)
Location:	North of W. Sand Lake Road and West of Voltaire Drive
Request:	To request a waiver from Orange County Code to allow for a maximum commercial building height of 50 feet to be located 50 feet from the R-3 property line outside the PD in lieu of a maximum height of 35 feet within 100 feet of any residential use.

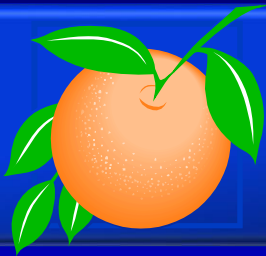


Sand Lake Plaza

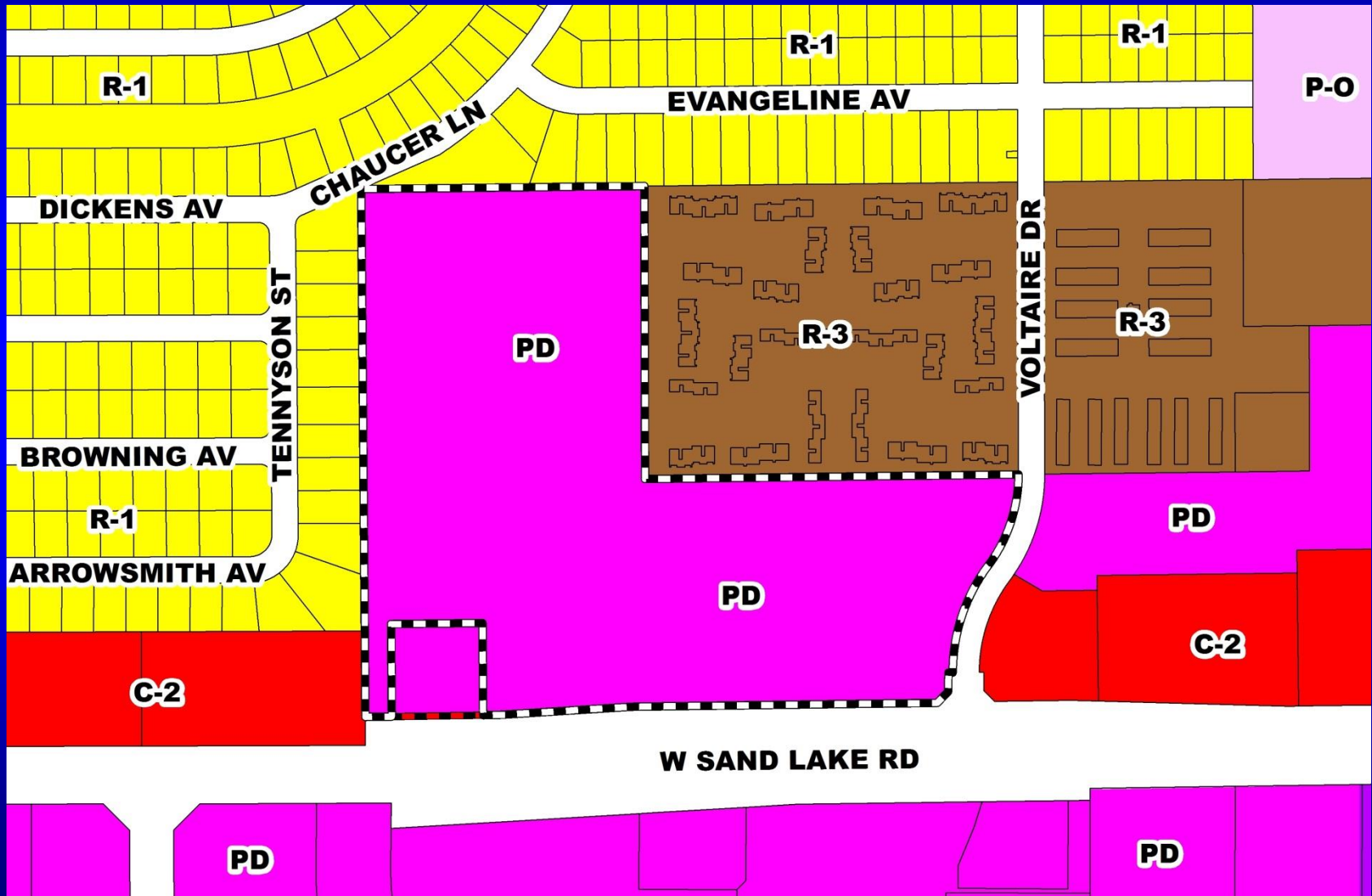
Planned Development / Land Use Plan

Future Land Use Map



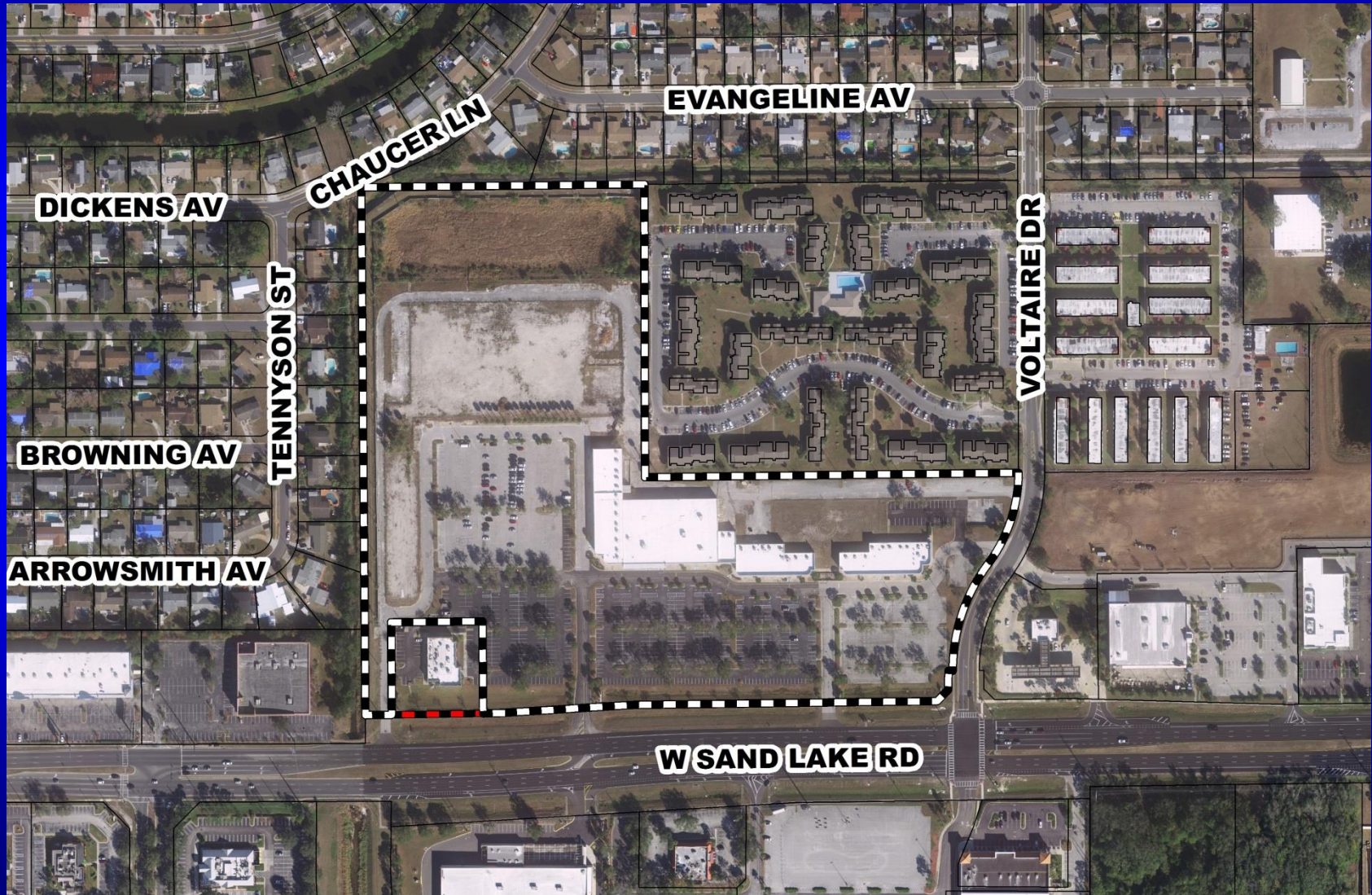


Sand Lake Plaza Planned Development / Land Use Plan Zoning Map





Sand Lake Plaza Planned Development / Land Use Plan Aerial Map







Action Requested

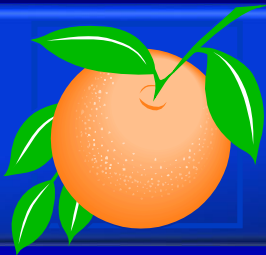
Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the Sand Lake Plaza Planned Development / Land Use Plan (PD/LUP) dated “Received July 12, 2018”, subject to the conditions listed under the DRC Recommendation in the Staff Report.

District 3

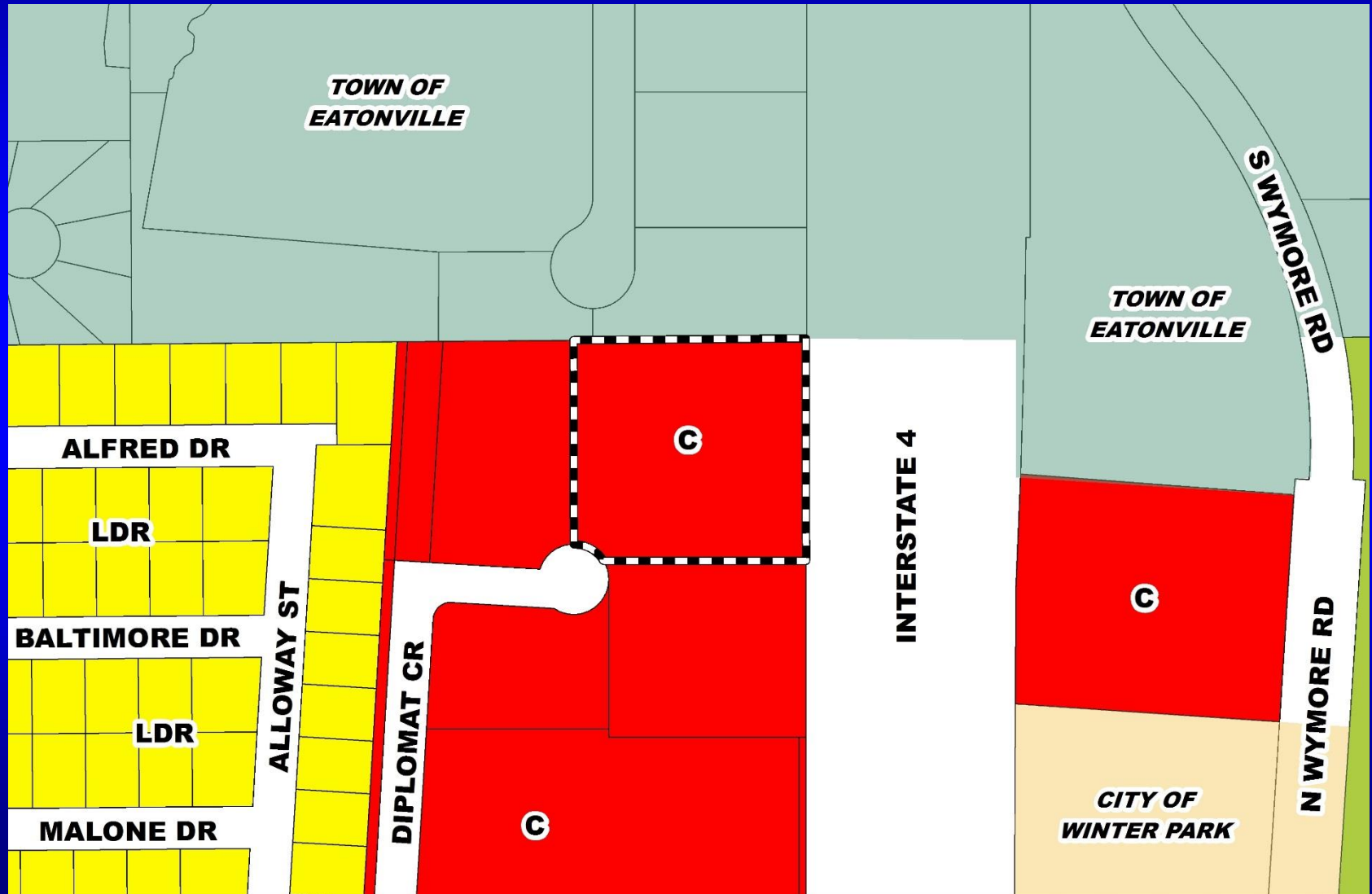


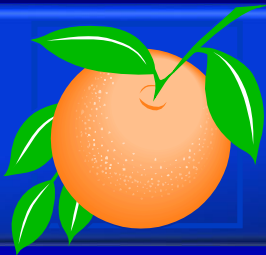
The Home Depot at Lee Road & I-4 Preliminary Subdivision Plan (PSP)

Case:	CDR-18-01-006
Project Name:	The Home Depot at Lee Road & I-4 PSP
Applicant:	Linda Dodge, Orlando Executive Park, LLC
District:	2
Acreage:	21.21 gross acres
Location:	North of Lee Road / West of Interstate 4
Request:	To remove the September 18, 2001 BCC Condition of Approval #3 which required the existing billboard to be removed at the termination of the lease agreement (July 13, 2013), with no lease options permitted. The applicant is proposing to delete this condition in order to keep the billboard.

