



# ORANGE COUNTY

PLANNING DIVISION

## 2018-2 REGULAR & SMALL SCALE CYCLE

## AMENDMENTS

2010 - 2030 COMPREHENSIVE PLAN

### BOARD OF COUNTY COMMISSIONERS

NOVEMBER 13, 2018 SESSION I  
ADOPTION PUBLIC HEARING

**PREPARED BY:**

ORANGE COUNTY COMMUNITY, ENVIRONMENTAL  
AND DEVELOPMENT SERVICES

PLANNING DIVISION  
COMPREHENSIVE PLANNING SECTION





**DATE:** November 13, 2018  
**TO:** Mayor Teresa Jacobs  
-AND-  
Board of County Commissioners (BCC)  
**FROM:** Alberto A. Vargas, MArch., Manager Planning Division   
**THROUGH:** Jon V. Weiss, P.E., Director  
Community, Environmental, and Development Services Department  
**SUBJECT:** Adoption Public Hearings – 2018-2 Regular Cycle and Small-Scale Development Comprehensive Plan Amendments and, Where Applicable, Concurrent Rezoning Requests – Session I

Please find the attached binder containing the first set of staff reports and associated back-up materials for the proposed 2018-2 Regular Cycle and Small-Scale Development Comprehensive Plan Amendments. Due to the number of applications received, this cycle has been divided into two sessions, as summarized in the attached schedule. The adoption public hearings for the Session I amendments were conducted before the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) on October 18, 2018, and are scheduled before the Board of County Commissioners (BCC) on November 13, 2018. Seven amendments to the Comprehensive Plan will be considered at the November 13 meeting.

The Session II amendments are scheduled for adoption public hearings before the BCC on December 18, 2018. A list of those requested amendments is also included in the attachment.

#### **Amendment Summary**

The **2018-2 Regular Cycle – State-Expedited Review** amendment scheduled for consideration on November 13 include one privately-initiated Future Land Use Map Amendment located in District 5. The proposed Future Land Use Map Amendment entails a change to the Future Land Use Map for property greater than ten acres in size.

The **Regular Cycle – State-Expedited Review** Amendment has been reviewed by the Department of Economic Opportunity (DEO), as well as other state and regional agencies. On August 28, 2018, DEO issued a comment letter, which did not contain any concerns about the amendment undergoing the State-Expedited Review process. Pursuant to 163.3184, F.S., the proposed amendment must be adopted within 180 days of the comment letter. The Regular Cycle Amendment undergoing the State-Expedited Review process 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 December 2018, provided no challenges are brought forth for the amendment.

The Small-Scale Development Amendments slated for public hearing on November 13 include five privately-initiated Future Land Use Map Amendments (located in Districts 2, 3, 5, and 6), two of which (2018-2-S-3-1 and 2018-2-S-5-2) feature concurrent rezoning requests. In addition, one staff-initiated text amendment will be considered. If the BCC adopts the proposed amendments,

#### **PLANNING DIVISION**

**ALBERTO A. VARGAS, MArch., Planning Manager**

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the Small-Scale Development Amendments will become effective 31 days after the public hearing, provided no challenges are brought forth for any of the amendments.

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](mailto:Alberto.Vargas@ocfl.net) or Greg Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or [Gregory.Golgowski@ocfl.net](mailto:Gregory.Golgowski@ocfl.net).

AAV/jmd

Enc: 2018-2 Regular Cycle and Small-Scale Development Amendments – Session I – BCC  
Adoption Binder

c: Christopher R. Testerman, AICP, Assistant County Administrator  
Joel Prinsell, Deputy County Attorney  
Roberta Alfonso, Assistant County Attorney  
Whitney Evers, Assistant County Attorney  
Gregory Golgowski, AICP, Chief Planner, Planning Division  
Olan D. Hill, AICP, Chief Planner, Planning Division  
Read File

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# **2018 SECOND REGULAR CYCLE AND SMALL-SCALE DEVELOPMENT**

## **AMENDMENTS TO THE 2010-2030 COMPREHENSIVE PLAN BOARD OF COUNTY COMMISSIONERS ADOPTION BOOK SESSION I**

### **INTRODUCTION**

This is the Board of County Commissioners (BCC) adoption public hearing book for the first session of the proposed Second Regular Cycle and Small-Scale Development Amendments (2018-2) to the Future Land Use Map (FLUM) and Comprehensive Plan (CP). Due to the number of applications received, this cycle has been divided into two sessions. The adoption public hearings for the Session I amendments were conducted before the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) on October 18, 2018, and are scheduled before the Board of County Commissioners (BCC) on November 13, 2018. The Session II amendments are scheduled for adoption public hearings before the BCC on December 18, 2018.

One Regular Cycle Amendment scheduled for BCC consideration on November 13 was heard by the PZC/LPA at an adoption public hearing on October 18, 2018. Six Small-Scale Development Amendments are also slated for public hearings before the BCC on November 13.

Please note the following modifications to this report:

<b>KEY TO HIGHLIGHTED CHANGES</b>	
<b>Highlight</b>	<b>When changes made</b>
<b>Pink</b>	Following the LPA adoption public hearing (by staff)

The 2018-2 Regular Cycle – State-Expedited Review amendment scheduled for consideration on November 13 includes one privately-initiated Future Land Use Map Amendment located in District 5. The proposed Future Land Use Map Amendment entails a change to the Future Land Use Map for property greater than ten acres in size.

The Regular Cycle – State-Expedited Review Amendment has been reviewed by the Department of Economic Opportunity (DEO), as well as other state and regional agencies. On August 28, 2018, DEO issued a comment letter, which did not contain any concerns about the amendments undergoing the State-Expedited Review process. Pursuant to 163.3184, F.S., the proposed amendments must be adopted within 180 days of the comment letter. The Regular Cycle Amendments undergoing the State-Expedited Review process will become effective 31 days after DEO notifies the County that the plan amendment package is complete. If adopted, these amendments are expected to become effective in December 2018, provided no challenges are brought forth for any of the amendments.

The Small-Scale Development Amendments slated for public hearing on November 13 include five privately-initiated Future Land Use Map Amendments (located in Districts 2,



3, 5, and 6), two of which feature concurrent rezoning requests (2018-2-S-3-1 and 2018-2-S-5-2). In addition, one staff-initiated text amendment will be considered. If the BCC adopts the proposed amendments, the Small-Scale Development Amendments will become effective 31 days after the public hearing, provided no challenges are brought forth for any of the amendments.

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](mailto:Alberto.Vargas@ocfl.net) or Greg Gologowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or [Gregory.Gologowski@ocfl.net](mailto:Gregory.Gologowski@ocfl.net).

2018-2 Session I Regular Cycle State Expedited Review Comprehensive Plan Amendments  
Privately Initiated Future Land Use Map and Text Amendments

Amendment Number	Concurrent Rezoning or Substantial Change	Owner	Agent	Tax 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													
2018-2-A-1-1 (Tilden Road)	PD Rezoning Pending	Daniel A. and Susan Berry/Thistledown Farm, Inc.	Kathy Hattaway, Poulos & Bennett, LLC	10-23-27-0000-00-033 (portion of) and 10-23-27-0000-00-034 (portion of)	14950 and 14908 Tilden Rd.; Generally located south of Tilden Rd., west of Winter Garden Vineyard Rd., and east of Tiny Rd. and SR 429	Village (V)	Horizon West, Village of Bridgewater Special Planning Area (SPA)	A-1 (Citrus Rural District)	PD (Planned Development District)	28.31 gross ac./18.54 developable ac.	Nicolas Thalmueller		
2018-2-A-1-2 (Lake Austin)	LUP 18-08-285	BB Groves, LLC	Kathy Hattaway, Poulos & Bennett, LLC	30-24-27-0000-00-003 (portion of) and 31-24-27-0000-00-036	Generally located west of Avalon Rd., west of and south of Grove Blossom Wy.	Growth Center/ Resort/Planned Development (GC/R/PD)	Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD/R/LMDR)	PD (Planned Development District)(Lake Austin PD) and A-2 (Farmland Rural District)	PD (Planned Development District)(BB Groves South PD)	108.03 gross ac./96.29 developable ac.	Sue Watson	Adopt	Adopt (8-1)
2018-2-A-1-3 (World Resort)	CDR 18-04-141	Fairwinds Credit Union	Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A.	35-24-28-5844-00-732/741/870/871/880 and 38-24-28-5844-01-956	Generally located north and south of Poinciana Blvd., east of SR 535, south of SR 417, and north of the Orange/Osceola County line	Activity Center Mixed Use (ACMU)	Activity Center Residential (ACR)	PD (Planned Development District)(World Resort PD)	PD (Planned Development District)(World Resort PD)	23.13 gross ac.	Jennifer DuBois	Adopt	Adopt (9-0)
2018-2-A-1-4 (Kerina Parkside)	CDR 18-04-110	Kerina Wildwood, Inc., Kerina Village, Inc., Kerina Inc., and Kerina Parkside Master, Inc.	Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A.	10-24-28-0000-00-005/053, 10-24-28-6670-11-000, 15-24-28-5844-00-059/071/130/142 and 15-24-28-5844-00-211 (portion of)	Generally located east and west of S. Apopka/Vineyard Rd., south of Buena Vista Woods Blvd., and north of Lake St.	Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R)	Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)	PD (Planned Development District) (Kerina Parkside PD/LUP)	PD (Planned Development District) (Kerina Parkside PD/LUP)	FLUM Amendment: 215.67 gross ac.; PD/LUP Substantial Change: 485.10 gross ac.	Jennifer DuBois	Adopt	Adopt (5-3)
2018-2-A-1-6 (Hannah Smith)	CDR 18-05-175	Darryl M. Carler Trustee and Carler-Orange 105 Sand Lake Land Trust	VHB, Inc.	11-24-28-0000-00-020, 14-24-28-0000-00-012/018, 14-24-28-1242-60-000/66-000/66-001 (portion of), and 15-24-28-7774-00-023/024	Generally located north of Interstate 4 and south of Fenton St.	Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR)	Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR)	PD (Planned Development District) (Hannah Smith PD)	PD (Planned Development District) (Hannah Smith PD)	82.30 gross ac./79.50 developable ac.	Sue Watson	Adopt	Adopt (9-0)
2018-2-A-1-7 (Turkey Lake Road Condos)	CDR 18-06-209	Macomb Oakland Sand Lake, LLC	Montaz Barq, P.E., TerraMax Engineering, Inc.	11-24-28-0000-00-040	10900 Turkey Lake Rd.; Generally located south of Sand Lake Reserve Dr., east of Big Sand Lake, west of Turkey Lake Rd.	Planned Development-Time Share/Medium Density Residential/Hotel/Office (PD-TS/MDR/HOTEL/O)	Planned Development-Time Share/Medium-High Density Residential/Hotel/Office (PD-TS/MHDR/HOTEL/O)	PD Planned Development District)(Turkey Lake Condos PD)	PD (Planned Development District)(Turkey Lake Condos PD)	52.04 gross ac./16.62 developable ac.	Misty Mills	Adopt	Adopt (9-0)
2018-2-A-5-1 (East River High School)	LUPA-18-09-287	Hamilton, LLC	Julie Salvo, AICP, Orange County Public Schools	20-22-32-0000-00-003	Generally located north of Hamilton Dr., east of Lockwood Dr., south of Old Cheney Hwy., and west of Story Partin Rd.	Rural/Agricultural (R)	Educational (EDU)	A-2 (Farmland Rural District)	PD (Planned Development District) (Timber Creek High School Relief PD)	15.68 gross ac.	Maria Cahill and Jennifer DuBois	Adopt	Adopt (9-0)
District 1													
Text Amendment Number		Owner	Agent	Description of Proposed Text Amendments									
2018-2-P-1-5 (Arnold Groves Senior Living)		Audrey L. Arnold Revocable Trust, Audrey L. Arnold and James P. Arnold Life Estate, Ron Marlow and Kathy Darlene Marlow, and Billy Kenneth Williams, and Lynn A. Williams	Marc Skorman	Text amendment to proposed Future Land Use Element Policy FLU2.5.5 and creating Policy FLU2.5.5.1 related to the proposed Lake Mabel Rural Residential Enclave									

ABBREVIATIONS INDEX:

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2018-2 Regular Cycle Comprehensive Plan Amendments  
Staff Initiated Comprehensive Plan Map and Text Amendments

Amendment Number	Sponsor	Description of Proposed Changes to the 2010-2030 Comprehensive Plan (CP)	Project Planner	Staff Rec	LPA Rec
2018-2-B-FLUE-1	Planning Division	Text amendments to Future Land Use Element Policy FLUE.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County	Misty Mills	Adopt	Adopt (6-1)
2018-2-B-FLUE-2	Planning Division	Text amendment to the Horizon West Village policies for perimeter remnant parcels	Maria Cahill		

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2018-2 Small Scale Development Comprehensive Plan Amendments  
Privately Initiated Future Land Use Map and Text Amendments

Amendment Number	Concurrent Rezoning or Substantial Change	Owner	Agent	Tax 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	Rezoner	Staff Rec	LPA Rec
District 2														
2018-2-S-2-1 (Apopka Life Care Center)	No	Santhia and Louis Isaac	Greg Roebuck	15-21-28-0000-00-062	1443 Clarcona Rd.; Generally located north of E. Cleveland St., east of Clarcona Rd., south of E. 18th St., and west of Old Apopka Rd.	Low Density Residential (LDR)	Medium Density Residential- Assisted Living Facility (MDR-ALF)	N/A	N/A	3.44 gross ac.	Alyssa Henriquez	N/A	Adopt	Adopt (8-0)
District 3														
2018-2-S-3-1 (Sanchez Properties)	LUP-18-06-213	Fernando Sanchez	Thomas Daly, Daly Design Group	21-23-30-0000-00-058/068	4773 and 4769 Judge Rd.; Generally located north of Judge Rd., east of S. Conway Rd., south of Hoffner Ave., and west of S. Semoran Blvd.	Medium Density Residential (MDR)	Planned Development-Low-Medium Density Residential/Industrial (PD-LMDR/IND)	A-2 (Farmland Rural District)	PD (Planned Development District) (Sanchez Properties PD)	1.90 gross ac.	Misty Mills	Steven Thorp	Do not Adopt & Do not Approve rezoning	Adopt & Approve Rezoning, subject to 15 conditions (9-0)
District 5														
2018-2-S-5-1 (Colonial Tanner Neighborhood Center)	RZ-18-10-036	Michelle Rivero Family Trust, Carlos A. Rivero, Trustees, and Carlos A. Rivero	Carlos A. Rivero	19-22-32-7876-03-050/060	15932 and 15816 E. Colonial Dr.; Generally located north of Old Cheney Hwy., east of S. Tanner Rd., south of E. Colonial Dr., and west of Parry Ln.	Rural Settlement 1/1 (RS-1/1)	Commercial (C) Rural Settlement (RS)	C-1 (Retail Commercial District) and A-2 (Farmland Rural District)	C-1 (Retail Commercial District)	2.45 gross ac.	Alyssa Henriquez	Nik Thalmueller	Do not Adopt & Do not Approve rezoning	Do not Adopt & Do not Approve rezoning (8-0)
2018-2-S-5-2 (1825 N. Dean Road)	RZ-18-10-042	Lorna L. Pignone	Cas Suvongse, SK Consortium, Inc.	17-22-31-7400-00-300	1825 N. Dean Rd.; Generally located on the east side of N. Dean Rd., south of Union Park Dr., north of E. Colonial Dr., and west of Culver Rd.	Low-Medium Density Residential (LMDR)	Office (O)	R-1A (Single-Family Dwelling District)	P-O (Professional Office District)	0.50 gross ac.	Sue Watson	Nate Wicke	Adopt & Approve with 3 restrictions	Adopt & Approve with 3 restrictions (8-0)
2018-2-S-5-3 (Dean Apartments)	No	James W. Hickman Revocable Trust	Anthony Everett	08-22-31-0000-00-003	Generally located north of Buck Rd., east of N. Dean Rd., south of University Blvd., and west of Lake Taylor Rd.	Commercial (C)	Medium Density Residential (MDR)	N/A	N/A	6.00 gross ac.	Misty Mills	N/A	Adopt	Adopt (7-0)
District 6														
2018-2-S-6-1 (Colonial Gardens)	LUP-18-07-234	Colonial Gardens, LLC	Lee Upshaw	19-22-29-0000-00-001	4915 W. Colonial Dr.; Generally located north of W. Colonial Dr., east of N. Pine Hills Rd., south of Deauville Dr., and west of BMX Ln.	Commercial (C)	High Density Residential (HDR)	C-1 (Retail Commercial District) and R-1A (Single Family Dwelling District)	PD (Planned Development District) (Colonial Gardens PD)	4.64 gross ac.	Maria Cahill	Nik Thalmueller		
2018-2-S-6-2 (Old Winter Garden)	No	Lisa Rembert	Lisa Rembert	27-22-28-4052-04-220	Generally located on the north side of Old Winter Garden Rd., east of Grove St., south of SR 408, and west of Neighbors Ln.	Low Density Residential (LDR)	Low-Medium Density Residential (LMDR)	N/A	N/A	0.21 gross ac.	Sue Watson	N/A	Adopt	Adopt (8-0)

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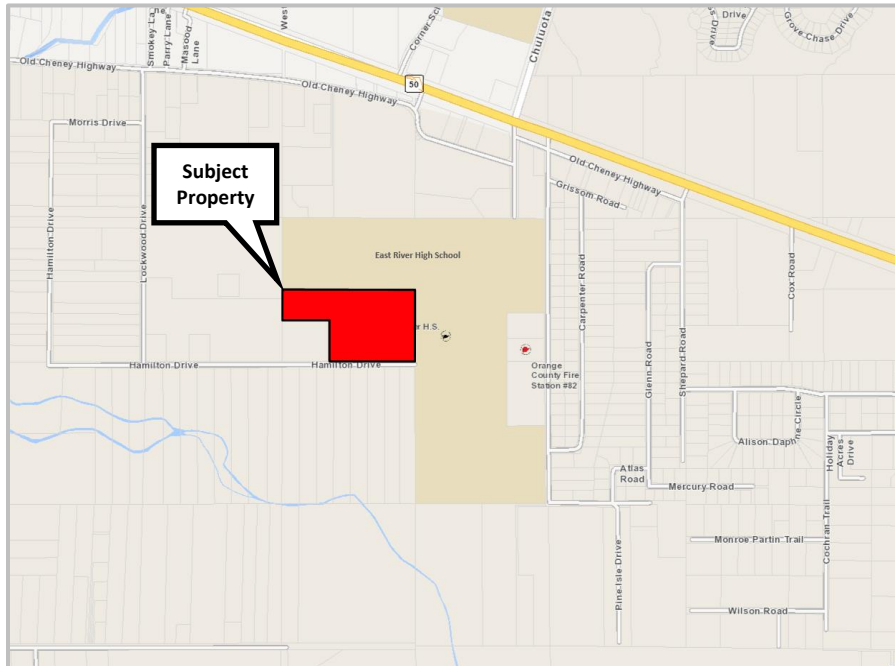


2018-2 Small Scale Development Comprehensive Plan Amendments  
Staff Initiated Comprehensive Plan Map and Text Amendments

Amendment Number	Sponsor	Description of Proposed Changes to the 2010-2030 Comprehensive Plan (CP)	Project Planner		Staff Rec	BCC Rec
2018-2-S-FLUE-1		Text amendments to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County	Misty Mills	N/A	Do Not Adopt	Adopt (8-0)

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**Applicant/Owner:**

Julie Salvo, AICP, Orange County Public Schools/Hamilton, LLC

**Location:** Generally located north of Hamilton Drive, east of Lockwood Drive, south of Old Cheney Highway, and west of Story Partin Road.

**Existing Use:** The subject site is currently undeveloped and has a prior land use as a container nursery.

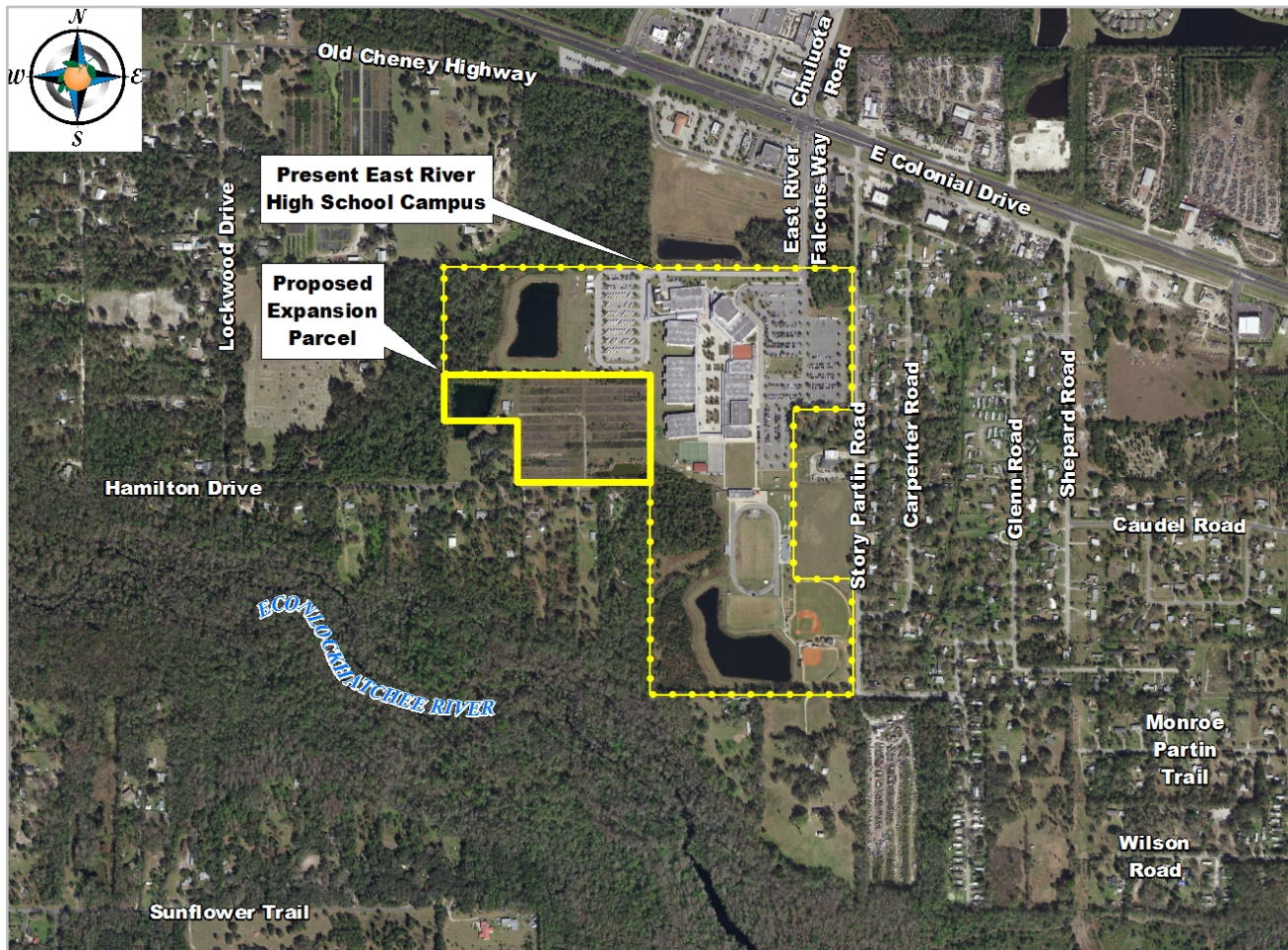
**Parcel ID Number:**

20-22-32-0000-00-003

**Tract Size:** 15.68 gross acres

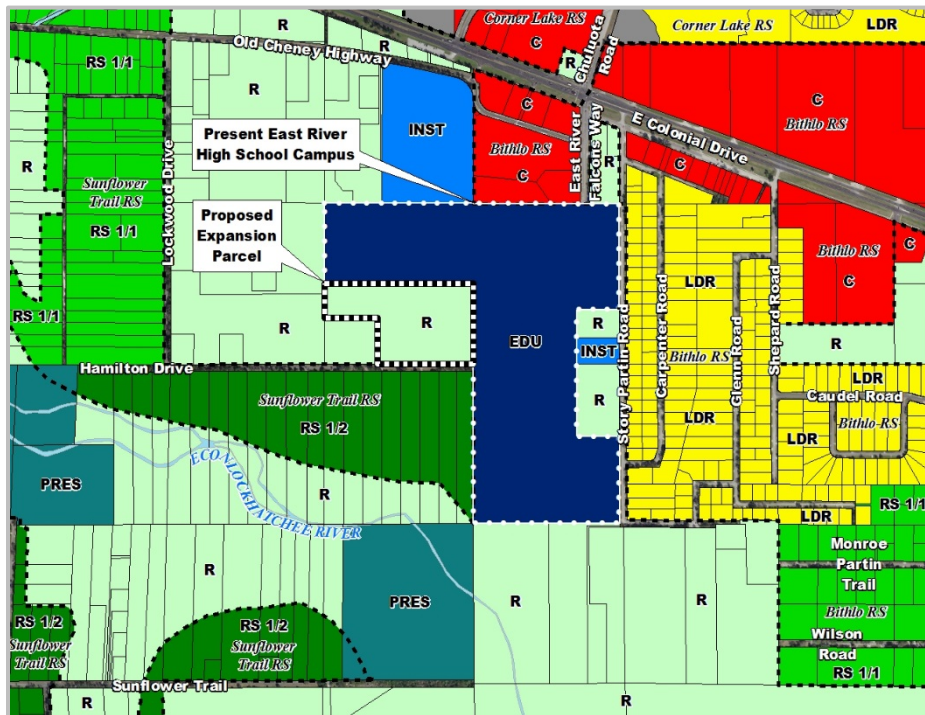
The following meetings and hearings have been held for this proposal:			Project Information	
Report/Public Hearing		Outcome	Request: Future Land Use Map Amendment from Rural/Agricultural (R) to Educational (EDU).	
✓	Community meetings were held June 11, 2018, with 12 attendees, and October 25, 2018, with 30 attendees.	Mixed – Attendees voiced concern about potential noise, light pollution, access management, and loss of privacy.	<b>Proposed Development Program:</b> Orange County Public Schools (OCPS) is proposing to acquire the subject parcel to expand the current East River High School campus and utilize the property for practice fields for the school's athletic program.	
✓	Staff Report	Recommend Transmittal	<b>Public Facilities and Services:</b> Please see the Public Facilities & Services Appendix for specific analyses of each public facility.	
✓	LPA Transmittal June 21, 2018	Recommend Transmittal (5-0)	<b>Environmental:</b> The site is located within the geographical limits of the Econlockhatchee River Protection Ordinance. Basin-wide regulations apply. Wetlands and surface water are present on the property.	
✓	BCC Transmittal July 10, 2018	Transmit (5-0)	<b>Transportation:</b> No traffic study is required, as the proposed use will not result in an increase in p.m. peak hour trips.	
✓	State Agency Comments August 28, 2018	No comments or concerns were identified by any state agency.	<b>Utilities:</b> Although the subject property lies within the County's Rural Service Area (RSA), East River High School receives potable water and wastewater service from Orange County Utilities (OCU).	
✓	LPA Adoption October 18, 2018	Recommend Adoption (9-0)	<b>Concurrent Rezoning: LUPA-18-09-287</b>	
	BCC Adoption	November 13, 2018	Land Use Plan Amendment Rezoning Case LUPA-18-09-287, a request to add the A-2 (Farmland-Rural District)-zoned subject parcel to the currently-approved Timber Creek Relief High School PD/LUP, is proceeding through DRC review and will be considered at a future date.	

## AERIAL





## FUTURE LAND USE - CURRENT



**Current Future Land Use:**  
Rural/Agricultural (R)

### Special Area Information:

The property lies within the County's Rural Service Area (RSA).

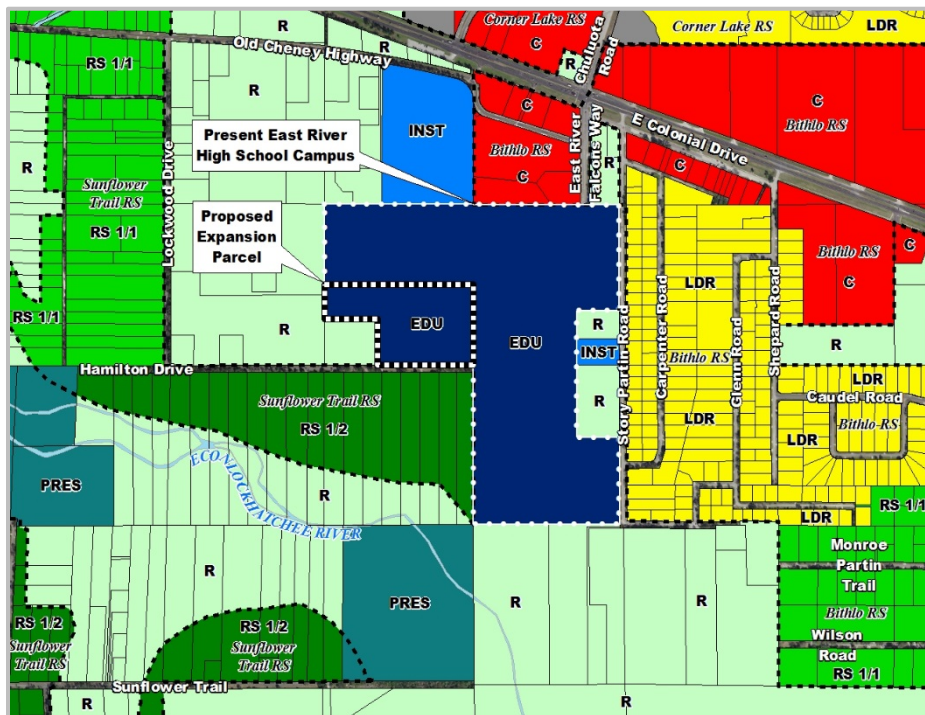
Overlay District:  
Econlockhatchee River Protection Area.

Rural Settlement: N/A

Joint Planning Area: N/A

Airport Noise Zone: N/A

## FUTURE LAND USE – AS PROPOSED



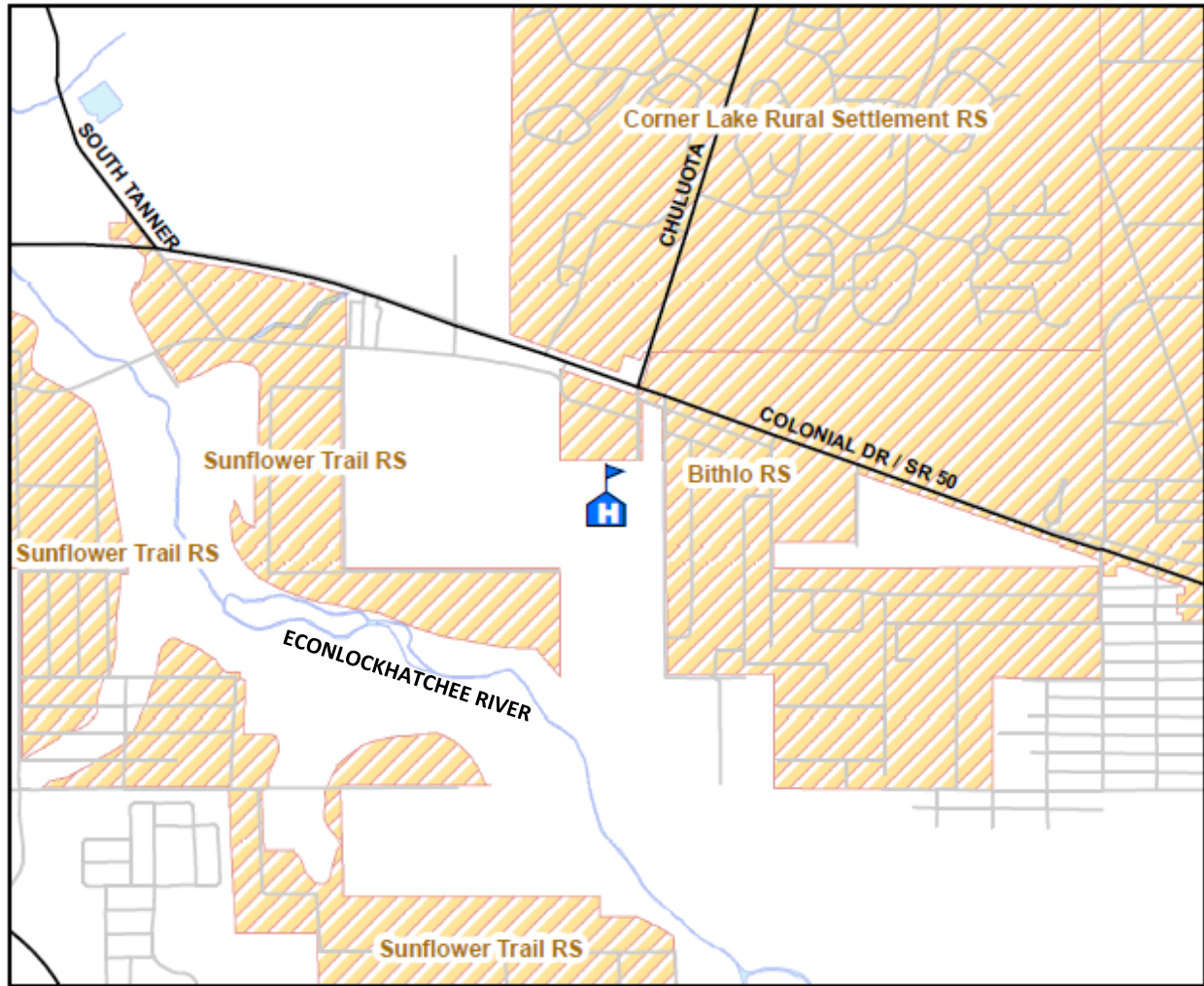
**Proposed Future Land Use:**  
Educational (EDU)



**W:** Single-family residential

The map illustrates the land use and zoning for the East River High School Campus and its proposed expansion. The campus is located in the center-left, with the proposed expansion parcel to its east. The map shows various surrounding areas, including residential (R-T-2), agricultural (A-2), and professional office (P-D) zones. Key roads include Old Cheney Highway, E Colonial Drive, Hamilton Drive, and Sunflower Trail. The map also shows existing and proposed subdivisions, such as Sunflower Trail RS, Bathlo RS, and Timber Creek Relief High School. The map is oriented with North at the top.

## RURAL SETTLEMENTS NEAR EAST RIVER HIGH SCHOOL



## Staff Recommendation

Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Element Objectives FLU8.2 and FLU8.7 and Policies FLU8.2.1, FLU8.7.7, and FLU8.7.9; Public School Facilities Element Policy PS5.3.2; Potable Water Element Policy PW1.4.2; and Wastewater Element Policy WW1.4.3), determine that the amendment is in compliance, and **ADOPT** Amendment 2018-2-A-5-1, Rural/Agricultural (R) to Educational (EDU).

## Analysis

### 1. Background and Development Program

The applicant, Orange County Public Schools (OCPS), is seeking to acquire the 15.68-acre subject property, formerly the site of a container nursery, for the expansion of the adjacent East River High School campus. If purchased, OCPS intends to utilize the site for practice fields to support the school's athletic program. As stated in the application package, the fields will provide practice area for a variety of sports, including football, soccer, baseball, softball, and lacrosse. OCPS notes that East River High School's existing fields are not on par with practice fields at other high schools within its jurisdiction. The addition of upgraded fields will enable OCPS to further its goal of providing equitable facilities across the district.

The presently vacant subject property lies within the County's Rural Service Area (RSA). As illustrated on the accompanying future land use and zoning maps, the site currently possesses a Future Land Use Map (FLUM) designation of Rural/Agricultural (R) and a zoning classification of A-2 (Farmland Rural District). As established in Future Land Use Element Policies FLU8.7.7 and FLU8.7.9 of the Orange County Comprehensive Plan, proposed public school facilities on Rural/Agricultural-designated land require a change in future land use to Educational (EDU), the category that encompasses public elementary, middle, and high schools and ninth grade centers. OCPS, therefore, is requesting the EDU designation for the subject parcel so that it may be added to the present East River High School campus, which is already classified as EDU.

Pursuant to Section 38-1751(b) of the Orange County Code, public high schools in the RSA are only permitted in the PD (Planned Development District) zoning category. As depicted on the zoning map, the present East River High School campus possesses the PD zoning classification (Timber Creek Relief High School PD), approved by the Board of County Commissioners (BCC) on October 23, 2007. To allow for the campus expansion, OCPS has submitted an application to amend the current Timber Creek Relief High School PD Land Use Plan (LUP) via the Land Use Plan Amendment (LUPA) rezoning process to incorporate the subject site. Staff notes that Rezoning Case LUPA-18-09-287 is currently proceeding through the Orange County Development Review Committee (DRC) review process and will be considered by the Planning and Zoning Commission (PZC) and BCC at a future date.

### Community Meetings

A community meeting for this requested amendment was held on June 11, 2018, at East River High School. The meeting was hosted by the applicant, Julie Salvo of Orange County Public Schools (OCPS), and District 1 School Board member Joie Cadle. Staff from District 5 Commissioner Emily Bonilla's office were also in attendance, as well as staff from the Orange County Planning Division and Public Works. The Planning Division opened the meeting by reviewing the transmittal and adoption processes for proposed FLUM amendments and summarized OCPS' request to designate the subject property as Educational (EDU) and incorporate it into the Timber Creek Relief High

School PD via the Land Use Plan Amendment (LUPA) rezoning process. Ms. Salvo discussed the proposal to acquire the 15.68-acre site for practice fields for the East River High School athletic program and OCPS' commitment to the provision of equitable resources for both boys and girls sports. Ms. Salvo emphasized that the school presently has limited capacity to accommodate the needs of its athletic program and that additional practice fields are badly needed.

Twelve (12) neighborhood residents attended the meeting. Overall, the attendees expressed their possible support for the proposal. However, they voiced their desire for OCPS to provide certain guarantees regarding the development of the subject property during the approval process. Issues of concern included student access to the site via Hamilton Drive, a rural residential road; the potential for the evolution of the practice fields to playing fields over time and such related impacts to the surrounding residential neighborhood as lighting, noise, and access management. Attendees also communicated their objection to the opening of the practice fields to outside athletic organizations and private clubs and the use of Hamilton Drive by construction vehicles and stated that the provision of fencing is needed to prevent students from accessing the fields from Hamilton. OCPS responded to the residents' questions and the issues raised. OCPS has no intent to allow open access to the unlit practice fields from Hamilton Drive, although they did indicate that Orange County Public Works may require emergency access via Hamilton. OCPS stressed that they have limited funds and have no plans for vertical construction on the site, as their goal is to utilize it for practice fields only. OCPS added that they have no desire to allow outside athletic organizations to use the fields.

The meeting participants further emphasized the need for adherence to the Timber Creek Relief High School PD Conditions of Approval. Specifically, they raised concerns about nighttime noise from the existing stadium on the east side of the campus and the stadium's very loud PA system. Representatives from the Planning Division stated that the potential imposition of additional Conditions of Approval pertaining to access, fencing, lighting, and noise will be addressed via the associated LUPA rezoning (Case LUPA-18-09-287), currently undergoing DRC review.

On October 25, 2018, OCPS held a second community meeting at East River High School, attended by thirty (30) area residents. OCPS again informed the meeting attendees that the subject property will be used solely for practice fields for East River High School's sports teams. OCPS verified that the fields will not be lit, thus ensuring that practice sessions will end by sundown, that there will be no access to the fields via Hamilton Drive, and that there will be no vertical construction on the site. OCPS further explained that if the requested Future Land Use Map Amendment and LUPA rezoning are approved, the specific site design and development standards will be established during the subsequent Development Plan (DP) stage of the project.

Several residents in attendance expressed concern about possible contamination of the Econlockhatchee River, groundwater, and soil from pesticides, herbicides, or fertilizers that may have been used previously in the operation of the container nursery. Staff notes that a Phase I Environmental Site Assessment was conducted by ECS Florida, LLC in May 2018. As stated in their report dated May 8, 2018, it is ECS' opinion that pesticides, herbicides, and fertilizers that may have been applied in conjunction with the nursery use (and an earlier known citrus grove use) do not currently constitute a Recognized Environmental Condition (REC) for the subject property.

Meeting attendees also raised questions regarding the school's proposed landscaping materials and irrigation system. OCPS staff stated that Bermuda grass (the same groundcover currently found on the football field and the existing practice fields) will be planted on the new fields and that the school will utilize a water-conserving irrigation system developed by the firm Calsense.



Several residents expressed a desire for the construction of a community center and/or regional park on the site. District 5 Commissioner Emily Bonilla stated that the new East Orange District Park Recreation Center in Christmas, the Bithlo Community Park, and the Bithlo Community Center are presently serving the residents of the area. Commissioner Bonilla further noted that in addition to these regional facilities, many subdivisions in the community feature playgrounds and parks.

Area residents also voiced concern about drainage problems on both the proposed expansion parcel and the present East River campus. OCPS staff replied that laser grading technology will be employed in the construction of the new fields to help ensure a smooth playing surface while reducing the potential for standing water. In answer to an area resident, OCPS staff verified that they also intend to simultaneously address the significant drainage issues on the school's current practice fields, located on the southeast portion of the campus.

Concerns regarding pedestrian safety—particularly with respect to those students who must cross E. Colonial Drive on a daily basis—were discussed. Several meeting attendees noted that per state law, bus service is currently not provided to those students living within a two-mile radius of the school. OCPS staff stated that they will explore the possibility of seeking a “hazardous walking condition” designation to allow for the provision of bus service to the affected students to help ensure their safety, which will require coordination between the school district, the Florida Department of Transportation (FDOT), the Orange County Sheriff's Office, and other County departments. In answer to an area resident, Commissioner Bonilla stated that the construction of a pedestrian bridge across E. Colonial Drive is not a possibility at this time, as sufficient acreage to accommodate a bridge is currently unavailable on both sides of the road. In addition, the path of the Colonial Parkway has yet to be determined, making any discussion of a future bridge premature.

Lastly, the issues of traffic and congestion in the vicinity of East River High School campus were raised. Area residents expressed frustration over the daily congestion stemming from the approximately 87 school buses traveling daily to and from the campus—a regional bus hub—and parent and student vehicular traffic. OCPS staff stated they have been attempting purchase property with access to E. Colonial Drive for the past several years to provide additional ingress and egress to the school. However, a sufficient parcel has yet to become available.

## 2. Project Analysis

### Consistency

The proposed FLUM Amendment appears to be **consistent** with the applicable Goals, Objectives, and Policies of the Comprehensive Plan.

The 15.68-acre subject property is located in an area characterized by a mix of institutional uses, including the adjacent East River High School campus, large-lot single-family residential development, and agricultural activity. As depicted on the aerial photograph, the site is bounded to the north and east by the high school. Two large agricultural parcels featuring heavy vegetation along their eastern boundaries—one 16.57 acres in size, the other with an area of 21.92 acres—and a 4.02-acre single-family homesite abut the property to the west. Single-family lots, all exceeding four (4) acres in size, lie to the south of the property. Staff views the proposed practice fields as a low-impact use compatible with the development pattern of the surrounding area.

Staff finds the requested FLUM Amendment consistent with **Future Land Use Element Objective FLU8.7**, which establishes that Orange County shall promote safe and adequate public school site locations. As discussed previously, it is OCPS' assertion that East River High School's current practice fields are not on par with those of other high schools within its jurisdiction. The development of

upgraded fields on the subject site will allow OCPS to further its goal of providing equitable facilities across the district.

Despite the subject property's location within the RSA, the infrastructure needed to serve the expanded campus, as proposed, is already in place. Orange County Utilities (OCU) currently provides potable water and wastewater service to East River High School, with water and wastewater mains located within the right-of-way of East River Falcons Way. Although extension of these urban services to areas outside the County's Urban Service Area (USA) boundary is generally prohibited, **Potable Water Element Policy PW1.4.2** and **Wastewater Element Policy WW1.4.3** establish that public schools are among the exceptions. In addition, the Transportation Planning Division notes that the utilization of the site for practice fields for the school's athletic program will not increase the number of trips on the surrounding roadway network.

As addressed earlier, the application is consistent with **Future Land Use Element Policies FLU8.7.7 and FLU8.7.9**, which state that proposed public school facilities on Rural/Agricultural-designated land require a change in future land use to EDU. If this requested amendment is adopted, the subject site will possess the same EDU classification as the present East River High School campus, as illustrated on the existing and proposed future land use maps.