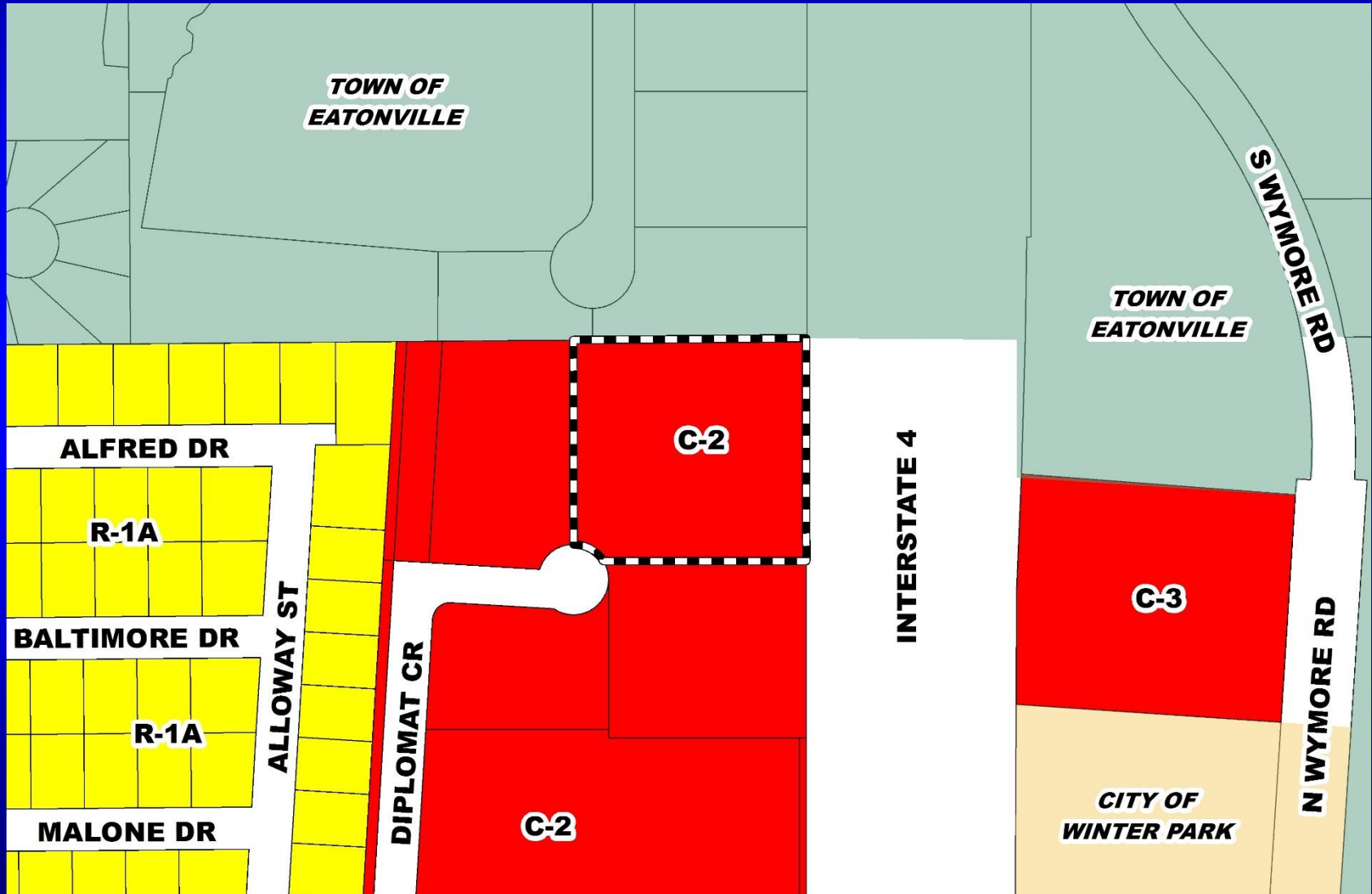


The Home Depot at Lee Road & I-4 Preliminary Subdivision Plan (PSP) Future Land Use Map



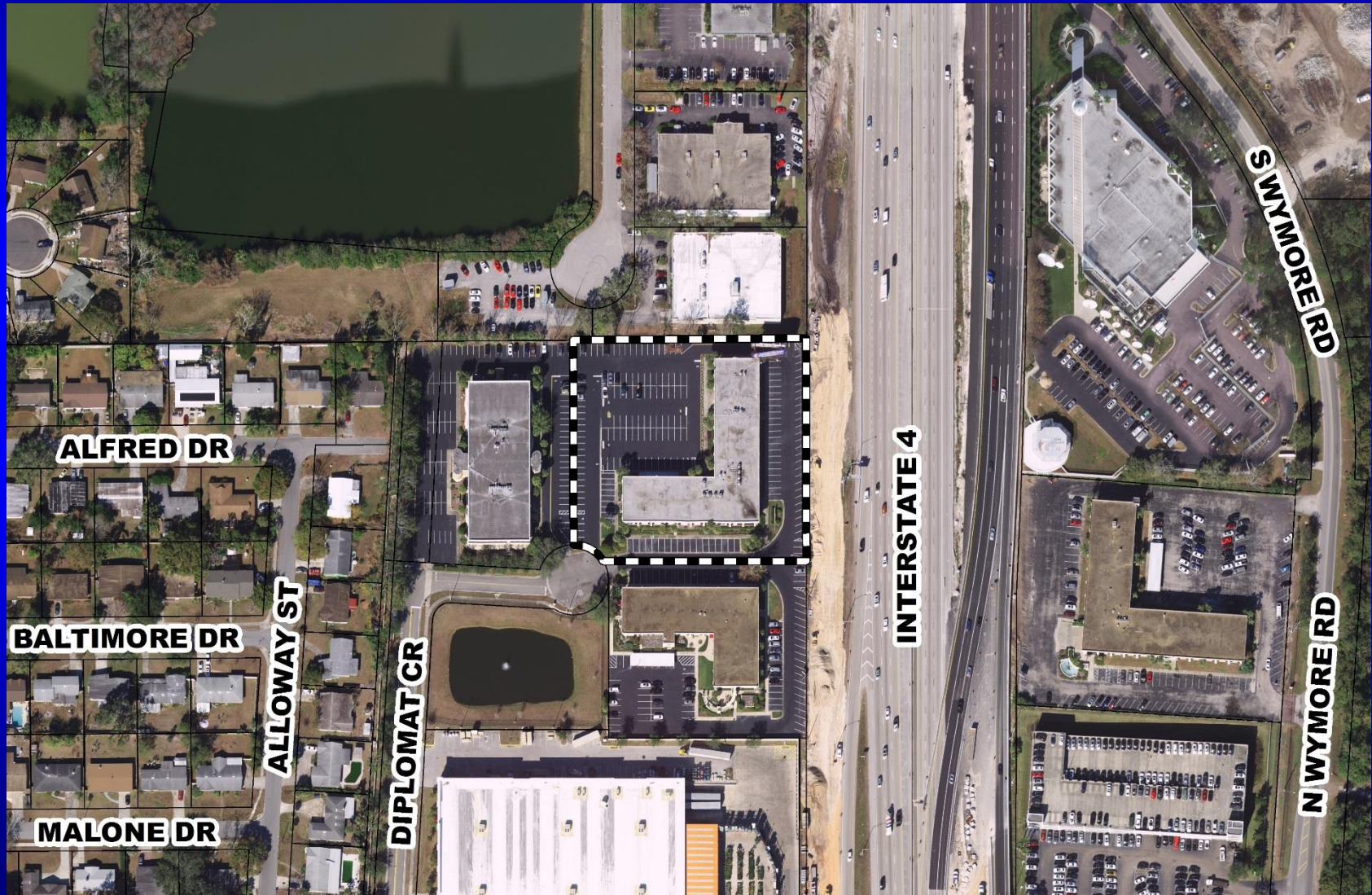


The Home Depot at Lee Road & I-4 Preliminary Subdivision Plan (PSP) Zoning Map



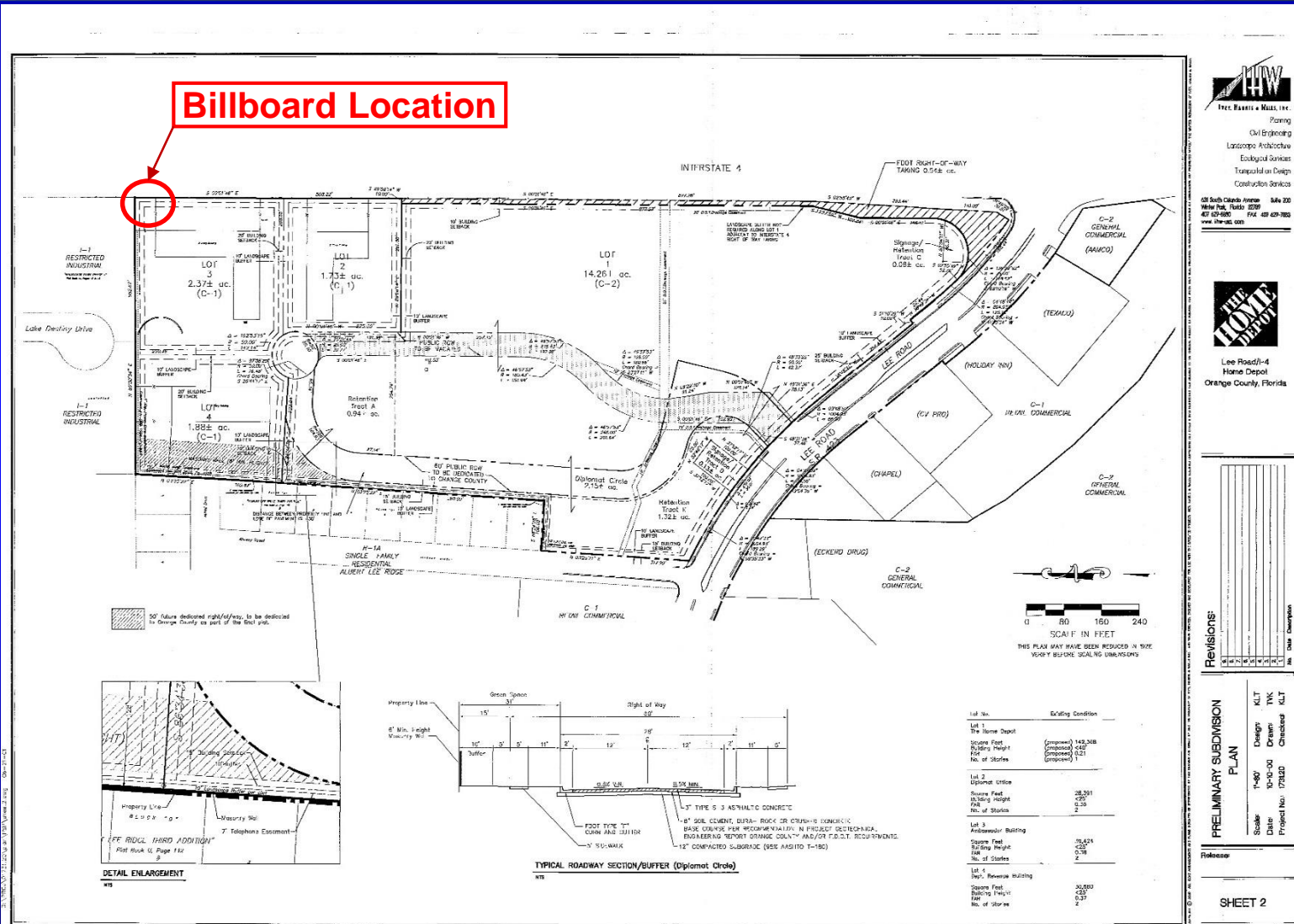


The Home Depot at Lee Road & I-4 Preliminary Subdivision Plan (PSP) Aerial Map





The Home Depot at Lee Road & I-4 Preliminary Subdivision Plan (PSP) Overall Preliminary Subdivision Plan





The Home Depot at Lee Road & I-4 Preliminary Subdivision Plan (PSP) September 16, 2001 Conditions of Approval

Jun-30-04 07:25am From:DEVELOPMENT ENGINEERING 407 836 8003 T-434 P 003/007 F-639

September 18, 2001

Page 583

2. The uses listed on the amended land use plan shall be permitted only if related to the operation of Valencia Community College.
3. Billboards and pole signs shall be prohibited. All other signs shall comply with the Orange County Sign Regulations. A master sign plan shall be submitted to and approved by the Planning and Zoning Division prior to approval of construction plans.
4. Master water and wastewater plans including preliminary calculations shall be approved prior to approval of construction plans.
5. Communication towers shall be considered a permitted use. However, specific tower locations are not approved with this plan and shall require development plan approval. All towers shall comply with Section 38-1427, Orange County Code. Any variances from these regulations shall be processed through the Board of Zoning Adjustment.

PRELIMINARY SUBDIVISION PLAN (PSP) PUBLIC HEARING THE HOME DEPOT AT LEE ROAD AND I-4 PSP, DISTRICT 2

Notice was given that the Board of County Commissioners would hold a public hearing to consider The Home Depot at Lee Road and I-4 Preliminary Subdivision Plan, submitted in accordance with Chapter 65-2015, Laws of Florida, and Article VI of the Orange County Subdivision Regulations; on property generally located west of Interstate 4, north of Lee Road; District 2; Section 2, Township 22, Range 29; Orange County, Florida (the legal property description is on file).

Staff Report

Staff reviewed the request and the Development Review Committee's recommendation of approval subject to conditions.