Staff further finds the proposed amendment consistent with **Public School Facilities Element Policy PS5.3.2**, which mandates that the school siting ordinance shall establish procedures for the review and coordination of plans for school sites. As stated in Section 38-1751(b) of the County's Public School Siting Regulations, last amended on April 25, 2017 (Ordinance 2017-06) and codified in Chapter 38, Article XVIII of the Orange County Code, public high schools in the RSA are only permitted in the PD zoning district. As shown on the existing and proposed zoning maps, the present East River High School campus already possesses the PD zoning classification (Timber Creek Relief High School PD). OCPS is currently seeking an amendment to the Timber Creek Relief High School PD Land Use Plan (LUP) via the Land Use Plan Amendment (LUPA) rezoning process to incorporate the A-2-zoned subject property into the PD boundary and set forth development standards for the campus expansion. Staff again notes that Rezoning Case LUPA-18-09-287 is proceeding through DRC review and will be heard by the PZC and BCC at a future date.

### Compatibility

The proposed FLUM Amendment appears to be **compatible** with the development pattern of the surrounding area.

**Future Land Use Element Objective FLU8.2** states that compatibility will 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 and development trend in the area. As discussed earlier, the subject property is located in an area characterized by a mix of institutional uses, including the adjacent East River High School campus, large-lot single-family residential development, and agricultural activity. As shown on the aerial photograph, the current high school site borders the requested expansion parcel to the north and east, and heavy vegetation and surface water are present on the abutting agricultural and residential properties to the west, providing a natural buffer. OCPS establishes in the application package that the subject property will be utilized solely for practice fields to support the school's athletic program. Staff adds that East River High School has an existing football stadium on the east side of its campus that is not proposed for relocation to the subject site, nor are lights proposed for nighttime use of the practice fields. Staff views the desired practice fields as a low-impact use compatible with the development pattern of the surrounding area.

In addition to its compatibility with neighboring land uses, the use of the property for practice fields will utilize water, wastewater, and transportation infrastructure that is already in place. As noted in the transportation analysis below, the proposed use of practice fields will not increase the number of trips on the existing roadway network. Staff, therefore, recommends adoption of this requested amendment.

***Division Comments: Environmental, Public Facilities, and Services***

**Environmental.** The Orange County Environmental Protection Division (EPD) has reviewed the proposed site and determined that wetlands and surface water are located onsite. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a state application and an approved permit, to be provided to Orange County.

The site is located within the geographical limits of the Econlockhatchee River Protection Ordinance. Basin-wide regulations apply. Please reference Orange County Code Chapter 15, Article XI, Section 15-442. The basin-wide regulations include, but are not limited to, wetlands and protective buffers, wildlife habitat, stormwater, and landscaping with native plant species.

The Big Econlockhatchee River is located approximately 1,000 feet to the southwest. The Big Econ River is designated by the Florida Department of Environmental Protection (FDEP) as an Outstanding Florida Water. All development is required to pretreat stormwater runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface water without pretreatment is prohibited.

The subject site has a prior land use as a container nursery that may have resulted in soil and/or groundwater contamination due to spillage of petroleum products, fertilizers, pesticides, or herbicides. Prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading, or construction plans, the applicant shall provide documentation to ensure compliance with FDEP Regulation 62-77, Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations.

**Transportation.** The Orange County Transportation Planning Division has reviewed the proposed development program to determine the need for a traffic study. Transportation Planning has concluded that a traffic study is not required for this proposed amendment, as the incorporation of the subject property into the existing high school campus and subsequent use for practice fields for the school's athletic program will not increase the number of trips on the area roadway network.

**Utilities.** The Orange County Utilities (OCU) Engineering Division has reviewed the proposed development program for consistency with the Comprehensive Plan's Potable Water, Wastewater, and Reclaimed Water Elements. The subject parcel is located within OCU's East Service Area. There is a 16-inch potable water main and a 4-inch forcemain within the right-of-way of East River Falcons Way. Reclaimed water, however, is presently unavailable in the vicinity of the site. Per OCU, no water or wastewater treatment plant improvements are needed to provide an adequate level of service consistent with the Potable Water and Wastewater Elements.

If the Urban Service Area boundary is expanded to encompass this property, or if the extension of water and wastewater mains outside the Urban Service Area to serve this site is already compatible with Policies PW1.4.2 and WW1.4.3, water and wastewater demands and connection points to existing OCU transmission systems will be addressed as the project proceeds through the DRC and construction permitting stages.

### 3. Policies

**OBJ FLU8.2** – Compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

**OBJ FLU8.7 – PUBLIC SCHOOLS.** Orange County shall promote safe and adequate public school site locations. (For purposes of this Comprehensive Plan, the terms “public schools,” “schools,” “public school facilities,” “educational facilities,” and the like, shall mean (1) traditional, publicly supported and controlled schools under the jurisdiction of the Orange County School Board, consisting of kindergarten, elementary and/or secondary school grades, and (2) schools organized as a nonprofit organization that have applied for and received authorization from the School Board to operate a charter school for kindergarten, elementary and/or secondary school grades in accordance with Florida Statutes pertaining to charter schools, which became law in 1996, as that statute may be amended or replaced, but only where the permanent student capacity is 550 or greater.)

**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.

**FLU8.7.7** – In the event the School Board determines a public school facility is required in an area designated Rural/Agricultural on the Future Land Use Map, an amendment to the Future Land Use Map as EDU shall be required. The School Board may request an amendment to the Future Land Use Map at no cost.

**FLU8.7.9** – Public educational facilities shall be allowed in future land use designations specified in Policies FLU8.7.5 through FLU8.7.7. Subsequent to the construction of those facilities, the Future Land Use Map may be amended to reflect an Educational (EDU) designation. Any plan amendments required under FLU8.7.7 in the Rural Service Area or under FLU8.7.6 in a Rural Settlement shall be designated EDU.

**PS5.3.2** – The school siting ordinance shall establish procedures for the review and coordination of plans for school sites.

**PW1.4.2** – Potable water service shall not be extended to areas outside the Urban Service Area except in the following circumstances:

- A. The facilities to be extended will serve a Growth Center, Lake Pickett, public school, or other exception areas as provided in the Comprehensive Plan;
- B. The Board of County Commissioners has made an affirmative finding that a public health hazard exists for existing development. Such facilities shall not serve as the basis for additional new development;
- C. The facilities are to be extended to provide adequate fire flows to existing developments which are located within one-half (1/2) mile of an existing water transmission main;
- D. For approved sector plans as provided for in the CP; and
- E. The circumstances described under Policy PW1.5.2 and Policy PW1.5.3.

This policy is not intended to preclude the use of conservation or rural areas for withdrawal or treatment facilities.

**WW1.4.3** - Central wastewater facilities, consisting of wastewater treatment facilities, pump stations, force and gravity mains shall not be extended beyond the boundary of the

Urban Service Area except in the following circumstances:

- A. The facilities to be extended will serve a Growth Center, public school, or other exception areas within Specific Area Plan (SAP) boundaries as provided for in the Comprehensive Plan (CP), or a Lake Pickett-designated area;
- B. The Board of County Commissioners has made an affirmative finding that a public health hazard exists for existing development. Such extended facilities shall not serve as a basis for additional new development;
- C. For approved sector plans as provided for in the CP;
- D. Those circumstances described under Policy WW1.5.2 herein.

This policy is not intended to preclude the use of conservation or rural areas for wastewater treatment facilities or the interconnecting of the overall system.



## Site Visit Photos

Subject Site



North of Subject Site



South of Subject Site



West of Subject Site

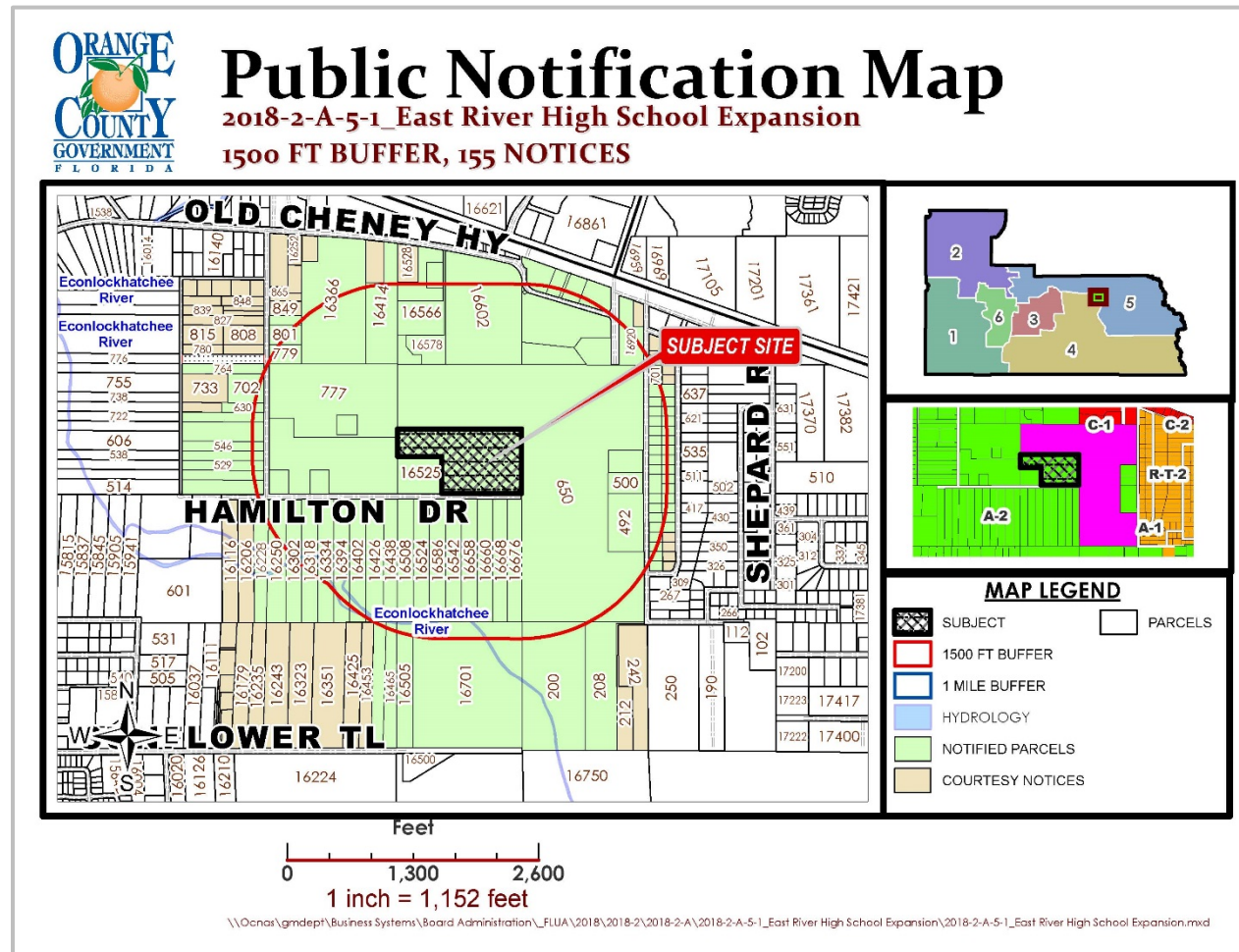


East of Subject Site



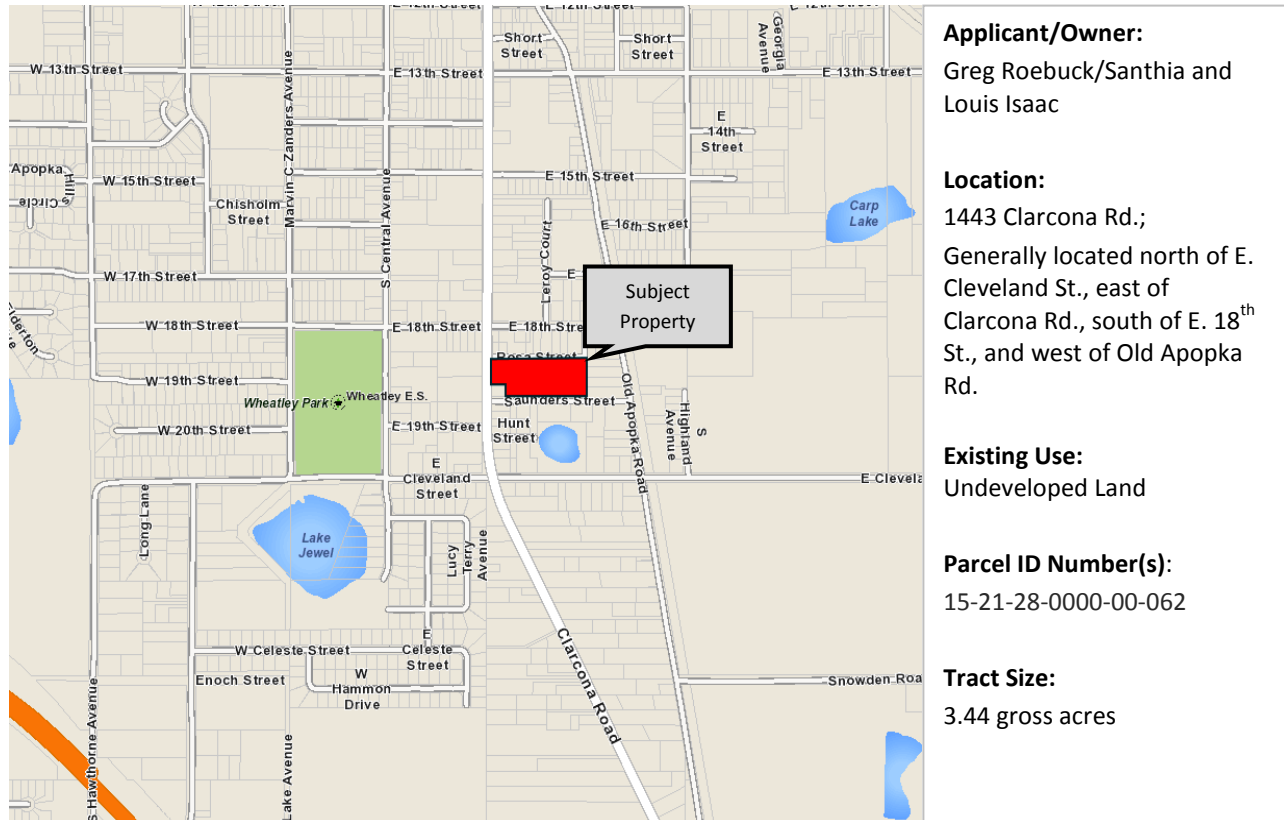


## PUBLIC NOTIFICATION



### Notification Area

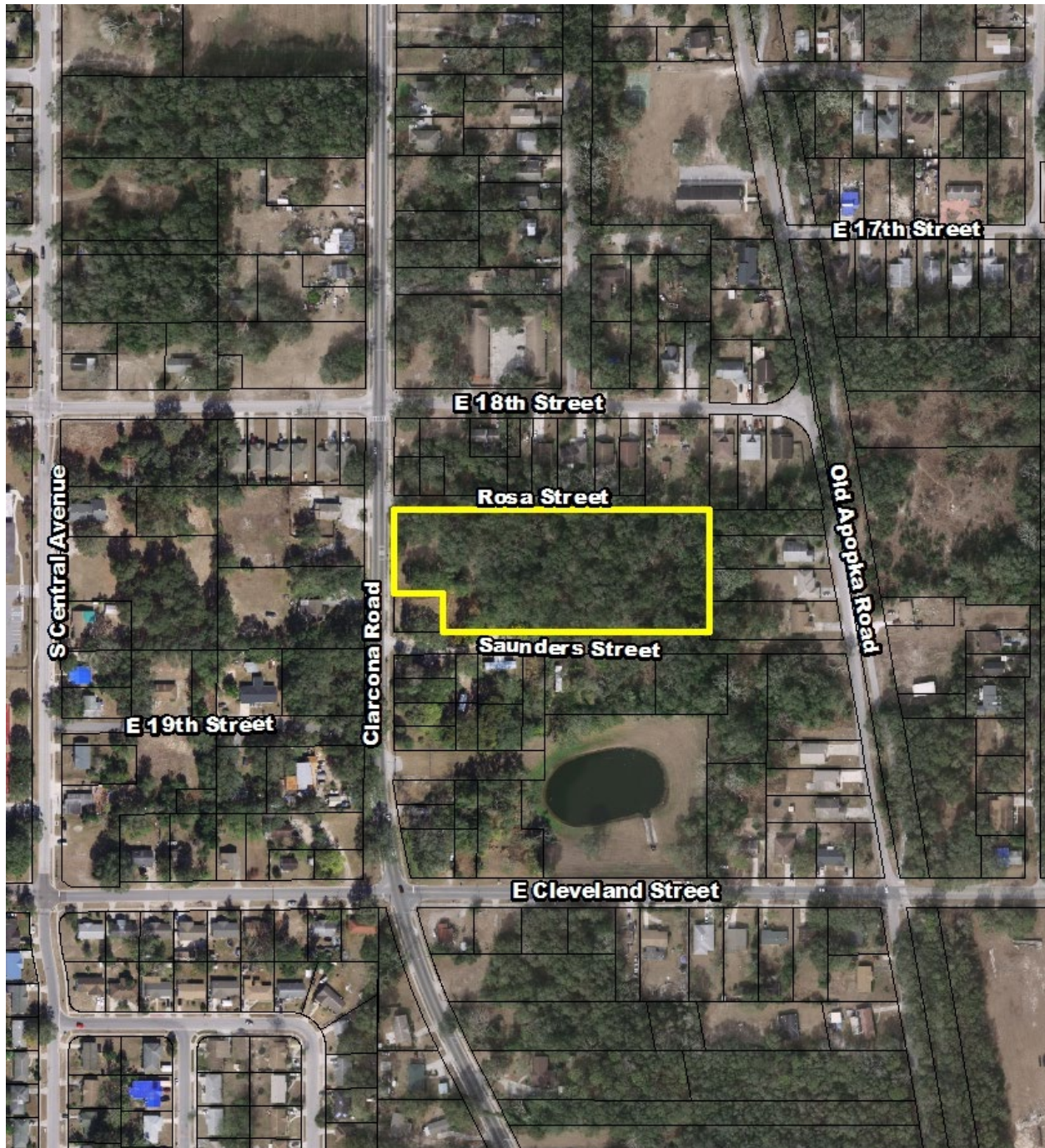
- 1,500 feet plus neighborhood and homeowner associations within a one-mile radius of the subject site
- 155 notices sent



The following meetings/hearings have been held for this proposal:			Project Information	
Report/Public Hearing		Outcome	Future Land Use Map Amendment Request:	
Community Meeting held August 30, 2018, with 6 members of the public in attendance.		Neutral	Low Density Residential (LDR) to Medium Density Residential-Assisted Living Facility (MDR-ALF)	
Staff Report		Recommend Adoption	Proposed Development Program:	
LPA Adoption October 18, 2018		Recommend Adoption (8-0)	65 assisted living facility units (120 beds)	
BCC Adoption November 13, 2018			Public Facilities and Services: Please see Public Facilities Analysis Appendix for specific analysis on each public facility.	
			Environmental: The subject property is located within the Wekiva Study Area. Special area regulations may apply.	
			Transportation: The proposed use will result in a net increase of 17 pm peak hour trips. All roadways within the project impact area currently operate at acceptable levels of service and capacity is available to be encumbered.	

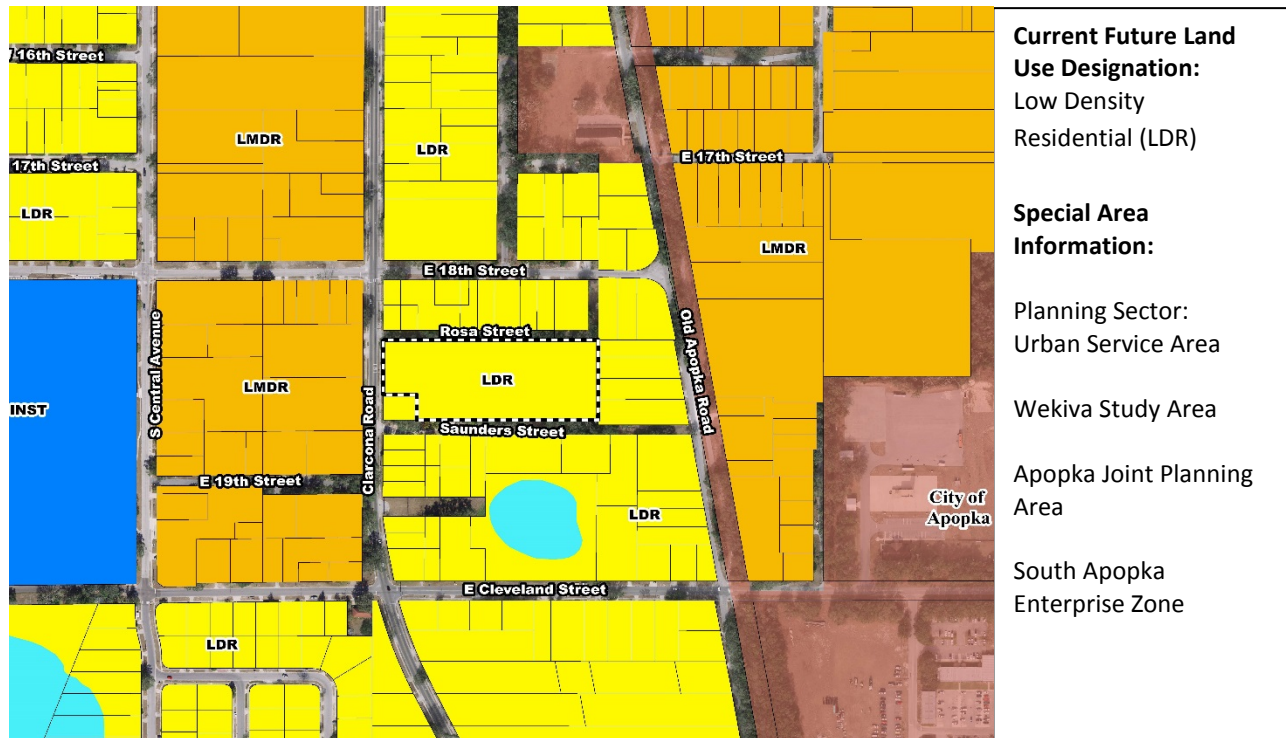


**SITE AERIAL**

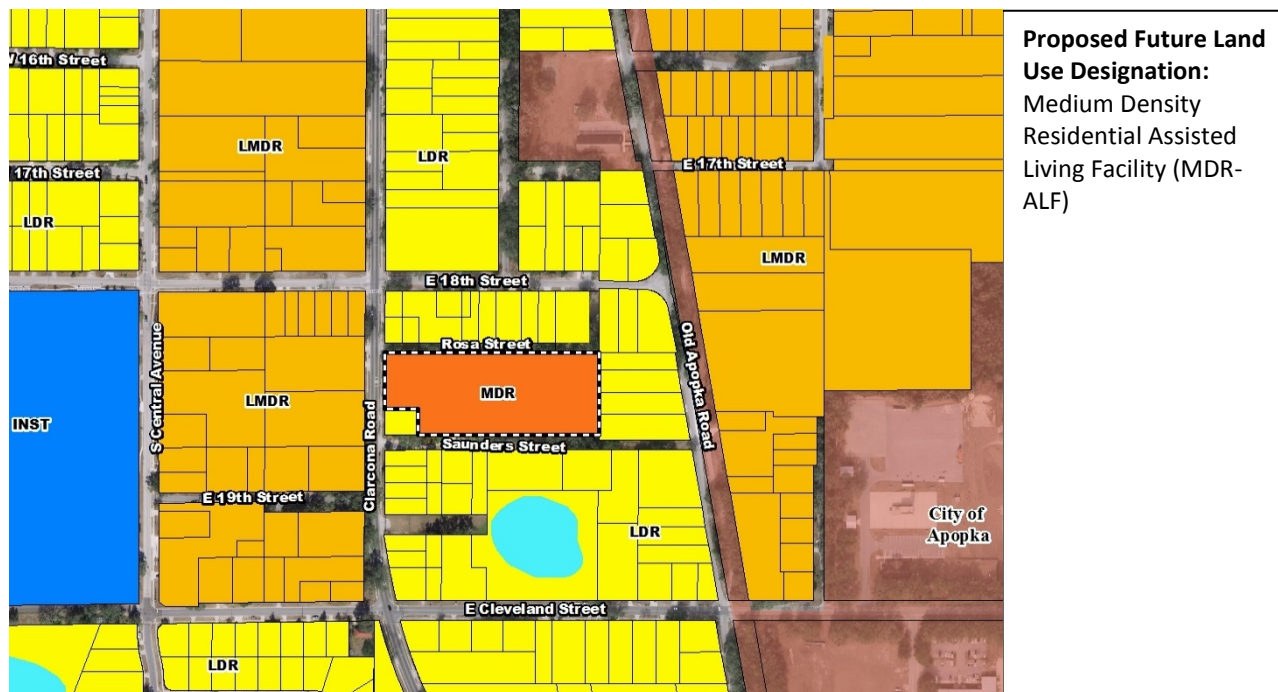




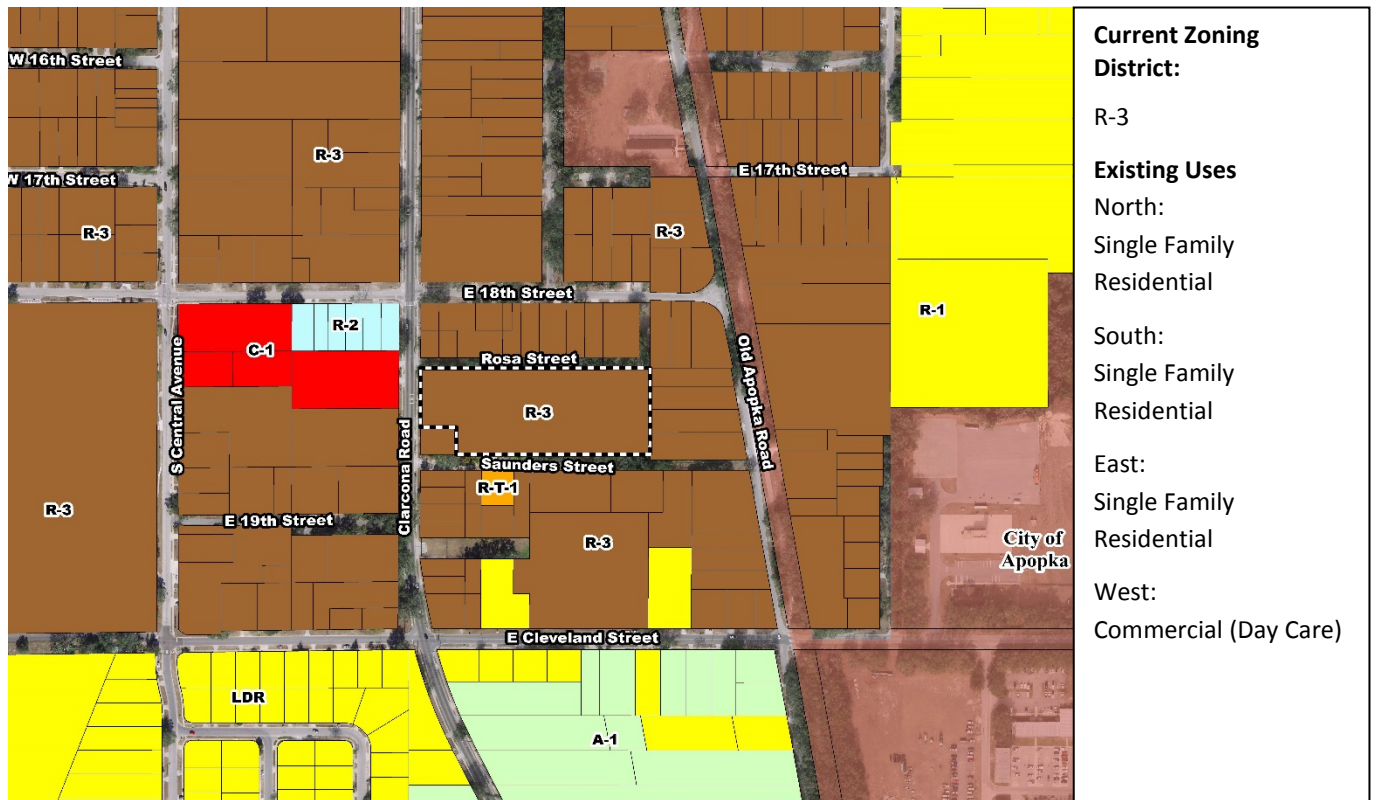
## FUTURE LAND USE - CURRENT



## FUTURE LAND USE - AS PROPOSED



## ZONING - CURRENT



## Staff Recommendations

Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Policies FLU 1.1.5, FLU 1.4.1, FLU 1.4.2, FLU 1.4.4, FLU 2.1, FLU 8.2.1, FLU 8.2.2, FLU 8.2.11; and Neighborhood Element Objective N1.1), determine that the amendment is in compliance, and recommend **ADOPTION** of Amendment 2018-2-S-2-1, Low Density Residential (LDR) to Medium Density Residential- Assisted Living Facility (MDR-ALF).

## Analysis

### 1. Background Development Program

The applicant, Greg Roebuck, has requested to change the Future Land Use Map (FLUM) designation of the 3.45-acre subject parcel from Low Density Residential (LDR) to Medium Density Residential-Assisted Living Facility (MDR-ALF). The site is bordered by single family residences to the north, east, and south, and a commercial use (day care) to the west. The property has been zoned R-3 (Multiple Family Dwelling District) since October 7, 1957, and it remains undeveloped. The R-3 zoning is inconsistent with the property's LDR FLUM designation. The applicant seeks to resolve the inconsistency and change the FLUM designation to correlate with the current R-3 zoning classification.

The subject parcel is currently undeveloped, and the applicant is proposing to build an assisted living facility of 65 units (120 beds). Assisted living facilities are permitted in the R-3 zoning district by Special Exception. If adopted, the requested Medium Density Residential- Assisted Living Facility (MDR-ALF) Future Land Use allows the development of up to 20 dwelling units per acre, or up to 69 dwelling units on the subject property. With approval of the FLUM amendment of Medium Density Residential-Assisted Living Facility (MDR-ALF), which will then be consistent with the current zoning of R-3, the applicant plans to apply for a Special Exception.

A community meeting was held for this proposed amendment on August 30, 2018. Six (6) area residents were in attendance and expressed a neutral tone to the request. Residents in attendance raised questions about access to the proposed development on the subject property, including questions about the frequency of accidents at the intersection of Clarcona Road and 13<sup>th</sup> Street, and whether it was feasible to provide a secondary or drive-through access to the site via Saunders or Rosa Streets, neither of which has been constructed. Additionally, questions were raised about the level of care in assisted living facilities, and whether there would be an on-site backup electrical generator and whether Crime Prevention Through Environmental Design (CPTED) design criteria would be part of the proposed development.

### 2. Future Land Use Map Amendment Analysis

#### ***Consistency***

The requested FLUM amendment appears to be consistent with the applicable Comprehensive Plan Goals, Objectives, and Policies, which are specifically discussed in the paragraphs below.

**Future Land Use Element Policy FLU1.4.1** states that the County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community. Assisted Living Facilities provide a living environment for senior citizens, and will diversify the housing types in the area. The development trend in the surrounding area is single family residential, and the addition of an assisted living facility to the area would increase the

diversity of housing types, and allow aging members of the surrounding community who need constant care to easily transition to appropriate housing in their own community.

**Future Land Use Element Policy FLU1.4.4** requires new commercial developments be designed and located in a way that does not disrupt established residential areas. The residential-style architecture and scale of the proposed assisted living facility will ensure that the building is compatible with the surrounding existing uses. Additionally, the nature of assisted living facilities ensures low-traffic generation and compatible operational hours. Similarly, **Neighborhood Element Objective N1.1** and **Future Land Use Element Policy FLU1.4.2**, maintain that Orange County shall ensure that future land use changes are compatible with, do not adversely impact, and serve existing or proposed neighborhoods. The low intensity use of an assisted living facility will not exacerbate traffic congestion, or disrupt the surrounding residential area.

**Future Land Use Objective FLU 2.1** and **Policy FLU1.1.5** call for the County to encourage infill development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area (USA). The subject parcel is undeveloped, and staff finds that the subject property is consistent with the targeted infill development criteria in **FLU 2.1** (relatively small, vacant, and underutilized within the County's established areas of the USA).

### ***Compatibility***

**Future Land Use Element Policy FLU 8.2.1** requires that land use changes be compatible with the existing development and development trend in the area, and states that performance restrictions and/or conditions may be placed on the property to ensure compatibility.

**Future Land Use Element 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. The commercial use of an assisted living facility is not identical to the largely-residential land use designations of the surrounding properties, but the low-intensity, and residential nature of the proposed development would complement and be compatible with the surrounding uses. Similarly, **FLU 8.2.2** requires continuous stretches of similar housing types and densities to be avoided, and calls for a diverse mix of uses and housing types. The proposed assisted living facility will provide diversity in the uses and housing types of the area.

### ***Division Comments: Environmental, Public Facilities and Services***

#### **Environmental Protection Division**

The site is located within the geographical limits of the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Special area regulations apply. In addition to the state regulations, local policies are included in the Orange County Comprehensive Plan Future Land Use Element Objective, including, but not limited to, FLU 6.6, Wekiva.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface water without pretreatment is prohibited. Please reference The Orange County Code, Sections 30-277 and 30-278.

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 (FDEP) by the developer.

### **Transportation Planning Division**

The applicant is requesting to change 3.45 gross acres from Low Density Residential to Medium Density Residential- Assisted Living Facility (MDR-ALF) and request approval to develop a 65 unit assisted living facility. The proposed assisted living facility will generate 17 net new p.m. peak hour trips. Based on the Concurrency Management System Database date September 11, 2018, all roadways within the project impact area currently operate at acceptable levels of service and capacity is available to be encumbered. This information is dated and subject to change.

The subject property is not located within the County's Alternative Mobility Area or along a backlogged/constrained facility or multimodal corridor. The allowable development based on the approved future land use will generate 14 p.m. peak hour trips, and the proposed use will generate 31 p.m. peak hour trips, resulting in a net increase of 17 p.m. peak hour trips.

The subject property is located adjacent to Clarcona Road, a two-lane collector road. Based on the Concurrency Management System (CMS) database dated September 10, 2018, this roadway currently operates at level of Service C and capacity is available to be encumbered. All other roadway segments within the project impact area also operate at acceptable levels of service. This information is dated and is subject to change. Analysis of short term (Year 2023) and long term (Year 2030) conditions indicates that all roadway segments within the project impact area will continue to operate at acceptable levels of service with and without the proposed development.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

### **3. Policy References**

**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.

**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.

**FLU1.1.5-** Orange County shall encourage mixed-use development, infill development and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. The County may require minimum FARs and densities in its Land Development Code to achieve the County's desired urban framework. Infill is defined as development consistent with the Infill Master Plan (2008).

**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.

**FLU1.4.4-** 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.

**FLU2.1-** Orange County shall promote and encourage infill development through incentives identified in the Land Development Code for relatively small vacant and underutilized parcels within the County's established core areas in the Urban Service Area. (Obj. 3.3-r)

**FLU8.2-** 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.

**FLU8.2.2-** Continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted. (Policy 3.1.1)

**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.

**N1.1-** Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing or proposed neighborhoods.



## Site Visit Photos

**Subject Site** – Undeveloped, Wooded Land



**North** – Single Family Residential



**South** – Single Family Residential



**West** – Former Day Care



**East** – Single Family Residential





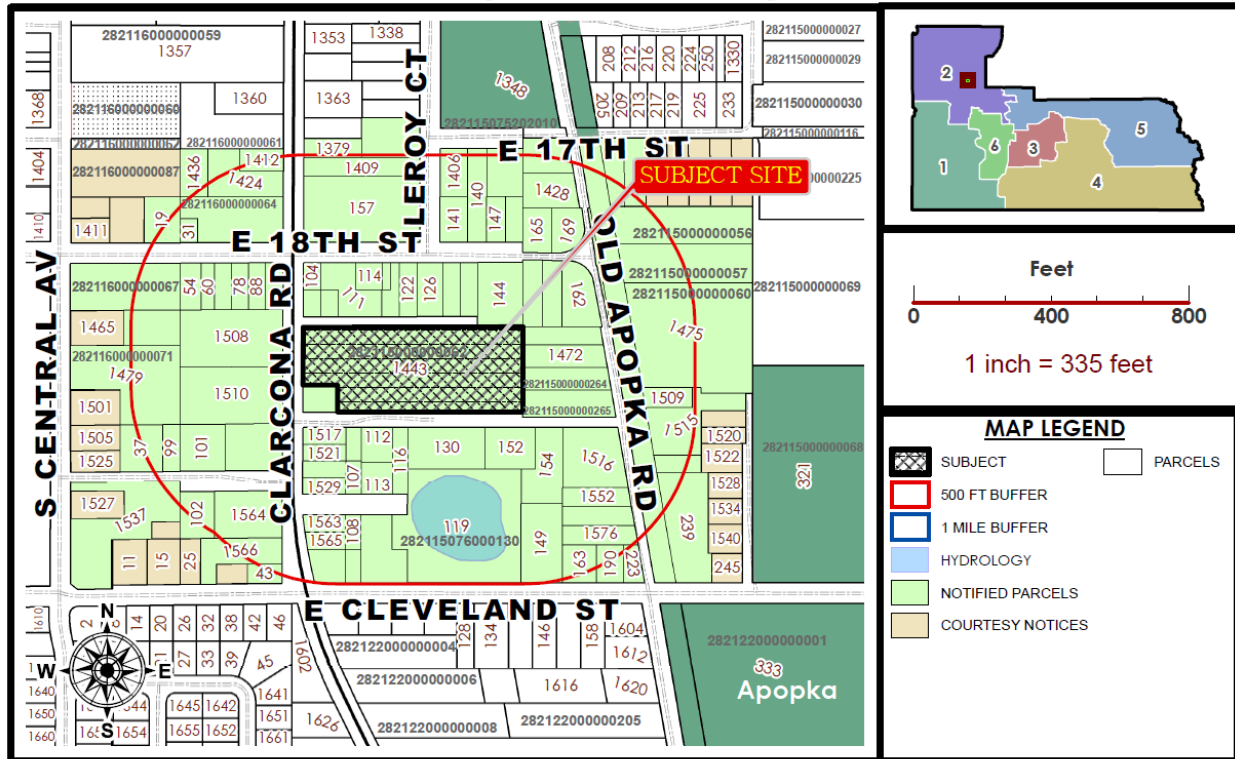
## PUBLIC NOTIFICATION MAP



# Public Notification Map

2018-2-S-2-1\_Apopka Life Care Center

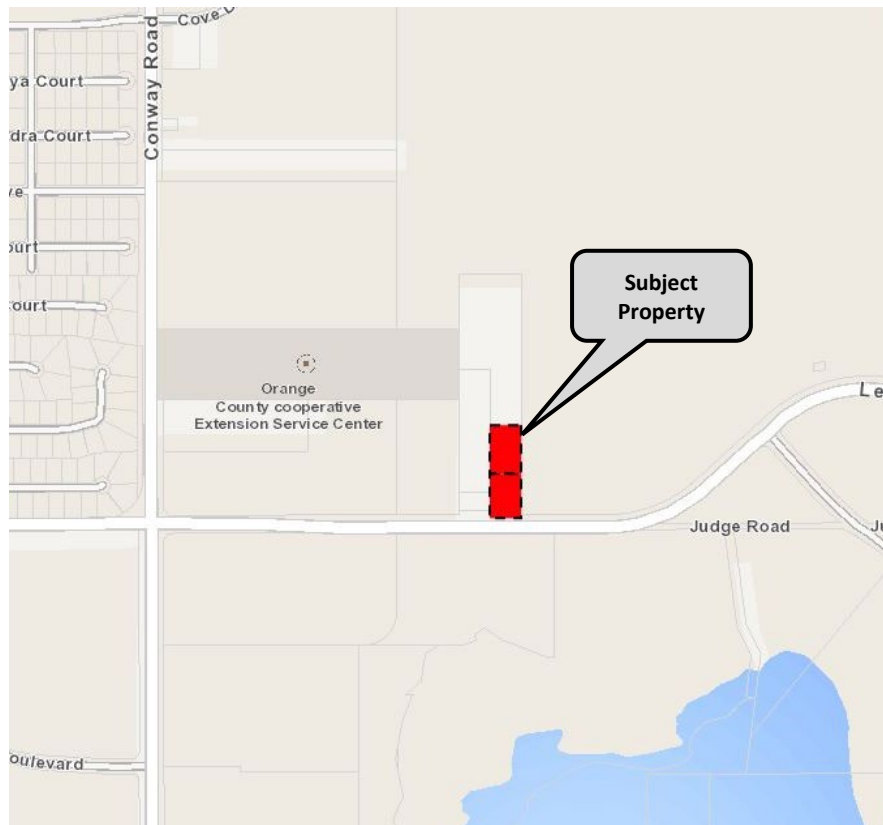
500 FT BUFFER, 125 NOTICES



### Notification Area

500 feet plus neighborhood and homeowner associations within a one-mile radius of the subject site.

125 notices sent



**Applicant/Owner:**

Thomas Daly/  
Fernando Sanchez

**Location:**

4773 and 4769 Judge Rd.;  
Generally located north of  
Judge Rd., east of S. Conway  
Rd., south of Hoffner Ave.,  
and west of S. Semoran Blvd.

**Existing Use:**

Residential and overnight  
commercial vehicle parking

**Parcel ID Number(s):**

21-23-30-0000-00-058/068

**Tract Size:**

1.90 gross acres

The following meetings/hearings have been held for this proposal:			Project Information	
Report/Public Hearing	Outcome		<b>Future Land Use Map Amendment Request:</b> Medium Density Residential (MDR) to Planned Development – Low-Medium Density Residential/Industrial (PD-LMDR/IND)	
✓	Community Meeting held August 22, 2018, with 20 members of the public in attendance.	Positive – no objection to the property owner continuing the existing uses on the property.	<b>Rezoning Request:</b> A-2 (Farmland Rural District) to PD (Planned Development District)	
✓	Staff Report	Recommend Denial	<b>Proposed Development Program:</b> 3 single-family homes (2 manufactured homes and 1 single-family residence), 1 detached garage with 2 residential units, freestanding family game room building, freestanding home office, 2 pole barns, overnight truck parking for commercial vehicles, and a fully enclosed storage trailer.	
✓	LPA Adoption October 18, 2018	Recommend Adoption (9-0)	<b>Public Facilities and Services:</b> Please see the Public Facilities Analysis Appendix for specific analysis on each public facility.	
✓	PZC Rezoning Hearing October 18, 2018	Recommend Approval, subject to fifteen conditions and waivers (9-0)	<b>Environmental:</b> No specific concerns	
	BCC Adoption BCC Rezoning Hearing November 13, 2018		<b>Transportation:</b> The proposed request will result in a reduction from 25 to 5 of pm peak hour trips.	

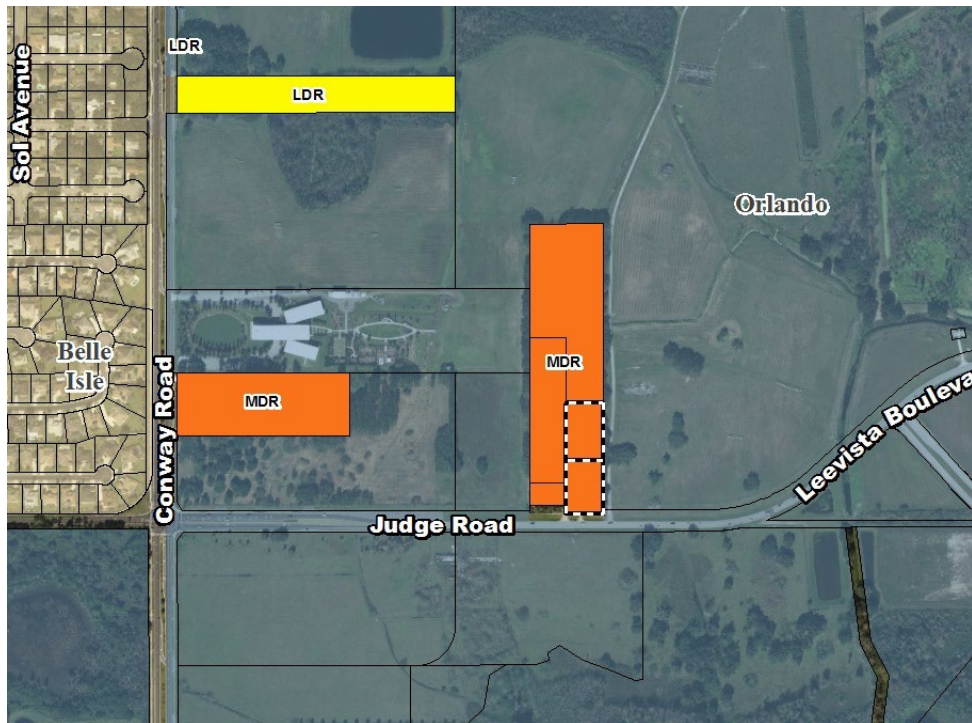
## SITE AERIAL



Note: Gray and yellow shaded areas are within the limits of the cities of Orlando and Belle Isle, respectively.