Appearances

The following persons addressed the Board regarding the plan:

- Charles W. Clayton, Jr. (no address given).
- Kevin Workman, 1755 The Exchange, Atlanta Georgia; for the developer.

September 18, 2001

Page 583

Jun-30-04 07:25am From:DEVELOPMENT ENGINEERING 407 836 8003 T-434 P 003/007 F-639

September 18, 2001

Page 584

- Kenneth M. Clayton, Esquire; Clayton & McCulloh P.A.; 1065 Maitland Center, Maitland, Florida.
- Daryl Nelson (no address given).
- Cathy Wickman, 5325 Alloway Street, Orlando, Florida.
- Danny Maxy (no address given).
- Merril Brick (no address given).

Discussion

The County Chairman closed the public hearing and opened the matter for Board discussion.

Action

Upon a motion by Commissioner Sindler, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board approved The Home Depot at Lee Road and I-4 Preliminary Subdivision Plan (PSP) on the above-described property, subject to the following conditions:

1. Development shall conform to The Home Depot at Lee Road and Interstate 4 Preliminary Subdivision, dated "Received July 12, 2001," and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Board of County Commissioners (BCC), or by action of the BCC.

Preliminary Subdivision Plan approval automatically expires on September 18, 2002, in accordance with the Orange County Subdivision Regulations as amended.

2. Prior to construction plan approval, a master stormwater management plan shall be submitted to the County engineer for review and approval.

September 18, 2001

Page 584



The Home Depot at Lee Road & I-4

Preliminary Subdivision Plan (PSP)

September 16, 2001 Conditions of Approval

Jun-30-04 07:25am From:DEVELOPMENT ENGINEERING 407 836 8003 T-434 P 004/007 F-639

September 18, 2001

Page 585

3. Pole signs, billboards, and outdoor storage and display are prohibited. Prior to the first building permit, the existing pole sign shall be removed. The existing billboard shall be removed at the termination of the lease agreement (July 13, 2013), with no lease options to be exercised.
4. New development shall conform to the commercial design standards as adopted by the BCC on June 19, 2001.
5. The special exception allowing a heliport shall be voided with this PSP.
6. A waiver is granted for Lot 1 to allow 584 parking spaces in lieu of 712 required parking spaces in order to accommodate the expansion of a Florida Department of Transportation (FDOT) retention pond for Interstate 4 improvements and to ensure compliance with the Commercial Design Standards Ordinance.
7. A waiver is granted to allow existing landscaping, parking, and setbacks for the existing buildings on Lots 2 and 3.
8. A waiver is granted on Lot 4 for existing parking, landscaping, and setbacks within the dedicated, unopened right-of-way for the Diplomat Circle Extension extending along the western boundary of Lot 4 to the northern boundary of Lot 4 until commencement of construction of the Diplomat Circle Extension. Upon redevelopment of Lots 2, 3, or 4, the waivers granted in conditions 7 and 8 shall cease to apply to the redeveloped lot or lots.

As amended below.

Action

Upon a motion by Commissioner Jacobs, seconded by Commissioner Hartage, and carried with County Chairman Crotty, and Commissioners Jacobs, Sindler, Johnson, Edwards, and Hartage voting AYE by voice vote; Commissioner Hoenstine voting NO by voice vote; the Board amended the main motion to add the following condition:

Jun-30-04 07:26am From:DEVELOPMENT ENGINEERING 407 836 8003 T-434 P 005/007 F-639

September 18, 2001

Page 586

- The six-foot (6') wall along the west boundary shall be masonry block with a stucco finish on both sides;

and further, revised Condition 3 to read as follows: Pole signs, billboards, and outdoor storage and display are prohibited. Prior to issuance of the first building permit, the existing pole sign shall be removed at no cost to and without any compensation from Orange County. The existing billboard shall be removed not later than 60 days after the end of the current term of the existing lease agreement (July 13, 2013), at no cost to and without any compensation from Orange County; no lease options or extensions may be exercised; as amended below.

Action

A motion by Commissioner Hoenstine, seconded by Commissioner Edwards, with Commissioners Hoenstine and Edwards voting AYE by voice vote; County Chairman Crotty and Commissioners Jacobs, Sindler, Johnson, and Hartage voting NO by voice vote; to amend the above motion revising proposed Condition 3 to read as follows: "Pole signs, billboards, and outdoor storage and display are prohibited. Prior to the first building permit, the existing pole sign shall be removed"; failed.

MEETING ADJOURNED

The County Chairman adjourned the Board of County Commissioners meeting and convened as the Orange County Library District Governing Board. The following were present:

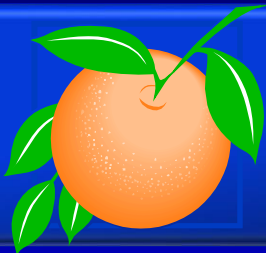
- County Chairman Richard Crotty
- Commissioners Teresa Jacobs, Bob Sindler, Mary I. Johnson, Clarence Hoenstine, Ted Edwards, and Homer Hartage
- City of Orlando Commissioner Patty Sheehan
- County Administrator Ajit Lalchandani
- County Attorney Tom Wilkes
- Deputy Clerk Rosilyn Stapleton

September 18, 2001

Page 585

September 18, 2001

Page 586



**Letter to Orange County
dated May 18, 2001 indicating
applicant's agreement of a
condition of approval that the
billboard be removed upon
expiration of the lease
agreement on July 31, 2013.**

May 29 01 12:28p

p. 3

Claytons' Realty

REALTORS
611 WYMORE ROAD
WINTER PARK, FLORIDA 32789
(407) 644-6200 FAX (407) 644-6646

VIA CERTIFIED MAIL
7099 3400 0000 1854 6750

May 18, 2001

Mr. Bryan Parker
President and General Manager
Eller Media
5333 Old Winter Garden Road
Orlando, FL 32811

RE: Lease Agreement # 14257 Dated June 29, 1993

Dear Bryan:

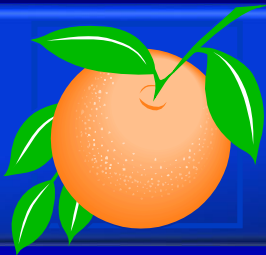
As you know, we are in the process of requesting the approval of a preliminary subdivision plan to provide for the sale of a portion of the Orlando Executive Park to Home Depot. As part of this process we have agreed to a condition of approval from Orange County that the existing Eller Media billboard at the northeast corner of the site be removed upon the expiration of our Lease Agreement on July 31, 2013.

This letter is to serve as notification that pending approval of the Preliminary Subdivision Plan by the Orange County Board of County Commissioners, the Lessor will not extend the above referenced Lease Agreement beyond its termination date of July 31, 2013, nor will the Lessor enter into any new Lease Agreement for the billboard at that location.

I appreciate your consideration in this matter and should you have any questions please feel free to contact me.