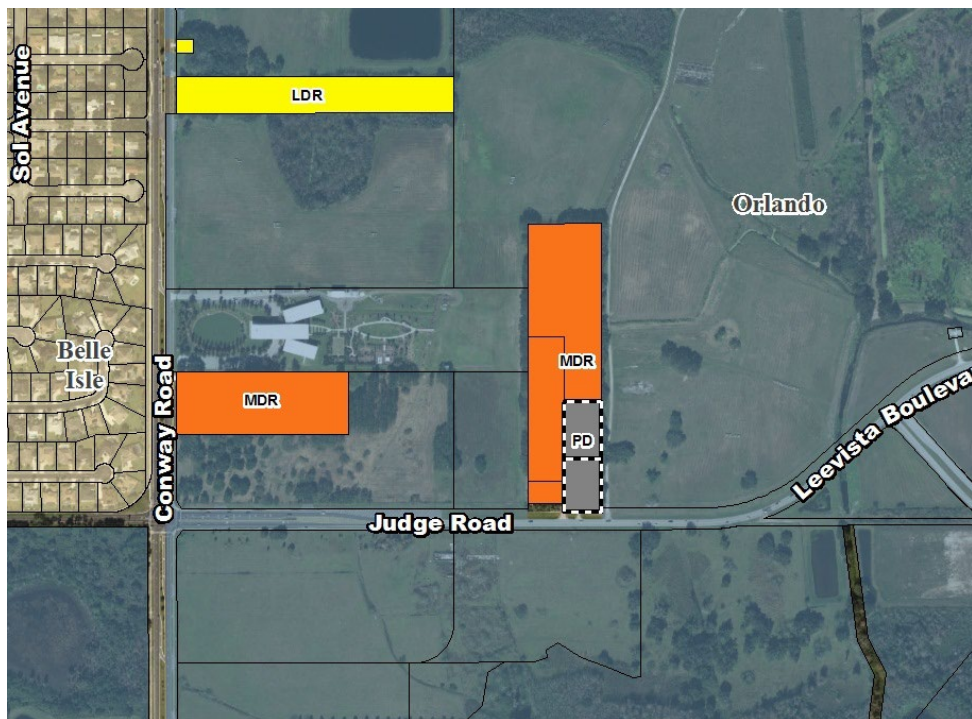


## FUTURE LAND USE - CURRENT



**Current Future Land Use Designation:**  
Medium Density Residential (MDR)  
**Special Area Information:**  
Airport Noise Overlay  
Noise Zone C

## FUTURE LAND USE - AS PROPOSED

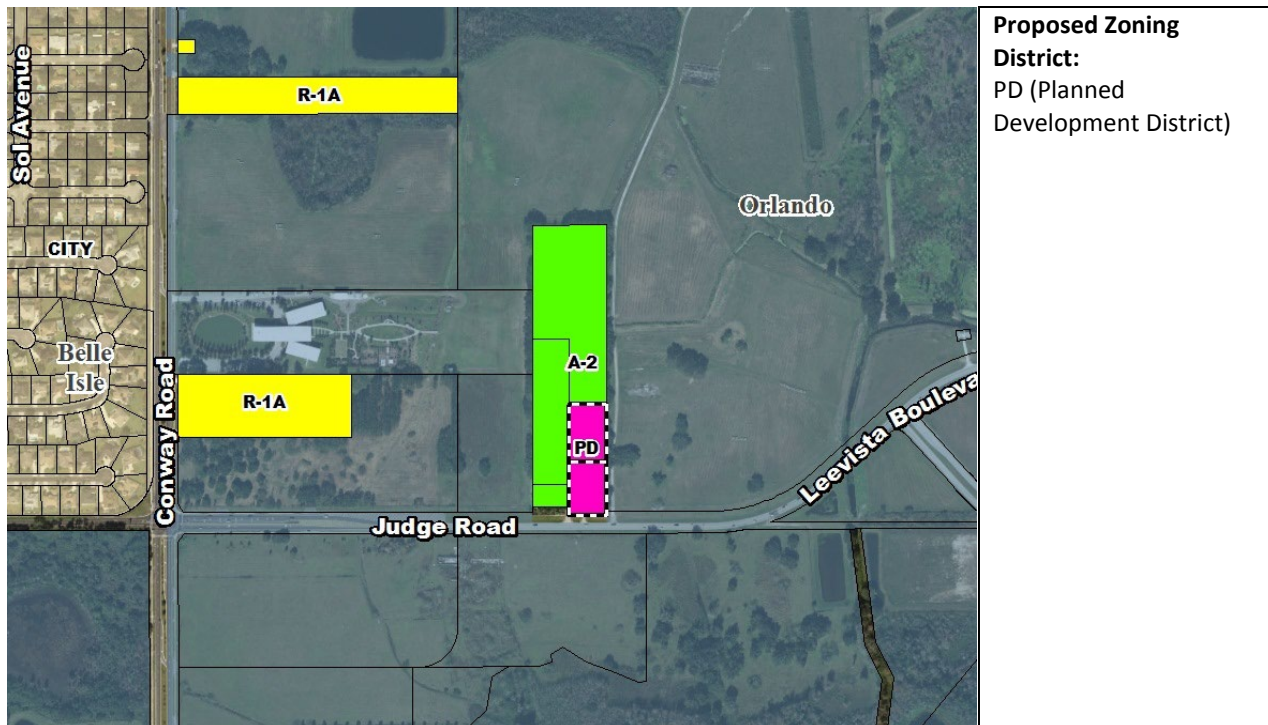


**Proposed Future Land Use Designation:**  
Planned Development – Low-Medium Density Residential/Industrial (PD-LMDR/IND)

## ZONING – CURRENT



## ZONING – AS PROPOSED





### LPA/PZC Recommendations (October 18, 2018)

1. **FUTURE LAND USE MAP AMENDMENT:** Make a finding of **consistency** with the Comprehensive Plan, determine that the amendment is in compliance, and recommend **APPROVAL** of Amendment 2018-2-S-3-1, Medium Density Residential (MDR) to Planned Development – Low-Medium Density Residential/Industrial (PD-LMDR/IND).
2. **REZONING:** Make a finding of **consistency** with the Comprehensive Plan and recommend **APPROVAL** of the Sanchez Properties Planned Development / Land Use Plan (PD/LUP), dated "Received September 26, 2018", then the following DRC conditions shall apply:
  1. Development shall conform to the Sanchez Properties Land Use Plan (LUP) dated "Received September 26, 2018," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received September 26, 2018," the condition of approval shall control to the extent of such conflict or inconsistency.
  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 land use 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. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.
7. The following waivers from Orange County Code are granted for the existing conditions as of this date of approval only; any deviations will require a public hearing with the Board of County Commissioners:
  - a. A waiver from Section 38-932 to allow a 25' PD Boundary setback with no landscape buffer between industrial and residential uses, in lieu of an increased setback buffer yard of not less than fifty (50) feet in width shall be provided along each I-1/I-5 district line which abuts any residential zoning district, and specific landscaping within the setback area shall be in accordance with Chapter 24 of the Orange County Code.
  - b. A waiver from Section 38-932(a)(11) & (a)(14) to allow the continued use of the existing driveway to be utilized for commercial truck access for the purpose of overnight parking, in lieu of Driveways, streets, and facilities for routing traffic shall be designed in such a manner that entrances and exits to public streets are not hazardous and that traffic congestion is

- minimized. Furthermore, no entrances or exits shall direct traffic into adjacent residential areas and driveways, streets, and facilities for routing traffic shall be designed in such a manner that entrances and exits to public streets are not hazardous and that traffic congestion is minimized. Furthermore, no entrance or exits shall direct traffic into adjacent residential districts.
- c. A waiver from Section 38-1233 to not require landscaping consisting of trees, shrubs, vines, ground cover with irrigation facilities in common areas, in lieu of landscaping consisting of trees, shrubs, vines, ground cover with irrigation facilities in common areas.
  - d. A waiver from Section 38-1234 (3)(a)(2) and 38-1234(3)(e) to not require open space requirements, in lieu of providing 25% open space for multi-family and 15% open space for industrial uses.
  - e. A waiver Section 38-1254(1) to allow the existing 1 story residence have a 23.4' PD boundary setback on the east property line, in lieu of a 25' PD boundary setback from the east property line.
  - f. A waiver from Section 38-1258(h) to not require active recreation to be provided, in lieu of active recreation areas shall be provided within a multi-family development to serve the needs of the residents of the multi-family buildings whenever single-family zoned property is located inside the PD or adjacent to the multi-family development.
  - g. A waiver from Section 38-1601 to allow a building 84.22' from the centerline of Judge Road, in lieu of a building 100' from the centerline of Judge Road.
  - h. A waiver from Section 38-932(14) to allow only the existing 40' access easement on the west property line to be utilized for commercial vehicular access over an A-2 zoned property, in lieu of driveways, streets, and facilities for routing traffic shall be designed in such a manner that entrances and exits to public streets are not hazardous and that traffic congestion is minimized. Furthermore, no entrance or exits shall direct traffic into adjacent residential districts.
- 8. All required permits, including building permits, will be obtained for all existing structures that do not have proper permit(s). Nothing in this condition or this approval is intended to nor shall guarantee that required permits, including building permits, will be issued.
  - 9. Short term residential shall be prohibited. Length of stay shall be for a minimum of 180 consecutive days.
  - 10. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal and must be approved prior to Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.

11. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
12. This property is located within Airport Noise Zone "C". Development shall comply with Article XV, Chapter 9, Orange County Code (Airport Noise Impact Areas), as may be amended from time to time.
13. All mobile homes (labeled on LUP as "Unit #2" and "Existing Storage Trailer") shall be removed from the property on or before February 20, 2019.
14. The Fire Department will confirm compliance with fire rescue access and safety standards during permitting.
15. The applicant must provide either a tree survey demonstrating adequate trees on site or required landscape buffering in compliance with Orange County Code.

#### **LPA/PZA Hearing Synopsis (October 18, 2018)**

County staff planner Misty Mills provided an overview of the proposed amendment and the associated rezoning. She informed the LPA of staff's recommendation of denial of the two requests, noting that staff finds both inconsistent with the Future Land Use Element Objective FLU1.4 Future Land Use Policies FLU1.4.16, FLU8.1.1(a), FLU8.1.1(b), and FLU8.2.1. Staff noted the inconsistency and incompatibility of residential and industrial land uses as a reason for denial.

The applicant, Tom Daly, expressed his disagreement with staff's recommendations. He stated the applicant is not intending to increase development on the site but to allow the existing development to persist. He explained the property was purchased in 2014 with the existing structures on the site. The property owner lives on the site. Mr. Daly explained that overnight truck parking occurs on the site because the owner's business is to haul landscaping materials from the nursery abutting the petitioned site.

Mr. Daly explained that he and the property owner met with staff to find a path to allow the residential uses and the overnight truck parking to occur on the site. He stated the recommended course was to pursue Planned Development Future Land Use and Planned Development Zoning.

Chief Planner, Eric Raasch explained that no multi-family is associated with the request and the development program is listed in the staff report and, if approved, DRC condition of approval number 13 would require removal of two (2) structures from the site.

During LPA discussion it was noted that, if approved, the development program would be recorded in the Comprehensive Plan and as part of an approved Planned Development Land Use Plan. Concern was also expressed that granting approval of this would allow an adjacent property owner to request the same. Mr. Raasch explained that the site is unique because it is essentially surrounded by the City of Orlando and has a specific history that necessitated the request. Additionally, if another property owner made a similar request they would have to apply for a Planned Development.

A motion by Commissioner Demonstene and Commissioner DiVecchio passed 9-0, to make a finding of consistency with the Comprehensive Plan and to recommend adoption of the Planned Development –

Low-Medium Density Residential/Industrial (PD-LMDR/IND) Future Land Use designation. Commissioner Demonstene and Commissioner DiVecchio moved to make a finding of consistency with the Comprehensive Plan and recommend approval of the PD (Planned Development District) (Sanchez Properties Planned Development), subject to 15 conditions. The motion passed 9-0.

## Staff Recommendations

Staff does not recommend support for the proposals. However, if the requested Comprehensive Plan amendment is approved, action would then need to be taken on the requested rezoning. These items need to be addressed as two separate motions. Below are the staff recommendations for each of these items.

1. **FUTURE LAND USE MAP AMENDMENT:** Make a finding of **inconsistency** with the Comprehensive Plan (see Future Land Use Objective FLU1.4 Future Land Use Policies FLU1.4.16, FLU8.1.1(a), FLU8.1.1(b), and FLU8.2.1), determine that the amendment is not in compliance, and recommend **DENIAL** of Amendment 2018-2-S-3-1 Medium Density Residential (MDR) to Planned Development – Low-Medium Density Residential/Industrial (PD-LMDR/IND).
2. **REZONING:** (September 26, 2018 DRC Recommendation): Make a finding of **inconsistency** with the Comprehensive Plan and recommend **DENIAL** of the Sanchez Properties Planned Development / Land Use Plan (PD/LUP), dated "Received September 26, 2018"

**ALTERNATIVE REZONING ACTION:** If the Planning and Zoning Commission decides to recommend a finding of **consistency** with the Comprehensive Plan and recommend **APPROVAL** of the Sanchez Properties Planned Development / Land Use Plan (PD/LUP), dated "Received September 26, 2018", then the following DRC conditions shall apply:

1. Development shall conform to the Sanchez Properties Land Use Plan (LUP) dated "Received September 26, 2018," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received September 26, 2018," the condition of approval shall control to the extent of such conflict or inconsistency.
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 land use 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).
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7. The following waivers from Orange County Code are granted for the existing conditions as of this date of approval only; any deviations will require a public hearing with the Board of County Commissioners:
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  - c. A waiver from Section 38-1233 to not require landscaping consisting of trees, shrubs, vines, ground cover with irrigation facilities in common areas, in lieu of landscaping consisting of trees, shrubs, vines, ground cover with irrigation facilities in common areas.
  - d. A waiver from Section 38-1234 (3)(a)(2) and 38-1234(3)(e) to not require open space requirements, in lieu of providing 25% open space for multi-family and 15% open space for industrial uses.
  - e. A waiver Section 38-1254(1) to allow the existing 1 story residence have a 23.4' PD boundary setback on the east property line, in lieu of a 25' PD boundary setback from the east property line.
  - f. A waiver from Section 38-1258(h) to not require active recreation to be provided, in lieu of active recreation areas shall be provided within a multi-family development to serve the needs of the residents of the multi-family buildings whenever single-family zoned property is located inside the PD or adjacent to the multi-family development.
  - g. A waiver from Section 38-1601 to allow a building 84.22' from the centerline of Judge Road, in lieu of a building 100' from the centerline of Judge Road.
  - h. A waiver from Section 38-932(14) to allow only the existing 40' access easement on the west property line to be utilized for commercial vehicular access over an A-2 zoned property, in lieu of driveways, streets, and facilities for routing traffic shall be designed in such a manner that entrances and exits to public streets are not hazardous and that traffic congestion is minimized. Furthermore, no entrance or exits shall direct traffic into adjacent residential districts.



8. All required permits, including building permits, will be obtained for all existing structures that do not have proper permit(s). Nothing in this condition or this approval is intended to nor shall guarantee that required permits, including building permits, will be issued.
9. Short term residential shall be prohibited. Length of stay shall be for a minimum of 180 consecutive days.
10. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal and must be approved prior to Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.
11. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
12. This property is located within Airport Noise Zone "C". Development shall comply with Article XV, Chapter 9, Orange County Code (Airport Noise Impact Areas), as may be amended from time to time.
13. All mobile homes (labeled on LUP as "Unit #2" and "Existing Storage Trailer") shall be removed from the property on or before February 20, 2019.
14. The Fire Department will confirm compliance with fire rescue access and safety standards during permitting.
15. The applicant must provide either a tree survey demonstrating adequate trees on site or required landscape buffering in compliance with Orange County Code.

## Analysis

### 1. Background Development Program

The applicant, Fernando Sanchez, requests to change the Future Land Use Map (FLUM) designation for two parcels combining to make a 1.90-acre site from Medium Density Residential (MDR) to Planned Development – Low-Medium Density Residential/Industrial (PD-LMDR/IND). The requested FLUM designation would allow for the validation of the existing uses, some of which do not have building permits and are not allowed within the airport noise overlay, listed below:

- Three (3) single-family homes, including:
  - Two (2) manufactured homes and one (1) single-family residence);
- One (1) detached garage with two (2) residential units;
- Freestanding family game room building;
- Free standing home office;
- Two (2) pole barns;
- Overnight truck parking for commercial vehicles; and
- Fully enclosed storage trailer.

In conjunction with the FLUM Amendment, the applicant submitted a rezoning application (LUP-18-06-213) to change from A-2 (Farmland Rural District) to PD (Planned Development District).

The requests are the result of a code enforcement violation that was reported on the property on March 1, 2018. Additional information regarding the code enforcement violation can be found under the Division Comments Section of the staff report.

The petitioned parcel is located along Judge Road approximately one quarter mile east of Conway Road. The site is generally bounded on the north by Hoffner Avenue, on the west by South Semoran Boulevard, on the South by Judge Road, and the east by Conway Road. Judge Road is a two lane-two way roadway with a signalized intersection at Conway Road.

Uses surrounding the site are primarily agricultural in nature including cattle grazing, plant nursery, and vacant land with associated residential uses. The uses abutting the site to the north and west include plant nursery, the uses to the east include cattle grazing and to the south the property is undeveloped. The properties to the east and south of the subject site are within the City of Orlando and have a Future Land Use designation of Industrial. The Orange County Cooperative Extension Service Center is located north-west of the site within the City of Orlando.

#### **Pre-Application Meeting**

A pre-application meeting was held May 10, 2018. The applicant explained the existing uses on the site including five residential uses and overnight parking of commercial trucks on the site that are used in conjunction with the landscaping business north of the petitioned site. The appropriate path was discussed including the recommendation of rezoning and changing the future land use to Industrial. The issue with this was the existing dwelling units on the site, some of which are not permitted. The legal non-conforming uses would lose their grandfathering status if vacant for more than six (6) months.

Subsequent to the pre-application meeting the applicant had a follow-up meeting with Orange County staff where the current request was proposed.

#### **Existing Land Use Regulations**

The property has a current land use of Medium Density Residential (MDR) which has five (5) zoning districts that correlate, including R-2 (Residential District), R-3 (Multiple-Family Dwelling District), UR-3 (University Residential District), PD (Planned Development District) and U-V (Urban Village District). Neither *mobile homes* or *freestanding home offices* nor *overnight parking of commercial vehicles* are permitted in the future land use or in any of the correlating zoning districts.

Additionally, the petitioned site has a zoning of A-2 (Farmland Rural District), which is inconsistent with the current future land use designation of Medium Density Residential (MDR).

#### **Airport Noise Zone**

The petitioned site is located within Airport Noise Zone C. According to the Airport Noise Zone ordinance (Section 9-604), "Single-family and multi-family residential uses are discouraged in Zone C. Mobile homes are expressly prohibited in Zone C. Single-family uses in Zone C require a sound level reduction (SLR) design 35 db, multi-family uses require a SLR 30 db." Prohibited uses cannot request waivers. The regulations of Section 9-604 do not apply to any pre-existing structure not conforming to the section prior to the adoption of the ordinance. The regulations do not apply to existing residential or non-residential development; vacant lands zoned for non-residential use;

vacant lands zoned for residential use prior to the adoption of the ordinance. The ordinance was adopted in 2000.

According to the rezoning application and zoning staff research, all the structures on the site with the exception of the single-family residence that was constructed in 1950, were placed on the site or built without permits. The airport noise ordinance does not allow the mobile homes. All other existing structures must meet the noise reduction requirements of the airport noise zone. The zoning division cannot consider the mobile homes existing under the airport noise ordinance as they never received Orange County permits to be placed on the petitioned site.

The existing future land use on the petitioned site, and the surrounding sites located within unincorporated Orange County is Multi-Family Residential (MDR). According to the land use restrictions found in the airport noise ordinance single-family and multi-family residential uses are discouraged within zone C. Any residential structures within this zone must be constructed to a SLR of 30db. The controls apply to hospitals, clinics, nursing homes, child care, and school uses and do not apply to commercial, industrial, office, or agricultural uses. Therefore, the existing office and overnight commercial vehicle parking on the site are exempt from the ordinance.

Overview of Request		
	Existing Land Use Assignments	Proposed
<b>Future Land Use</b>	Medium Density Residential (MDR)	Planned Development Low-Medium Density Residential/Industrial (PD-LMDR/I)
<b>Zoning</b>	A-2 (Farmland Rural District)	PD (Planned Development)
<b>Airport Noise Overlay</b>	Prohibit mobile homes Prohibit storage trailers	Remove 1 mobile home and storage trailer  Retain 1 mobile home

### Enclaves

The petitioned parcels, along with others in the immediate area that are also bounded on one or more sides by the City of Orlando, are regarded as enclaves of the City of Orlando. Chapter 171.031(13), Florida Statutes, defines an *enclave* as:

- Any unincorporated improved or developed area that is enclosed within and bounded on all sides by a single municipality; or
- Any unincorporated improved or developed area that is enclosed within and bounded by a single municipality and a natural or manmade obstacle which allows the passage of vehicular traffic to that unincorporated area only through the municipality.



Figure 1 Map indicating subject property location surrounded by the City of Orlando

The petitioned site is bounded on two sides by the City of Orlando and therefore by itself does not meet the strict definition of an enclave. Nonetheless, the property owner has the option to annex into the City of Orlando.

A community meeting was held for this request on August 22, 2018, which twenty (20) members of the public attended. The primary concern was the possibility of multi-family development on the subject site. Staff explained the request does not include multi-family development proposal but an amendment from Medium Density Residential (MDR) (which includes multi-family uses) to Planned Development to allow the property owner to continue the existing uses on the property.

#### 2018-2-S-FLUE-1 Amendment

**Future Land Use Element Policy FLU8.1.4** 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. The requested Planned Development is proposed for incorporation into **Policy FLU8.1.4** as follows, via concurrent Staff-Initiated Text Amendment 2018-2-S-FLUE-1.

Amendment Number	Adopted FLUM Designation	Maximum Density/ Intensity	Ordinance Number
2018-2-S-3-1 Sanchez Properties	Planned Development – Low- Medium Density Residential/Industrial (PD-LMDR/IND)	3 residential dwelling units (2 single-family detached homes and 1 existing manufactured home), 1 detached garage with 2 garage apartment units, freestanding family game room building, freestanding home office, 2 pole barns, and overnight truck parking for commercial vehicles	2018-

The existing development on the petitioned site consists of three (3) single-family homes, (two (2) manufactured homes and one (1) single-family residence) and two (2) garage apartments. As required by the Airport Noise Overlay, one manufactured home must be removed because it was placed on the site, without a building permit, after the inaction of the ordinance.

On October 30, 2018, an e-mail was received from the zoning division explaining:

The Building department confirmed that when they inspected the site, the home built in 1950 has in fact been replaced with another mobile home. It was demo'd without permits and replaced without permits.

Zoning recommends that we make this known to the BCC, and suggest we require the MH to be removed, but a site built home of equal size may be allowed (if permitted).

The Planned Development land use designation, if approved, is adopted into the Comprehensive Plan. The requested density of Low-Medium Density Residential (LMDR) allows up to ten (10)

dwelling units an acre. This land use designation was requested to permit the existing residential development of three (3) single-family homes and two (2) garage apartments. In order to comply with the Airport Noise Ordinance up to two (2) manufactured homes must be removed from the site. The inclusion of two (2) single-family residences, in the adopted development plan, would permit the property owner to replace the manufactured homes with permitted single-family residences thereby bring the site into compliance with underlying land development regulations. Subsequent changes to the approved development program would require a Comprehensive Plan Amendment.

## Land Use Map Amendment Analysis

### *Consistency*

The requested FLUM amendment appears to be inconsistent with the applicable Comprehensive Plan goals, objectives, and policies, which are specifically discussed in the paragraphs below.

As listed in **Future Land Use Element Policy FLU1.1.2(B)** the existing future land use designation of Medium Density Residential (MDR) has a maximum density of twenty dwelling units an acre (20 du/ac), allowing up to thirty-eight (38) dwellings units on the petitioned site. The existing mobile homes are not allowed within any of the correlating zoning district in the MDR future land use. As discussed above, the applicant has agreed to remove one of the mobile homes and the storage trailer. The correlating future land use and zoning category that allows for mobile homes is Low-Medium Density Residential (LMDR). The maximum density in the LMDR future land use is ten dwelling units an acre (10 du/ac) or up to nineteen (19) dwelling units.

The Industrial Future Land Use designation found under **Future Land Use Element FLU1.1.4(A)** includes the processing of both hazardous and non-hazardous materials ranging from light assembly and manufacturing to chemical processing. It is under this designation that Industrial zoning districts are permitted. The overnight parking of trucks is permitted within the I-1/I-5 (Industrial District – Light); I-2/I-3 (Industrial District, General); and the I-4 (Industrial District, Heavy) zoning districts.

The applicant is requesting to change the future land use from Medium Density Residential (MDR) to Planned Development – Low-Medium Density Residential/Industrial (PD-LMDR/IND) to provide for consistency between the existing uses, the zoning, and the future land use, as required by **Future Land Use Element Policy FLU8.1.1(a)**.

**Future Land Use Element Policy FLU8.1.1(b)** provides for the use of a Planned Development District that provides for fewer uses than permitted with a standard zoning district classification in making the transition from the Future Land Use Map designation to the most appropriate zoning district classification. The applicant is requesting a Planned Development Zoning Designation. The Development Review Committee (DRC) recommended denial of this request at its September 26, 2018 meeting, however the DRC also assembled a list of conditions and waivers for site development, should a revised plan be found approvable.

### *Compatibility*

Future Land Use Element Policy FLU8.2.1 requires land use changes 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. The

Development Review Committee recommended denial of the Land Use Plan at the September 26, 2018, meeting.

**Future Land Use Element Objective FLU1.4** contains location and development criteria that 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 Comprehensive Plan.

The Comprehensive Plan finds that Industrial and Residential uses are incompatible as reflected in **Future Land Use Element Policy FLU1.4.16** requires the Future Land Use Map to 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. The surrounding parcels that are located within the City of Orlando have a future land use designation of Industrial. While the request to amend the future land use on the property from Medium Density Residential (MDR) to allow an industrial use is compatible with the surrounding industrial future land use it is not compatible with the existing Medium Density Residential (MDR) future land use or the existing residential uses.

However, staff notes the applicant is requesting the Industrial (IND) Future Land Use designation as part of the Planned Development designation to permit the overnight parking and/or storage of trucks. The property is in a location where it is surrounded by agricultural uses, such as a nursery and landscaping business and farmland, however the City of Orlando has designated the nearby lands within its jurisdiction as industrial. The future land use designation of Medium Density Residential is not reflective of the adjacent uses on the parcels located within unincorporated Orange County.

***Division Comments: Environmental, Public Facilities and Services***

**Code Enforcement**

Case CED-2018-375984Z/Incident 506298 unpermitted structures installed on property (Parcel ID 21-23-30-0000-00-058). The date the incident was reported was March 1, 2018. The Code Enforcement hearing date was May 16, 2018. The outcome of the hearing was the property was found in a compliant state until February 20, 2019 to allow the property owner time to bring the property into compliance without accruing any fines or liens on the property.

Case CED-2018-375983Z/Incident 506287 Unpermitted buildings/trailers (Parcel ID 21-23-30-0000-00-068). The date the incident was reported as March 1, 2018. The Code Enforcement hearing date was May 16, 2018. The outcome of the hearing was the property was found in a compliant state until February 20, 2019 to allow the property owner time to bring the property into compliance without accruing any fines or liens on the property.

**Environmental Protection Division**

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400.



Any miscellaneous garbage, hazardous waste, yard waste and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

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.

#### **Greater Orlando Aviation Authority**

The subject property is in Zone C 65 DNL. Maximum allowable height is roughly 195 feet (south end) to 203 feet (north end) Above Mean Sea Level (AMSL). This designation may impact the ability to develop to the intended use.

#### **Transportation Planning Division**

The applicant is requesting to change 1.90 gross acres from Medium Density Residential to a Planned Development and request approval to develop up 4 single family dwelling units and a parking lot for commercial vehicles. The proposed single family dwelling units and parking lot will result in a reduction of pm peak hour project trips and therefore will not impact the area roadways.

- The subject property is not located within the County's Alternative Mobility Area or along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the approved future land use will generate 25 pm peak hour trips.
- The proposed use will generate 5 pm peak hour trips resulting in a net reduction of 20 pm peak hour trips.
- The subject property is located adjacent to Judge Road, a 2-lane collector road from Daetwyler Drive to Conway Road. Based on the Concurrency Management System (CMS) database dated 09-10-18, this roadway currently operates at level of Service E and capacity is available to be encumbered. Other roadway segments within the project impact area also operate acceptable levels of service with the exception of Hoffner Avenue from Oak Island Road to Conway Road. This information is dated and is subject to change.
- To determine future traffic conditions, background traffic was developed using a 2% annual growth rate based on historical AADT within the project's impact area. Committed trips were used if these exceeded background traffic volumes.
- Analysis of short term (Year 2023) and long term (Year 2030) conditions indicates that in addition to Hoffner Avenue, segments along Conway Road, Daetwyler Drive and Judge Road within the project impact area will operate below adopted levels of service with and without the project trips from the proposed development.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed

development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

### 3. Analysis – Rezoning

#### SITE DATA

**Existing Use** Residential (single-family detached, manufactured homes, garage apartments, and associated accessory dwellings), overnight commercial vehicle parking

**Adjacent Zoning**

N:	A-2 (Farmland Rural District) (1957)
E:	I-P/AN (Industrial Park District/Airport Noise Overlay) (City of Orlando)
W:	A-2 (Farmland Rural District) (1957)
S:	I-P/AN (Industrial Park District/Airport Noise Overlay) (City of Orlando)

**Adjacent Land Uses**

N:	Plant Nursery
E:	Undeveloped Industrial
W:	Plant Nursery
S:	Undeveloped Industrial

#### **APPLICABLE PD DEVELOPMENT STANDARDS**

PD Perimeter Setback 25 feet

Maximum Building Height: 1-story  
Proposed Density: 2.63 dwellings/acre

#### **Minimum Building Setbacks**

Front Setback: 20 feet  
Rear Setback: 20 feet  
Judge Road: 34.22 feet  
PD Boundary: 23.40 feet

#### **SPECIAL INFORMATION**

##### **Subject Property Analysis**

The applicant is seeking to rezone the subject parcels from A-2 (Farmland Rural District) to PD (Planned Development District) in order to allow and permit up to five (5) existing residential dwelling units and permit an existing overnight commercial parking area. The applicant is also seeking approval of eight (8) waivers in order to allow code compliance of existing structures on the subject property. No additional development beyond what exists on the property today is proposed with this request.

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**Comprehensive Plan (CP) Amendment**

The property has a proposed Future Land Use Map (FLUM) designation of Planned Development – Low-Medium Density Residential/Industrial (PD-LMDR/IND). If the concurrent CP amendment is adopted by the BCC, the proposed use will be consistent with this designation.

**Rural Settlement**

The subject property is not located within a Rural Settlement.

**Joint Planning Area (JPA)**

The subject property is not located within a JPA, but as the property is located adjacent to the City of Orlando, the City was notified of the community meeting and is notified of all public hearings related to this rezoning and the associated Future Land Use Map amendment.

**Overlay District Ordinance**

The subject property is located within the Airport Noise Zone Overlay District and is within Zone “C”. Single-family and multi-family residential uses are discouraged in this zone and mobile/manufactured homes are expressly prohibited due to the noise levels from aircraft in this zone. In this zone, single and multi-family uses require sound level reduction (SLR) of at least 30db in their construction, as well as execution of an aviation easement and waiver of claim with the Greater Orlando Aviation Authority (GOAA).

**Environmental**

Use caution to prevent erosion during construction along the boundary of the property and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control.

Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD).

Any miscellaneous garbage, hazardous waste, yard waste (including excess fertilizers, herbicides and pesticides), and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations.

If this site has had, or currently has, any existing above ground or underground fuel storage tanks then the site shall comply with the Florida Department of Environmental Protection (FDEP) regulations: Chapter 62-761, F.A.C. Petroleum Storage Systems (USTs), Chapter 62-762, F.A.C. Petroleum Storage Systems (ASTs), Chapter 62-770, F.A.C. Petroleum Contamination Site Cleanup Criteria, and Chapter 62-777, F.A.C. Contaminant Cleanup Target Levels. Comply with all notification requirements as specified through contact with the Orange County Environmental Protection Division (EPD).

Any existing septic tanks or wells shall be properly abandoned prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies.

#### Transportation / Concurrency

Based on the Concurrency Management System database dated July 16, 2018 there is one (1) failing roadway segment within the project impact area: Hoffner Avenue from Oak Island Road to Conway Road is currently operating below the adopted level of service and there is no available capacity. This information is dated and subject to change.

The applicant may be required to comply with concurrency prior to obtaining a building permit.

The applicant may be required to submit a traffic study prior to obtaining an approved capacity encumbrance letter and building permit.

The applicant may be required to attend Roadway Agreement Committee to participate in Proportionate Share Agreement if they add any trips to the failing roadway segment.

#### Code Enforcement

There are two (2) active Code Enforcement violations on the subject property. The first case is filed under Incident #506298, which relates to unpermitted structures (pole barns and detached garage) and the parking of commercial vehicles and trailers on the subject property. The second case is filed under Incident #506287, which relates to unpermitted structures (office/pump house, recreation room, second residence) on the subject property.

Both violations are outstanding and went to the Code Enforcement Board (CEB) on May 16, 2018 (CEB-2018-375983Z). The Code Enforcement Board permitted the property owner to bring the violation into compliance on or before February 20, 2019. This rezoning and associated Future Land Use Map amendment, if approved by the BCC, will allow the property owner to move forward with bringing this property into compliance and satisfy the CEB order.

#### Water / Wastewater / Reclaim

	<u>Existing service or provider</u>
Water:	Orlando Utilities Commission
Wastewater:	City of Orlando
Reclaimed:	Orlando Utilities Commission

#### Schools

Orange County Public Schools (OCPS) did not comment on this case, as it is considered “de minimis” and therefore exempt from capacity review.

#### 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.

#### 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.

**FLU8.1.1** (a) The following zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities; market demand and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning. Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(C). Orange County's **Zoning and Future Land Use Correlation** is referenced herein as follows:  
(b) In making the transition from the Future Land Use Map designation to the most appropriate zoning district classification, it shall be permissible to require use of a PD District that provides for fewer uses than permitted with a standard zoning district classification. Furthermore, in making the transition for residential development, the Future Land Use Map shall establish only the maximum permitted density and intensity of development. It is permissible to impose a more restrictive zoning district classification as an interim use until such time as the property is found through an administrative decision-making process to be suitable and ready for ultimate development.

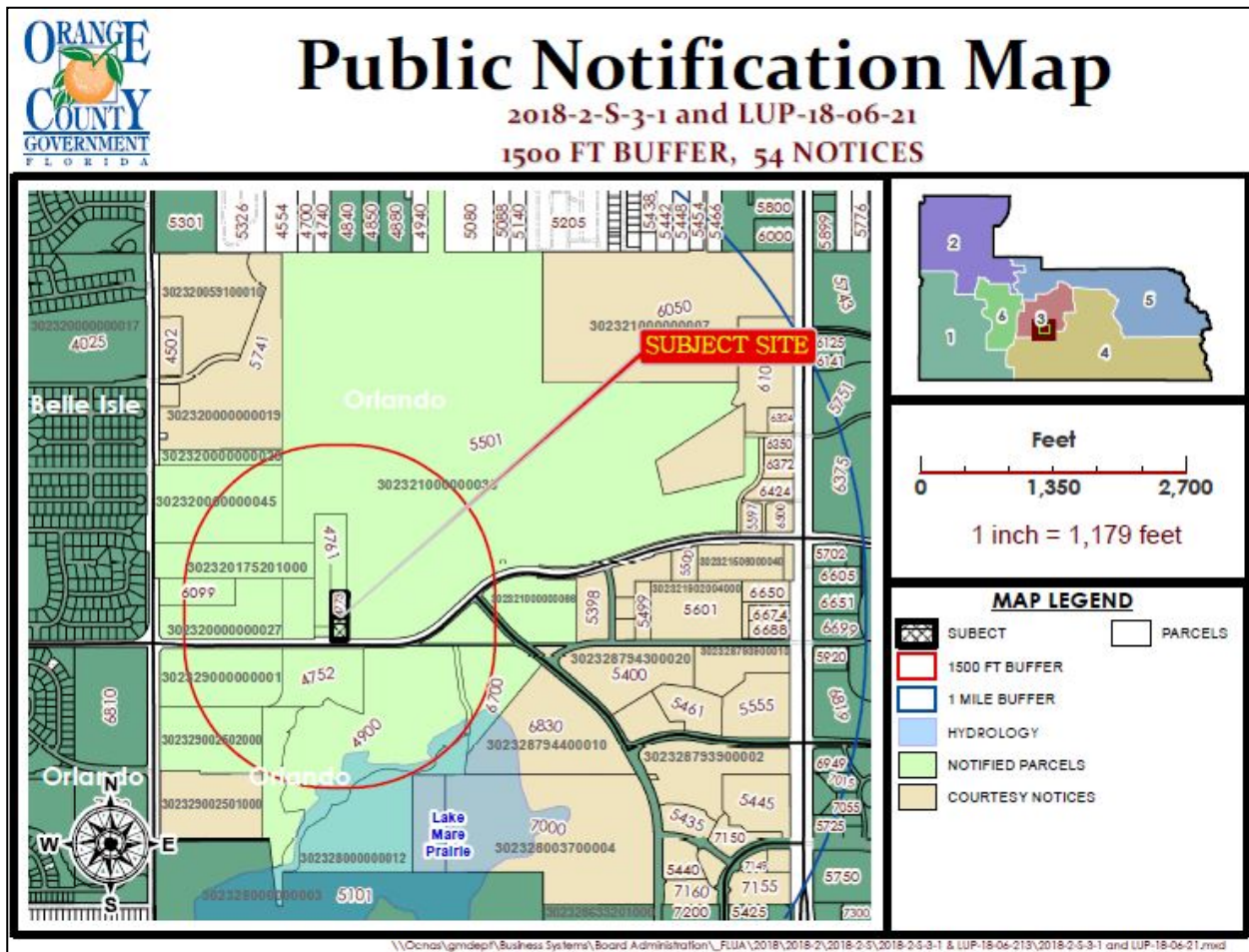
**FLU8.2.1 –** Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.