Sincerely,


W. Malcolm Clayton



**Letter to Orange County
dated May 29, 2001
indicating that the applicant
notified Eller Media that the
Lease Agreement will not be
renewed beyond the July 31,
2013 termination date.**

May 29 01 12:28p

p.2

Claytons' Realty

REALTORS
611 WYMORE ROAD
WINTER PARK, FLORIDA 32789
(407) 644-6200 FAX (407) 644-8646

May 29, 2001

Ms. Tina Demostene
Senior Planner
Orange County Planning
201 S. Rosalind Avenue
Second Floor
Orlando, FL 32802-1393

RE: Home Depot Preliminary Subdivision Plan
Northwest Corner of Lee Road and I-4

Dear Ms. Demostene:

Pursuant to the Condition for Approval of the Home Depot at Lee road and I-4 Preliminary Subdivision Plan, I have enclosed a copy of our letter to Eller Media notifying them that we will not renew our Lease Agreement beyond its termination date of July 31, 2013.

I have also enclosed a copy of the certified mail return receipt showing that Eller Media has received the original of the enclosed letter.

I appreciate your continued attention to this matter and should you have any questions, please feel free to call me at (407) 644-6200.

Sincerely,

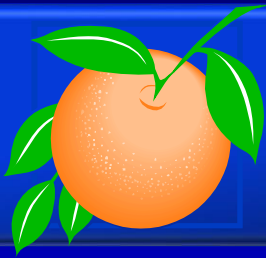

W. Malcolm Clayton



Action Requested

Deny the request to remove the Condition of Approval #3 from the September 18, 2001 BCC hearing.

District 2



Lake Pickett Cluster Parcels 1, 2, & 3 Preliminary Subdivision Plan (PSP)

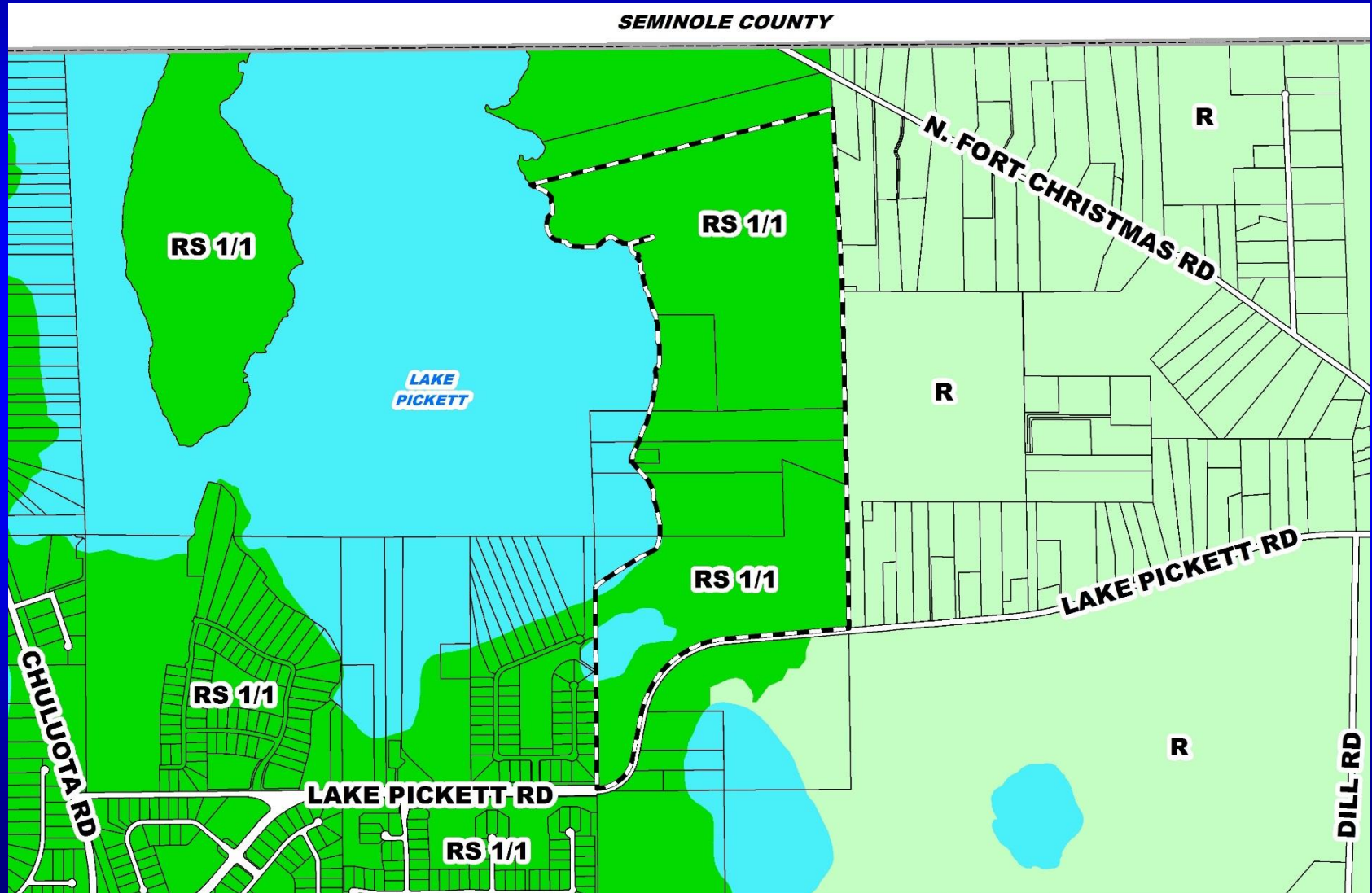
Case:	CDR-18-02-062
Project Name:	Lake Pickett Cluster Parcels 1, 2, & 3 PSP
Applicant:	David E. Axel, Axel Real Estate
District:	5
Acreage:	292.79 gross acres
Location:	North of Lake Pickett Road / East of Chuluota Road
Request:	<p>To revise phasing and delete the August 22, 2017, BCC Condition of Approval #36, which requires the Home Owners' Association to maintain failing septic tanks at the homeowners' expense.</p> <p>This request is also proposed to be a gated community; however, DRC recommended denial of this request. If the Board chooses to allow the gates, Conditions of Approval #9(d) and #9(h) would need to be stricken. If the Board chooses to deny the gates, Condition of Approval #6 would need to be stricken.</p>