Subject Site –	
	
North – Nursery	East – Undeveloped
	
South – Undeveloped	West – Nursery
	

[illegible]

**PUBLIC NOTIFICATION MAP**





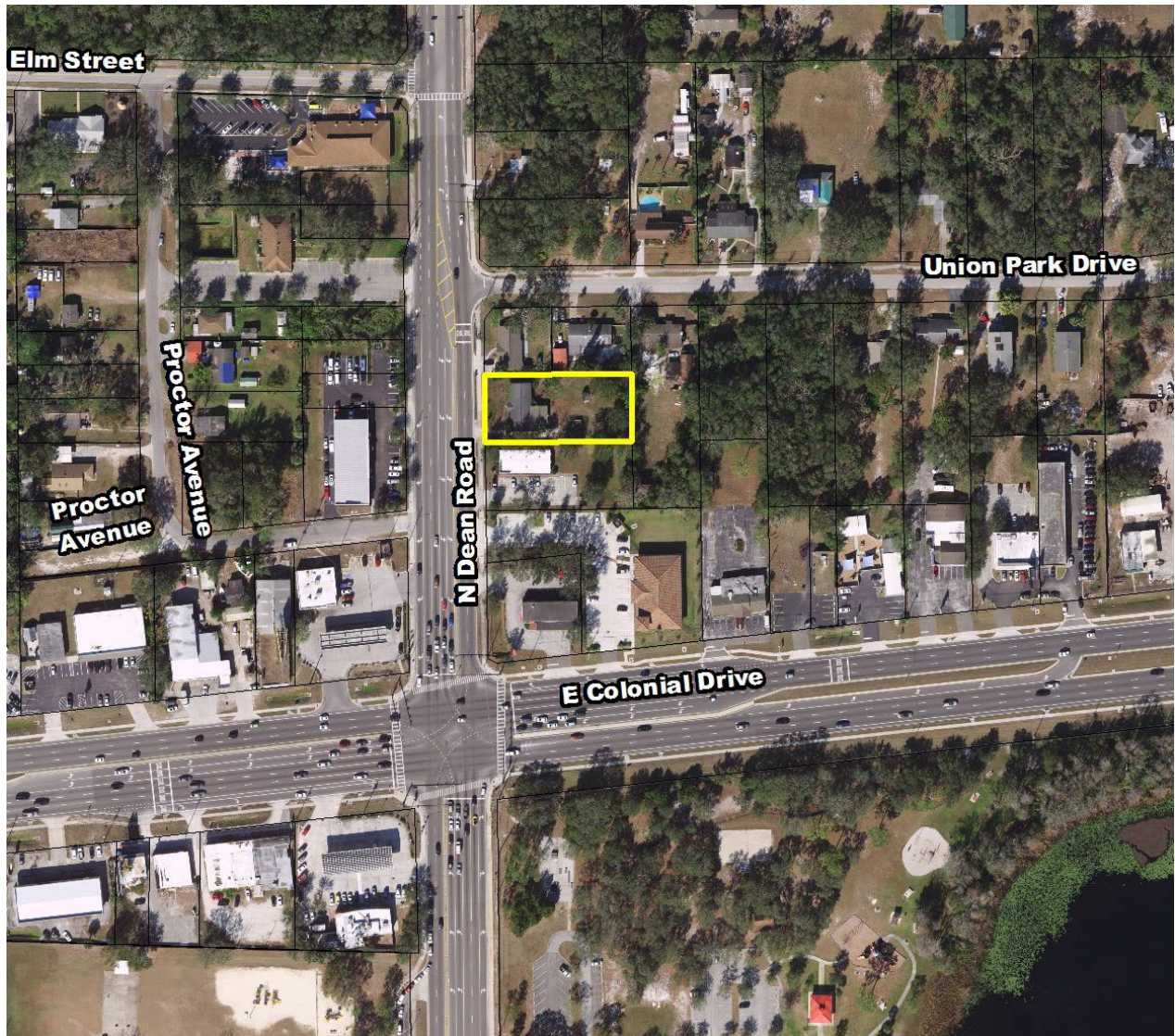




+The following meetings and hearings have been held for this proposal:			Project Information	
Report/Public Hearing		Outcome	Request: Low-Medium Density Residential (LMDR) to Office (O)	
✓	Community Meeting August 30, 2018 (202 notices sent; 0 people in attendance)	Positive	Proposed Development Program: To allow for the development of up to 27,225 sq. feet of office uses.	
✓	Staff Report	Recommend adoption of the proposed amendment and approval of the concurrent rezoning request, subject to 3 restrictions	<b>Public Facilities and Services:</b> Please see the Public Facilities Analysis Appendix for specific analysis of each public facility. <b>Transportation:</b> The subject property is not located within the County's Alternative Mobility Area or along a backlogged/constrained facility or multimodal corridor. The proposed amendment will result in an increase of 28 p.m. peak hour trips. <b>Environmental:</b> Use caution to prevent erosion during construction along the boundary of the property and into wetlands and buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control.	
✓	LPA Adoption October 18, 2018	Recommend Adoption (8-0)		
✓	PZC Rezoning Hearing October 18, 2018	Recommend Approval, subject to three (3) restrictions (8-0)		
	BCC Adoption	November 13, 2018	<b>Concurrent Rezoning:</b> Yes – RZ-18-10-042 <b>Request:</b> R-1A (Single-Family Dwelling District) to P-O (Professional Office District)	
	BCC Rezoning Hearing	November 13, 2018		

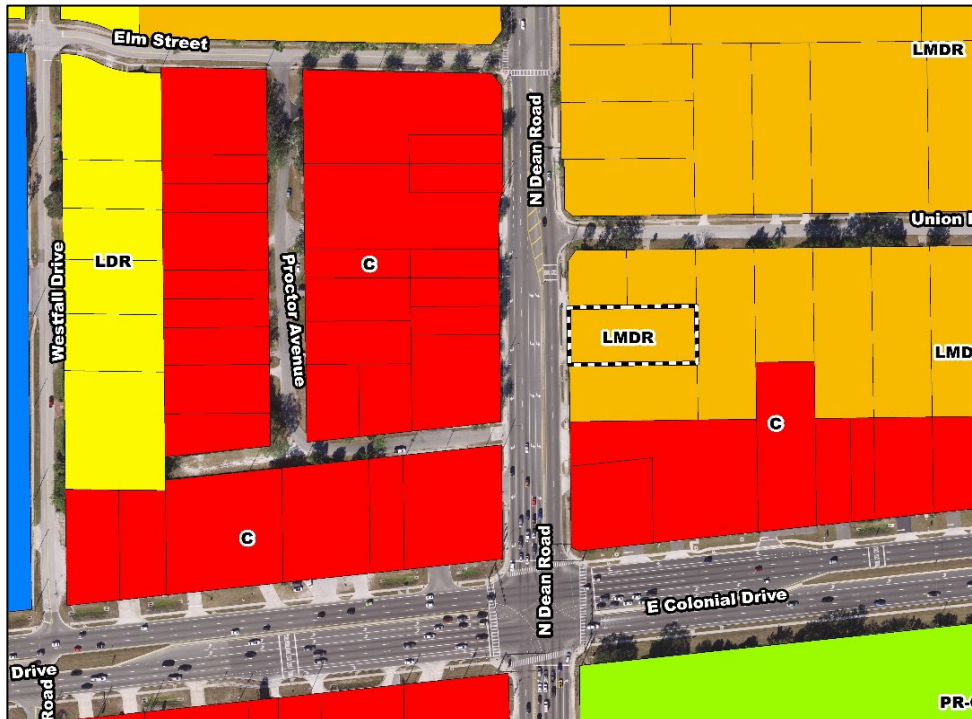


**SITE AERIAL**





## FUTURE LAND USE - CURRENT



**Current Future Land Use Designation:**  
Low-Medium Density Residential (LMDR)

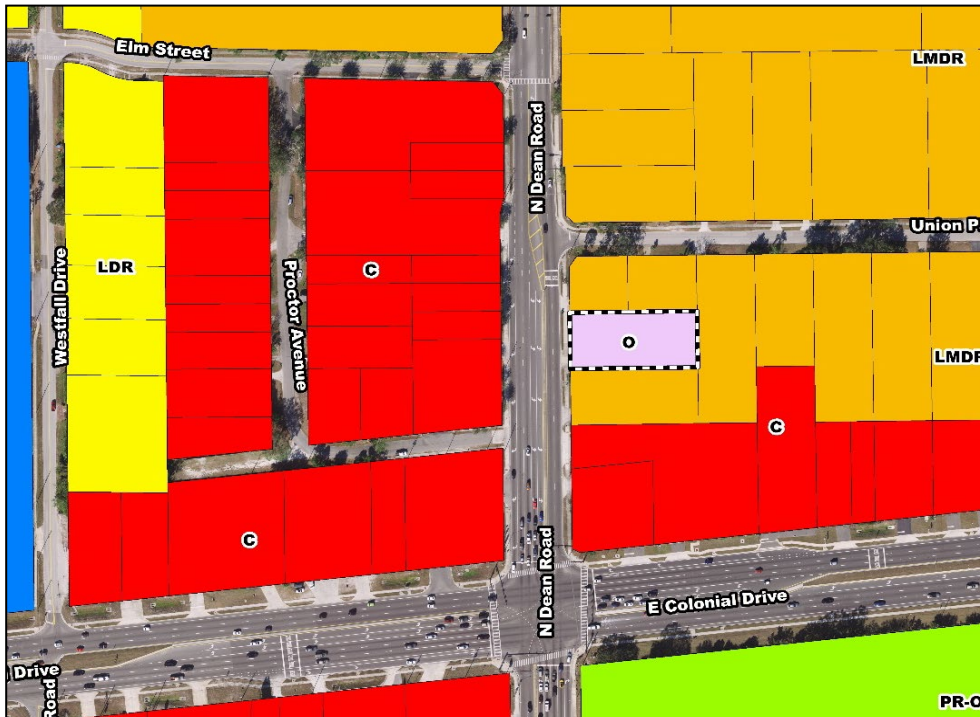
**Special Area Information**  
Planning Sector: Urban Service Area

JPA: N/A

Rural Settlement: N/A

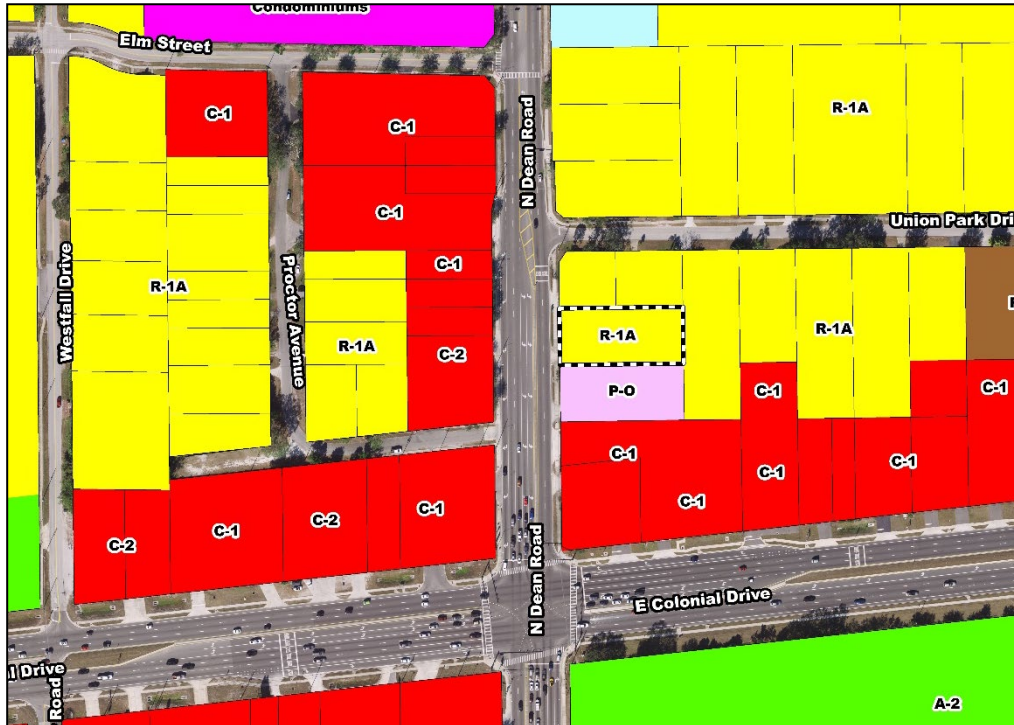
Airport Noise Zone: N/A

## FUTURE LAND USE - AS PROPOSED



**Proposed Future Land Use Designation:**  
Office (O)

## ZONING - CURRENT



### Current Zoning

#### District:

R-1A (Single-Family Dwelling District)

#### Existing Uses:

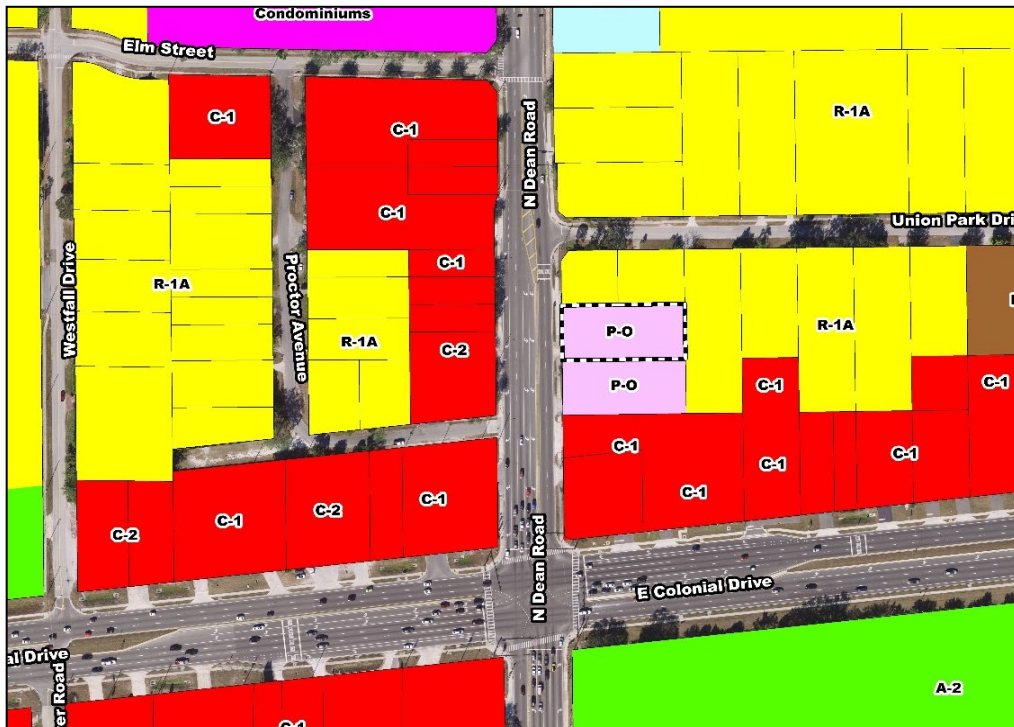
N: Single-family residences

S: Sonia Narvaez, CPA, PA

E: Single-family residence

W: Auto-Tender (Vehicle Repair)

## ZONING - AS PROPOSED



### Proposed Zoning

#### District:

P-O (Professional Office District)

## Staff Recommendations

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 Goal FLU2; Objective FLU8.2; Policies FLU1.1.4.A, FLU1.1.5, FLU2.2.1, FLU8.2.1, and FLU8.2.10), determine that the amendment is in compliance, and **ADOPT** Amendment 2017-2-S-5-2, Low-Medium Density Residential (LMDR) to Office (O).
2. **REZONING:** Make a finding of **consistency** with the Comprehensive Plan (see Future Land Use Element Goal FLU2; Objective FLU8.2; Policies FLU1.1.4.A, FLU1.1.5, FLU2.2.1, FLU8.2.1, and FLU8.2.10), and recommend **APPROVAL** of Rezoning Case RZ-18-10-042, R-1A (Single-Family Dwelling District) to P-O (Professional Office District), subject to the following three (3) restrictions:

### Restrictions:

1. New billboards and pole signs shall be prohibited;
2. A Type "D" buffer shall be used to separate Professional Office (P-O) uses from all residential areas, unless a variance to this restriction and buffer is approved by the Board of Zoning Adjustment (BZA). This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of ten (10) feet wide. The type D buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be three (3) feet high and fifty (50) percent opaque at planting and be capable of attaining full height and opacity within three (3) years; 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 P-O uses.

## Analysis

### 1. Background and Development Program

The applicant, Cas Suvongse, has requested to change the Future Land Use Map (FLUM) designation of the 0.50-acre site from Low-Medium Density Residential (LMDR) to Office (O). In conjunction with the FLUM Amendment, the applicant has applied for a rezoning of the site (Case RZ-18-10-042) from R-1A (Single-Family Dwelling District) to P-O (Professional Office District).

The subject property is located on the east side of N. Dean Road, approximately 300 feet north of E. Colonial Drive. North Dean Road is a four-lane divided minor arterial roadway. Presently, a 2,550-square-foot single-family home, constructed in 1959, occupies the site and is currently being used as a rental home. The subject property is located in an area characterized by a mix of commercial, office, and residential uses along N. Dean Road. An office building, zoned P-O, is located directly south of the subject property. A Mobil Lube Express business and a medical office building, Metro Health of East Orlando, are located south of the subject site, at the intersection of E. Colonial Drive and N. Dean Road. Both properties possess Commercial Future Land Use Map (FLUM) designations and are zoned C-1 (Retail Commercial District). A 7-Eleven convenience store is located at the northwest corner of E. Colonial Drive and N. Dean Road and has a Commercial FLUM designation and is also zoned C-1. An auto repair shop, Auto Tender, is located directly across the street, west of the subject site, has a Commercial FLUM designation and is zoned C-2 (General Commercial District).

and C-1. Residential homes are located north and east of the subject site, and have LMDR FLUM designations and are zoned R-1A.

The owner of the property, Ms. Lorna Pignone, lived in the home until 2012 and for the past few years the existing residential home has been used as a rental. Due to the residential home being located on a busy four-lane minor arterial roadway and its close proximity to the intersection of E. Colonial Drive and N. Dean Road, it has been difficult for Ms. Pignone to find suitable tenants to sign long term residential lease agreements. As a result, tenants move in and out frequently and cause significant damage to the home and Ms. Pignone has to make costly repairs to have it habitable for the next potential tenant. She has tried to sell the property but she has not received an acceptable offer. Ms. Pignone does not want the property to become an eyesore, therefore, she is requesting to change the FLUM designation from LMDR to O and to rezone the property from R-1A to P-O in order to be able to rent or sell the property for Office uses.

A community meeting was held for the proposed Future Land Use Map Amendment and concurrent rezoning requests on August 20, 2018. There were no residents in attendance at the meeting.

## **Project Analysis**

### ***Consistency***

The requested FLUM Amendment and associated rezoning application appear to be **consistent** with the applicable Goals, Objectives, and Policies of the Comprehensive Plan and the development pattern of the surrounding area. The subject site is located along N. Dean Road—a four-lane divided minor arterial roadway—characterized by commercial, office, and residential development. Professional offices, auto maintenance and auto repair facilities, a convenience store, and single-family residential homes are located along N. Dean Road abutting the subject site. The proposed amendment is consistent with **Future Land Use Element Goal FLU2**, which encourages urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development, and an urban experience with a range of choices and living options. This proposed FLUM Amendment is also consistent with **Policy FLU1.1.5**, which states that Orange County shall encourage mixed-use development, infill development, and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area (USA). The proposed FLUM change is consistent with **Policy FLU2.2.1**, which states that within the USA, Orange County, shall encourage a mix of land uses within activity and mixed-use commercial centers. As established in this policy, office and residential land uses shall be part of the balanced land use mix, in addition to the commercial component. This proposed amendment and associated rezoning is also consistent with **Policy FLU1.1.4.A**, which establishes that office uses may be considered a transitional use between two different types of land use or land use intensities. The Office (O) designation will provide a transitional use between the commercial development to the south along N. Dean Road and the existing single-family homes located north of the subject site.

### ***Compatibility***

**Objective FLU8.2** states that compatibility will continue to be the fundamental consideration in all future land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development and development trend in the area. As mentioned



previously, the subject property is located on N. Dean Road, a four-lane divided minor arterial road, and is situated in an area characterized by commercial, office, and residential development. An accountant's office, located immediately south of the subject property is zoned P-O and possesses a LMDR FLUM designation. The property was rezoned from R-1A to P-O on August 26, 1975. A Mobil Lube Express and office building are located further south of the subject property at the intersection of N. Dean Road and E. Colonial Drive. Both properties are zoned C-1 and possess Commercial FLUM designations. An auto repair shop with Commercial FLUM and zoning designations is located directly across the street on N. Dean Road, west of the subject site. The existing zoning classifications on the commercial properties are C-2 and C-1. To ensure the proposed office development does not disrupt the existing single-family residences to the north and east, the development will be subject to the design standards outlined within **Policy FLU8.2.10**. These standards include building height restrictions, architectural design compatibility, floor area ratio (FAR) limitations, lighting type and location requirements, tree protection and landscaping requirements, and parking design. The small scale professional office development would be compatible with the surrounding area as it would serve as a transition between commercial and residential uses. Therefore, staff recommends approval of Amendment 2018-2-S-5-2, Low-Medium Density Residential (LMDR) to Office (O) and concurrent Rezoning Case RZ-18-10-042, R-1A (Single-Family Dwelling District) to P-O (Professional Office District).

#### ***Public Facilities and Services***

**Environmental** If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also, refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400.

Any miscellaneous garbage, hazardous waste, yard waste and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

If new construction is proposed, use caution to prevent erosion along the boundary of the property, into wetlands and buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control.

**Utilities.** The subject property is located in Orange County Utilities' (OCU) potable water, wastewater, and reclaimed water service areas. Per OCU, there is a 16-inch potable water main within the Dean Road right-of-way, and a 12-inch force main within the Dean Road right-of-way. Currently, there are no reclaimed water mains in the vicinity of the site.

**Transportation.** Based on trip generation estimates from the 10<sup>th</sup> Edition of the Institute of Transportation Engineers *Trip Generation Handbook*, it was determined that the current land use generates approximately one (1) p.m. peak hour trip, while the proposal to develop up to 27,225 square feet of office use under the requested Office future land use designation would result in an increase of 28 new p.m. peak hour trips.

The subject property is not located within the County's Alternative Mobility Area or along a backlogged/constrained facility or multimodal corridor. It is located adjacent to N. Dean Road, a

four-lane minor arterial which, based on the concurrency management system database dated 09-10-18, is currently operating at acceptable levels from the East-West Expressway to University Boulevard. This information is dated and subject to change.

Analysis of the short-term conditions (Year 2023) indicate that all roadway segments will continue to operate at acceptable levels of service by 2023 and the addition of the proposed project trips will not cause any deficiencies.

Analysis of the long-term (Year 2030) indicate that roadway deficiencies will occur along East Colonial Drive from Central Florida Greenway to Rouse Road and is projected to operate below the adopted Level of Service standards with and without the proposed projected trips.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the County's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies.

Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Plan.

### Rezoning Analysis

#### SITE DATA

<b>Adjacent Zoning</b>	N:	R-1A (Single-Family Dwelling District) (1967)
	E:	R-1A (Single-Family Dwelling District) (1967)
	W:	C-2 (General Commercial District) (2005) ( <i>across N Dean Road</i> )
	S:	P-O (Professional Office District) (1975)
<b>Adjacent Land Uses</b>	N:	Single-Family Residential
	E:	Single-Family Residential
	W:	Professional Office
	S:	General Auto Repair ( <i>across N Dean Road</i> )

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**APPLICABLE P-O (Professional Office District) DEVELOPMENT STANDARDS**

Minimum Lot Area: 10,000 sq. ft.

Minimum Lot Width: 85 ft.

Maximum Building Height: 35 ft.

Minimum Floor Area: 500 sq. ft.

**Minimum Building Setbacks**

Front: 25 feet

Rear: 30 feet

Side: 10 feet (for one and two-story buildings, plus 2 for each additional story.)

Side (Street): 10 feet (for one and two-story buildings, plus 2 for each additional story.)

**PERMITTED USES**

The intent and purposes of the P-O professional office district are:

(1) To provide for and encourage development of a wide variety of high quality functional and attractive professional office centers in accordance with adopted county development plans and policies.

(2) To establish standards which will promote high quality site development of individual office structures and larger office centers, both of which are properly oriented towards arterial roads and compatible with adjoining properties.

(3) To encourage the provision of professional services at the neighborhood and community levels, and to provide sites large enough to permit landscaped open spaces and off-street parking facilities.

(4) To recognize the growing importance of the county as a regional service center and the need to accommodate the increasing service demands of the resident and tourist populations.

Specific uses shall be identified by the letter "P" in the use table set forth in Section 38-77 of the Orange County Code.

**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 JPA.

**Overlay District Ordinance**

The subject property is not located within an overlay district.

**Airport Noise Zone**

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

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**Water / Wastewater / Reclaim**

Existing service or provider

**Water:** Orlando Utilities Commission

**Wastewater:** City of Orlando

**Reclaimed:** City of Orlando

**Schools**

Orange County Public 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.

**2. Policy References**

**Goal FLU2 — URBAN STRATEGIES.** Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

**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.

**FLU1.1.4 (A) OTHER URBAN RELATED OPTIONS —** The following are non-residential Future Land Use designations that are predominantly found in the Urban Service Area. These may also be located within Rural Settlements on a limited basis. (See specific policies within OBJ FLU6.2.)

FLUM Designation	General Description	Density/Intensity
<b>Urban Non-Residential – Predominantly urban in use</b>		
Office (O)	Office uses include professional office and office parkstyle development. Office uses can be considered as a transitional use between two different types of land use or land use intensities.	1.25 FAR

**FLU1.1.5** – Orange County shall encourage mixed-use development, infill development and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. The County may require minimum FARs and densities in its Land Development Code to achieve the County’s desired urban framework. Infill is defined as development consistent with the *Infill Master Plan* (2008).

**FLU2.2.1** – Within the Urban Service Area, Orange County shall encourage a mixture of land uses within activity and mixed-use commercial centers. Office and residential land uses shall be part of the balanced land use mixture, in addition to the commercial component.

**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.

**FLU8.2.10** – To ensure land use compatibility with nearby residential zoned areas and protection of the residential character of those areas, office and commercial uses within residential neighborhoods shall be subject to strict performance standards, including but not limited to the following:

- A. Building height restrictions;
- B. Requirements for architectural design compatible with the residential units nearby;
- C. Floor area ratio (FAR) limitations;
- D. Lighting type and location requirements;
- E. Tree protection and landscaping requirements including those for infill development; and
- F. Parking design.



Site Visit Photos

Subject Site



North

South



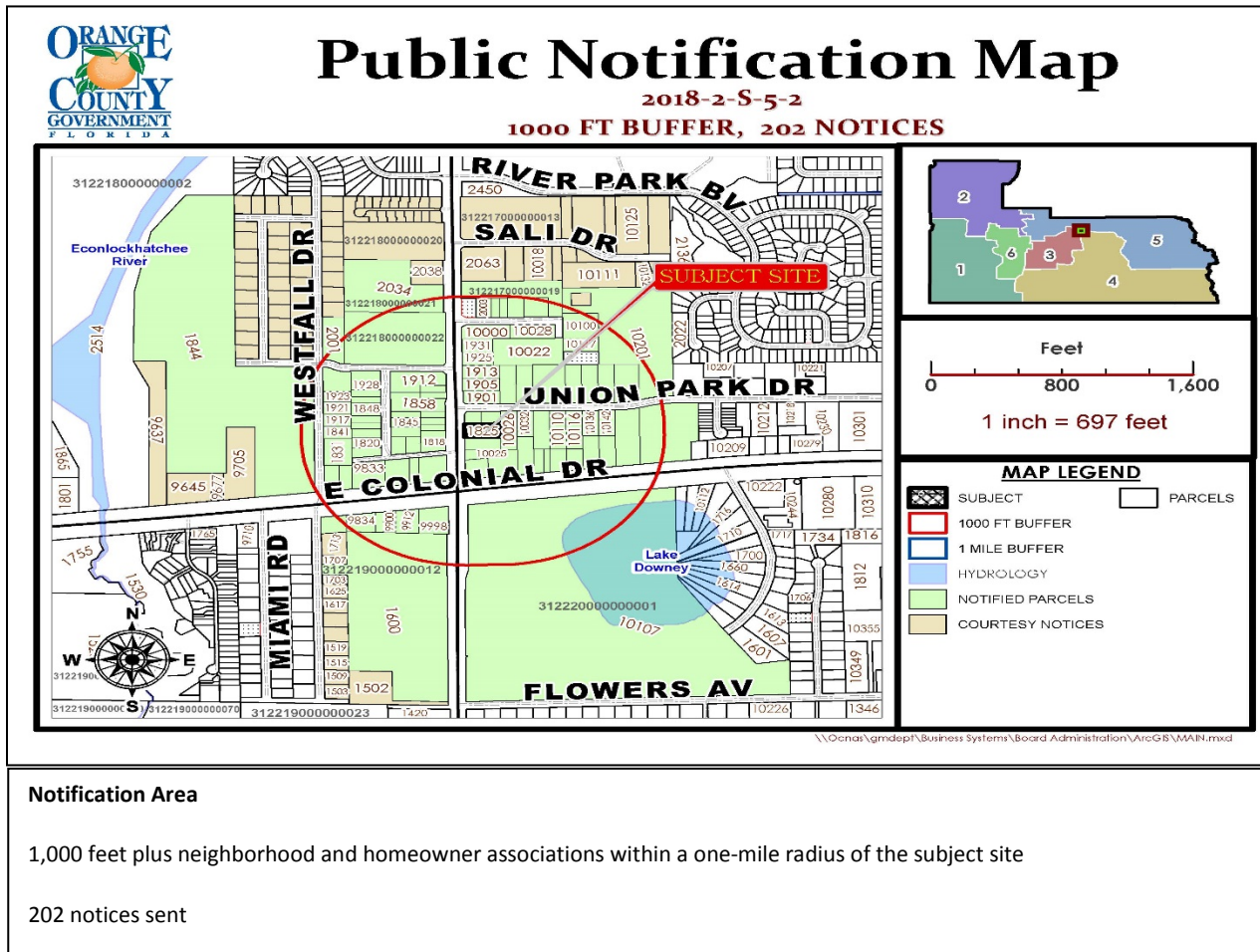
East



West

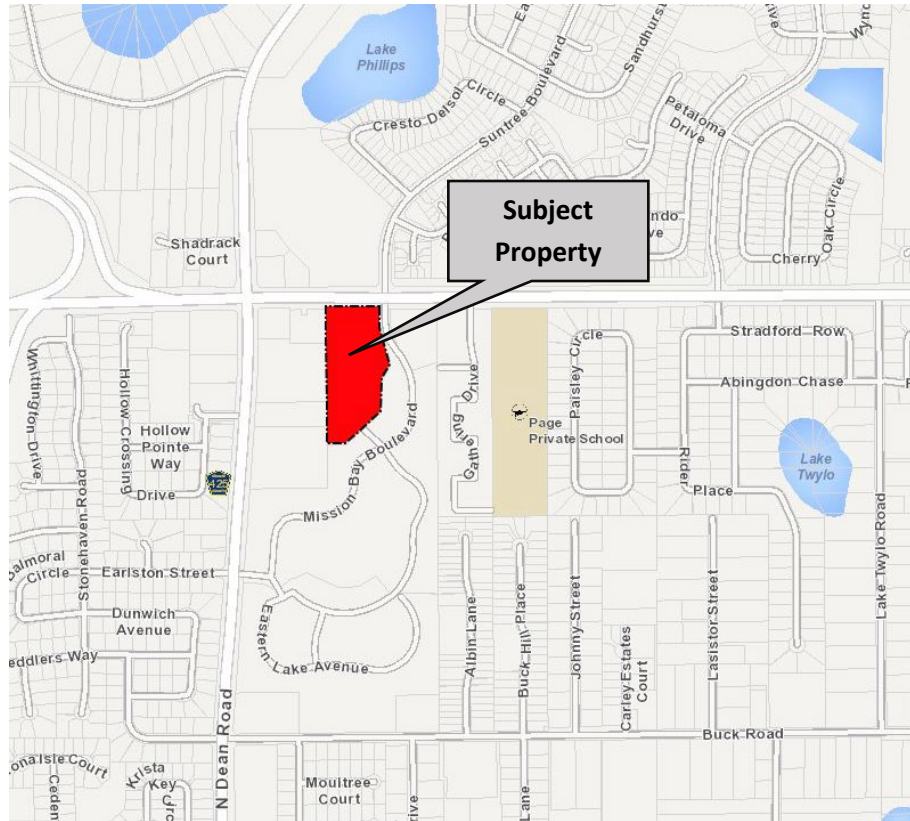


PUBLIC NOTIFICATION MAP









**Applicant/Owner:**

Anthony Everett  
James W. Hickman  
Revocable Trust

**Location:**

Generally located north of  
Buck Rd., east of N. Dean  
Rd., south of University  
Blvd., and west of Lake  
Taylor Rd.

**Existing Use:**

Undeveloped

**Parcel ID Number(s):**

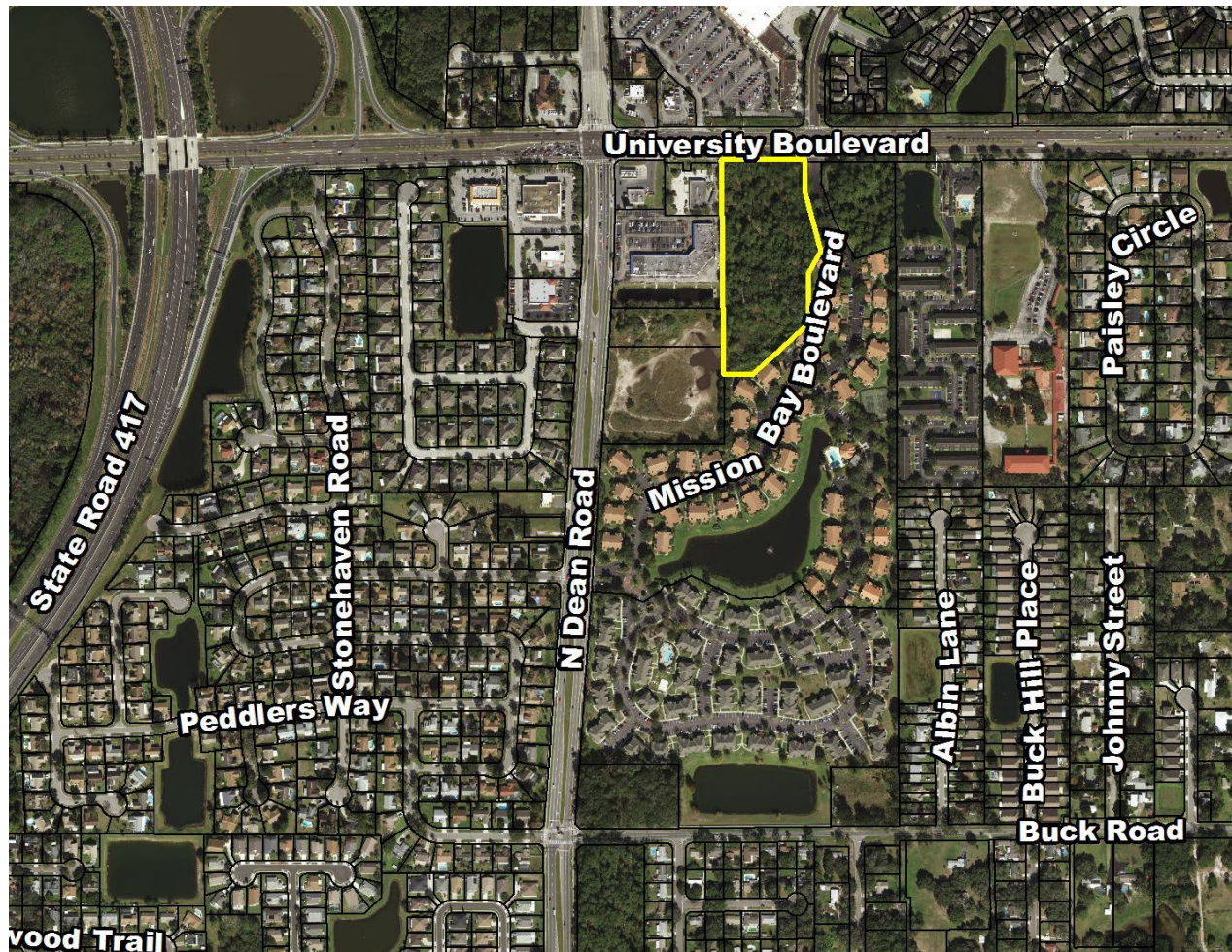
08-22-31-0000-00-003

**Tract Size:**

6.0 gross acres 4.06 net  
developable acres

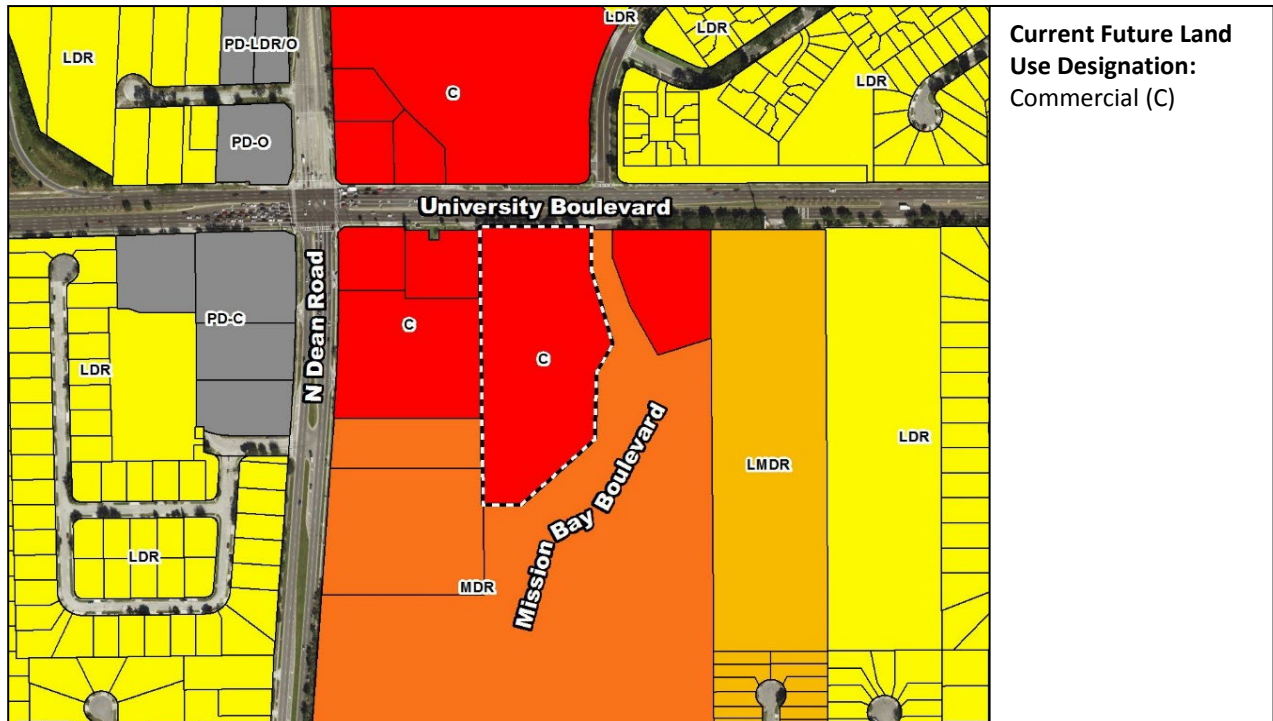
The following meetings/hearings have been held for this proposal:			Project Information	
Report/Public Hearing		Outcome	Future Land Use Map Amendment Request: Commercial (C) to Medium Density Residential (MDR)	
✓	Community Meeting August 23, 2018, with 1 member of the public in attendance.	Positive	Proposed Development Program: up to 120 multi-family dwelling units	
✓	Staff Report	Recommend Adoption	Public Facilities and Services: Please see the Public Facilities Analysis Appendix for specific analysis on each public facility.	
✓	LPA Adoption October 18, 2018	Recommend Adoption (7-0)	Environmental: Two Class III wetlands estimated at 1.94 acres are located on site. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels will need an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD.	
	BCC Adoption	November 13, 2018	Transportation: 981 reduction in calculated trips; no right-of-way requirements; the proposed development will result in a reduction in the number of net new trips	

**SITE AERIAL**

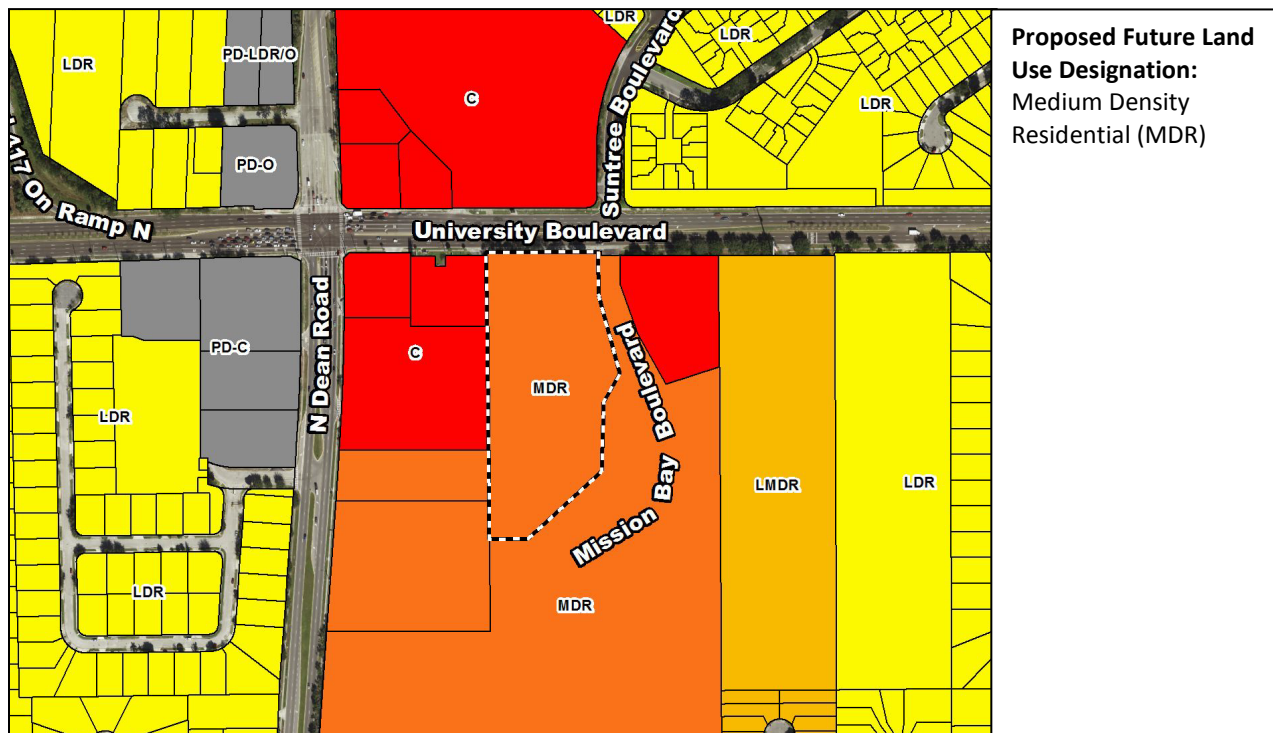




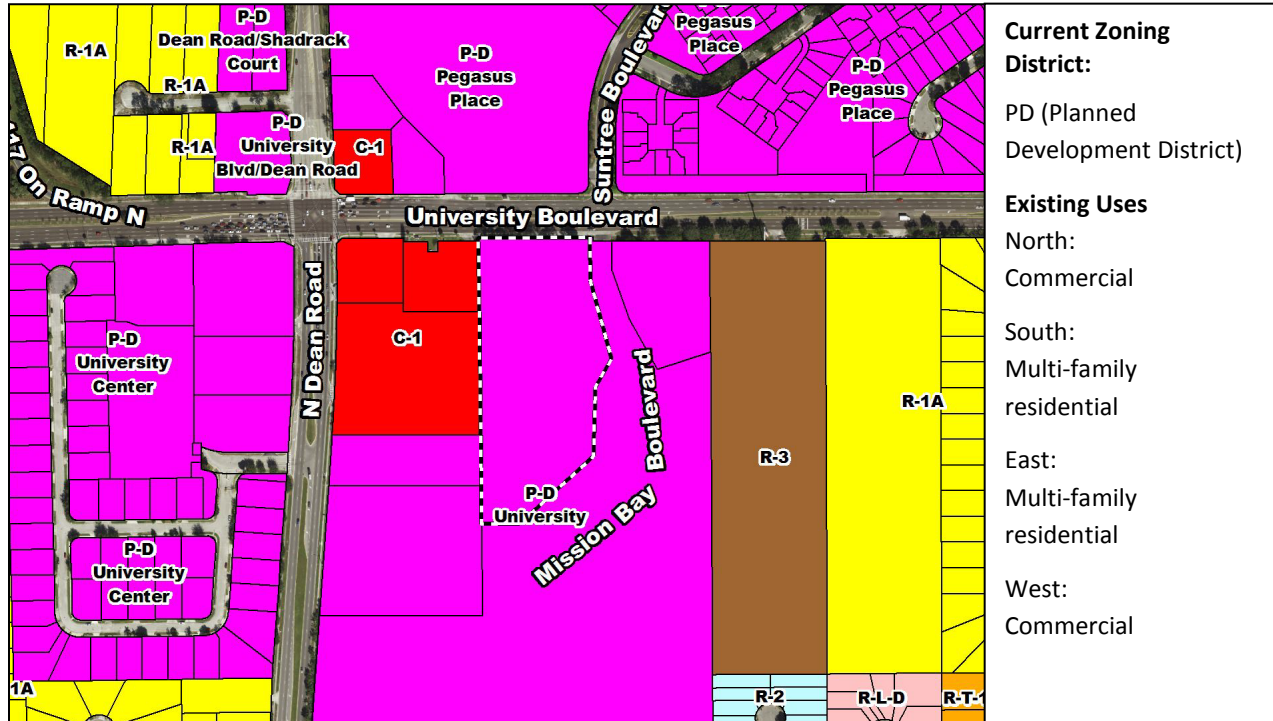
## FUTURE LAND USE - CURRENT



## FUTURE LAND USE - AS PROPOSED



## ZONING - CURRENT



## Staff Recommendation

Make a finding of **consistency** with the Comprehensive Plan (see (see Future Land Use Element Goal FLU2, Objectives FLU2.1 and FLU8.2, and Policies FLU1.1.1, FLU1.1.5, FLU8.2.1, FLU8.2.2, and FLU8.2.11; and Housing Element Goal H1 and Objective H1.1), determine that the amendment is in compliance, and **ADOPT** Amendment 2018-2-S-5-3, Commercial (C) to Medium Density Residential (MDR).

## Analysis

### 1. Background Development Program

The applicant, Anthony Everett, on behalf of the owner, James W. Hickman Revocable Trust, requests to change the Future Land Use Map (FLUM) designation of the subject property from Commercial (C) to Medium Density Residential (MDR). The requested Medium Density Residential (MDR) future land use designation would allow a maximum density of up to twenty (20) dwelling units an acre or up to one hundred twenty (120) multi-family dwelling units on the subject property (FLU1.1.2(B)). The petitioned property is undeveloped. (The maximum number of dwelling units is based on the gross acreage of the property. The net developable acreage is 4.06 as the Conservation Area Determination found that there are 1.94 acres of Class III wetlands located on the site. This is discussed in detail below under the heading Conservation Area Determination.)

The subject site is located south of University Boulevard, east of Dean Road, north of Buck Road, and west of Mission Bay Boulevard. University Boulevard is three travel lanes in both the east and west direction. The intersection of Dean and University is signalized with dual left turn lanes at each signal. Dean Road is two travel lanes in both the north and south direction.

This segment of University Boulevard is characterized by retail commercial and office activity at the intersection of University Boulevard and Dean Road and residential development traveling beyond the intersection. Development north of the subject site includes the Suncrest shopping center (includes a Publix grocery along with approximately twenty-four (24) small commercial tenants) a fast food restaurant, a convenience store with gas pumps, and an office building. Development east and south of the subject site is Mission Bay Apartments with access from Dean Road and University Boulevard. The Mission Bay Apartments are interconnected with apartments to the south, the Brooke Common Apartments, which were developed as part of the University Planned Development. Development to the west of the subject property consists of a strip retail commercial building and two outparcels (a convenience store with gas pumps and an auto parts store). Development in this area can be characterized as suburban.

A community meeting was held for the current request on Thursday, August 23, 2018 at Arbor Ridge K-8 School, which one (1) member of the public attended. The resident was in support of the proposed amendment. Greater detail of the meeting can be found in the community-meeting memorandum.