Lake Pickett Cluster Parcels 1, 2, & 3

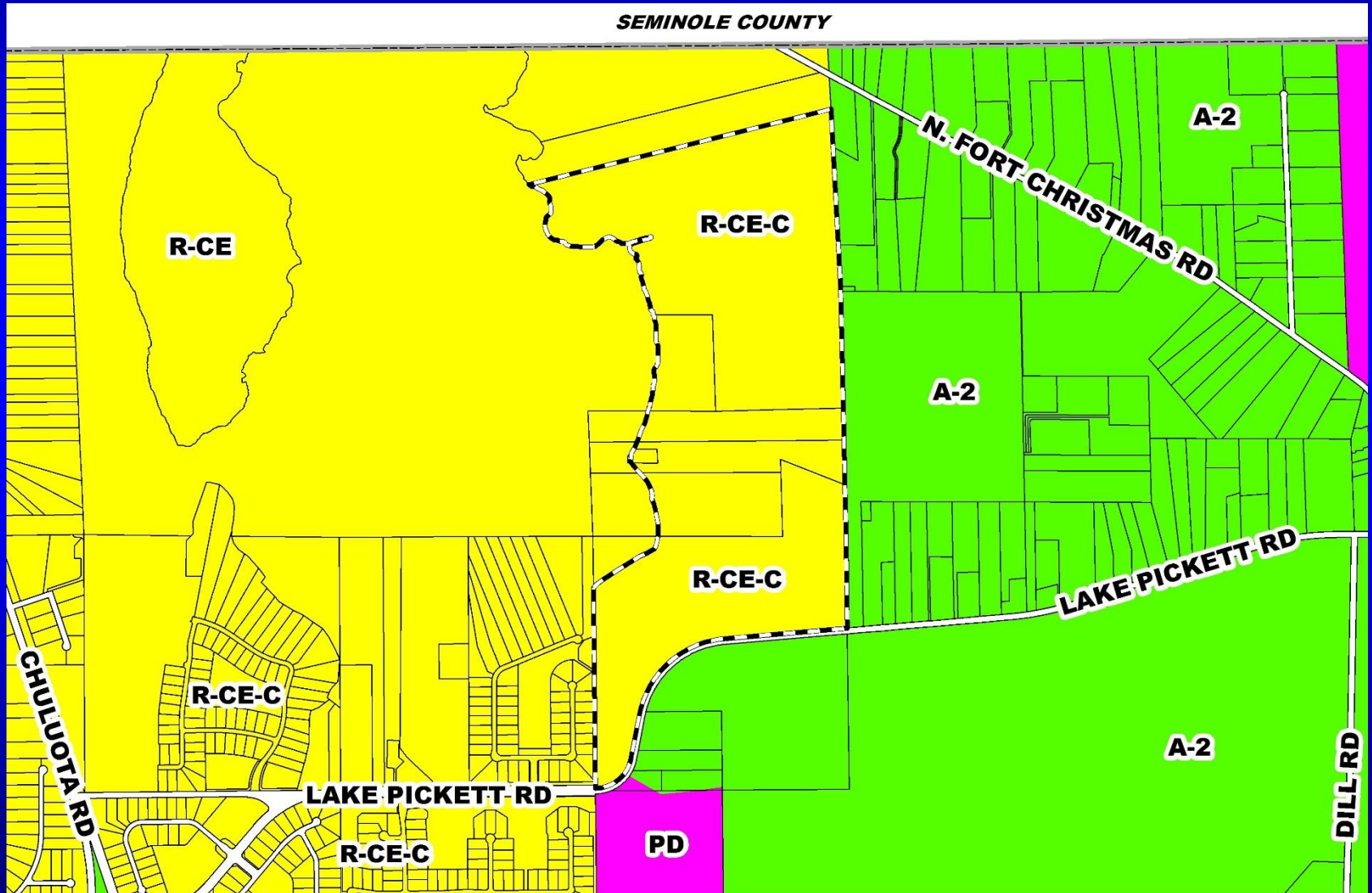
Preliminary Subdivision Plan (PSP)

Future Land Use Map





Lake Pickett Cluster Parcels 1, 2, & 3 Preliminary Subdivision Plan (PSP) Zoning Map

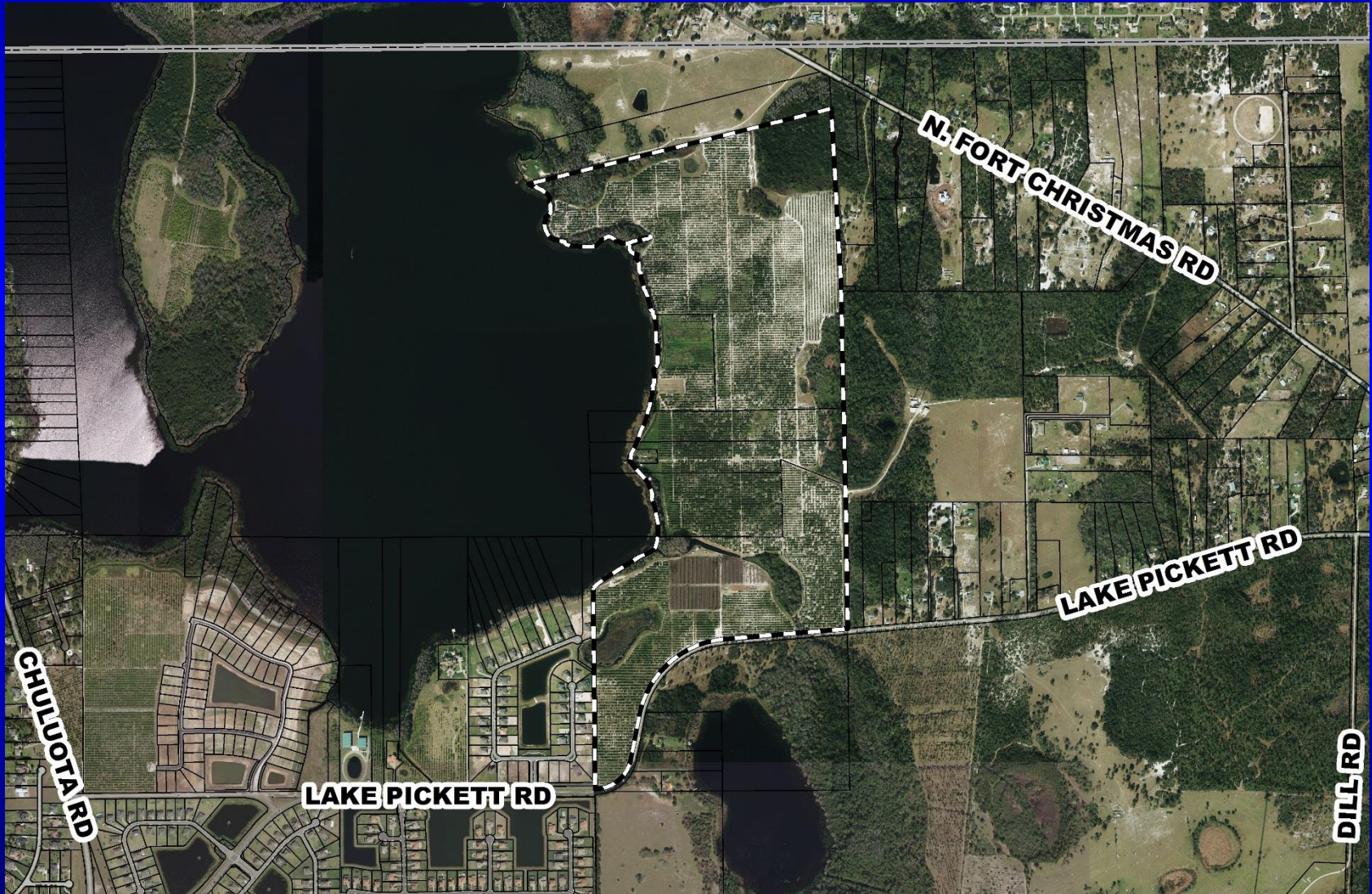




Lake Pickett Cluster Parcels 1, 2, & 3

Preliminary Subdivision Plan (PSP)

Aerial Map





Action Requested

Make a finding of consistency with the Comprehensive Plan (CP) and approve the Lake Pickett Cluster Parcels 1, 2, & 3 Preliminary Subdivision Plan (PSP) dated “Received April 24, 2018”, subject to the conditions of approval listed under the DRC Recommendation in the Staff Report, including the following revised conditions of approval provided by the applicant:

District 5



Action Requested



MIRANDA F. FITZGERALD
miranda.fitzgerald@lowndes-law.com
215 North Eola Drive, Orlando, Florida 32801-2028
T: 407-418-6340 | F: 407-843-4444
MAIN NUMBER: 407-843-4600

TTT MERITAS® LAW FIRMS WORLDWIDE

August 16, 2018

Via Email Only: jon.weiss@ocfl.net
Mr. Jon Weiss
Orange County Administration Building
P.O. Box 1393
Orlando, FL 32801

Re: Lake Pickett Cluster PSP--Revised Conditions

Dear Mr. Weiss:

Below are the revisions to the Conditions of Approval for the Lake Pickett Cluster PSP that the Applicant and the Staff have agreed upon following our collaborative discussions about the proposed Conditions. I will present these Conditions for the consideration of the Board of County Commissioners at the continued PSP hearing scheduled on 8/21/18. I have copied the Mayor and each of the Commissioners on this letter, and I understand that you will be briefing them about these revised Conditions in your meetings on Monday, 8/20/18.

On behalf of the Project Team, let me say how much we appreciate the time you and other Staff members spent working with us to reach consensus on the wording of these revised PSP Conditions.

Revised Lake Pickett Cluster Conditions of Approval

Revise the DRC Recommended Conditions of Approval as follows:

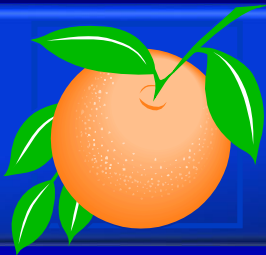
- Approve the project as gated community. Strike conditions #9d and #9h, and approve condition #6 which reads as follows: "This project shall be a gated community and comply with the requirements of the Gated Community Ordinance, Orange County Code Sections 34-280, 34-290, and 34-291, as they may be amended from time to time."
- Replace DRC recommended condition #8 with:

Mr. Jon Weiss
August 16, 2018
Page 2

8. The following additional conditions of approval with respect to Lake Pickett Road shall apply:

- a. Applicant will construct eastbound left turn lanes on Lake Pickett Road at both project entrances at the time of development of the first phase, such turn lanes to be designed in accordance with Florida Greenbook standards.
- b. At the time of such turn lane construction, Applicant will mill and resurface the approximate eighty-five foot (85') gap between the eastern limits of the Heartwood PSP (PSP 17-01-012) turn lane taper and the project's east entrance turn lane taper, as well as the approximate five hundred foot (500') gap between the turn lane tapers at the project's east and west entrances.
- c. Applicant will, at Orange County's discretion, either install or fund at a rate of One Dollar Twenty Five Cents (\$1.25) per linear foot ("Rumble Striping Payment"), profiled thermoplastic pavement markings ("Rumble Striping") for both edgelines and centerlines within the limits of resurfacing. Centerline striping will include reflective pavement markings ("RPM's")
- d. At the time of development of each project entrance, Applicant shall install lighting of the project entry features and roadway lighting sufficient to light the entrance intersections to an initial average horizontal illumination level of 1.0 foot candle. The roadway lighting may be within the Applicant's property or within the Orange County right-of-way. If the lighting is installed within the County right-of-way, the maintenance cost for the lighting shall be included in the HOA's lighting maintenance contract with the utility company.
- e. Applicant shall pay Fifty Thousand Dollars (\$50,000) toward the cost of any additional safety improvements that the County may determine are necessary on Lake Pickett Road within the project Limits, which limits shall extend from the eastern edge of the improvements to be made as per Heartwood PSP (PSP 17-01-012) to 100 feet past the taper for the east project entrance ("Safety Improvement Payment"). The Safety Improvement Payment shall be due prior to issuance of the first building permit.
- f. In consideration of the Applicant constructing the above improvements, making the Rumble Striping Payment (if applicable) and making the Safety Improvement Payment, Applicant shall not be required to construct or pay for any additional improvements to Lake Pickett Road, either within or outside the project Limits, including but not limited to, the paving of shoulders along the right-of-way or application of friction course materials beyond the \$50,000 cap, except as otherwise may be required by the Orange County subdivision regulations regarding adequate ingress and egress to and from the project.





Action Requested

Mr. Jon Weiss
August 16, 2018
Page 3

g. The parties acknowledge that there is a pending Orange County roadway resurfacing project for the segment of Lake Pickett Road from Chuluota Road to Fort Christmas Road, which project may include the application of friction course materials and the construction of paved shoulders at Orange County's expense. The Applicant and Orange County shall work cooperatively to facilitate the roadway resurfacing project within the Project Limits; provided that such cooperation shall not result in additional expense to Applicant beyond the \$50,000 cap.

Reinstate and Revise Condition jj from the BCC Conditions of Approval dated August 22, 2017 as new condition #9ff: "ff. Recorded covenants and restrictions for this subdivision will include a provision that authorizes the Home Owners Association ("HOA") to maintain and repair failing septic tanks at the HOA's expense and grants access to the County and other appropriate agencies to inspect septic systems."

Add new condition #9(gg): "gg. Florida Department of Health and Orange County septic tank regulations applicable to the project at the time of construction of each septic tank shall be complied with.

Sincerely,

Miranda F. Fitzgerald

MFF/car

c: (All via email only)
The Honorable Teresa Jacobs, Mayor
The Honorable Emily Bonilla, District 5 Commissioner
The Honorable Betsy Vanderley, District 1 Commissioner
The Honorable Rod Love, District 2 Commissioner
The Honorable Pete Clarke, District 3 Commissioner
The Honorable Jennifer Thompson, District 4 Commissioner
The Honorable Victoria Siplin, District 6 Commissioner
Joel Prinsell, Esq.
Jim Harrison, Esq.
Chris Testerman
John Smogor
Diana Almodovar
Doug Hoffman
Dave Axel
Rebecca Wilson, Esq.



Board of County Commissioners

Public Hearings

August 21, 2018