### Future Land Use Map Amendment History

As part of future land use map amendment **2014-2-S-5-2**, the applicant requested to amend the future land use map designation from Medium Density Residential (MDR) to Commercial (C). The request was approved by the Board of County Commissioners December 16, 2014. The impetus for the request was to develop the parcel with a commercial use that would complement the existing multi-family development and serve the surrounding neighborhood and community. The applicant submitted a Change Determination Request application to the Development Review Committee to amend the University Planned Development-Land Use Plan to allow for up to 85,000 square feet of commercial uses. The CDR was ultimately withdrawn by the applicant.

### Planned Development Rezoning – PD University

The subject site is part of the University Planned Development Land Use Plan. Below are the details of the University PD of which this parcel is a part.

#### August 21, 1989 Approval University PD/LUP

This approval consisted of a total of 63.45 acres on two tracts, with approvals and density shown in the table below.

Tract	Tract A (includes subject site)	Tract B
Acres	57.6 acres	5.8 acres
Proposed land use	Multi-family use	Multi-family and nursing home
Density/Intensity	12 dwelling units an acre	0.15-0.20 FAR
Total Units	691 multi-family dwelling units	120 beds

#### August 12, 2009 Non-substantial change

This request involved Tract B of the University Planned Development. The change allowed a 128 bed assisted living facility and a 40 unit independent living facility.

#### CDR-14-07-175

A change determination request to introduce 85,000 square feet of retail commercial (C-1) uses within Tracts A-2 and A-3, while reducing multi-family residential entitlements from 691 units to 592 units.

A letter of objection was submitted by the owner of Tract B, due to a separate change determination request (CDR) for the University PD (Tract B). A motion was made at the July 13, 2016, Development Review Committee Meeting to postpone the item in in order for the two change determination requests (CDR-14-07-175 and CDR-16-02-070) to the University PD Land Use Plan to be combined and brought forward as one request.

There are no documents indicating the outcome of this change determination request. Staff could not locate a letter of withdrawal from the applicant.

#### CDR-16-02-070 - December 7, 2016 - Substantial Change

Tract	Tract A (includes subject site)	Tract B1	Tract B2
Acres	56.55 acres	3.99 acres	1.50 acres
Proposed land use	Multi-family	Age restricted multi-family or assisted living facility	Age restricted multi-family or assisted living facility
Density/Intensity	20 dwelling units an acre		
Total Units	691 multi-family dwelling units	80 age restricted units or 120 ALF units	30 units or 45 ALF units

### Approved Development Plans

The subject site is part of the approved development plans for the Mission Bay Apartments, indicated as Phase III on the development plan, shown in the graphic on the following page.

Development Plan dated September 1989

Mission Bay Phase 1 and Retreat Phase 2 Total of 692 dwelling units

Mission Bay – 402 units

Retreat – 290 units

### Conservation Area Determination

As stated in **Future Land Use Element Policy FLU 1.1.2(C)** density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. The net developable land area is defined as the gross land area, less surface waters and wetland areas. The net developable area is determined by a Conservation Area Determination (CAD) which determines the classification and approximate extent of surface waters/wetlands on property. Two Class III wetlands amounting to 1.94 acres are located on site, according to the approved CAD-18-07-109.

In order to include Class I, II, and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD as per Future Land Use Element Policy FLU1.1.2(C). As of September 27, 2018, the applicant had not applied for a Conservation Area Impact permit. An application for a Conservation Area Impact permit was received by the EPD on October 11, 2018. EPD staff is working with the applicant to resolve outstanding items related to the application prior to the request moving forward. The request does not involve Class I Wetlands and can be reviewed and approved at the staff level.

If the applicant applies for and the CAI is approved the following outcome would apply:

- Mitigation is determined through Orange County Environmental Protection Division.
- The wetlands are counted as part of the net developable area. The requested Medium Density Residential future land use category with a density of 20 dwelling units an acre allows the proposed 120 multi-family dwelling units. (6 acres x 20 dwelling units = 120).

If the CAI is denied the following outcome would apply:

- The wetlands are excluded from the net developable area, reducing the developable acreage from 6.0 to 4.06.
- The maximum number of dwelling units permitted under the requested Medium Density Residential future land use category becomes 81 (4.06 acres x 20 dwelling units=81).
- The applicant has the option to change the requested future land use category to Medium High Density Residential to allow up to 35 dwelling units an acre to achieve the desired number of dwelling units of 120.



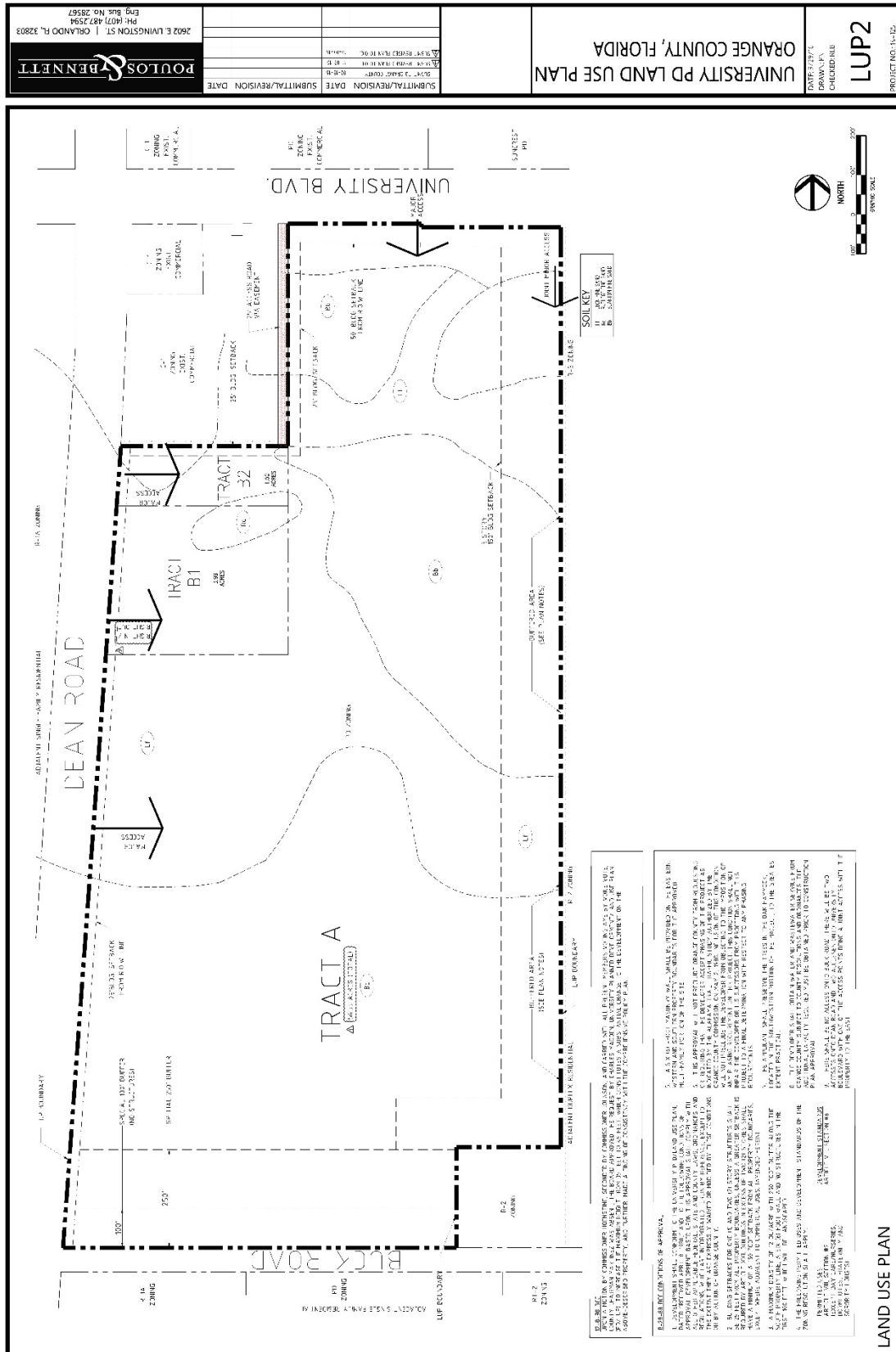
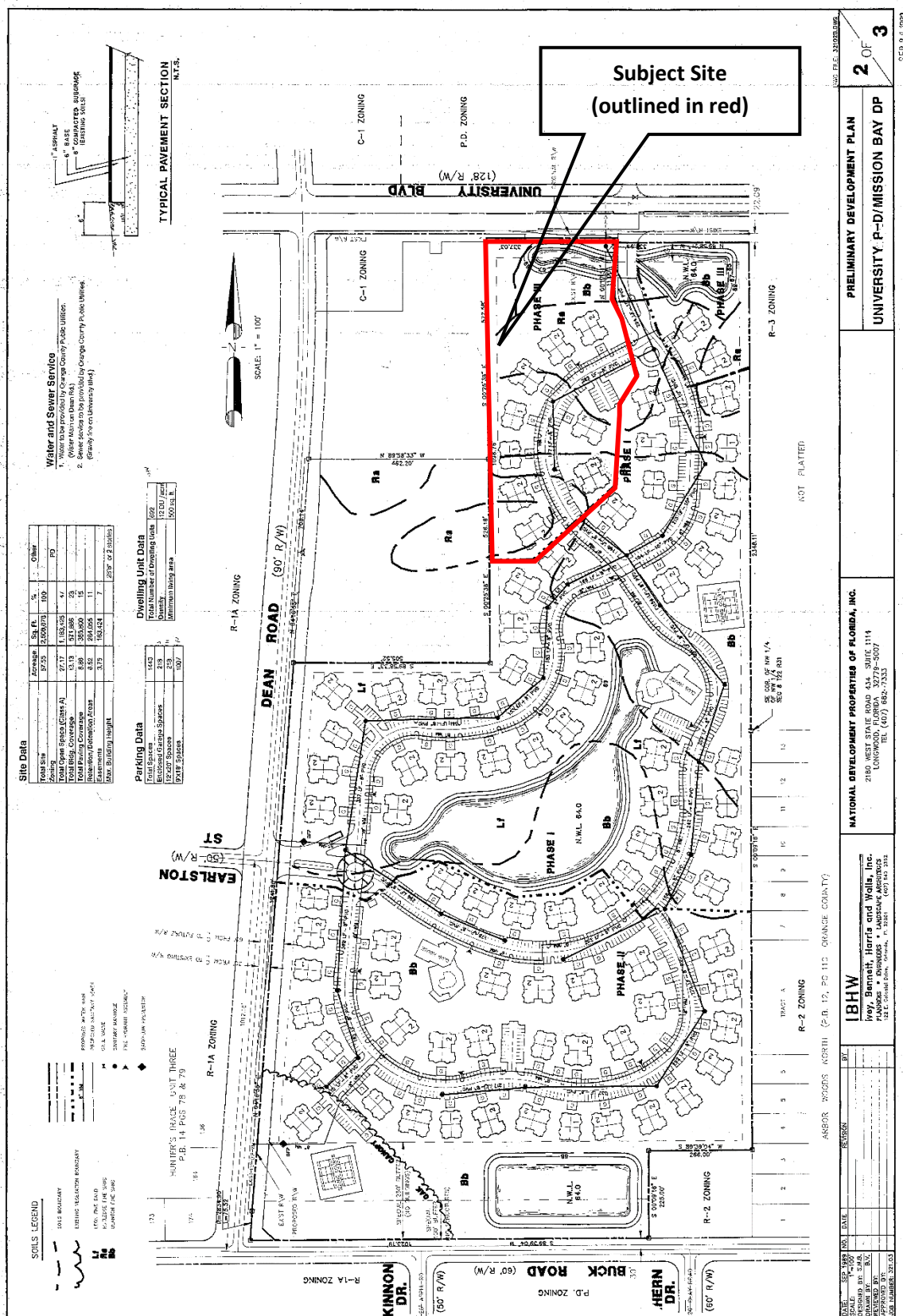


Figure 2 Land Use Plan Approved December 7, 2016



## 2. Future Land Use Map Amendment Analysis

### Project Analysis

#### *Consistency*

The proposed future land use map (FLUM) amendment appears to be **consistent** with the applicable Comprehensive Plan Goals, Objectives, and Policies.

The subject site is located within an area of the county that can be characterized as suburban in development. Uses include single-family residential, multi-family residential, office, and commercial uses. As mentioned previously, the request is to amend the future land use map from Commercial (C) to Medium Density Residential (MDR), which was the future and use on the property until an amendment was approved in 2015. If approved, the requested amendment would allow a density of up to 20 dwelling units on the subject site.

Staff finds this proposal consistent with **Future Land Use Element Goal FLU2**, which states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development, and an urban experience with a range of choices and living options. The proposed amendment would meet this goal by providing infill development on a site with a previously approved land use plan.

The proposed amendment is also consistent with **Future Land Use Element Objective FLU2.1**, which establishes that Orange County shall promote and encourage infill development through incentives identified in the Land Development Code for relatively small vacant and underutilized parcels within the County's established core areas in the Urban Service Area (USA). The subject site is six (6) gross acres and has a development potential of 120 multi-family dwelling units.

Staff further finds this request consistent with **Future Land Use Element Policy FLU1.1.5**, which encourages mixed-use development, infill development, and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. The subject site is located adjacent to the intersection of two major roads, University Boulevard and Dean Road, that are on LYNX bus lines, is near the access ramp and exit ramp of the Central Florida GreeneWay (417) and is approximately 2.3 miles from the University of Central Florida.

**Housing Element Goal H1 and Objective H1.1**, state that the County will promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated housing needs. Staff finds that the proposed multi-family development would be consistent with the goal of providing a range of housing options for the surrounding area.

**Future Land Use Element Policy FLU8.2.2** directs that continuous stretches of similar housing types and density of units shall be avoided. It is also staff's belief that the proposed residential units will contribute to the mix of available housing options in an area of the County deemed appropriate for urban uses, as set forth in **Future Land Use Element Policy FLU1.1.1**.

#### *Compatibility*

**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. As mentioned above, the subject site is located within an established area along University

Boulevard that has a mixture of uses in the area, including single-family, multi-family, office, and commercial. The applicant's proposal to develop the site with 120 multi-family dwelling units would keep with the existing character of the area along with the approved land use plan and development plan.

The request is compatible with surrounding future land use designation of Medium Density Residential (MDR) to the east and south. It is also compatible and consistent with **Future Land Use Element Policy FLU1.1.2(B)** which establishes the maximum residential densities permitted within the Urban Service Area. The MDR designation recognizes urban-style multi-family residential densities within the Urban Service Area.

**Future Land Use Element Policy FLU8.2.11** notes that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. **Policy FLU8.2.11** also notes that other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of the project and the proposal's contribution to the goals and objectives of the Comprehensive Plan. The applicant's request involves the use of an existing site within the Urban Service Area which is consistent with the overall goal of the Comprehensive Plan to direct development to the Urban Service Area. Therefore, staff recommends adoption of this requested amendment.

***Division Comments: Environmental, Public Facilities and Services***

**Environmental Protection Division**

Two Class III wetlands amounting to 1.94 acres are located on site. Orange County Conservation Area Determination CAD-18-07-109 was completed for this property with a certified wetland boundary survey approved by the Environmental Protection Division (EPD) on August 9, 2018.

No construction, clearing, filling, alteration or grading is allowed within or immediately adjacent to a conservation area without first obtaining approval from EPD. Reference Orange County Code Chapter 15, Article X - Wetland Conservation Areas. Until wetland permitting is complete, the net developable acreage is only an approximation. The net developable acreage is the gross acreage less the wetlands and surface waters acreage. The applicant is advised not to make financial decisions based upon development within the wetland or protective upland setback areas. Any plan showing development in such areas without Orange County and other jurisdictional governmental agency wetland permits is speculative and may not be approved.

Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD. Reference Comprehensive Plan Policy FLU1.1.2 C.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

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 (FDEP) by the developer.

#### Transportation Planning Division

##### PROJECT SPECIFICS

<b>Parcel ID:</b>	08-22-31-0000-00-003
<b>Location:</b>	Generally located north of Buck Rd., east of N. Dean Rd., south of University Blvd., and west of Lake Taylor Rd.
<b>Acreage:</b>	6.00 (gross)
<b>Request FLUM:</b>	From: Commercial (C) To: Medium Density Residential (MDR)
<b>Request Zoning:</b>	From: PD (Planned Development District) To: PD (Planned Development District)
<b>Existing Development:</b>	Undeveloped land
<b>Development Permitted Under Current FLUM:</b>	Up to 392,040 SF Commercial Development
<b>Proposed Density/Intensity:</b>	120 Multi-family Dwelling Units

##### Trip Generation (ITE 10<sup>th</sup> Edition)

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Maximum use of current FLUM: Up to 392,040 SF Commercial Use	1493	73%	1050
Existing Use: Vacant	N/A	N/A	N/A
Proposed Use: 120 Multi-family Dwelling Units	69	100%	69
Net New Trips (Proposed Development less Allowable Development): 69-1050 = (981)			

##### Future Roadway Network

###### Road Agreements:

Planned and Programmed Roadway Improvements:

- Richard Crotty Pkwy. from Semoran Blvd. to Goldenrod Road – Programmed roadway improvement to construct new 2 lane roadway. Project currently in design phase. Construction scheduled for October 2019



- Richard Crotty Pkwy. from Goldenrod Road to Harrell Road and Harrell Road to Dean Road – Planned roadway improvement to construct new 2 lane roadway. Project currently in design. Construction to be determined.
- Richard Crotty Pkwy. from Alafaya Trail to Tanner Road - Planned partnership roadway improvement to construct new 2 lane roadway. Project is included in the county's ten year roadway program.
- Dean Road from University Blvd. to Seminole County Line – Planned roadway improvement to widen to 4 lanes. Project is included in the county's ten year roadway program.
- Econlockhatchee Trail from Colonial Drive to University Blvd. – Planned roadway improvement to widen to 4 lanes. Project is included in the county's ten year roadway program

**Right of Way Requirements:** None

The applicant is requesting to change 6.00 gross acres from Commercial to Medium Density Residential and approval to develop up to 120 multi-family dwelling units. The subject property is located along University Boulevard which is a designated constrained facility from Dean Road to Alafaya Trail and is also part of the University Blvd. multimodal corridor from Semoran Blvd. to Alafaya Trail. The proposed residential development will reduce the allowable development intensity of the site, result in a significant reduction in the number of net new project trips and will not adversely impact roadways within the project impact area.

- The applicant provided a traffic analysis based on a FAR of 2.0 and a proposed development of 784.0 square feet of commercial use however, this analysis needs to be revised to reflect the correct development density.
- The subject parcel is currently vacant however; the allowable development of up to 392,040 square feet of commercial development based on the approved future land use will generate 1050 new pm peak hour trips.
- The proposed use of 120 multi family dwelling units will generate 69 pm peak hour trips resulting in a net reduction of 981 pm peak hour trips.
- The subject property is located adjacent to University Boulevard, a 6-lane minor arterial from Dean Road to Alafaya Trail and based on the concurrency management system database dated 09-10-18, the roadway segment from Dean Road to Rouse Road is currently operating below the adopted level of service standard. This information is dated and subject to change.
- Background traffic was developed based on the 2% annual growth rate based on historical AADT within the project's impact area. Committed trips were used if they exceed background traffic volumes developed with annual growth rates to account for growth in the area.
- Analysis of short term conditions (Year 2023) indicates that the same deficiency will continue on University Boulevard however, Dean Road from University Blvd. to the Seminole County Line is also project to operate below the adopted level of service standard. The deficiencies in the short-term analysis will occur with and without the addition of the proposed project trips.
- Analysis of long term conditions (Year 2030) indicates that University Boulevard will be deficient from Econlockhatchee Trail to Rouse Road.
- Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Since the proposed development is located along a constrained

facility and multi modal corridor, this development must comply with Policy T2.2.9 of the Comprehensive Plan that supports alternative transportation modes that increase the viability of walking, biking, and transit along these corridors. Transportation improvements in the area shall therefore focus on operational enhancements, intersection improvements that provide for safe movement of pedestrians and bicyclists, high-visibility pavement markings and refuge islands for pedestrians, multiuse paths, landscaping, bicycle facilities, increased transit service and bus shelters, and facilities and design that support transit-oriented development.

- Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

Note by Planning staff regarding Transportation Planning request to note the density on the Future Land use Map or as a text amendment. The applicant is requesting the maximum development density permitted under the Medium Density Residential future land use category of 20 dwelling units an acre. Therefore, the adoption of the development plan in the Comprehensive Plan is moot.

## Policy References

**Goal FLU2 — URBAN STRATEGIES.** Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

**OBJ FLU2.1 – INFILL.** Orange County shall promote and encourage infill development through incentives identified in the Land Development Code for relatively small vacant and underutilized parcels within the County's established core areas in the Urban Service Area.

**OBJ FLU8.2 – 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.

**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.

**FLU1.1.5 – Orange County** shall encourage mixed-use development, infill development and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. The County may require minimum FARs and densities in its Land Development Code to achieve the County's desired urban framework. Infill is defined as development consistent with the *Infill Master Plan* (2008).

**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.

**FLU8.2.2 – Continuous stretches** of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

**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.

**GOAL H1** – Orange County's goal is to promote and assist in the provision of an ample housing supply, within a broad range residents have the opportunity to purchase or rent standard housing.

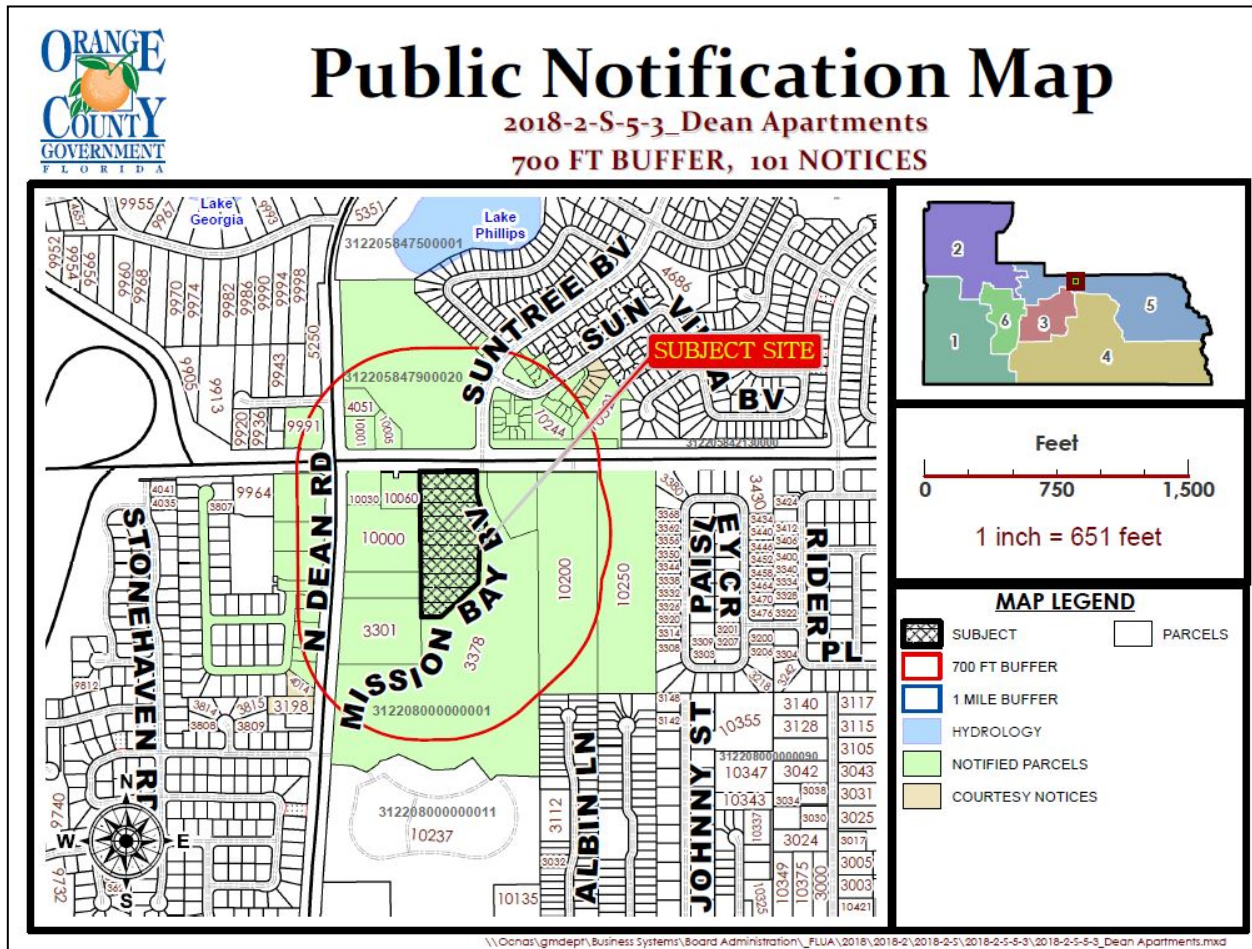
**OBJ H1.1** – The County will continue to support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

Site Visit Photos

<p align="center"><b>Subject Site – Undeveloped</b></p> 	
<p align="center"><b>North – Shopping Center</b></p> 	<p align="center"><b>East – Multi-Family</b></p> 
<p align="center"><b>South – Multi-Family and Undeveloped</b></p> 	<p align="center"><b>West – Shopping Center</b></p> 



## PUBLIC NOTIFICATION MAP



### Notification Area

700 ft. plus homeowner associations within a 1 mile radius of the subject site

101 notices sent







**Applicant/Owner:**  
Lisa Rembert

**Location:**  
Generally located on the north side of Old Winter Garden Rd., east of Grove St., south of SR 408, and west of Neighbors Ln.

**Existing Use:**  
Undeveloped land

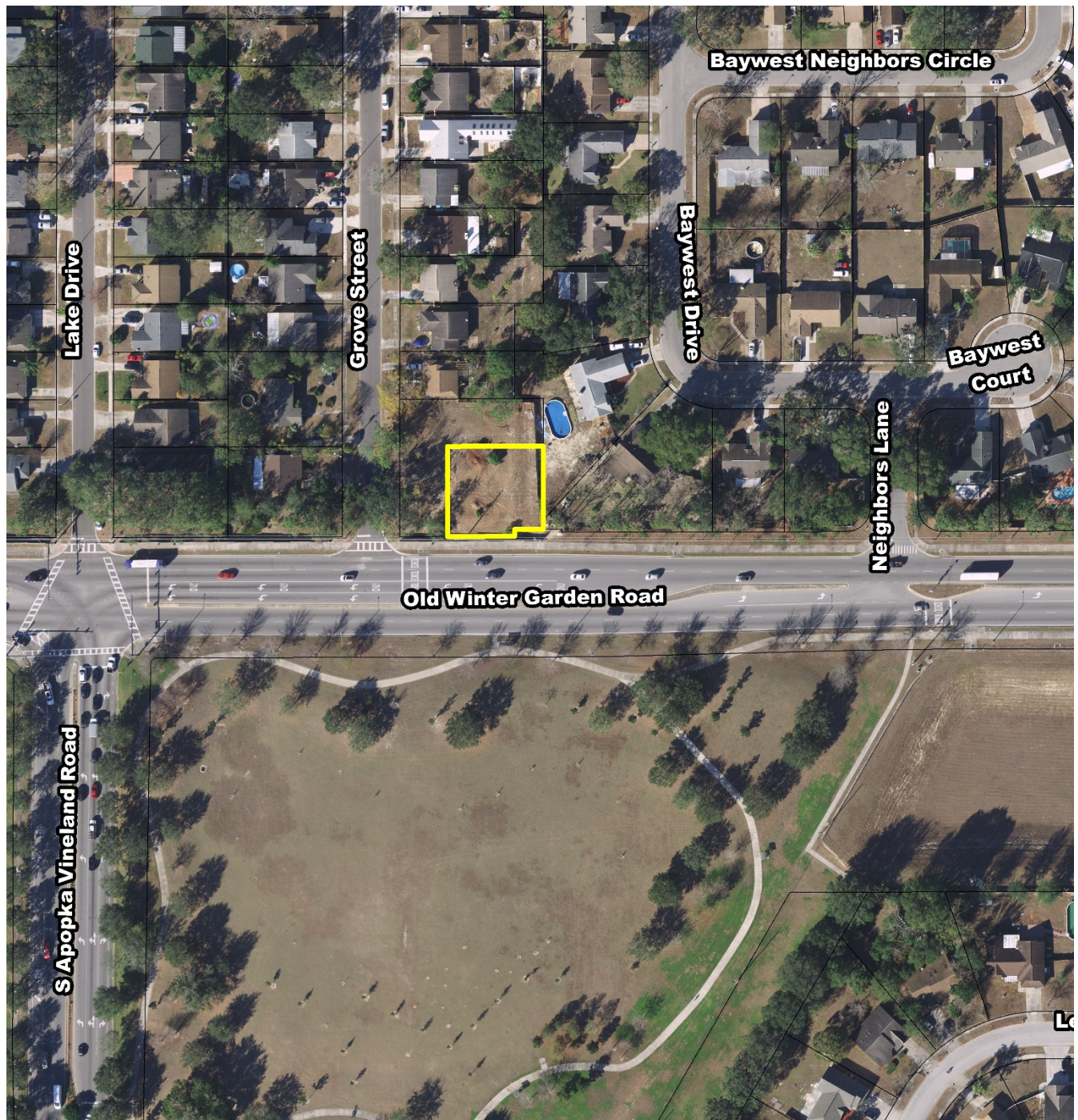
**Parcel ID Number:**  
27-22-28-4052-04-220

**Tract Size:**  
0.21 gross acre

The following meetings and hearings have been held for this proposal:			Project Information	
Report/Public Hearing		Outcome	Request: Low Density Residential (LDR) to Low-Medium Density Residential (LMDR)	
✓	Community Meeting August 22, 2018 (190 notices sent; 5 people in attendance)	Negative	<b>Proposed Development Program:</b> To allow for the development of two-single-family attached dwelling units.	
✓	Staff Report	Recommend Adoption	<b>Public Facilities and Services:</b> Please see the Public Facilities Analysis Appendix for specific analysis of each public facility.	
✓	LPA Adoption October 18, 2018	Recommend Adoption (8-0)	<b>Environmental:</b> Use caution to prevent erosion during construction along the boundary of the property, into wetlands and buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control.	
	BCC Adoption	November 13, 2018	<b>Transportation:</b> The subject property is not located within the Alternative Mobility Area (AMA) or along a backlogged/constrained facility or multimodal corridor.	
			<b>Concurrent Rezoning:</b> No	

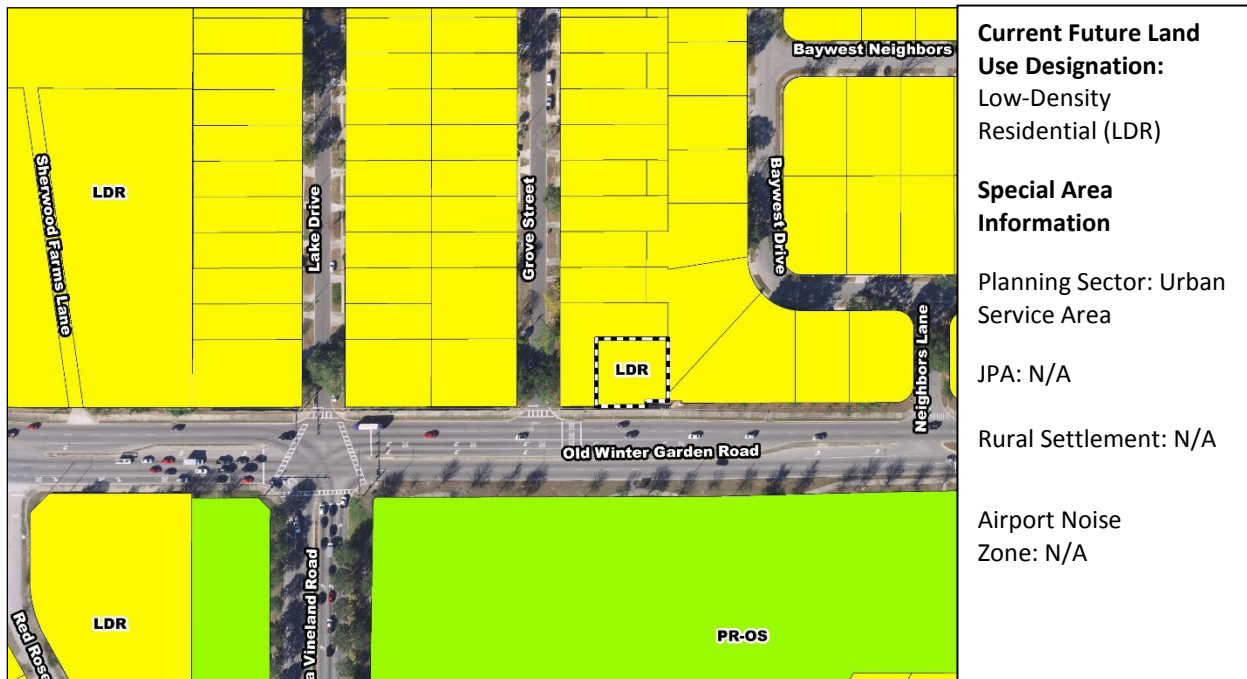


## SITE AERIAL





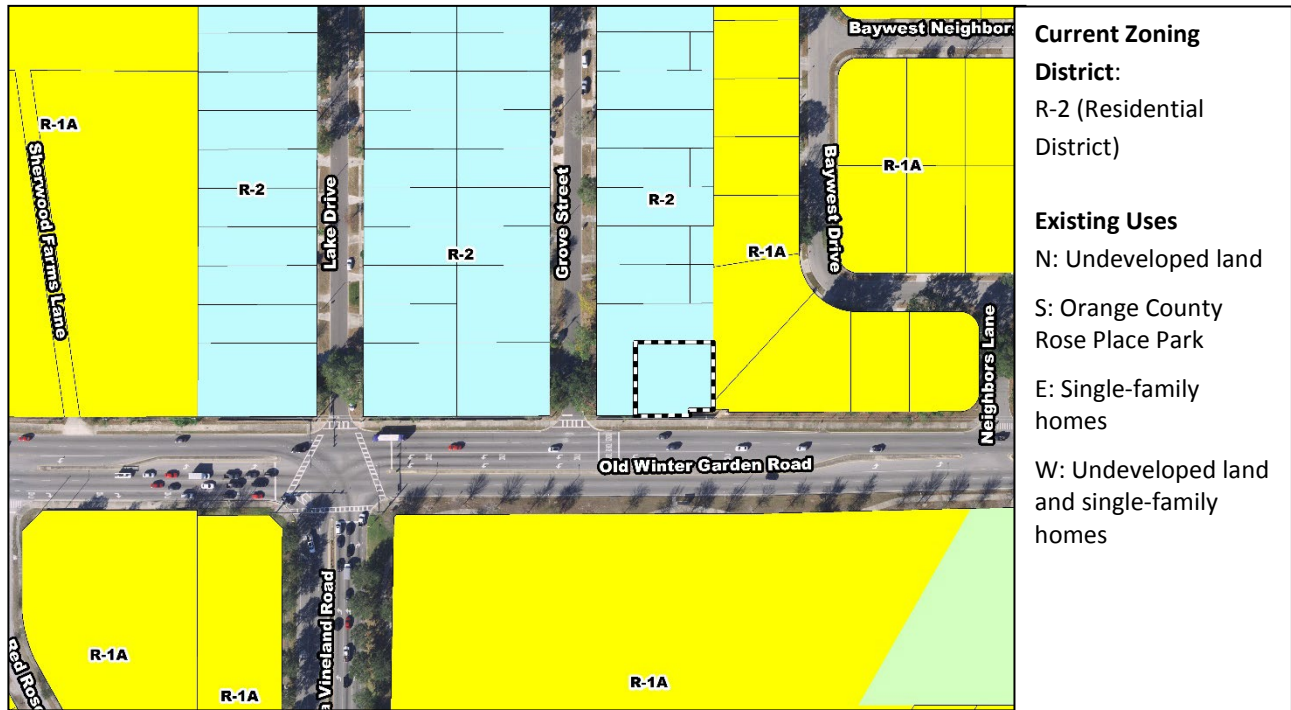
## FUTURE LAND USE - CURRENT



## FUTURE LAND USE - AS PROPOSED



## ZONING - CURRENT





## Staff Recommendation

Make a finding of **consistency** with the Comprehensive Plan (see (see Future Land Use Element Goal FLU2, Objectives FLU2.1 and FLU8.2, and Policies FLU1.1.1, FLU1.1.5, FLU8.2.1, FLU8.2.2, and FLU8.2.11; and Housing Element Goal H1 and Objective H1.1), determine that the amendment is in compliance, and **ADOPT** Amendment 2018-2-S-6-2, Low-Density Residential (LDR) to Low-Medium Density Residential (LMDR).

## Analysis

### 1. Background Development Program

The applicant and property owner, Lisa Rembert, has requested to change the Future Land Use Map (FLUM) designation on the 0.21-acre subject parcel from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR). The currently undeveloped site is located on the north side of Old Winter Garden Road within an established residential neighborhood of single-family detached homes, but is unique as it has access only from Old Winter Garden Rd and not from the neighborhood streets. If the proposed amendment is approved, it is the applicant's intent to build a two-story duplex to reside in one unit and rent the other unit. The subject site is zoned R-2 (Residential District), a zoning classification that allows duplexes.

The applicant stated she was told by an Orange County Planning staff member that she could build two (2) single-family attached dwelling units on the subject property. After being told that she could build the residential units, Ms. Rembert contacted the Orange County Health Department to inquire about obtaining septic tank permits for each unit. During this inquiry, she was informed that she would need a septic tank variance for each unit because of the lot's size. The State of Florida Health Department granted septic tank variance permits (Permit #48-SX-1812053 and Permit # 48-SX-1812077) on May 3, 2018, and both permits expire on November 3, 2019. Ms. Rembert also contacted the Orange County Zoning Division to inquire about obtaining a building permit to construct the proposed duplex. Ms. Rembert stated at this time she was told that she would need to change the subject property's Future Land Use Map designation from LDR to LMDR to be able to construct two units because she would exceed the maximum density allowed for the property under the LDR FLUM designation. The LMDR designation would allow her to construct two dwelling units. Ms. Rembert indicated that she reached out in 2015 to the adjacent property owner located to the west and north of her property to see if he would sell the property to her but the property owner did not reply until 2017. She stated by this time she was no longer interested in purchasing the property since she had invested a substantial amount of money in trying to construct the duplex.

A portion of the subject property adjacent to Old Winter Garden Road was acquired by Orange County for road widening. If the proposed amendment is approved, the property owner would need a variance from the Orange County Board of Zoning Adjustment (BZA) for the front yard setback for the eastern unit of the proposed duplex. A twenty-five (25') feet front yard setback is required. The proposed site plan indicates that the eastern unit's front yard setback is 21.86 feet. Ms. Rembert has applied for the setback variance request, VA-18-11-147, and is scheduled for a BZA public hearing on November 1, 2018.

A community meeting was held for this proposed amendment on August 22, 2018, with five (5) residents in attendance. The residents voiced their concerns with the proposal to construct a duplex on the subject property in an area of established single-family detached homes. They stated they would prefer that a single-family detached home be built on the property instead of a duplex. They

also voiced their concerns about traffic and access to the subject property because a subdivision wall is located in front of the property along Old Winter Garden Road. The Orange County Engineer addressed the residents' concerns and stated that the subject site is a lot of record within the Joslin Grove Park Subdivision, Plat Book O, Page 86, and the County cannot deny the property owner access to the property off of Old Winter Garden Road. She stated the County would allow Ms. Rembert to open up twenty-five (25') feet of the subdivision wall in order for her to have access. She stated the County would grant only a right-in/right-out access onto Old Winter Garden Road. The County Engineer also stated that Ms. Rembert would need to hire an engineer to certify that the subdivision wall is structurally sound after the portion is removed. At the time of permitting, Ms. Rembert will also have to obtain a Right-of-Way Utilization permit from the Development Engineering Division for the driveway opening.

## **Project Analysis**

### ***Consistency***

The proposed FLUM amendment appears to be **consistent** with the applicable Comprehensive Plan Goals, Objectives, and Policies. The parcel is located within an established residential neighborhood of single-family detached homes. As mentioned previously, the applicant is seeking the LMDR future land use designation to allow for the development of the 0.21-acre site to construct two (2) residential units, specifically, a two (2) story attached duplex. Staff finds this proposal consistent with **Future Land Use Element Goal FLU2**, which states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development, and an urban experience with a range of choices and living options. This proposed amendment is also consistent with **Future Land Use Element Objective FLU2.1**, which establishes that Orange County shall promote and encourage infill development through incentives identified in the Land Development Code for relatively small vacant and underutilized parcels within the County's established core areas in the Urban Service Area (USA). Staff further finds this request consistent with **Future Land Use Element Policy FLU1.1.5**, which encourages mixed-use development, infill development, and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area.

Staff notes that the proposed duplex will use infrastructure that is already in place. Per Orange County Utilities (OCU), the subject site lies within OCU's potable water, wastewater, and reclaimed water service areas and sufficient capacity is available for the proposed duplex. **Housing Element Goal H1 and Objective H1.1**, which state that the County will promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated housing needs. Staff finds that the development of the duplex on the subject property would prove consistent with the goal of providing a range of housing options for the surrounding area. **Future Land Use Element Policy FLU8.2.2** directs that continuous stretches of similar housing types and density of units shall be avoided. It is also staff's belief that the proposed residential units will contribute to the mix of available housing options in an area of the County deemed appropriate for urban uses, as set forth in **Future Land Use Element Policy FLU1.1.1**.

### ***Compatibility***

**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. As mentioned above, the subject property is located within an established residential neighborhood of single-family detached homes. The applicant's intent to develop the 0.21-acre infill parcel for a duplex would not be out of character for this area. Although there are not any duplexes located within the neighborhood immediately adjacent to the proposed amendment, there are several duplexes located within one mile, east of the subject site and along the north side of Old Winter Garden Road. Duplexes are located within Benton Garden Cove, Villas of Oak Meadows, Oak Meadows PD Phase 3 Unit 1, and Winter Ridge subdivisions. These subdivisions possess LMDR and LDR Future Land Use Map designations and have corresponding R-2, R-3 (Multiple-Family Dwelling District), and PD (Planned Development District) zoning classifications.

**Policy FLU8.2.11** notes that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. **Policy FLU8.2.11** also notes that other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of the project and the proposal's contribution to the goals and objectives of the Comprehensive Plan. The applicant's request involves the use of an existing site within the Urban Service Area that is consistent with the overall goal of the Comprehensive Plan to direct development to the Urban Service Area. Although it is not identical to adjacent residential uses, it is not out of character with the existing development pattern. Therefore, Staff recommends adoption of this requested amendment.

### ***Division Comments: Environmental, Public Facilities and Services***

**Environmental.** If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also, refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

If new construction is proposed, use caution to prevent erosion along the boundary of the property, into wetlands and buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control.

**Utilities.** The subject property is located within Orange County Utilities' (OCU's) potable water, wastewater, and reclaimed water service areas. Per OCU, there is a 30-inch potable water main within the Old Winter Garden right-of-way and a 20-inch forcemain within the Old Winter Garden Road right-of-way. Currently, there are no reclaimed water mains in the vicinity of the site.

**Transportation.** Based on trip generation estimates from the 10<sup>th</sup> Edition of the Institute of Transportation Engineers *Trip Generation Handbook*, it was determined that the current land use generates approximately one (1) p.m. peak hour trip, while the proposal to develop up to two (2) single-family dwelling units under the requested Low-Medium Density Residential future land use designation would generate two (2) p.m. peak hour trips resulting in a net increase of one (1) new p.m. peak hour trip.

The subject property is not located within the County's Alternative Mobility Area or along a backlogged/constrained facility or multimodal corridor. It is located adjacent to Old Winter Garden Road, a four-lane minor arterial which, based on the Concurrency Management System database is currently operating at acceptable levels of service and capacity is available to be encumbered. This information is dated and subject to change.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the County's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies.

Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Plan.

### Policy References

**Goal FLU2 — URBAN STRATEGIES.** Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

**OBJ FLU2.1 — INFILL.** Orange County shall promote and encourage infill development through incentives identified in the Land Development Code for relatively small vacant and underutilized parcels within the County's established core areas in the Urban Service Area.

**OBJ FLU8.2 — 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.

**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.

**FLU1.1.5 — Orange County** shall encourage mixed-use development, infill development and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. The County may require minimum FARs and densities in its Land Development Code to achieve the County's desired urban framework. Infill is defined as development consistent with the *Infill Master Plan* (2008).

**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.

**FLU8.2.2 — Continuous stretches** of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

**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.

**GOAL H1** – Orange County's goal is to promote and assist in the provision of an ample housing supply, within a broad range residents have the opportunity to purchase or rent standard housing.

**OBJ H1.1** – The County will continue to support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.



## Site Visit Photos

Subject Site from Old Winter Garden Rd



North



South



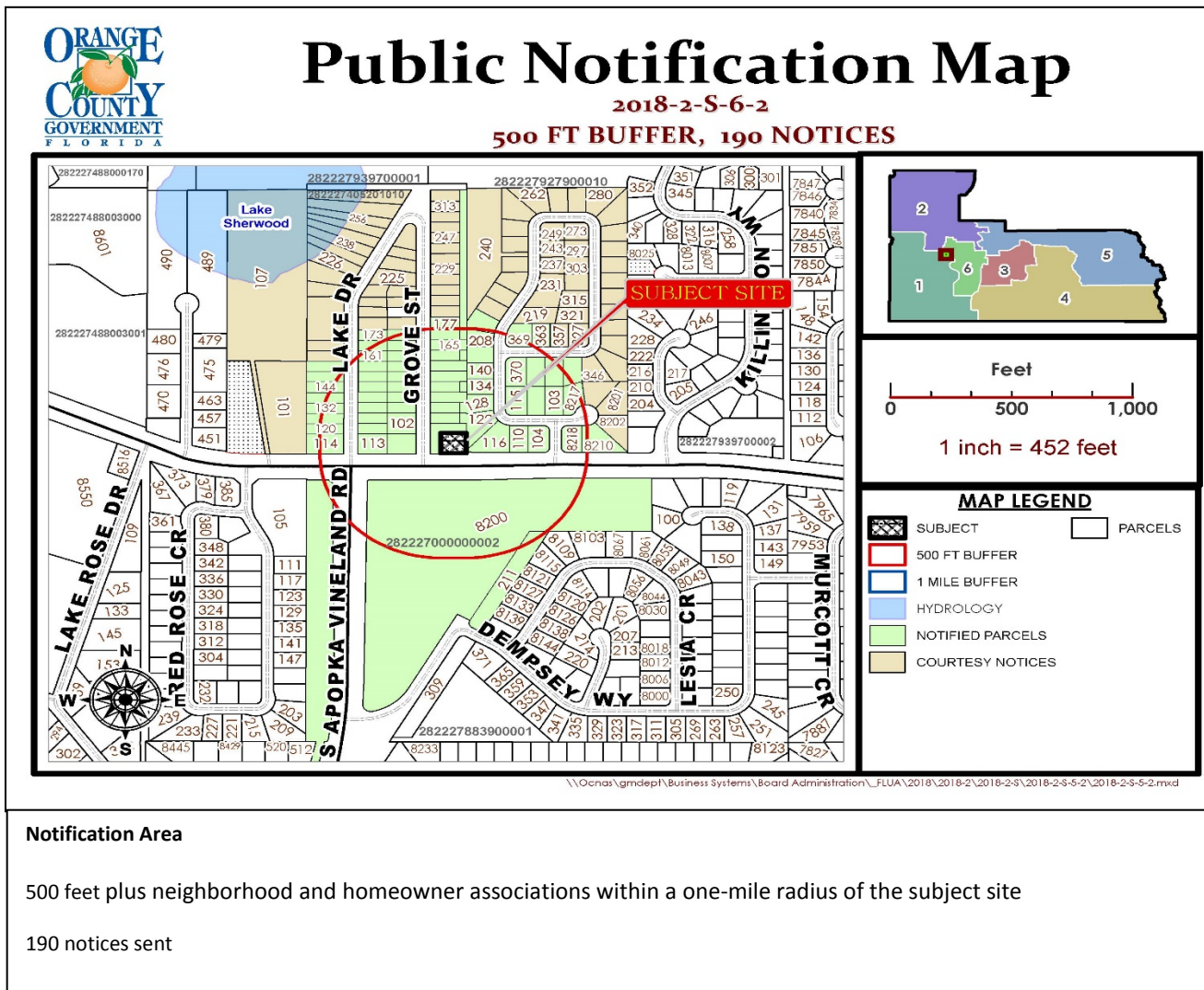
East

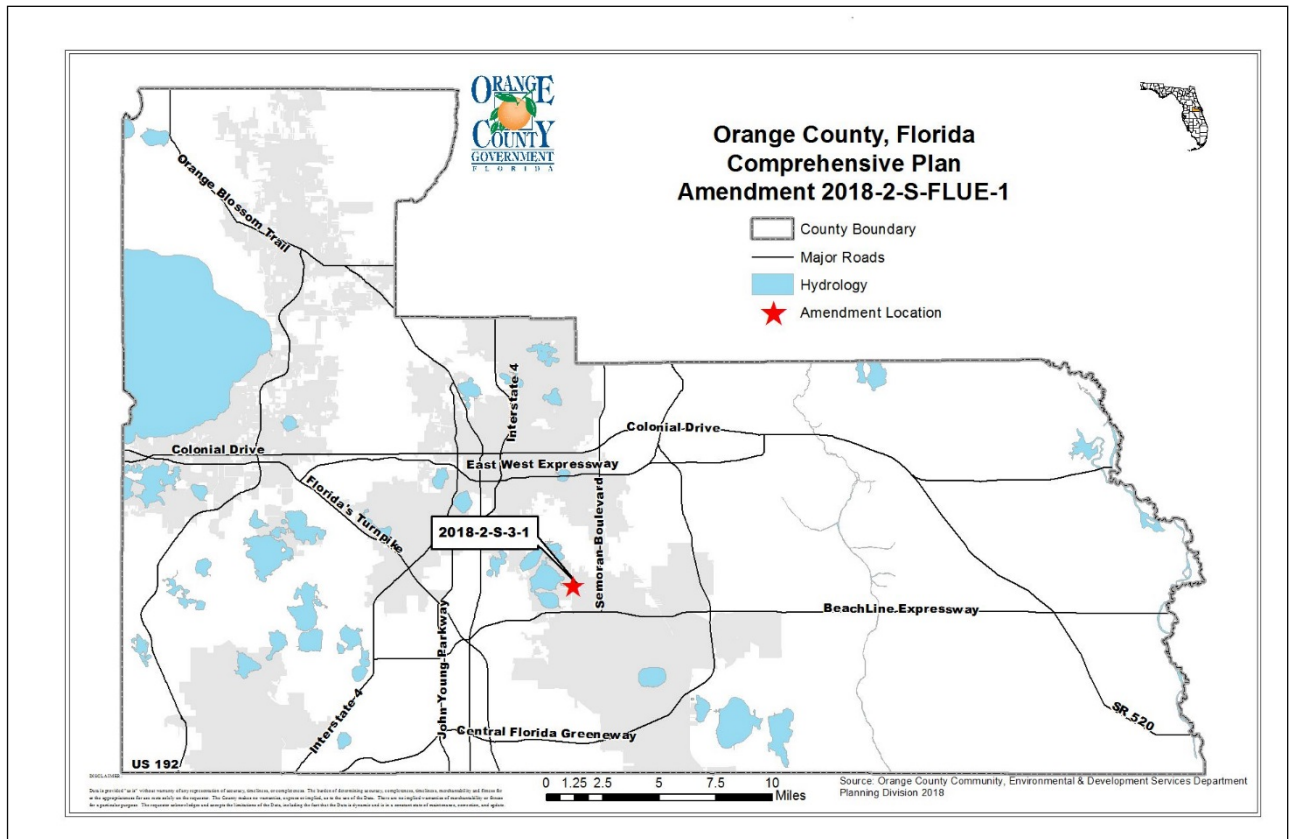


West



## PUBLIC NOTIFICATION MAP





The following meetings and hearings have been held for this proposal:			Project/Legal Notice Information	
Report/Public Hearing		Outcome	Title: Amendment 2018-2-S-FLUE-1	
✓	Staff Report	Recommend Denial	Division: Planning	
✓	LPA Adoption October 18, 2018	Recommended Adoption (8-0)	Request: Amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County	
	BCC Adoption	November 13, 2018	Revision: FLU8.1.4	



## LPA Recommendation

Consistent with their position on Amendment 2018-2-S-3-1, the LPA recommends that Amendment 2018-2-S-FLUE-1 be found to be consistent with the Comprehensive Plan, determine that the plan amendment is in compliance, and recommends **ADOPTION** of Amendment 2018-2-S-FLUE-1 to include the development program for Amendment 2018-2-S-3-1 in Future Land Use Element Policy FLU8.1.4.

## Staff Recommendation

Consistent with their position on Amendment 2018-2-S-3-1, staff recommends that Amendment 2018-2-S-FLUE-1 be found to be inconsistent with the Comprehensive Plan, determine that the plan amendment is in compliance, and recommend **DENIAL** of Amendment 2018-2-S-FLUE-1 to include the development program for Amendment 2018-2-S-3-1 in Future Land Use Element Policy FLU8.1.4.

## A. Background

The Orange County Comprehensive Plan (CP) allows for a Future Land Use designation of Planned Development. While other Future Land Use designations define the maximum dwelling units per acre for residential land uses or the maximum floor area ratio (FAR) for non-residential land uses, this is not the case for the Planned Development (PD) designation. Policy FLU8.1.3 establishes the basis for PD designations such that “specific land use designations...may be approved on a site-specific basis”. Furthermore, “such specific land use designation shall be established by a comprehensive plan amendment that identifies the specific land use type and density/intensity.” Each comprehensive plan amendment involving a PD Future Land Use designation involves two amendments, the first to the Future Land Use Map and the second to Policy FLU8.1.4. The latter serves to record the amendment and the associated density/intensity established on a site-specific basis. Any change to the uses and/or density and intensity of approved uses for a PD Future Land Use designation requires an amendment of FLU8.1.4.

Staff is recommending the Board make a finding of **INCONSISTENCY** with the Comprehensive Plan and **DENY** Amendment 2018-2-S-3-1; therefore, the development program for this amendment would not be added to Policy FLU8.1.4.

However, should Amendment 2018-2-S-3-1 ultimately be approved, then it would be appropriate to adopt the PD maximum density and intensity into Policy FLU8.1.4, as presented below.

## B. Policy Amendments

Following are the policy changes proposed by this amendment. The proposed changes are shown in underline/~~strikethrough~~ format.

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.

Amendment Number	Adopted FLUM Designation	Maximum Density/ Intensity	Ordinance Number
<u>2018-2-S-3-1</u> <u>Sanchez</u> <u>Properties</u>	<u>Planned</u> <u>Development – Low-</u> <u>Medium Density</u> <u>Residential/Industrial</u> <u>(PD-LMDR/IND)</u>	<u>3 residential dwelling units (2 single-</u> <u>family detached homes and 1 existing</u> <u>manufactured home), 1 detached garage</u> <u>with 2 garage apartment units,</u> <u>freestanding family game room building,</u> <u>freestanding home office, 2 pole barns,</u> <u>and overnight truck parking for</u> <u>commercial vehicles</u>	<u>2018-</u>



**ORDINANCE NO. 2018-\_\_\_\_\_**

**AN ORDINANCE PERTAINING TO COMPREHENSIVE  
PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING  
THE ORANGE COUNTY COMPREHENSIVE PLAN,  
COMMONLY KNOWN AS THE “2010-2030  
COMPREHENSIVE PLAN,” AS AMENDED, BY ADOPTING  
AMENDMENTS PURSUANT TO SECTION 163.3184(3),  
FLORIDA STATUTES, FOR THE 2018 CALENDAR YEAR  
(SECOND CYCLE); AND PROVIDING EFFECTIVE DATES.**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
ORANGE COUNTY:**

***Section 1. Legislative Findings, Purpose, and Intent.***

a. Part II of Chapter 163, Florida Statutes, sets forth procedures and requirements for a local government in the State of Florida to adopt a comprehensive plan and amendments to a comprehensive plan;

b. Orange County has complied with the applicable procedures and requirements of Part II of Chapter 163, Florida Statutes, for amending Orange County’s 2010-2030 Comprehensive Plan;

c. On June 21, 2018, the Orange County Local Planning Agency (“LPA”) held a public hearing on the transmittal of the proposed amendment to the Comprehensive Plan, as described in this ordinance; and

d. On July 10, 2018, the Orange County Board of County Commissioners (“Board”) held a public hearing on the transmittal of the proposed amendment to the Comprehensive Plan, as described in this ordinance; and

e. On August 28, 2018, the Florida Department of Economic Opportunity (“DEO”) issued a letter to the County relating to the DEO’s review of the proposed amendment to the Comprehensive Plan, as described in this ordinance; and

f. On October 18, 2018, the LPA held a public hearing at which it reviewed and made recommendations regarding the adoption of the proposed amendment to the Comprehensive Plan, as described in this ordinance; and

g. On November 13, 2018, the Board held a public hearing on the adoption of the proposed amendment to the Comprehensive Plan, as described in this ordinance, and decided to adopt it.

**Section 2. Authority.** This ordinance is adopted in compliance with and pursuant to Part II of Chapter 163, Florida Statutes.

**Section 3. Amendments to Future Land Use Map.** The Comprehensive Plan is hereby amended by amending the Future Land Use Map designation as described at **Appendix “A,”** attached hereto and incorporated herein.

**Section 4. Effective Dates for Ordinance and Amendments.**

(a) This ordinance shall become effective as provided by general law.

(b) In accordance with Section 163.3184(3)(c)4., Florida Statutes, no plan amendment adopted under this ordinance becomes effective until 31 days after the DEO notifies the County that the plan amendment package is complete. However, if an amendment is timely challenged, the amendment shall not become effective until the DEO or the Administration Commission issues a final order determining the challenged amendment to be in compliance.

(c) No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective.

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ADOPTED THIS 13th DAY OF NOVEMBER, 2018.

**ORANGE COUNTY, FLORIDA**  
By: Board of County Commissioners

By: \_\_\_\_\_  
Teresa Jacobs  
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller  
As Clerk to the Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk

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**APPENDIX “A”**  
**FUTURE LAND USE MAP AMENDMENTS**

<b><i>Appendix A*</i></b>		
<b><i>Privately Initiated Future Land Use Map Amendments</i></b>		
<b>Amendment Number</b>	<b>Future Land Use Map Designation FROM:</b>	<b>Future Land Use Map Designation TO:</b>
<b>2018-2-A-5-1</b>	<b>Rural/Agricultural (R)</b>	<b>Educational (EDU)</b>
<b>*The Future Land Use Map (FLUM) shall not depict the above designations until such time as they become effective.</b>		

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ORDINANCE NO. 2018-\_\_\_\_\_

AN ORDINANCE PERTAINING TO COMPREHENSIVE  
PLANNING IN ORANGE COUNTY, FLORIDA;  
AMENDING THE ORANGE COUNTY COMPREHENSIVE  
PLAN, COMMONLY KNOWN AS THE “2010-2030  
COMPREHENSIVE PLAN,” AS AMENDED, BY  
ADOPTING SMALL SCALE DEVELOPMENT  
AMENDMENTS AND RELATED TEXT AMENDMENTS  
PURSUANT TO SECTION 163.3187, FLORIDA STATUTES;  
AND PROVIDING EFFECTIVE DATES.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
ORANGE COUNTY:

*Section 1. Legislative Findings, Purpose, and Intent.*

a. Part II of Chapter 163, Florida Statutes, sets forth procedures and requirements for  
a local government in the State of Florida to adopt a comprehensive plan and amendments to a  
comprehensive plan;

b. Orange County has complied with the applicable procedures and requirements of  
Part II of Chapter 163, Florida Statutes, for amending Orange County’s 2010-2030  
Comprehensive Plan;

c. On October 18, 2018, the Orange County Local Planning Agency (“LPA”) held a  
public hearing at which it reviewed and made recommendations regarding the adoption of the  
proposed amendments to the Comprehensive Plan, as described in this ordinance; and

d. On November 13, 2018, the Board held a public hearing on the adoption of the  
proposed amendments, as described in this ordinance, and decided to adopt them.

*Section 2. Authority.* This ordinance is adopted in compliance with and pursuant to  
Part II of Chapter 163, Florida Statutes.



**Section 3. Amendments to Future Land Use Map.** The Comprehensive Plan is hereby amended by amending the Future Land Use Map designations as described at **Appendix “A,”** attached hereto and incorporated herein.

**Section 4. Amendments to Text of Future Land Use Element.** The Comprehensive Plan is hereby further amended by amending the text of the Future Land Use Element to read as follows, with underlines showing new numbers and words, and strike-throughs indicating repealed numbers and words. (Words, numbers, and letters within brackets identify the amendment number and editorial notes, and shall not be codified.)

\* \* \*

**[Amendment 2018-2-S-FLUE-1:]**

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.

\*\*\*

Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
<u>2018-2-S-3-1</u> <u>Sanchez</u> <u>Properties</u>	<u>Planned Development –</u> <u>Low-Medium Density</u> <u>Residential/Industrial</u> <u>(PD-LMDR/IND)</u>	<u>3 residential dwelling units (2</u> <u>single-family detached homes</u> <u>and 1 existing manufactured</u> <u>home), 1 detached garage with</u> <u>2 garage apartment units,</u> <u>freestanding family game room</u> <u>building, freestanding home</u> <u>office, 2 pole barns, and</u> <u>overnight truck parking for</u> <u>commercial vehicles</u>	<u>2018-</u> <u>[insert</u> <u>ordinance</u> <u>number]</u>

Such policy allows for a one-time cumulative density or intensity differential of 5% based on ADT within said development program.

\*\*\*

**Section 5. Effective Dates for Ordinance and Amendments.**

(a) This ordinance shall become effective as provided by general law.

(b) Pursuant to Section 163.3187(5)(c), Florida Statutes, the small scale development amendments adopted in this ordinance may not become effective until 31 days after adoption. However, if an amendment is challenged within 30 days after adoption, the amendment that is challenged may not become effective until the Department of Economic Opportunity or the Administration Commission issues a final order determining that the adopted amendment is in compliance.

(c) In accordance with Section 163.3184(12), Florida Statutes, any concurrent zoning changes approved by the Board are contingent upon the related Comprehensive Plan amendment becoming effective. Aside from any such concurrent zoning changes, no development orders, development permits, or land uses dependent on any of these amendments may be issued or commence before the amendments have become effective.

ADOPTED THIS 13<sup>th</sup> DAY OF NOVEMBER, 2018.

**ORANGE COUNTY, FLORIDA**  
By: Board of County Commissioners

By: \_\_\_\_\_  
Teresa Jacobs  
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller  
As Clerk to the Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk

## APPENDIX “A”

### FUTURE LAND USE MAP AMENDMENTS

<i>Appendix A*</i>		
<i>Privately Initiated Future Land Use Map Amendments</i>		
<b>Amendment Number</b>	<b>Future Land Use Map Designation FROM:</b>	<b>Future Land Use Map Designation TO:</b>
2018-2-S-2-1	Low Density Residential (LDR)	Medium Density Residential-Assisted Living Facility (MDR-ALF)
2018-2-S-3-1	Medium Density Residential (MDR)	Planned Development – Low-Medium Density Residential/Industrial (PD-LMDR/IND)
2018-2-S-5-2	Low-Medium Density Residential (LMDR)	Office (O)
2018-2-S-5-3	Commercial (C)	Medium Density Residential (MDR)
2018-2-S-6-2	Low Density Residential (LDR)	Low-Medium Density Residential (LMDR)
<b>*The Future Land Use Map (FLUM) shall not depict the above designations until such time as they become effective.</b>		



## Community Meeting Memorandum

**DATE:** June 12, 2018  
**TO:** Greg Golgowski, Chief Planner  
**FROM:** Maria Cahill, AICP Planner III  
**SUBJECT:** Amendment 2018-2-A-5-1 – Community Meeting Notes  
**C:** Project file

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**Location of Project:** Parcel 20-22-32-0000-00-003 on Hamilton Drive; Generally located north of Hamilton Drive, east of Lockwood Drive, south of Old Cheney Highway, and west of Story Partin Road.

**Meeting Date and Location:** Monday, June 11, 2018 at 6:00 at East River High School

**Attendance:**

District Commissioner	Ashton Holland, aide to District 5 Commissioner Emily Bonilla
Orange County staff	Jennifer DuBois, Maria Cahill and Steven Thorp, Planning Cristina Pichardo-Cruz, Traffic Engineering
Applicant team	Julie C. Salvo, AICP Facilities Planning, Orange County Public Schools (OCPS), Joie Cadle, District 1 School Board Member
Residents	155 notices sent; twelve (12) residents in attendance

**Overview of Project:** Orange County Public Schools is proposing a change to the FLUM designation of the 15.68-acre subject parcel from **Rural/Agricultural (R)** to **Educational (EDU)** in order to acquire the site for incorporation into the current East River High School campus and utilize the property for practice fields for the school's athletic program.

**Meeting Summary:** Ms. Jenny DuBois, Orange County Planning Division opened the meeting by reviewing the transmittal and adoption processes for proposed FLUM amendments and summarized OCPS' request to designate the subject property as Educational (EDU) and incorporate it into the Timber Creek Relief High School PD via the Land Use Plan Amendment (LUPA) rezoning process. Ms. Salvo discussed the proposal to acquire the 15.68-acre site for practice fields for the East River High School athletic program and OCPS' commitment to the provision of equitable resources for both boys and girls sports. Ms. Salvo emphasized that the school presently has limited capacity to accommodate the needs of its athletic program and that additional practice fields are badly needed.

Twelve (12) neighborhood residents attended the meeting. Overall, the attendees expressed their possible support for the proposal. However, they voiced their desire for OCPS to provide certain guarantees regarding the development of the subject property during the approval process. Issues of concern included student access to the site via Hamilton Drive, a rural residential road; the potential for the evolution of the practice fields to playing fields over time and such related impacts to the surrounding residential neighborhood as lighting, noise, and access management. Attendees also communicated their objection to the opening of the practice fields to outside athletic organizations and private clubs and the use of Hamilton Drive by construction vehicles and stated that the provision of fencing is needed to prevent students from accessing the fields from Hamilton. OCPS responded to the residents' questions and the issues raised. OCPS has no intent to allow open access to the unlit practice fields from Hamilton Drive, although they did indicate that Orange County Public Works may require emergency access via Hamilton. OCPS stressed that they have limited funds and have no plans for vertical construction on the site, as their goal is to utilize it for practice fields only. OCPS added that they have no desire to allow outside athletic organizations to use the fields.

The meeting participants further emphasized the need for adherence to the Timber Creek Relief High School PD Conditions of Approval. Specifically, they raised concerns about nighttime noise from the existing stadium on the east side of the campus and the stadium's very loud PA system. Representatives from the Planning Division stated that the potential imposition of additional Conditions of Approval pertaining to access, fencing, lighting, and noise would be addressed via the associated LUPA rezoning, anticipated for concurrent consideration with the proposed FLUM Amendment during the adoption public hearing stage.

The meeting adjourned at 6:45 p.m. The overall tone of the meeting was mixed.





## Community Meeting Memorandum

**DATE:** November 1, 2018  
**TO:** Greg Golgowski, Chief Planner  
**FROM:** Jennifer DuBois, Planner II  
**SUBJECT:** Amendment 2018-2-A-5-1 – Second Community Meeting Notes  
**C:** Project file

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**Location of Project:** Parcel 20-22-32-0000-00-003 on Hamilton Drive; Generally located north of Hamilton Drive, east of Lockwood Drive, south of Old Cheney Highway, and west of Story Partin Road.

**Meeting Date and Location:** Thursday, October 25, 2018 at 6:00 p.m. at East River High School

**Attendance:**

District Commissioner	District 5 Commissioner Emily Bonilla
Orange County staff	Jennifer DuBois, Planning Division
Applicant team	Julie C. Salvo, AICP Facilities Planning, Orange County Public Schools (OCPS), Joie Cadle, District 1 School Board Member
Residents	Thirty (30) residents in attendance

**Overview of Project:** Orange County Public Schools (OCPS) is proposing a change to the FLUM designation of the 15.68-acre subject parcel from **Rural/Agricultural (R)** to **Educational (EDU)** to allow for its incorporation into the current East River High School campus and utilization for practice fields for the school's athletic program.

**Meeting Summary:** The community meeting was hosted by the applicant, Julie Salvo of Orange County Public Schools (OCPS), and District 1 School Board member Joie Cadle. Ms. Salvo and Ms. Cadle summarized OCPS' request to designate the subject property as Educational (EDU) and incorporate it into the Timber Creek Relief High School PD via the Land Use Plan Amendment (LUPA) rezoning process. They discussed the proposal to acquire the 15.68-acre site for practice fields for the East River High School athletic program and OCPS' commitment to the provision of equitable resources for both boys and girls sports. Ms. Salvo and Ms. Cadle emphasized that the school presently has limited capacity to accommodate the needs of its athletic program and that additional practice fields are badly needed.

Thirty (30) neighborhood residents attended the meeting. Overall, the attendees expressed their possible support for the proposal. However, they voiced their desire for OCPS to provide certain

guarantees regarding the development of the subject property during the approval process. OCPS reiterated that the subject property will be used solely for practice fields for East River High School's sports teams. OCPS verified that the fields will not be lit, thus ensuring that practice sessions will end by sundown, that there will be no access to the fields via Hamilton Drive, and that there will be no vertical construction on the site. OCPS further explained that if the requested Future Land Use Map Amendment and LUPA rezoning are approved, the specific site design and development standards will be established during the subsequent Development Plan (DP) stage of the project.

Several residents in attendance expressed concern about possible contamination of the Econlockhatchee River, groundwater, and soil from pesticides, herbicides, or fertilizers that may have been used previously in the operation of the container nursery. Staff notes that a Phase I Environmental Site Assessment was conducted by ECS Florida, LLC in May 2018. As stated in their report dated May 8, 2018, it is ECS' opinion that pesticides, herbicides, and fertilizers that may have been applied in conjunction with the nursery use (and an earlier known citrus grove use) do not currently constitute a Recognized Environmental Condition (REC) for the subject property.

Meeting attendees also raised questions regarding the school's proposed landscaping materials and irrigation system. OCPS staff stated that Bermuda grass (the same groundcover currently found on the football field and the existing practice fields) will be planted on the new fields and that the school will utilize a water-conserving irrigation system developed by the firm Calsense.

Several residents expressed a desire for the construction of a community center and/or regional park on the site. District 5 Commissioner Emily Bonilla stated that the new East Orange District Park Recreation Center in Christmas, the Bithlo Community Park, and the Bithlo Community Center are presently serving the residents of the area. Commissioner Bonilla further noted that in addition to these regional facilities, many subdivisions in the community feature playgrounds and parks.

Area residents also voiced concern about drainage problems on both the proposed expansion parcel and the present East River campus. OCPS staff replied that laser grading technology will be employed in the construction of the new fields to help ensure a smooth playing surface while reducing the potential for standing water. In answer to an area resident, OCPS staff verified that they also intend to simultaneously address the significant drainage issues on the school's current practice fields, located on the southeast portion of the campus.

Concerns regarding pedestrian safety—particularly with respect to those students who must cross E. Colonial Drive on a daily basis—were discussed. Several meeting attendees noted that per state law, bus service is currently not provided to those students living within a two-mile radius of the school. OCPS staff stated that they will explore the possibility of seeking a "hazardous walking condition" designation to allow for the provision of bus service to the affected students to help ensure their safety, which will require coordination between the school district, the Florida Department of Transportation (FDOT), the Orange County Sheriff's Office, and other County departments. In answer to an area resident, Commissioner Bonilla stated that the construction of a pedestrian bridge across E. Colonial Drive is not a possibility at this time, as sufficient acreage to accommodate a bridge is currently unavailable on both sides of the road. In addition, the path

of the Colonial Parkway has yet to be determined, making any discussion of a future bridge premature.

Lastly, the issues of traffic and congestion in the vicinity of East River High School campus were raised. Area residents expressed frustration over the daily congestion stemming from the approximately 87 school buses traveling daily to and from the campus—a regional bus hub—and parent and student vehicular traffic. OCPS staff stated they have been attempting purchase property with access to E. Colonial Drive for the past several years to provide additional ingress and egress to the school. However, a sufficient parcel has yet to become available.

The meeting adjourned at 7:10 p.m. The overall tone of the meeting was **MIXED**.



## Community Meeting Memorandum

**DATE:** September 5, 2018

**TO:** Gregory Golgowski, Chief Planner, Comprehensive Planning

**FROM:** Alyssa Henriquez, Planner

**SUBJECT:** Amendment 2018-2-S-2-1 – Community Meeting Notes

**C:** Project File

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**Location of Project:** 1443 Clarcona Rd.; Generally located north of E. Cleveland St., east of Clarcona Rd., south of E. 18th St., and west of Old Apopka Rd.

**Property Identification:** 15-21-28-0000-00-062

**Meeting Date and Location:** August 30, 2018 at Wheatley Elementary School, Apopka

### Attendance:

District Commissioner: Rod A. Love, District 2 Commissioner  
Shirley Sharpe- Terrell, District 2 Commissioner Aide

Planning Division staff: Alyssa Henriquez, Case Planner  
Greg Golgowski, Chief Planner

Applicant: Greg Roebuck, Aagaard-Juergensen

Residents: 5 residents in attendance;  
125 notices sent

### Overview of Project:

The applicant, Greg Roebuck, is seeking to change the Future Land Use Map (FLUM) designation of the 3.45-acre subject property. Located north of Saunders Street, south of Rosa Street, east of Clarcona Road, and west of Old Apopka Road, the site is currently undeveloped. As depicted on the current future land use map, the parcel has a future land use designation of Low Density Residential. It is Mr. Roebuck's intent to retain the property's current R-3 zoning. The applicant is proposing to develop an assisted living facility on the subject parcel, which is permitted by special exception in the R-3 zoning district. In order to make his future land use designation and

zoning consistent, the applicant is requesting to change the future land use to Medium Density Residential. More specifically, if approved, the proposed future land use designation would be Medium Density Residential-Assisted Living Facility (MDR-ALF), which would restrict the applicant to only develop an assisted living facility on the property.

#### **Meeting Summary:**

Ms. Alyssa Henriquez opened the meeting at 6:15 p.m. and provided an overview of the proposed Future Land Use Map Amendment and the public hearing process, noting an upcoming LPA hearing on October 18 and BCC adoption hearing on November 13, 2018.

Mr. Greg Roebuck indicated that the proposal was to construct an assisted living facility on the property in two phases: the first providing space for 80 residents within 20,000 square feet and the second phase adding 40 residents for a total of 120 with an additional 6,000 square feet of building for a total of 26,000 square feet. The expectation was that there would be 25-30 staff members on site at a time.

In response to questions from Commissioner Love, Mr. Roebuck indicated that there would be an on-site generator that could provide back-up electricity for all common areas and critical components, with sufficient air conditioning to control humidity levels throughout should power be lost. The applicant noted that CPTED (Crime Prevention Through Environmental Design) measures would be addressed through the criteria of the federal Fair Housing Act. Services to be provided would be limited to assisted living, which is the lowest level of support for senior citizen residential housing. A question was also raised as to where the nearest county or City of Apopka EMS stations were located.

Safe access to the property was discussed, the commissioner noting that speeds on Clarcona Road could create a safety factor for access as a number of accidents are being reported from the nearby intersection of Clarcona Road and 13th Street. The applicant was supportive of having a secondary or drive-through access on Saunders or Rosa Streets, neither of which has been constructed. The applicant would be supportive of using such access if Orange County would build either or both streets. The residents indicated their support of that, noting that there were several properties fronting on those two street corridors that are landlocked because the streets were never built.

The meeting was adjourned at 7:00 PM. The overall tone of the meeting was **NEUTRAL**.





## Community Meeting Memorandum

**DATE:** August 23, 2018  
**TO:** Gregory Golgowski, Chief Planner  
**FROM:** Misty Mills, Planner II  
**SUBJECT:** Amendment 2018-2-S-3-1 and Rezoning LUP-18-06-213 – Community Meeting Summary  
**C:** Project file

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**Location of Project:** 4769 Judge Road

**Meeting Date and Location:** August 22, 2018 at Orange County Extension Education Center

### Attendance:

District Commissioner	<i>Mercedes Fonseca and Marya Labrador Aides to Commissioner</i>
Orange County staff	<i>Pete Clarke.</i>
Applicant team	
Property owner	
Residents	
Orange County staff	<i>Misty Mills, Steven Thorp, and Alyssa Henriquez, Planning Division</i>
Applicant team	<i>Bill Maki</i>
Property owner	<i>Fernando Sanchez</i>
Residents	<i>54 notices sent, 20 residents in attendance</i>

### Overview of Project:

The applicant request is to amend the Future Land Use designation of the 1.9-acre site from Medium Density Residential (MDR) to Planned Development-Low-Medium Density Residential/Industrial (PD-LMDR/IND). Additionally, the applicant requests to amend the zoning designation from A-2 (Farmland Rural District) to PD (Planned Development District). The petitioned site is developed with three single-family homes. (two (2) manufactured homes and one (1) single-family home), one finished detached garage with two (2) residential units, a freestanding family game room building, a free standing home office, two pole barns for outdoor storage, overnight truck parking for commercial vehicles, and a fully enclosed storage trailer for personal use. The impetus for the request is to bring the existing uses into code compliance.

### Meeting Summary:

Mrs. Mills provided an overview of the amendment and rezoning process. She noted the public hearing date before the Local Planning Agency and Planning and Zoning Commission is scheduled for Thursday, October 18, 2018, and the Board of County Commissioners for Tuesday, November 13, 2018. Bill Maki explained the existing development on the petitioned site and the owner's request for the amendments are to bring the property into compliance with the

zoning ordinance.

Approximately 20 residents were in attendance. The petitioned property, along with four (4) other parcels) is an enclave of unincorporated Orange County within the City of Orlando. Conway Road acts as a dividing line between the City of Orlando on the east and the City of Belle Isle on the west, as shown on the map below. Residents asked for clarification the jurisdictional and regulatory differences.

There were also questions related to what the owner can do with the property under the existing future land use and zoning and the proposed future land use and zoning. Staff stated that the future land use and zoning are inconsistent and that limits the uses on the property. Staff explained that the requested Planned Development future land use and zoning will limit the uses to the request and if the owner wishes to expand he must apply to amend both the future land use map and the zoning map. After explaining this there were questions as to why the owner is making this request if these uses are existing on the property.

Other questions included the zoning in the City of Orlando and inquiries as to the development to the south of Judge Road. Staff did not have details on any proposed development as this property is within the City of Orlando. There was concern of multi-family residential development in this area contributing to more traffic congestion. Staff explained the request does not include multi-family development that is the existing future land use on the property and the owner is requesting to change that to being the existing uses into compliance.

The residents in attendance did not object to the property owner continuing the existing uses on the site.

The meeting adjourned at 7:00 p.m. The overall tone of the meeting was **POSITIVE**.



## Community Meeting Memorandum

**DATE:** August 31, 2018  
**TO:** Alberto A. Vargas, MArch., Planning Manager  
**FROM:** Sue Watson, Planner  
**SUBJECT:** Amendment 2018-2-S-5-2 & Rezoning RZ-18-10-042 Community Meeting Synopsis  
**C:** Project File

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**Location of Project:** 1825 N. Dean Road; Generally described as located on the east side of N. Dean Road, south of Union Park Drive, north of E. Colonial Drive, and west of Culver Road.

**Meeting Date and Location:** Thursday, August 30, 2018 at 6:00 PM at Union Park Middle School, 1825 N. Dean Road, Orlando, FL 32817

### Attendance:

District Commissioner	Ashton Holland, Commissioner's Aide, District 5
Orange County Staff	Sue Watson, Jennifer DuBois, and Nate Wicke, Planning Division
Applicant/Owner	Cas Suvongse and Lorna Pignone
Residents	202 notices sent; no residents in attendance

**Overview of Project:** The applicant, Cas Suvongse, is requesting to change the Future Land Use Map (FLUM) designation of the 0.50-acre subject property from Low-Medium Density Residential (LMDR) to Office (O) and to rezone the property from R-1A (Single-Family Dwelling District) to P-O (Professional Office) to allow for the development of up to 27,225 square feet of office uses.

**Meeting Summary:** With no attendees by 6:15pm, the meeting was adjourned and the overall tone was **POSITIVE**.



## Community Meeting Memorandum

**DATE:** August 24, 2018  
**TO:** Alberto A. Vargas, MArch., Planning Manager  
**FROM:** Sue Watson, Planner  
**SUBJECT:** Amendment 2018-2-S-6-2 (Old Winter Garden) Community Meeting Synopsis  
**C:** Project File

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**Location of Project:** Generally located on the north side of Old Winter Garden Rd., east of Grove St., south of SR 408, and west of Neighbors Ln.

**Meeting Date and Location:** Wednesday, August 22, 2018 at 6:00 p.m. at Oak Hill Elementary School, 11 S. Hiawasse Road, Orlando, FL 32835

### Attendance:

District Commissioner	Vanessa Lewis, Commissioner's Aide, District 6
Orange County Staff	Sue Watson and Jennifer DuBois, Planning Division Diana Almodovar, County Engineer and Manager, Development Engineering
Applicant	Lisa Rembert
Residents	190 notices sent; 5 residents in attendance

**Overview of Project:** The applicant, Lisa Rembert, is seeking to change the Future Land Use Map (FLUM) designation of the 0.21-acre subject property from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR) to allow for the development of two single-family attached dwelling units.

**Meeting Summary:** Planner Sue Watson opened the meeting at 6:05 p.m. and introduced District 6 Commissioner's Aide, Vanessa Lewis, Jennifer DuBois of the Orange County Planning Division, Diana Almodovar, County Engineer and Manager, Development Engineering, and the applicant, Lisa Rembert. Ms. Watson provided an overview of the project and informed those in attendance that the applicant is seeking to change the future land use designation of the subject site from LDR to LMDR to allow for the development of two single-family attached dwelling units. Staff summarized the Future Land Use Map Amendment process—noting the October 18, 2018 Local Planning Agency (LPA) and November 13, 2018 Board of County Commissioners (BCC) public hearing dates—and asked the citizens if they had any questions. There were no questions and staff turned the meeting over to the applicant, Ms. Rembert.

Ms. Rembert provided an overview of the project. She stated she called the Orange County Planning Division to see if she could build two single-family attached dwelling units on the

property and an Orange County Planning staff member told her that she could. She informed the residents in attendance that she contacted the Orange County Health Department to inquire about obtaining a septic tank permit for each unit. At that time, she realized that she would need a variance from the Orange County Health Department because of the lot size. Ms. Rembert also told the residents that she contacted the Orange County Zoning Division to inquire about obtaining a permit for the proposed duplex on the property. She stated it was at this time that Orange County Zoning Staff told her that she would not be able to construct the duplex because she would exceed the density that is allowed for her property. Orange County Zoning Staff informed Ms. Rembert that she would need to change her Future Land Use Map designation from LDR to LMDR. Ms. Rembert told the residents that she contacted the adjacent property owner in 2015 about purchasing additional property but the property owner did not contact her until 2017. Ms. Rembert stated by this time she had invested a substantial amount of money in the property. She stated she was building the duplex to maximize the space. Ms. Rembert asked the residents if they had any questions. At this point, there were no questions. The residents stated they preferred a single-family home rather than a duplex. They stated there were single-family homes in the near vicinity of the subject property.

Ms. Diana Almodovar, County Engineer and Manager, Development Engineering, addressed the residents' concerns about access to the property. Ms. Almodovar stated that the subject property is a lot of record and the County cannot deny the property owner access off Old Winter Garden Road. Ms. Almodovar stated that it did not matter if the property owner was building a single-family home or a duplex; the only access to the property is Old Winter Garden Road. Ms. Almodovar also stated that the County would allow Ms. Rembert to open twenty-five (25') feet of the subdivision wall in order for her to have access. The County would only grant a right-in/right-out access. Ms. Almodovar stated that Ms. Rembert would need an engineer to certify that the wall is structurally sound once she remove a portion of it. She stated that she probably would need to put up columns to reinforce the wall so that the wall doesn't fall.

**Questions and Comments from area residents:**

**Question:** Can you build on a utility easement?

**Answer:** Ms. Almodovar stated that you have to request permission to be able to build on an easement.

**Question:** What is the setback from Old Winter Garden Road?

**Answer:** Ms. Watson stated that the setback is twenty-five (25') feet.

**Comment:** Ms. Almodovar told the residents that the County constantly have issues with cars parking in the right-of-way. It is not just here along Old Winter Garden Road.

**Question:** What are the setbacks? Do you meet the front and rear setbacks?

**Answer:** Ms. Watson stated the required front and rear setbacks are twenty-five (25') feet. She stated that the applicant will need a variance from the Orange County Board of Zoning Adjustment (BZA) for the front setback for the eastern portion of the proposed duplex (The site plan shows the duplex has a front setback of 21.86 feet in lieu of the required 25 feet).

**Question:** What about squatters rights? The adjacent property owner's fence is encroaching onto Ms. Rembert's property.

**Answer:** Ms. Almodovar informed the residents that this is a private matter that needs to be



worked out between property owners. Squatter's rights does not apply to this situation; it doesn't matter how long you've had your fence on the property.

**Question:** Who maintains the subdivision wall?

**Answer:** Ms. Almodovar stated that the Orange County Roads and Drainage Division is responsible for the maintenance.

**Question:** Will you fence the property?

**Answer:** Ms. Rembert stated she might fence the property if needed.

**Question:** Can the adjacent property owner build a duplex?

**Answer:** Ms. Watson stated the adjacent property owner would not be able to build a duplex on the property.

**Comment:** Dangerous driveway

**Answer:** Ms. Almodovar stated that the County must grant access to the property or the County has to acquire the property but she doesn't have the authority to do it.

**Comment:** Privacy issue because the proposed duplex is two-story (2/story)

**Question:** Ms. DuBois stated that if the property owner could build a two-story single-family residence as well. Ms. Almodovar stated that if this is a concern to you, then let the Commissioners know.

**Residents' main concerns:** Traffic, access: getting in and out of the property, afraid of losing property value, and fear of the property being a rental.

Ms. Rembert told the residents that she has owned the property for a long time and she would like to be able to build the duplex. She intends to live in one unit of the duplex and rent the other one. She also stated that the adjacent property owner tried to sell her the property but she is not interested because she was too far along in the process of trying to construct the duplex. One of the residents in attendance stated that the adjacent property owner was asking for \$130,000 for the property.

The meeting was turned back over to staff who again informed the citizens of the next steps in the Future Land Use Map Amendment process. Commissioner Siplin's aide, Ms. Vanessa Lewis, handed out her business cards and told the residents that everyone is welcome to contact her to schedule a meeting to speak with Commissioner Siplin about the proposed Future Land Use Map Amendment. The meeting adjourned at 6:53 p.m. The overall tone of the meeting was **NEGATIVE**.

Rick Scott  
GOVERNOR



Cissy Proctor  
EXECUTIVE DIRECTOR

July 31, 2018

**RECEIVED**  
**AUG 03 2018**  
**Planning Manager**

Mr. Alberto A. Vargas, MArch, Manager  
Orange County Planning Division  
201 South Rosalind Avenue, 2<sup>nd</sup> Floor  
Post Office Box 1393  
Orlando, Florida 32802-1393

Dear Mr. Vargas, MArch:

Thank you for submitting the Orange County's proposed comprehensive plan amendments submitted for our review pursuant to the Expedited State Review process. The reference number for this amendment package is **Orange County 18-5ESR**.

The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the Department's Comment Letter no later than **August 30, 2018**.

If you have any questions please contact Anita Franklin, Plan Processor at (850) 717-8486 or Kelly Corvin, Regional Planning Administrator, whom will be overseeing the review of the amendments, at (850) 717-8503.

Sincerely,

D. Ray Eubanks, Administrator  
Plan Review and Processing

DRE/af

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.floridajobs.org](http://www.floridajobs.org)  
[www.twitter.com/FLDEO](https://twitter.com/FLDEO) | [www.facebook.com/FLDEO](https://www.facebook.com/FLDEO)

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**Rick Scott**  
GOVERNOR



**Cissy Proctor**  
EXECUTIVE DIRECTOR

**MEMORANDUM**

**TO:** Florida Department of Environmental Protection  
Florida Department of Education  
Florida Department of State  
Florida Department of Transportation District 5  
East Central Florida Regional Planning Council  
St Johns River Water Management  
South Florida Water Management District  
Florida Fish and Wildlife Conservation Commission  
Florida Department of Agriculture and Consumer Services

**DATE:** July 31, 2018

**SUBJECT: COMMENTS FOR PROPOSED EXPEDITED STATE REVIEW PLAN AMENDMENT**

**LOCAL GOVERNMENT/ STATE LAND PLANNING AGENCY AMENDMENT #: ORANGE CO 18-05ESR**

**STATE LAND PLANNING AGENCY CONTACT PERSON/PHONE NUMBER: Kelly Corvin/(850)717-8503**

The referenced proposed comprehensive plan amendment is being reviewed pursuant to the Expedited State Review Process according to the provisions of Section 163.3184(3), Florida Statutes. Please review the proposed documents for consistency with applicable provisions of Chapter 163, Florida Statutes.

Please note that your comments must be sent directly to and received by the above referenced local government within 30 days of receipt of the proposed amendment package. A copy of any comments shall be sent directly to the local government and to the State Land Planning Agency to the attention of Ray Eubanks, Administrator, Plan Review and Processing at the Department E-mail address: [DCPexternalagencycomments@deo.myflorida.com](mailto:DCPexternalagencycomments@deo.myflorida.com)

Please use the above referenced State Land Planning Agency AMENDMENT NUMBER on all correspondence related to this amendment.

Note: Review Agencies - The local government has indicated that they have mailed the proposed amendment *directly to your agency*. See attached transmittal letter. *Be sure to contact the local government if you have not received the amendment*. Also, letter to the local government from State Land Planning Agency acknowledging receipt of amendment is attached.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.floridajobs.org](http://www.floridajobs.org)  
[www.twitter.com/FLDEO](https://twitter.com/FLDEO) | [www.facebook.com/FLDEO](https://www.facebook.com/FLDEO)

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RECEIVED  
Div. of Community Planning and Growth  
JUL 31 2018  
Div. of Community Development  
Dept. of Economic Opportunity

July 24, 2018

Mr. Ray Eubanks, Plan Processing Administrator  
Florida Department of Economic Opportunity (DEO)  
State Land Planning Agency  
Caldwell Building  
107 East Madison – MSC 160  
Tallahassee, Florida 32399

**Re: Orange County Transmittal of the 2018-2 Regular Cycle State-Expedited Review Comprehensive Plan Amendments**

Dear Mr. Eubanks:

The Orange County Board of County Commissioners (BCC) is pleased to transmit to the Florida Department of Economic Opportunity (DEO) this 2018-2 transmittal packet, which consists of Regular Cycle – State-Expedited Review amendments to the Orange County 2010-2030 Comprehensive Plan. This is the second amendment package of the calendar year 2018 and therefore is referred to as 2018-2 for Orange County filing purposes. Transmittal public hearings for these amendments were held on June 21, 2018, and July 10, 2018, before the Local Planning Agency (LPA) and BCC, respectively. One paper and two electronic copies (CD) of the proposed amendments are enclosed.

**Regular Cycle Amendments**

Per 163.3184(3), Florida Statutes, please note the following:

The Regular Cycle – State-Expedited Review amendments included seven privately-initiated Future Land Use Map amendments, one privately-initiated text amendment, and two staff-initiated map and/or text amendments. All of the proposed amendments were on a regular agenda.

**Privately-Initiated Map Amendments**

- |              |  |
|--------------|--|
| 2018-2-A-1-1 | Kathy Hattaway, Poulos & Bennett, LLC, for Daniel A. and Susan Berry/Thistledown Farm, Inc.<br>Village (V) to Horizon West, Village of Bridgewater Special Planning Area (SPA)                             |
| 2018-2-A-1-2 | Kathy Hattaway, Poulos & Bennett, LLC, for BB Groves, LLC<br>Growth Center/ Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR) |
| 2018-2-A-1-3 | Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Fairwinds Credit Union<br>Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR)                           |
| 2018-2-A-1-4 | Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Kerina Wildwood, Inc., Kerina Village, Inc., Kerina Inc., and Kerina Parkside Master, Inc.                                |

- Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R) to Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)
- 2018-2-A-1-6 VHB, Inc., for Daryl M. Carter Trustee and Carter-Orange 105 Sand Lake Land Trust  
 Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR)
- 2018-2-A-1-7 Momtaz Barq, P.E., Terra-Max Engineering, Inc., for Macomb Oakland Sand Lake, LLC  
 Planned Development-Time Share/Medium Density Residential/Hotel/Office (PD-TS/MDR/HOTEL/O) to Planned Development-Time Share/Medium-High Density Residential/Hotel/Office (PD-TS/MHDR/HOTEL/O)
- 2018-2-A-5-1 Julie Salvo, AICP, Orange County Public Schools, for Hamilton, LLC  
 Rural/Agricultural (R) to Educational (EDU)

#### Privately-Initiated Text Amendment

- 2018-2-P-1-5 Marc Skorman for Audrey L. Arnold Revocable Trust, Audrey L. Arnold and James P. Arnold Life Estate, Ron Marlow and Kathy Darlene Marlow, and Billy Kenneth Williams, and Lynn A. Williams  
 Text amendment to proposed Future Land Use Element Policy FLU2.5.5 and creating Policy FLU2.5.5.1 related to the proposed Lake Mabel Rural Residential Enclave

#### Staff-Initiated Amendments

- 2018-2-B-FLUE-1 Text amendments to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County
- 2018-2-B-FLUE-2 Text amendment to the Horizon West Village policies for perimeter remnant parcels

Orange County certifies that the proposed amendments, including associated data and analysis and all supporting documents, have been submitted to the parties listed below simultaneously with submittal to DEO, pursuant to 163.3184(3)(b)2, Florida Statutes. The amendment package is available for public inspection at the Orange County Planning Division as well as online at:

<http://www.orangecountyfl.net/PlanningDevelopment/ComprehensivePlanning> or [www.tinyurl.com/OCCompPlan](http://www.tinyurl.com/OCCompPlan)

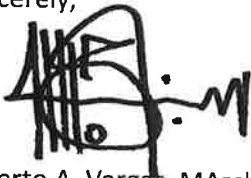
Agency	Contact
Department of Agriculture and Consumer Services	Comprehensive Plan Review
Department of Education	Tracy D. Suber, Education Consultant-Growth Management Liaison
Department of Environmental Protection	Suzanne E. Ray
Department of State	Deena Woodward, Historic Preservation Planner



Florida Fish and Wildlife Conservation Commission	Scott Sanders
Governor's Office of Tourism, Trade, and Economic Development	Sherri Martin, Sr. Analyst
Department of Transportation, District Five	Heather S. Garcia, Planning & Corridor Development Manager
East Central Florida Regional Planning Council	Andrew Landis, Regional Planner
St. Johns River Water Management District	Steven Fitzgibbons, Intergovernmental Planner
South Florida Water Management District	Terry Manning, AICP, Policy and Planning Analyst

We look forward to working with DEO staff during your review of the amendment packet. If you have any questions, please contact Greg Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at 407.836.5624 or via email at [Gregory.Golgowski@ocfl.net](mailto:Gregory.Golgowski@ocfl.net).

Sincerely,



Alberto A. Vargas, MArch., Manager  
Orange County Planning Division

AAV/GG/tlp

enc: 2018-2 Regular Cycle State-Expedited Review Amendments DEO Transmittal Binder

c w/enclosures: Chris Testerman, AICP, Assistant County Administrator  
Jon V. Weiss, P.E., Director, Community, Environmental, and Development Services Dept.  
Joel Prinsell, Deputy County Attorney  
Roberta Alfonso, Assistant County Attorney  
John Smogor, Planning Administrator, Planning Division  
Gregory Golgowski, Chief Planner, Planning Division  
Sue Watson, Planner II, Planning Division

**Rick Scott**  
GOVERNOR



**Cissy Proctor**  
EXECUTIVE DIRECTOR

August 28, 2018

The Honorable Teresa Jacobs  
Mayor, Orange County  
201 South Rosalind Avenue, 5th Floor  
Orlando, Florida 32801

Dear Mayor Jacobs:

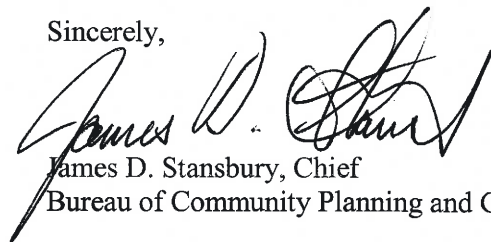
The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Orange County (Amendment No. 18-5ESR), which was received on July 31, 2018. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Department of Economic Opportunity's authorized scope of review that will be adversely impacted by the amendment if adopted.

The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such comments could form the basis for a challenge to the amendment after adoption.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department of Economic Opportunity and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

We appreciate the opportunity to work with the County's staff in the review of the amendment. If you have any questions concerning this review, please contact Jennie Leigh Copps, at (850) 717-8534, or by email at [jennie.copps@deo.myflorida.com](mailto:jennie.copps@deo.myflorida.com).

Sincerely,



James D. Stansbury, Chief  
Bureau of Community Planning and Growth

JS/jlc

Enclosure(s): Procedures for Adoption

cc: Alberto A. Vargas, MArch., Manager, Orange County Planning Division  
Hugh W. Harling, Jr., P.E., Executive Director, East Central Florida Regional Planning Council

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.floridajobs.org](http://www.floridajobs.org)  
[www.twitter.com/FLDEO](https://twitter.com/FLDEO) | [www.facebook.com/FLDEO](https://www.facebook.com/FLDEO)

## SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

### FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

**NUMBER OF COPIES TO BE SUBMITTED:** Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

**SUBMITTAL LETTER:** Please include the following information in the cover letter transmitting the adopted amendment:

\_\_\_\_\_ State Land Planning Agency identification number for adopted amendment package;

\_\_\_\_\_ Summary description of the adoption package, including any amendments proposed but not adopted;

\_\_\_\_\_ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

\_\_\_\_\_ Ordinance number and adoption date;

\_\_\_\_\_ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

\_\_\_\_\_ Name, title, address, telephone, FAX number and e-mail address of local government contact;

\_\_\_\_\_ Letter signed by the chief elected official or the person designated by the local government.

**ADOPTION AMENDMENT PACKAGE:** Please include the following information in the amendment package:

\_\_\_\_\_ In the case of text amendments, changes should be shown in strike-through/underline format.

\_\_\_\_\_ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

\_\_\_\_\_ A copy of any data and analyses the local government deems appropriate.

**Note:** If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

\_\_\_\_\_ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective. "

\_\_\_\_\_ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

\_\_\_\_\_ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

\_\_\_\_\_ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.



*Sheriff Jerry L. Demings*

# ORANGE COUNTY SHERIFF'S OFFICE

## INTEROFFICE MEMORANDUM

May 8, 2018

TO: Nicholas M. Thalmueller  
Orange County Planning Division

FROM: Daniel Divine, Manager  
Research & Development

SUBJECT: 2018-2 Regular Cycle Comprehensive Policy Plan Amendments (CPPA)

As requested, we have reviewed the impact of the existing and proposed development scenarios related to the 2018-2 Regular Cycle Comprehensive Policy Plan Amendments (CPPA). Based on the existing and proposed development scenarios, the Sheriff's Office staffing needs for existing are 0.01 deputies and 0.01 support personnel and proposed are 12.42 deputies and 5.64 support personnel to provide the standard level of service (LOS) to these developments.

**Comprehensive Policy Plan Amendment 2018-2-A-5-1** consists of proposed high school practice fields. This proposed development is in Sheriff's Office Patrol Sector Two. Sector Two is located in the eastern portion of Orange County and is approximately 404.632 square miles, our largest sector geographically. In 2017 Sector Two had 273,502 calls for service. In 2017 the average response times to these calls were 00:20:34 minutes Code 1; 00:32:40 minutes Code 2; and 00:06:47 minutes Code 3.

**Comprehensive Policy Plan Amendment 2018-2-A-1-1** is a proposed single family dwelling unit, **2018-2-A-1-4** is a proposed development consisting of single and multi family dwellings, senior living units, commercial and office uses, **2018-2-A-1-5** is a proposed assisted living facility, **2018-2-A-1-6** is a proposed residential and commercial use development, and **2018-2-A-1-7** is a proposed mixed use development of timeshare, residential and office units. These developments are located within Sector Three. Sector Three is situated in mid-western portion of Orange County and is approximately 82.934 square miles. In 2017 Sector Three received 186,180 calls for service. In 2017 the average response times to these calls were 00:19:57 minutes for Code 1; 00:31:36 minutes for Code 2; and 00:07:17 minutes for Code 3.

**Comprehensive Policy Plan amendment #2018-2-A-1-3** comprises proposed multi-family dwelling units located in Sector Five. Sector Five is situated in the Southwestern portion of Orange County and is approximately 22.664 square miles. In 2017 Sector Five had 130,323 calls for service. In 2017 the average response times to these calls were 00:10:35 minutes for Code 1; 00:12:32 minutes Code 2; and 00:04:18 minutes Code 3.



Mr. Nicholas Thalmueller  
May 8, 2018  
Page 2

**Comprehensive Policy Plan amendment 2018-2-A-1-2** is a proposed single family dwelling use development located in Sector Six. Sector Six is located in the Southern portion of Orange County and is approximately 31.233 square miles. The Cities of Bay Lake and Lake Buena Vista are within this sector. In 2017 Sector Six had 97,087 calls for service. In 2017 the average response times to these calls were 00:09:36 minutes for Code 1; 00:14:14 minutes Code 2; and 00:06:27 minutes Code 3.

The Orange County Sheriff's Office measures service requirements based on the number of calls for service generated and the number of staff needed to respond to those calls. All development generates impact, but at varying levels. In the 2017 update to the Law Enforcement Impact Fee Ordinance, the Sheriff's Office Level of Service was 278 calls for service per sworn officer per year. Support personnel are calculated by applying 45.4% to the sworn officer requirement. The 'formula' is *land use x unit of development x calls per unit divided by 278 = number of deputies required for that development. The 'formula' for the number of support personnel required is the number of deputies \* 45.4 percent.* These calculations are obtained from Orange County's Law Enforcement Impact Fee Study and Ordinance.

We have attached reports based on the existing and proposed development scenarios which show staffing needs. Impact fees address capital cost only. All other costs must be requested from the Board of County Commissioners including salaries and benefits.

As stated before, all new development creates new calls for service, which in turn creates a need for new additional manpower and equipment. If calls for service increase without a comparable increase in manpower our response times are likely to increase.

If you wish to discuss this information, please contact me or Belinda Atkins at 407 254-7470.

  
D.P.D.

DPD/bga

Attachments

c: Undersheriff Rey Rivero, Chief Deputy Nancy Brown, Chief Deputy Larry Zwieg, Major Angelo Nieves, Major Rick Meli, Captain Paul Yoast, CALEA 15.1.3





## Interoffice Memorandum

Date: May 11, 2018

To: Alberto A. Vargas, MArch, Manager  
Orange County Planning Division

From: J. Andres Salcedo, P.E., Assistant Director  
Utilities Engineering Division

*J. Andres Salcedo*  
*5/10/18*

**Subject: Facilities Analysis and Capacity Report  
2018-2 Regular Cycle Comprehensive Plan Amendments**

Orange County Utilities (OCU) staff reviewed the proposed development programs as submitted by the Planning Division and have concluded improvements to the County's water and wastewater treatment plants are not required to provide an adequate level of service consistent with the Comprehensive Plan's Potable Water, Wastewater and Reclaimed Water Element for those properties within OCU's service area. The Comprehensive Plan includes a 10-Year Water Supply Facilities Work Plan addressing the needs of our service area. Supporting documentation is provided in the attached Potable Water and Wastewater Facilities Analysis table.

As of today OCU has sufficient plant capacity to serve the subject amendments. This capacity is available to projects within OCU's service area and will be reserved upon payment of capital charges in accordance with County resolutions and ordinances. Transmission system capacity will be evaluated at the time of Master Utility Plan review and permitting, or at the request of the applicant.

OCU's groundwater allocation is regulated by its consumptive use permits (CUP). OCU is working toward alternative water supply (AWS) sources and agreements with third party water providers to meet the future water demands within our service area. While OCU cannot guarantee capacity to any project beyond its permitted capacity, we will continue to pursue the extension of the CUP and the incorporation of AWS and other water resources sufficient to provide service capacity to projects within the service area.

If you need additional information, please contact me or Lindy Wolfe at 407 254-9918.

cc: Raymond E. Hanson, P.E., Director, Utilities Department  
Teresa Remudo-Fries, P.E., Deputy Director, Utilities Department  
Lindy Wolfe, P.E., Assistant Manager, Utilities Engineering Division  
Laura Tatro, P.E., Senior Engineer, Utilities Engineering Division  
Gregory Golgowski, Chief Planner, Planning Division  
Nicolas Thalmueller, Planner, Planning Division  
File: 37586; 2018-2 Regular Cycle

*LW 5/8/18*  
*LS 5/8/18*

Potable Water and Wastewater Facilities Analysis for 2018-2 Regular Cycle Comprehensive Policy Plan Amendments

Amendment Number	Parcel ID	Service Type and Provider	Main Size and General Location	Proposed Land Use	Maximum Density, Dwelling Units	Maximum Density, Hotel Rooms	Maximum Density Non-residential SF	PW Demand (MGD)	WW Demand (MGD)	Available PW Capacity (MGD)	Available WW Capacity (MGD)	Reclaimed Water Required for Irrigation	OCU Service Area
2018-2-A-1-1 (Tilden Road)	10-23-27-0000-00-033 (portion of) and 10-23-27-0000-00-034 (portion of)	PW: City of Winter Garden/Orange County Utilities* WW: City of Winter Garden/Orange County Utilities* RW: City of Winter Garden/Orange County Utilities*	PW: Contact City of Winter Garden/See notes** WW: Contact City of Winter Garden/See notes** RW: Contact City of Winter Garden/See notes**	Village (V) (Village of Bridgewater)	161	0	0	0.044	0.036	0.044	0.036	Yes	West
2018-2-A-1-2 (Lake Austin)	30-24-27-0000-00-003 (portion of) and 31-24-27-0000-00-036	PW: Orange County Utilities* WW: Orange County Utilities* RW: Orange County Utilities*	PW: 24-inch watermain in Grove Blossom Way right-of-way WW: 15-inch gravity sewer in Grove Blossom Way right-of-way RW: 12-inch reclaimed water main in Grove Blossom Way right-of-way	South Parcel: Growth Center/Resort/Low-Medium Density Residential/Planned Development (GC/R/LMDR/PD); North Parcel: Horizon West, Village I Special Planning Area (SPA)-Greenbelt (GB)	500	0	0	0.138	0.113	0.138	0.113	Yes	South
2018-2-A-1-3 (World Resort)	35-24-28-5844-00-732/741/870	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: See notes** WW: See notes** RW: See notes**	Activity Center Residential (ACR)	650	0	0	0.179	0.146	0.179	0.146	Yes	South
2018-2-A-1-4 (Kerina Parkside)	10-24-28-0000-00-005/053, 10-24-28-6670-11-000, and 15-24-28-5844-00-050/071/130/142/211	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: See notes** WW: See notes** RW: See notes**	Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)	1,000	0	150,000	0.289	0.236	0.289	0.236	Yes	South
2018-2-P-1-5 (Arnold Groves Senior Living)	32-23-28-0000-00-003; 32-23-28-0000-00-006; 32-23-28-0000-00-005; and 32-23-28-0000-00-001	PW: Orange County Utilities* WW: Orange County Utilities* RW: Orange County Utilities*	PW: 24-inch watermain in Winter Garden Vineland Road right-of-way WW: 16-inch forcemain in Winter Garden Vineland Road right-of-way RW: 16-inch reclaimed water main in Winter Garden Vineland Road right-of-way	Rural Hamlet	30	0	121,193	0.019	0.016	0.019	0.016	Yes	South
2018-2-A-1-6 (Hannah Smith)	11-24-28-0000-00-020, 14-24-28-0000-00-012/018, 14-24-28-1242-60-000/66-000/66-001, and 15-24-28-7774-00-023/024	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: See notes** WW: See notes** RW: See notes**	Planned Development-Commercial/Medium Density Residential (PD-C/MDR)	1,800	0	415,142	0.533	0.436	0.533	0.436	Yes	South
2018-2-A-1-7 (Turkey Lake Road Condos)	11-24-28-0000-00-010	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 10-inch and 12-inch watermain within the Turkey Lake Road right-of-way WW: 20-inch force main within the Turkey Lake Road right-of-way RW: 16-inch reclaimed water main within the Turkey Lake Road right-of-way	Planned Development-Time Share/Medium-High Density Residential/Hotel/Office (PD-TS/MHDR/HOTEL/O)	424	0	683,892	0.179	0.147	0.179	0.147	Yes	South
2018-2-A-5-1 (East River High School)	20-22-32-0000-00-003	PW: Orange County Utilities* WW: Orange County Utilities* RW: Not Currently Available*	PW: 16-inch watermain within East River Falcons Way right-of-way WW: 4-inch forcemain within East River Falcons Way right-of-way RW: Not currently available	Educational (EDU)	0	0	0	0.000	0.000	0.000	0.000	No	East

NOTES:

No plant improvements are needed to maintain LOS standards. This evaluation pertains solely to water and wastewater treatment plants. Connection points and transmission system capacity will be evaluated at the time of Master Utility Plan review and permitting, or at the request of the applicant.

\*The site is outside the Urban Service Area, but water and wastewater mains are located in the vicinity of the site. If the Urban Service Area boundary is expanded to encompass this site, or if the extension of water and wastewater mains outside the Urban Service Area to serve this site is already compatible with Policies PW1.4.2, PW1.5.2, and the equivalent wastewater policies, water and wastewater demands and connection points to existing OCU transmission systems will be addressed as the project proceeds through the DRC and construction permitting process.

\*\*2018-2-A-1-1,2018-2-A-1-3, 2018-2-A-1-4, 2018-2-A-1-6: Water, wastewater, and reclaimed water demands and connection points for the land within OCU's service area will be addressed as the project proceeds through the DRC and construction permitting processes. The property included in 2018-2-A-1-1 is divided between City of Winter Garden's utility service area and Orange County Utilities' utility service area.

Abbreviations: PW - Potable Water; WW - Wastewater; RW - Reclaimed Water; WM - Water Main; FM - Force Main; GM - Gravity Main; MUP - Master Utility Plan; TBD - To be determined as the project progresses through Development Review Committee, MUP and permitting reviews; TWA - Toho Water Authority; RCID - Reedy Creek Improvement District



**ORANGE COUNTY FIRE RESCUE DEPARTMENT**  
***Jacob Lujan, Planning and Technical Services Division***  
6590 Amory Court  
Winter Park, FL 32792  
(407) 836-9893 Fax (407) 836-9106  
Jacob.Lujan@ocfl.net

Date: May 3, 2018

To: Nicolas Thalmueller, Planner  
Orange County Planning Division

From: Jacob Lujan, Interim Compliance and Planning Administrator  
Planning & Technical Services—Orange County Fire Rescue Department

Subject: Facilities Analysis and Capacity Report 2018-2 Regular Cycle Amendments  
Development Comprehensive Plan Amendments – Fire Rescue Summary

Amendment #	OC Fire Station First Due	Distance from Fire Station	Emergency Response Time
2018-2-A-1-1	34	1.7 miles	3 min
2018-2-A-1-2	32	3.3 miles	7 min
2018-2-A-1-3*	56	3.0 miles	3 min
2018-2-A-1-4*	36	2.3 miles	6 min
2018-2-A-1-5	35	2.8 miles	5 min
2018-2-A-1-6	36	2.2 miles	6 min
2018-2-A-1-7	54	1.4 miles	6 min
2018-2-S-5-1 (new)	82	3.0 miles	9 min

\*Amended – no change for Fire

Please contact our office if you have any questions or need additional information.

BKM

Orange County Environmental Protection Division  
Comments to the Local Planning Agency for the  
2018-2 Regular Cycle Comprehensive Plan Amendments

**1) Amendment #2018-2-A-1-1**

**Tilden Road**

**FLU from:** Village (V) to Village (V) (Village of Bridgewater) (Garden Home District)

**Rezoning from:** A-1 (Citrus Rural District) to PD (Planned Development District)

**Proposed Development:** Up to 161 single-family dwelling units

**Owner:** Daniel A. and Susan Berry/Thistledown Farm, Inc.

**Agent:** Kathy Hattaway, Poulos & Bennett, LLC

**Parcels:** North portions of 10-23-27-0000-00-033/034

**Address:** 14950 and 14908 Tilden Rd.

**District:** 1

**Area:** 30.80 gross / 20.15 developable acres

**EPD Comments: STOP NEED CAD BEFORE PROCEEDING**

Wetlands and surface waters are located on the subject properties. A Conservation Area Determination (CAD) must be completed for the northern portion of the parcels prior to approval of this amendment request, consistent with Orange County Code Chapter 15, Article X Wetland Conservation Areas. CAD-13-08-042, CAD 06-204 and CAD 06-205 were completed for the southern portions of the parcels.

Until wetland permitting is complete, the net developable acreage is only an approximation. The net developable acreage is the gross acreage less the wetlands and surface waters acreage. The buildable area is the net developable acreage less protective buffer areas if required to prevent adverse secondary impacts. The applicant is advised not to make financial decisions based upon development within the wetland or the upland protective buffer areas. Any plan showing development in such areas without Orange County and other jurisdictional governmental agency wetland permits is speculative and may not be approved.

Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD. Reference Comprehensive Plan Policy FLU1.1.2 C.

The removal, alteration or encroachment within a Class I conservation area shall only be allowed in cases where: no other feasible or practical alternatives exist, impacts are unavoidable to allow a reasonable use of the land, or where there is an overriding public benefit, as determined before the Orange County Board of County Commissioners.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

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This site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Special area regulations apply. These requirements may reduce the total net developable acreage. Regulations include, but are not limited to: septic tank criteria, open space requirements, stormwater treatment, upland preservation, setbacks related to karst features and the watershed, and aquifer vulnerability. In addition to the state regulations, local policies are included in Orange County Comprehensive Plan 2010-2030, Future Land Use Element (but not limited to) Objective FLU6.6 Wekiva and the related policies.

Development of the subject properties shall comply with all state and federal regulations regarding wildlife or plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC). The ecological assessment dated February 12, 2018 submitted with this request reported the presence of listed species on site, including gopher tortoise and sand skink habitat.

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

The subject properties had a prior land use (commercial nursery, horse farm) that may have resulted in soil or groundwater contamination due to spillage of petroleum products, fertilizer, pesticide or herbicide. Prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading or construction plans, the applicant shall provide documentation to assure compliance with the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations, to the Orange County Environmental Protection Division (EPD) and the Development Engineering (DE) Division.



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**2) Amendment #2018-2-A-1-2**

**Lake Austin PD/Ayers Rock**

**FLU from:** North Parcel: Village (V) to Horizon West, Village I Special Planning Area (SPA)-Greenbelt (GB); South Parcel: Growth Center/ Resort/Planned Development (GC/R/PD) to Growth Center/Resort/Low-Medium Density Residential/Planned Development (GC/R/LMDR/PD)

**Rezoning:** CDR pending Lake Austin PD/LUP

**Proposed Development:** 500 single-family residential units

**Owner:** BB Groves, LLC

**Agent:** Kathy Hattaway, Poulos & Bennett, LLC

**Parcels:** 30-24-27-0000-00-003 (portion) and 31-24-27-0000-00-036

**Address:** west of Avalon Road, and north and south of Grove Blossom Way

**District:** 1

**Area:** 117.86 gross / 108.03 developable acres

**EPD Comments:**

Orange County Conservation Area Determination CAD 07-119 delineated the wetlands and surface waters on the subject parcels but this determination expired in 2013. A new CAD must be completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD) prior to submittal of a subdivision, development plan or permit application, in accordance with Orange County Code Chapter 15, Article X Wetland Conservation Areas.

Until wetland permitting is complete, the net developable acreage is only an approximation. The net developable acreage is the gross acreage less the wetlands and surface waters acreage. The buildable area is the net developable acreage less protective buffer areas if required to prevent adverse secondary impacts. The applicant is advised not to make financial decisions based upon development within the wetland or the upland protective buffer areas. Any plan showing development in such areas without Orange County and other jurisdictional governmental agency wetland permits is speculative and may not be approved.

Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD. Reference Comprehensive Plan Policy FLU1.1.2 C.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.



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Development of the subject properties shall comply with all state and federal regulations regarding wildlife or plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC). The ecological assessment dated February 14, 2018 submitted with this request reported the presence of listed species on site, including numerous gopher tortoise burrows and sand skink habitat, among others.

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

**3) Amendment # 2018-2-A-1-3**

**World Resort PD**

**FLU from:** Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR)

**Rezoning:** CDR-18-04-111 World Resort PD/LUP

**Proposed Development:** Up to 650 multi-family dwelling units

**Owner:** Fairwinds Credit Union

**Agent:** Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A.

**Parcels:** 35-24-28-5844-00-732/741/870/871/880 and 35-24-28-5844-01-050

**Address:** north and south of Poinciana Boulevard, east of SR 535, south of SR 417, and north of the Orange/Osceola County line

**District:** 1

**Area:** 23.13 gross acres

**EPD Comments:**

Orange County Conservation Area Determinations CAD 90-026, CAD 00-123, CAD 03-031 and CAD 06-201 delineated Class III wetlands in parcels within this planned development. Please contact the Environmental Protection Division (EPD) wetland permitting staff at 407-836-1400 to verify the applicability and validity of historic wetland permits and to determine whether all of the parcels are covered. If additional historical documents are located, then submit a copy to EPD for verification. A CAD must be complete for each property prior to submitting development plans or permit applications that includes the property.

All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this request does not authorize any direct or indirect conservation area impacts.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

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Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

**4) Amendment #2018-2-A-1-4**

**Parkside aka Kerina PD**

**FLU from:** Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R) to Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)

**Rezoning:** CDR-18-04-110 Parkside aka Kerina PD/LUP

**Proposed Development:** Up to 450 single-family units, 350 multi-family units, 200 senior living units, 100,000 sq. ft. of C-1 (Retail Commercial District) uses, 50,000 sq. ft. of office uses, 3.0 acres park, and 93.0 acres of conservation land/open space

**Owner:** Kerina Wildwood Inc., Kerina Village Inc., Kerina Inc., Kerina Parkside Master Inc.

**Agent:** Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A

**Parcels:** 10-24-28-0000-00-005/053, 10-24-28-6670-11-000, 15-24-28-5844-00-050/071/130/142 and 211 (portion)

**Address:** east and west of S. Apopka-Vineland Road, south of Buena Vista Woods Boulevard, and north of Lake Street

**District:** 1

**Area:** FLUM Amendment 215.67 gross acres; PD/LUP Substantial Change: 485.10 gross acres

**EPD Comments:**

Conservation Area Determinations (CAD) have been completed for this planned development since the late 1980's, including CAD 05-283 and CAD 05-028. Please contact the Environmental Protection Division (EPD) wetland permitting staff at 407-836-1400 to verify the applicability and validity of historic wetland permits and to determine whether all of the parcels are covered. A CAD must be complete for each property prior to submitting a subdivision, development plan or permit application that includes the property.

All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this request does not authorize any direct or indirect conservation area impacts.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to

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surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

**5) Amendment #2018-2-P-1-5 (TEXT AMENDMENT)**

**Arnold Groves Senior Living**

**FLU from:** Village (V) to Village (V)

**Rezoning from:** R-CE (Country Estate District) to PD (Planned Development District)

**Proposed Development:** 121,193 sq ft assisted living facility with 110 beds, and 17 independent senior units

**Owner:** Audrey L. Arnold Revocable Trust, Audrey L. Arnold and James P. Arnold Life Estate, Ron Marlow and Kathy Darlene Marlow, and Billy Kenneth Williams, and Lynn A. Williams

**Agent:** Marc Skorman

**Parcels:** 32-23-28-0000-00-001/003/005/006

**Address:** south and west of Winter Garden Vineland Rd., northeast of Lake Mabel, and east of Reams Road.

**District:** 1

**Area:** 10.61 gross acres

**EPD Comments: STOP NEED CAD BEFORE PROCEEDING**

Areas on the rear of the subject properties are comprised of wetlands that extend offsite and are hydrologically connected to Lake Mabel. A Conservation Area Determination (CAD) must be completed prior to approval of this amendment request, consistent with Orange County Code Chapter 15, Article X Wetland Conservation Areas.

Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. The net developable land area is defined as the gross land area, less surface waters and wetland areas. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD. Reference Comprehensive Plan Policy FLU1.1.2 C. Approval of this request does not authorize any direct or indirect conservation area impacts.

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The removal, alteration or encroachment within a Class I conservation area shall only be allowed in cases where: no other feasible or practical alternatives exist, impacts are unavoidable to allow a reasonable use of the land, or where there is an overriding public benefit, as determined before the Orange County Board of County Commissioners.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

Development of the subject properties shall comply with all state and federal regulations regarding wildlife or plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

Lake Mabel is located within the Windermere Water and Navigation Control District Municipal Service Taxing Unit (MSTU) or Municipal Service Benefit Unit (MSBU) established for the purpose of funding lake management services. To the extent that this project is part of the taxing district or benefits from Lake Mabel, it shall be required to be a participant.

This site is located in close proximity to the Tibet Butler Preserve. The applicant / owner has an affirmative obligation to expressly notify potential purchasers, builders, and/or tenants of this development, through an appropriate mechanism, including a conspicuous note on the plat and/or a recorded restrictive covenant, as applicable, that the adjacent land use includes publicly managed property. The notice shall indicate that the adjacent property will require the use of resource management practices that may result in periodic temporary conditions that may limit outdoor activities. These practices will include, but not be limited to, ecological burning, pesticide and herbicide usage, exotic plant and animal removal, usage of heavy equipment and machinery, and other practices as may be deemed necessary for proper resource management.

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

Portions of the subject properties had a prior agricultural land use that may have resulted in soil or groundwater contamination due to spillage of petroleum products, fertilizer, pesticide or

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herbicide. Prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading or construction plans, the applicant shall provide documentation to assure compliance with the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations, to the Orange County Environmental Protection Division (EPD) and the Development Engineering (DE) Division.

**6) Amendment #2018-2-A-1-6**

**Hannah Smith PD**

**FLU from:** Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium Density Residential (PD-C/MDR)

**Rezoning:** CDR pending Hannah Smith PD/LUP

**Proposed Development:** 1,800 residential units, 415,142 sq. ft. commercial uses

**Owner:** Daryl M. Carter Tr and Carter-Orange 105 Sand Lake Land Trust

**Agent:** Jim Hall, VHB, Inc.

**Parcels:** 11-24-28-0000-00-020, 14-24-28-0000-00- 012/018, 14-24-28-1242-60-000/66-000/66-001, and 15-24-28-7774-00-023/024

**Address:** west of Interstate 4 and south of Fenton St.

**District:** 1

**Area:** 84.32 gross / 81.52 developable acres

**EPD Comments:**

The subject property is predominately uplands with one 3 acre parcel in Big Sand Lake. Prior to submittal of a subdivision, development plan or permit application, the Environmental Protection Division (EPD) will require a completed Conservation Area Determination (CAD), consistent with Orange County Code Chapter 15, Article X Wetland Conservation Areas.

All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this request does not authorize any direct or indirect conservation area impacts.

Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. The net developable land area is defined as the gross land area, less surface waters and wetland areas. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD. Reference Comprehensive Plan Policy FLU1.1.2 C. Approval of this request does not authorize any direct or indirect conservation area impacts.

The Normal High Water Elevation (NHWE) of Big Sand Lake was established at 89.03 feet NAVD 88 in the Lake Index of Orange County. Clearly label and indicate the NHWE contour of the lake on all plans or permit applications, in addition to any wetland, floodplain and setback



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lines.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

Approval of this request does not grant permission for the construction or alteration of boat ramps, docks, observation piers, lake shore vegetation, or seawalls on the lake. Any person desiring these types of structures or to perform shoreline alterations shall first apply for a permit from the Orange County EPD prior to commencement of such activities.

The Board of County Commissioners (BCC) condition of approval #3 from February 20, 2001 states that no motorized watercraft shall be permitted onto Big Sand Lake from this development.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

This area has rare upland scrub (dry prairie) and rare species per the Florida Natural Areas Inventory (FNAI). If the habitat survey identifies threatened and endangered plants, and removal is permissible, then the applicant may contact the Florida Native Plant Society (FNPS) or other similar non-profit agency to grant access to the site for removal of the threatened and endangered plants and/or collect seeds. This will preserve the genetic material and provide plants for restoration of other areas. Either the FNPS, similar nonprofit or the Developer shall secure all appropriate permits for these activities.

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

If this site had a prior agricultural land use that resulted in soil or groundwater contamination due to spillage of petroleum products, fertilizer, pesticide or herbicide, then prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading or construction plans, the applicant shall provide documentation to assure compliance with the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations, to the Orange County Environmental Protection Division (EPD) and the Development Engineering (DE) Division.

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**7) Amendment #2018-2-A-1-7**

**Turkey Lake Road Condos PD/Parcel 2 Castilla Village**

**FLU from:** Planned Development-Time Share/Medium Density Residential/Hotel/Office (PD-TS/MDR/HOTEL/O) to Planned Development-Time Share/Medium-High Density Residential/Hotel/Office (PD-TS/MHDR/HOTEL/O)

**Rezoning:** CDR pending Turkey Lake Condos PD/LUP

**Proposed Development:** 30 units per acre for timeshare, 35 units per acre for multi-family or 424 units, 60 units per acre for hotel or 683,892 sq. ft of office

**Owner:** Macomb Oakland Sand Lake, LLC

**Agent:** Momtaz Barq, P.E., Terra-Max Engineering, Inc.

**Parcels:** 11-24-28-0000-00-010

**Address:** 10900 Turkey Lake Rd.

**District:** 1

**Area:** 52.04 gross / 16.82 developable acres

**EPD Comments:**

Class I and Class III wetlands and surface waters are located on site including a portion of Big Sand Lake. Orange County Conservation Area Determination CAD-17-08-115 was completed for this property with a certified wetland boundary survey approved by the Environmental Protection Division (EPD) on May 3, 2018.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. The net developable land area is defined as the gross land area, less surface waters and wetland areas. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD. Reference Comprehensive Plan Policy FLU1.1.2 C. Approval of this request does not authorize any direct or indirect conservation area impacts.

The removal, alteration or encroachment within a Class I conservation area shall only be allowed in cases where: no other feasible or practical alternatives exist, impacts are unavoidable to allow a reasonable use of the land, or where there is an overriding public benefit, as determined before the Orange County Board of County Commissioners.

The Normal High Water Elevation (NHWE) of Big Sand Lake was established at 89.03 feet NAVD 88 in the Lake Index of Orange County. Clearly label and indicate the NHWE contour of the lake on all plans or permit applications, in addition to any wetland, floodplain and setback lines.

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Approval of this request does not grant permission for the construction or alteration of boat ramps, docks, observation piers, lake shore vegetation, or seawalls on the lake. Any person desiring these types of structures or to perform shoreline alterations shall first apply for a permit from the Orange County EPD prior to commencement of such activities.

Big Sand Lake has an established Municipal Service Taxing Unit (MSTU) or Municipal Service Benefit Unit (MSBU) for the purpose of funding lake management services. To the extent this project is part of the taxing district or benefits from the lake, this project shall be required to be a participant.

Development of the subject properties shall comply with all state and federal regulations regarding wildlife or plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC). The ecological assessment dated October 1, 2017 reported that no listed species were observed on site.

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

**8) Amendment #2018-2-A-5-1**

**Timber Creek Relief High School PD aka East River High School**

**FLU from:** Rural (R) to Educational (EDU)

**Rezoning from:** A-2 (Farmland Rural District) to PD (Planned Development)

**Proposed Development:** High school practice fields

**Owner:** Orange County Public Schools (OCPS)

**Agent:** Julie Salvo, Orange County Public Schools

**Parcels:** 20-22-32-0000-00-003

**Address:** north of Hamilton Drive, west of Story Partin Road

**District:** 5

**Area:** 15.68 gross acres

**EPD Comments:**

Wetlands and surface waters are located on site. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a state application and approved permit, to be provided to Orange County. Approval of this request does not authorize any direct or indirect conservation area impacts.

The site is located within the geographical limits of the Econlockhatchee River Protection Ordinance. Basin-wide regulations apply. Reference Orange County Code Chapter 15 Article XI Section 15-442. The basin-wide regulations include, but are not limited to, wetlands and protective buffers, wildlife habitat, stormwater, and landscaping with native plant species.

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The Big Econlockhatchee River is located approximately 1,000 feet to the southwest. Show the river's location in all plans and permit applications. The Big Econ River is designated by the Florida Department of Environmental Protection (FDEP) as an Outstanding Florida Water.

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

The subject site has a prior land use as a container nursery that may have resulted in soil and/or groundwater contamination due to spillage of petroleum products, fertilizer, pesticide or herbicide. Prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading or construction plans, the applicant shall provide documentation to assure compliance with the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations. If a Phase I and/or Phase II Environmental Site Assessment (ESA) has been completed for this property, provide a copy to the Orange County EPD.

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.



## Interoffice Memorandum

Date: August 24, 2018

To: Alberto A. Vargas, MArch, Manager  
Orange County Planning Division

From: J. Andres Salcedo, P.E., Assistant Director  
Utilities Engineering Division

*J. Andres Salcedo*  
8/27/18

**Subject: Facilities Analysis and Capacity Report  
2018-2 Small Cycle Comprehensive Plan Amendments**

Orange County Utilities (OCU) staff reviewed the proposed development programs as submitted by the Planning Division and have concluded improvements to the County's water and wastewater treatment plants are not required to provide an adequate level of service consistent with the Comprehensive Plan's Potable Water, Wastewater and Reclaimed Water Element for those properties within OCU's service area. The Comprehensive Plan includes a 10-Year Water Supply Facilities Work Plan addressing the needs of our service area. Supporting documentation is provided in the attached Potable Water and Wastewater Facilities Analysis table.

As of today OCU has sufficient plant capacity to serve the subject amendments. This capacity is available to projects within OCU's service area and will be reserved upon payment of capital charges in accordance with County resolutions and ordinances. Transmission system capacity will be evaluated at the time of Master Utility Plan review and permitting, or at the request of the applicant.

OCU's groundwater allocation is regulated by its consumptive use permits (CUP). OCU is working toward alternative water supply (AWS) sources and agreements with third party water providers to meet the future water demands within our service area. While OCU cannot guarantee capacity to any project beyond its permitted capacity, we will continue to pursue the extension of the CUP and the incorporation of AWS and other water resources sufficient to provide service capacity to projects within the service area.

If you need additional information, please contact me or Lindy Wolfe at 407 254-9918.

cc: Raymond E. Hanson, P.E., Director, Utilities Department  
Teresa Remudo-Fries, P.E., Deputy Director, Utilities Department  
Lindy Wolfe, P.E., Assistant Manager, Utilities Engineering Division *dw 8/27/18*  
Laura Tatro, P.E., Senior Engineer, Utilities Engineering Division *LD 8/27/18*  
Gregory Golgowski, Chief Planner, Planning Division  
Nicolas Thalmueller, Planner, Planning Division  
File: 37586; 2018-2 Small Cycle



Potable Water and Wastewater Facilities Analysis for 2018-2 Small Cycle Comprehensive Policy Plan Amendments

Amendment Number	Parcel ID	Service Type and Provider	Main Size and General Location	Proposed Land Use	Maximum Density, Dwelling Units	Maximum Density, Hotel Rooms	Maximum Density Non-residential SF	PW Demand (MGD)	WW Demand (MGD)	Available PW Capacity (MGD)	Available WW Capacity (MGD)	Reclaimed Water Required for Irrigation	OCU Service Area
2018-2-S-2-1 (Apopka Life Care Center)	15-21-28-0000-00-062	PW: City of Apopka WW: City of Apopka RW: City of Apopka	PW: City of Apopka WW: City of Apopka RW: City of Apopka	Medium Density Residential	65			N/A	N/A	N/A	N/A	N/A	N/A
2018-2-S-3-1 (Sanchez Properties)	21-23-30-0000-00-058/068	PW: Orlando Utilities Commission WW: City of Orlando RW: City of Orlando	PW: Orlando Utilities Commission WW: City of Orlando RW: City of Orlando	Planned Development (PD)	4			N/A	N/A	N/A	N/A	N/A	N/A
2018-2-S-5-1 (Colonial Tanner Neighborhood Center)	19-22-32-7876-03-050/060	PW: Orange County Utilities* WW: Orange County Utilities* RW: Orange County Utilities*	PW: 24-inch water main within the E. Colonial Drive right-of-way WW: 24-inch forcemain within the Old Cheney Highway right-of-way RW: Currently not available	Commercial (C) Sunflower Trail Rural Settlement			15,681	0.001	0.001	0.001	0.001	No	East
2018-2-S-5-2 (1825 N. Dean Road)	17-22-31-7400-00-300	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 16-inch water main within the Dean Road right-of-way WW: 12-inch forcemain within the Dean Road right-of-way RW: Currently not available	Office			27,225	0.003	0.002	0.003	0.002	No	East
2018-2-S-5-3 (Dean Apartments)	08-22-31-0000-00-003	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 16-inch water main within the University Boulevard right-of-way WW: 8-inch forcemain within the University Boulevard right-of-way RW: Currently not available	Medium Density Residential	120			0.033	0.027	0.033	0.027	No	East
2018-2-S-6-1 (Colonial Gardens)	19-22-29-0000-00-001	PW: Orlando Utilities Commission WW: Orange County Utilities RW: Orange County Utilities	PW: Orlando Utilities Commission WW: 8-inch gravity main located within the La Grange Avenue right-of-way. RW: Currently not available	High Density Residential	232			0.064	0.052	0.064	0.052	No	West
2018-2-S-6-2 (Old Winter Garden)	27-22-28-4052-04-220	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 30-inch water main within the Old Winter Garden Road right-of-way WW: 20-inch forcemain within the Old Winter Garden Road right-of-way RW: Not currently available	Low-Medium Density Residential	2			0.001	0.000	0.001	0.000	No	West

NOTES:

No plant improvements are needed to maintain LOS standards. This evaluation pertains solely to water and wastewater treatment plants. Connection points and transmission system capacity will be evaluated at the time of Master Utility Plan review and permitting, or at the request of the applicant.

\*The site is outside the Urban Service Area and water and wastewater mains are located in the vicinity of the site. If the Urban Service Area boundary is expanded to encompass this site, or if the extension of water and wastewater mains outside the Urban Service Area to serve this site is already compatible with Policies PW1.4.2, PW1.5.2, and the equivalent wastewater policies, water and wastewater demands and connection points to existing OCU transmission systems will be addressed as the project proceeds through the DRC and construction permitting process.

Abbreviations: PW - Potable Water; WW - Wastewater; RW - Reclaimed Water; WM - Water Main; FM - Force Main; GM - Gravity Main; MUP - Master Utility Plan; TBD - To be determined as the project progresses through Development Review Committee, MUP and permitting reviews



*Sheriff Jerry L. Demings*

# ORANGE COUNTY SHERIFF'S OFFICE

## INTEROFFICE MEMORANDUM

August 20, 2018

TO: Alyssa Henriquez  
Orange County Planning Division

FROM: Daniel Divine, Manager  
Research & Development

SUBJECT: 2018-2 Small Scale Comprehensive Policy Plan Amendments (CPPA)

As requested, we have reviewed the impact of the existing and proposed development scenarios related to the 2018-2 Small Scale Comprehensive Policy Plan Amendments (CPPA). Based on the existing and proposed development scenarios, the Sheriff's Office staffing needs for existing are 0.00 deputies and 0.00 support personnel and proposed are 0.66 deputies and 0.32 support personnel to provide the standard level of service (LOS) to these developments.

**Comprehensive Policy Plan Amendment #2018-2-S-2-1** is a proposed assisted living facility and **#2018-2-S-6-1** is comprised of proposed multi-family dwelling units. These developments are located in Sheriff's Office Patrol Sector One. Sector One is located in the northwestern portion of Orange County and is approximately 117.420 square miles. In 2017 the Sheriff's Office had 1,297,364 calls for service and 167,799 of these calls were in Sector One. In 2017 the average response times to these calls were 00:17:15 minutes for Code 1 [non emergency service calls]; 00:26:57 minutes Code 2 [non life threatening emergency calls]; and 00:06:29 minutes Code 3 [life-threatening emergency calls].

**Comprehensive Policy Plan Amendment #2018-2-S-5-1** is a proposed commercial development, **#2018-2-S-5-2** is a proposed office development and **#2018-2-S-5-3** is comprised of proposed multi-family dwelling units. These proposed developments are in Sheriff's Office Patrol Sector Two. Sector Two is located in the eastern portion of Orange County and is approximately 404.632 square miles, our largest sector geographically. In 2017 Sector Two had 273,502 calls for service. In 2017 the average response times to these calls were 00:20:34 minutes Code 1; 00:32:40 minutes Code 2; and 00:06:47 minutes Code 3.

**Comprehensive Policy Plan Amendment #2018-2-S-6-2** is a proposed single family dwelling unit. This development is located within Sector Three. Sector Three is situated in mid-western portion of Orange County and is approximately 82.934 square miles. In 2017 Sector Three received 186,180 calls for service. In 2017 the average response times to these calls were 00:19:57 minutes for Code 1; 00:31:36 minutes for Code 2; and 00:07:17 minutes for Code 3.

**Comprehensive Policy Plan Amendment #2018-2-S-3-1** is a proposed multi-family dwelling unit. This development is located in Sector Four. Sector Four is centrally located and is approximately 70.605 square miles. In 2017 Sector Four had 268,844 calls for service. In 2017 the average response times to these calls were 00:18:47 minutes for Code 1; 00:27:33 minutes Code 2; and 00:05:18 for minutes Code 3.

The Orange County Sheriff's Office measures service requirements based on the number of calls for service generated and the number of staff needed to respond to those calls. All development generates impact, but at varying levels. In the 2017 update to the Law Enforcement Impact Fee Ordinance, the Sheriff's Office Level of Service was 278 calls for service per sworn officer per year. Support personnel are calculated by applying 45.4% to the sworn officer requirement. The 'formula' is *land use x unit of development x calls per unit divided by 278 = number of deputies required for that development. The 'formula' for the number of support personnel required is the number of deputies \* 45.4 percent.* These calculations are obtained from Orange County's Law Enforcement Impact Fee Study and Ordinance.

We have attached reports based on the existing and proposed development scenarios which show staffing needs. Impact fees address capital cost only. All other costs must be requested from the Board of County Commissioners including salaries and benefits.

As stated before, all new development creates new calls for service, which in turn creates a need for new additional manpower and equipment. If calls for service increase without a comparable increase in manpower our response times are likely to increase.

If you wish to discuss this information, please contact me or Belinda Atkins at 407 254-7470.



D.P.D.

DPD/bga

Attachments

c: Undersheriff Rey Rivero, Chief Deputy Nancy Brown, Chief Deputy Larry Zwieg, Major Angelo Nieves, Major Rick Meli, CALEA 15.1.3



PARKS AND RECREATION DIVISION  
MATT SUEDMEYER, MANAGER  
4801 W Colonial Drive, Orlando, FL 32808  
407-836.6200 • FAX 407-836.6210 • <http://www.orangecountyparks.net>

August 9, 2018

TO: Alberto Vargas, Manager, Planning

FROM: Cedric M. Moffett, Planner III, Parks and Recreation

SUBJECT: Facilities Analysis and Capacity Report  
2018-2 Small Scale Cycle Comprehensive Policy Plan Amendments

The Parks and Recreation Division have reviewed the 2018-2 Small Scale Cycle Comprehensive Policy Plan Amendments. Based on the information provided the development impacts do not exceed our countywide available parkland capacity (see attached chart), however, the projects still need to meet applicable development requirements for parks and recreation. As per usual we only analyzed the impact of the residential amendments.

The Future Land Use Amendment maps have been compared to our existing and proposed park and trail facilities and there are no direct impacts.

BT:bt

c: Matt Suedmeyer, Manager, Parks and Recreation  
Regina Ramos, Project Manager, Parks and Recreation  
Amy Bradbury, Planner III, Parks and Recreation  
File: Comp Plan Amendments

**Facilities Analysis and Capacity Report**  
**2018-2 Smale Scale Cycle Comprehensive Policy Plan Amendments**  
**(Amendments with Parks Level-of-Service Impacts)**

Amendment Number	Proposed Future Land Use	Residential Dwelling Units	Population (2.56/unit)	Active Recreation Acreage Impact (1.5 ac/1,000 pop)	Resource Recreation Acreage Impact (6.0 ac/1,000 pop)
2018-2-S-2-1	Medium Density Residential (MDR)	65	166.4	0.249	0.996
2018-2-S-3-1	Planned Development (PD)	4	10.24	0.015	0.060
2018-2-S-5-3	Medium Density Residential (MDR)	120	307.2	0.461	1.842
2018-2-S-6-1	High Density Residential (HDR)	214	547.84	0.822	3.288
2018-2-S-6-2	Low-Medium Density Residential (LMDR)	2	5.12	0.008	0.030
Total Acreage Impact				1.555	6.216
Available Capacity (as of July 2017)				437.820	8085.180



## Interoffice Memorandum

**DATE:** August 27, 2018

**TO:** Alberto Vargas, Manager  
Planning Division

**THROUGH:** John Geiger, PE, Sr. Engineer  
Environmental Protection Division

**FROM:** Sarah Bernier, REM, Sr. Environmental Specialist  
Environmental Protection Division

**SUBJECT:** Facilities Analysis and Capacity Report Request for the  
2018-2 Small Scale Comprehensive Plan Amendments

As requested, Environmental Protection Division staff reviewed the subject Comprehensive Plan Amendments. We understand that the first public hearing for these requests will be on October 18, 2018 before the Local Planning Agency. Attached are summary charts with the environmental analysis results.

If you have any questions regarding the information provided, please contact Sarah Bernier at 407-836-1471 or John Geiger at 407-836-1504.

Attachment

SB/JG

cc:

Greg Golgowski, Chief Planner, Comprehensive Planning  
Alyssa Henriquez, Planner, Comprehensive Planning  
David Jones, Manager, Environmental Protection Division  
Elizabeth Johnson, Assistant Manager, Environmental Protection Division  
Tim Hull, Environmental Program Administrator, Environmental Protection Division



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**1) Amendment #2018-2-S-2-1**

**Apopka Life Care Center**

**FLU** from Low Density Residential (LDR) to Medium Density Residential (MDR)

**Proposed Development:** 65 assisted living facility units (120 beds)

**Owner:** Santhia and Louis Isaac

**Agent:** Greg Roebuck

**Parcels:** 15-21-28-0000-00-062

**Address:** 1443 Clarcona Rd

**District:** 2

**Area:** 3.45 gross acres

**EPD Comments:**

This site is located within the geographical limits of the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Special area regulations apply. In addition to the state regulations, local policies are included in Orange County Comprehensive Plan 2010-2030, Future Land Use Element (but not limited to) Objective FLU6.6 Wekiva.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

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 (FDEP) by the developer.

**2) Amendment #2018-2-S-3-1**

**LUP-18-06-213 Sanchez Properties**

**FLU** from Medium Density Residential (MDR) to Planned Development (PD)

**Rezoning** from A-2 (Farmland Rural District) to PD (Planned Development District)

**Proposed Development:** 4 dwelling units and overnight vehicle commercial parking

**Owner:** Fernando Sanchez

**Agent:** Thomas Daly, Daly Design Group

**Parcels:** 21-23-30-0000-00-058/068

**Address:** 4769 & 4773 Judge Rd.

**District:** 3

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**Area:** 1.90 gross acres

**EPD Comments:**

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400.

Any miscellaneous garbage, hazardous waste, yard waste and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

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.

**3) Amendment #2018-2-S-5-1**

**RZ-18-10-036 Colonial Tanner Neighborhood Center**

**FLU** from Rural Settlement 1/1 (RS 1/1) Sunflower Trail Rural Settlement to Commercial (C) Sunflower Trail Rural Settlement

**Rezoning** from C-1 (Retail Commercial District) and A-2 (Farmland Rural District) to C-1 (Retail Commercial District)

**Proposed Development:** 0.15 FAR 15,681 sq. ft. commercial development

**Owner:** Michelle Rivero Family Trust, Carlos A Rivero, Trustee and Carlos A Rivero

**Agent:** Carlos A. Rivero

**Parcels:** 19-22-32-7876-03-050/060

**Address:** 15932 and 15816 E. Colonial Dr.

**District:** 5

**Area:** 2.40 gross acres

**EPD Comments:**

No conservation area is located onsite. Orange County Conservation Area Determination CAD-18-06-090 was completed on June 12, 2018 for this property.

This site is located within the geographical limits of the Econlockhatchee River Protection Ordinance. Basin-wide regulations apply. Reference Orange County Code Chapter 15 Article XI

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Section 15-442. The basin-wide regulations include, but are not limited to, wetlands and protective buffers, wildlife habitat, stormwater, and landscaping with native plant species.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

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.

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

**4) Amendment #2018-2-S-5-2**

**RZ-18-10-042 at 1825 N Dean Road**

**FLU** from Low-Medium Density Residential (LMDR) to Office (O)

**Rezoning** from R-1A (Single-Family Dwelling District) to P-O (Professional Office District)

**Proposed Development:** Up to 27,225 sq. ft. of office development

**Owner:** Lorna L. Pignone

**Agent:** Cas Suvongse, SK Consortium, Inc.

**Parcels:** 17-22-31-7400-00-300

**Address:** 1825 N Dean Rd.

**District:** 5

**Area:** 0.50 gross acres

**EPD Comments:**

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

Prior to demolition or construction activities associated with existing structures, provide a Notice

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of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400.

Any miscellaneous garbage, hazardous waste, yard waste and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

If new construction is proposed, use caution to prevent erosion along the boundary of the property, into wetlands and buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control.

**5) Amendment #2018-2-S-5-3**

**University PD/Dean Apartments**

**FLU** from Commercial (C) to Medium Density Residential (MDR)

**Rezoning** University PD (Planned Development District)

**Proposed Development:** 120 multi-family dwelling units

**Owner:** James W. Hickman Revocable Trust

**Agent:** Anthony Everett

**Parcels:** 08-22-31-0000-00-003

**Address:** east of N Dean Rd., south of University Blvd.

**District:** 5

**Area:** 6 gross / 4 developable acres

**EPD Comments:**

Two Class III wetlands amounting to 1.94 acres are located on site. Orange County Conservation Area Determination CAD-18-07-109 was completed for this property with a certified wetland boundary survey approved by the Environmental Protection Division (EPD) on August 9, 2018.

No construction, clearing, filling, alteration or grading is allowed within or immediately adjacent to a conservation area without first obtaining approval from EPD. Reference Orange County Code Chapter 15, Article X - Wetland Conservation Areas. Until wetland permitting is complete, the net developable acreage is only an approximation. The net developable acreage is the gross acreage less the wetlands and surface waters acreage. The applicant is advised not to make financial decisions based upon development within the wetland or protective upland setback areas. Any plan showing development in such areas without Orange County and other jurisdictional governmental agency wetland permits is speculative and may not be approved.

Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact (CAI) permit from the Orange County EPD. Reference Comprehensive Plan Policy FLU1.1.2 C.

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Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

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 (FDEP) by the developer.

**6) Amendment #2018-2-S-6-1**

**LUP-18-07-234 Colonial Gardens**

**FLU** from Commercial (C) to High Density Residential (HDR)

**Rezoning** from C-1 (Retail Commercial District) to PD (Planned Development District)

**Proposed Development:** 214 multi-family dwelling units maximum density of 50 units an acre, or 232 units

**Owner:** Colonial Gardens, LLC

**Agent:** Lee Upshaw

**Parcels:** 19-22-29-0000-00-001

**Address:** 4919 W Colonial Dr.

**District:** 6

**Area:** 4.64 gross acres

**EPD Comments:**

This site is located within the geographical limits of the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S., but it is exempt from these requirements. If the site is redeveloped, special area regulations may apply. In addition to the state regulations, local policies are included in Orange County Comprehensive Plan 2010-2030, Future Land Use Element (but not limited to) Objective FLU6.6 Wekiva.

Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400.

Any miscellaneous garbage, hazardous waste, yard waste and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the

Orange County Environmental Protection Division  
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Orange County Solid Waste Hotline at 407-836-6601 for information.

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 (FDEP) by the developer.

**7) Amendment #2018-2-S-6-2**

**Old Winter Garden Townhomes**

**FLU** from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR)

**Proposed Development:** 2 single-family attached dwelling units

**Owner:** Lisa Rembert

**Agent:** Lisa Rembert

**Parcels:** 27-22-28-4052-04-220

**Address:** north side of Old Winter Garden Rd., east of Grove St.

**District:** 6

**Area:** 0.21 gross acres

**EPD Comments:**

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

If new construction is proposed, use caution to prevent erosion along the boundary of the property, into wetlands and buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control.





## Environmental Protection Division

# CONSERVATION AREA CLASSIFICATIONS

**Determination No.:** CAD-18-07-109

**Date Issued:** July 31, 2018

**Date Expires:** October 29, 2018

### Activity Location:

University Boulevard, Orlando, FL 32817

Parcel ID No.: 08-22-31-0000-00-003

Property Description: COMM AT NW COR OF NW1/4 OF NW1/4 OF SEC 08-22-31 TH E 674.10 FT S 64.03 FT FOR POB E 326 FT S 130.40 FT S 15 DEG E 231.06 FT S 29 DEG W 95.78 FT S 2 DEG W 201.03 FT S 47 DEG W 165.71 FT S 47 DEG W 124.39 FT W 111.33 FT N 833.05 FT TO POB A/K/A PHASE 3 OF MISSION BAY IN SEC 08-22-31 SEE 3172/1847

Orange County Commission District: 5

### Permittee / Authorized Entity:

Anthony M. Everett

5005 Interbay Boulevard

Tampa, FL 3361

E-mail: [Aeverett@theeverettcompany.com](mailto:Aeverett@theeverettcompany.com)

The Environmental Protection Division (EPD) has reviewed your application for a Conservation Area Determination (CAD) and completed a field investigation on July 20, 2018 and July 27, 2018. Based on the unified statewide methodology for the delineation of the extent of wetlands and surface waters in Chapter 62-340 FAC, and the Orange County Conservation Ordinance (Chapter 15, Article X), EPD staff have determined the classification and approximate extent of the surface waters/wetlands (conservation areas) on your property as follows:

Orange County Environmental Protection Division  
3165 McCrory Place, Suite 200  
Orlando, Florida 32803  
407-836-1400 / Fax: 407-836-1499  
[www.OCEPD.org](http://www.OCEPD.org)



Wetland Identification Number	Class	FLUCFCS <sup>1</sup> /Remarks
W-1	III	617 Mixed wetland hardwoods; Isolated wetland less than five acres
W-2	III	630 Wetland forested mixed; Isolated wetland less than five acres

<sup>1</sup>Florida Land Use, Cover and Forms Classification System (FLUCFCS) Handbook, Florida Department of Transportation, January 1999 (Third Edition)

An aerial photograph with a depiction of the approximate boundary of each jurisdictional conservation area is attached to this letter.

**To complete the CAD process, within fifteen (15) working days of the date of this CAD letter, EPD must receive written notification of agreement or disagreement of the class designation. This letter does NOT constitute final approval of the surface water/wetland boundary.** Upon agreement of this CAD and an approved boundary survey approved by EPD, this determination is binding. EPD will send a final letter with stamped and approved surveys. Should the determination not become binding within the specified timeframes, a new application for a CAD, including additional fees, will be required.

You must also provide EPD with at least one copy of a certified boundary survey by a Professional Land Surveyor/Professional Surveyor and Mapper for review and final written approval within 90 days of the date of this CAD Classifications letter. This survey should depict the location and extent of the conservation area(s). In addition, if there are surface waters on the project site, the survey should include the Normal High Water Elevation (NHWE) meander line and the NHWE elevation (NAVD 1988) as defined by the Orange County Lake Fact Sheet. The flagged locations must be mathematically tied to established control points, describing the bounds by bearing and distance. **Total wetland, surface water (where applicable) and upland acreages (on-site) including acreage per individual conservation area, class determination, wetland number, and permit number must be also noted on the survey.**

Please note the following:

1. This CAD Classification letter does not provide relief from other local, state, or federal policies, which regulate activity on the subject property. If this determination conflicts with those of any other Agency, Department, or Division, the applicant must rectify the conflict or comply with the most stringent conditions.
2. No construction, clearing, alteration, filling or grading is allowed within the limits of the conservation area(s) unless approved by the County.
3. The property owner/permittee is responsible for addressing any adverse secondary impacts to surface waters, wetlands, or conservation areas that may occur as a result of the development of the site.
4. The County may revoke a CAD upon finding that the applicant has submitted inaccurate information to the County regarding the delineation of surface waters or wetlands on the project site.
5. This CAD supersedes any existing determinations made on this parcel.

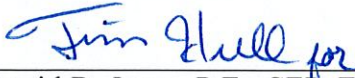
If you should have any questions concerning this review, please contact Amanda Walter at 407-836-1546 or [Amanda.Walter@ocfl.net](mailto:Amanda.Walter@ocfl.net).

Project Manager:



Amanda Walter, Sr. Environmental Specialist

Authorized for the Orange County Environmental Protection Division by:



David D. Jones, P.E., CEP, Environmental Protection Officer

AW/TM/TMH/ERJ/DJ/gfdjr:

Attachment:

- c: Spencer Clark, Bio-Tech Consulting – [spencer@bio-techconsulting.com](mailto:spencer@bio-techconsulting.com)  
Frank Porter, NV5, Inc. – [frank.porter@NV5.com](mailto:frank.porter@NV5.com)  
James W. Hickman Revocable Trust – [jamoore@accommercial.com](mailto:jamoore@accommercial.com)



## Conservation Area Classifications Agreement

☐ I AGREE W/ THE CLASSIFICATION

☐ I DISAGREE W/ THE CLASSIFICATION

Mail/Fax to:

**Orange County Environmental Protection Division**

Attn: Elizabeth R. Johnson

3165 McCrory Place, Suite 200

Orlando, Florida 32803

Or Fax to: 407-836-1499

CAD Determination Dated: **July 31, 2018**

Permit Number and Name: **CAD-18-07-109, Dean Apartments at University Boulevard**

Staff: **Amanda Walter, Sr. Environmental Specialist**

Remarks or any additional information:

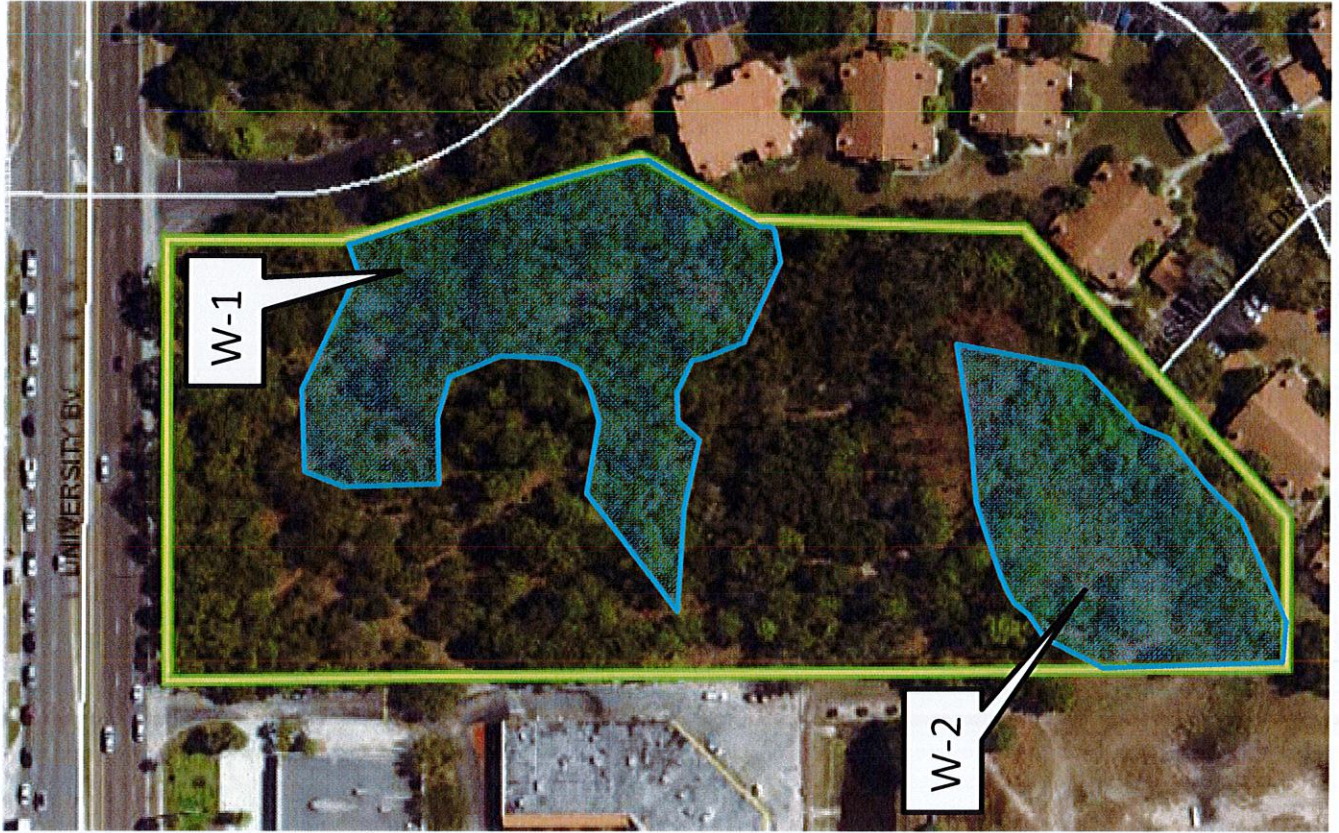
I certify I am the permittee/Authorized Entity of the above permit issued by the Orange County Environmental Protection Division.

Signature of Permittee/Authorized Entity: \_\_\_\_\_

Printed Name of Permittee/Authorized Entity: \_\_\_\_\_

Date: \_\_\_\_\_





**Legend**

-  Parcel boundary
-  Wetland area
- W-1 (Class III)
- W-2 (Class III)

## **AMENDMENT 2018-2-S-5-1 (15816 & 15932 E Colonial Drive)\***

### **PROJECT SPECIFICS**

Parcel ID:	19-22-32-7876-03-060 and 19-22-32-7876-03-050
Location:	15816 & 15932 E Colonial Drive; Generally located east of S Tanner Road and south of E Colonial Drive
Acreage:	2.45
Request FLUM:	From: Rural 1/1 Residential To: Commercial
Request Zoning:	From: C-1 (Sunflower Trail Rural Settlement) & A-2 To: C-2
Existing Development:	Vacant
Development Permitted Under Current FLUM:	Two (2) Single Family Dwelling Units
Proposed Density/Intensity:	Up to 16,000 SF of Neighborhood Commercial Retail Services

### **Trip Generation (ITE 10<sup>th</sup> Edition)**

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Maximum use of current FLUM: 2 SF DUs	2	100%	2
Existing Use: Vacant			
Proposed Use: >16,000 KSF Neighborhood Commercial Retail Services	140	56%	78
Net New Trips (Proposed Development less Allowable Development): 78-2=76			

### **Future Roadway Network**

Road Agreements:	None
Planned and Programmed Roadway Improvements:	Chuluota Road widening from SR 50 to Lake Pickett Road SR 50 widening and Toll Facility Implementation
Right of Way Requirements:	None

### **Summary**

The applicant is requesting to change 2.45 acres from Rural 1/1 (Residential) to Commercial and approval to develop up to 16,000 square feet of neighborhood commercial retail service uses.

- The subject property is not located within the County's Alternative Mobility Area or along a constrained facility or multimodal corridor.
- The allowable development based on the approved future land use will generate 2 pm peak hour trips.
- The proposed use will generate 78 pm peak hour trips resulting in a net increase of 76 pm peak hour trips.
- The subject property is located adjacent to Colonial Drive, a 4-lane major arterial and South Tanner Road, a 2-lane major collector. This facility currently has **several** deficient roadway segments within the project's impact area.
- Based on the project trip distribution patterns in the area, Colonial Drive is projected to accommodate approximately 97% of the project trips with 58% of the trips assigned to the west and 39% assigned to the east and 3% to the north on Tanner Road.

\* Application not provided, data provided is based on information provided for the 5/18/2018 pre-application meeting.



- The project trip distribution and assignment assumes direct access onto Colonial Drive, however, the applicant is advised to consult with the County's Development Engineering Division to determine if this is feasible. Depending on the outcome, revisions to the traffic analysis will be required.
- Based on the concurrency management system database dated 07-02-18, the following roadway segments are operating below the adopted level of service standard within the project impact area:
  1. Chuluota Road from Colonial Drive to Lake Pickett Road
  2. Colonial Drive (E) from Woodbury Road to Lake Pickett Road
  3. Colonial Drive (E) from Avalon Park Boulevard to South Tanner Road
  4. Colonial Drive (E) from South Tanner Road to Chuluota Road

This information is dated and subject to change.

- Background traffic was developed based on the 2% annual growth rate based on historical AADT within the project's impact area. Committed trips were used if they exceed background traffic volumes developed with annual growth rates to account for growth in the area.
- Analysis of short term (5 year) indicated that the same deficiencies will continue on the current deficient roadway segments and the proposed project will impact the failing segments. Additionally, the roadway segment on Lake Pickett Road from Percival Road to South Tanner Road is projected to operate below the adopted Level of Service standard but the project is not expected to impact this roadway segment. The deficiencies in the short-term analysis will occur with and without the addition of the proposed project trips.
- Analysis of long term analysis year (2030) indicated that the same deficiencies will continue on the current deficient roadway segments and the proposed project will impact the failing segments. Additionally, the following roadway segments are projected to operate below the adopted Level of Service standards:
  - Colonia Drive (E) from Lake Pickett Road to Avalon Park Boulevard
  - Lake Pickett Road from Colonial Drive to Percival Road
  - Lake Pickett Road from Percival Road to South Tanner Road

The deficiencies on these roadway segments will occur with and without the addition of the proposed project trips.

- Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

**DEAN APARTMENTS**

Project № 18080

July 2018

**TRANSPORTATION FACILITIES ANALYSIS  
ORANGE COUNTY  
FLORIDA**

*Prepared by:*



**Traffic & Mobility Consultants**

3101 Maguire Boulevard, Suite 265  
Orlando, Florida 32803  
[www.trafficmobility.com](http://www.trafficmobility.com)  
(407) 531-5332

*Prepared for:*

The Everett Company  
5005 Interbay Boulevard  
Tampa, Florida 33611

## EXECUTIVE SUMMARY

### **Project Information**

Name: Dean Apartments  
Location: Dean Road and University Boulevard  
Description: Comprehensive Plan Amendment for ±6-acre property  
Change FLU from Commercial to Medium Density Residential

### **Findings**

Trip Generation: Net Reduction in trips of more 95%  
Current FLU would generate 21,707 ADT  
Proposed FLU would generate 653 ADT  
  
Planned Improvements: The County's LRTP and CIP include the construction of Richard Crotty Parkway as a new roadway relieving University Boulevard.  
  
Roadway Capacity: The proposed amendment reduces the trip generation intensity of the site and does not adversely impact the backlogged segments.

### **Recommendations**

Analysis: The site will undergo further review through the County's concurrency management process and will address any deficiencies impacted by the proposed development in accordance with the requirements of the concurrency management system.

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## 1.0 INTRODUCTION

This Transportation Facilities Analysis is prepared in support of a Comprehensive Plan Amendment application to change the Future Land Use designation of the ±6-acre property known as the Dean Apartments. The site is located on the southeast quadrant of the intersection of Dean Road and University Boulevard, in Orange County, Florida, as illustrated in **Figure 1**. Property information is provided in **Appendix A**.

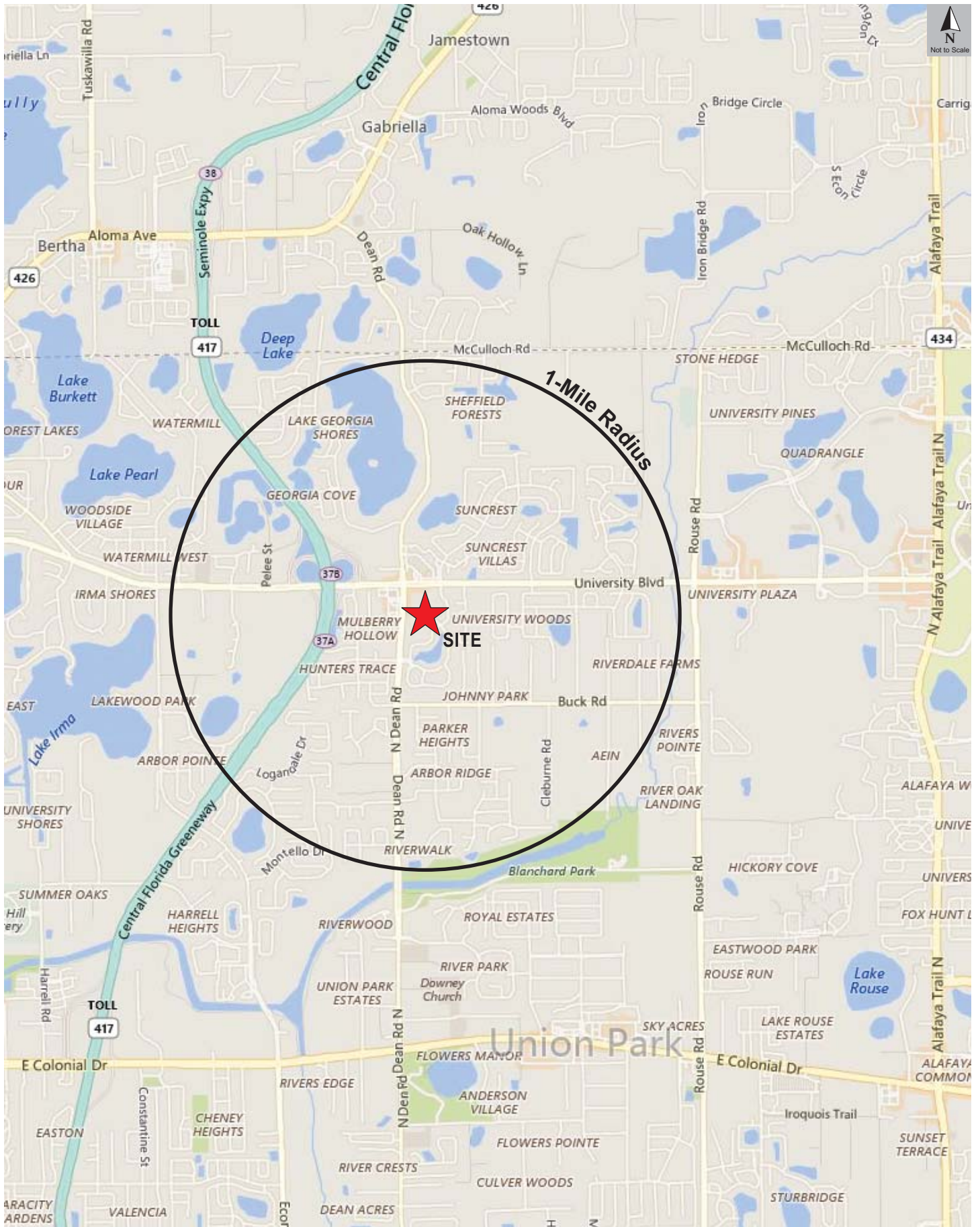
The property is currently designated Commercial (C) and is proposed to be amended to Medium Density Residential (MDR). The existing and proposed maximum allowable development programs are provided in **Table 1**.

**Table 1**  
**Land Use Density**

<b>Designation</b>	<b>Area</b>	<b>Density</b>	<b>Units</b>
<b><i>Current FLU (C)</i></b>			
Hotel	6 Ac	3 FAR	784.0 KSF
<b><i>Proposed FLU (MDR)</i></b>			
Residential	6 Ac	20 DU/Ac	120 DU

The following report documents the methods, procedures, and findings of the analysis. The study was conducted using Orange County's standard methodology for small scale comprehensive plan amendments. Information used in this analysis was collected by Traffic & Mobility Consultants LLC (TMC), provided by County Staff and/or obtained from the applicant.





## 2.0 EXISTING TRAFFIC CONDITIONS

The existing traffic conditions were evaluated within the project's primary influence area. This included the area's major roadways which were analyzed for PM peak hour conditions.

The existing conditions on the roadway network were analyzed by comparing the latest available traffic volumes on each of the roadway segments to the adopted capacity thresholds. The existing conditions analysis was based on information obtained from the Orange County Concurrency Management System (CMS) database. The CMS information is provided in **Appendix B**.

**Table 2** summarizes the existing conditions capacity analysis in the area. This analysis reveals that currently all roadway segments within the study area currently operate at adequate Level of Service (LOS), except for the segment of University Boulevard from Dean Road to Rouse Road.

**Table 2**  
**Existing Conditions Analysis**

ID	Roadway	Segment Limits	# Lns	Min LOS	AADT	Peak Hour			LOS	Meets Std ?
						Cap	Volume	Dir		
44.0	Buck Rd	Dean Rd to Rouse Rd	2	E	9,341	880	462	WB	C	Y
98.0	Dean Rd	Colonial Dr to Winder Tr	4	E	25,745	2,000	1,206	SB	C	Y
98.5	Dean Rd	Winder Tr to University Blvd	4	E	25,408	2,000	1,266	SB	C	Y
99.0	Dean Rd	University Blvd to Seminole C.L.	4	E	17,246	2,000	854	SB	C	Y
442.5	University Blvd	Econolockhatchee Tr to SR 417	6	E	52,227	3,020	2,595	EB	C	Y
442.8	University Blvd	SR 417 to Dean Rd	8	E	66,113	4,040	3,264	EB	C	Y
443.0	University Blvd	Dean Rd to Rouse Rd	6	E	69,428	3,020	3,371	WB	F	N

### 3.0 PLANNED AND PROGRAMMED IMPROVEMENTS

The Orange County Capital Improvement Program (CIP) and the Long-Range Transportation Plan (LRTP) were checked to identify any planned or programmed improvements to the transportation facilities in this area. The results of this review are summarized in **Table 3**.

**Table 3**  
**Planned and Programmed Improvements**

Roadway	Limits	Improvement	Status	Source
Richard Crotty Pkwy	Semoran Blvd to Goldenrod Rd	New 2-Lane Roadway	Programmed	CIP/LRTP
Richard Crotty Pkwy	Goldenrod Rd to Dean Rd	New 2-Lane Roadway	Planned	LRTP
Richard Crotty Pkwy	Dean Rd to Alafaya Tr	New 2-Lane Roadway	Planned	LRTP
Richard Crotty Pkwy	Alafaya Tr to Tanner Rd	New 2-Lane Roadway	Partnership	LRTP
Dean Rd	University Blvd to Seminole C.L.	Improve to 4-Lane Divided	Planned	LRTP
Econolockhatchee Tr	Colonial Dr to University Blvd	Improve to 4-Lane Divided	Planned	LRTP

The westernmost segment of the Richard Crotty Parkway is currently programmed and funded for construction in 2019 as the first segment of a reliever road to University Boulevard. The remaining roadway segments are not currently programmed for construction in the immediate future. Therefore, they are designated as planned future improvements. Supporting information from the CIP and LRTP are provided in **Appendix C**.

## 4.0 PROJECT TRAFFIC

### 4.1 Trip Generation

The traffic generation of the existing and proposed maximum development scenarios were calculated using the data published in the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10<sup>th</sup> Edition*. Pass-by and non-primary trips were calculated using information from Table D-1 of the County's *Transportation Impact Fee Update*. The trip generation for the project is summarized in **Table 4** and detailed trip generation sheets are provided in the **Appendix D**.

**Table 4**  
**Trip Generation Comparative Analysis**

ITE Code	Land Use	Size	Rates		Trips	
			Daily	Peak	Daily	Peak
Existing - Commercial (C)						
820	Commercial	784.0 KSF	31.11	3.18	24,390	2,493
Commercial Pass-by Trips					2,683	274
Net Trips Generation (ACMU)					21,707	2,219
Proposed - Activity Center Residential (ACR)						
221	Apartments	120 DU	5.44	0.44	653	53
Net Change in Trips					-21,054	-2,166

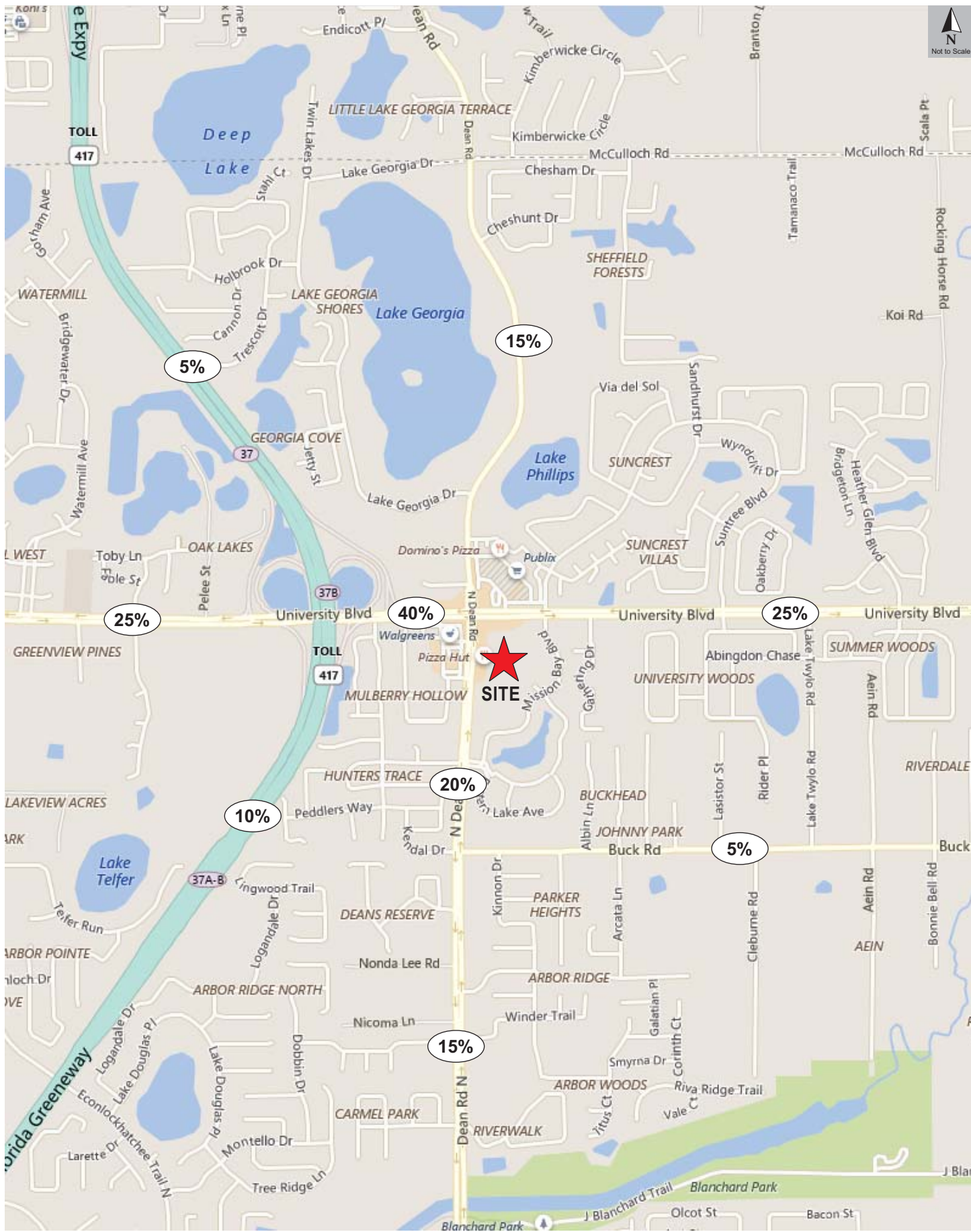
*Trip generation analysis based on ITE Trip Generation Manual, 10th Edition.*

It is evident that the proposed amendment is expected to significantly reduce the trip generation intensity of the site from over 21,000 daily trips to approximately 650 daily trips.

### 4.2 Trip Distribution

A trip distribution pattern was estimated for the proposed development based on the site location with respect to area generators and attractors, the transportation network, and prevailing traffic flow patterns in the area. The trip distribution is illustrated in **Figure 2**.





## 5.0 PROJECTED TRAFFIC CONDITIONS

Projected conditions were assessed to evaluate the impact of the proposed amendment on the roadway network. The projected conditions analysis was performed for the Interim Year (2023) and the Horizon Year (2030).

### 5.1 Background Traffic Volumes and Transportation Network

Projected traffic volumes for interim and horizon analysis years were developed using a projected 2.0% annual growth rate. The projected growth was checked against the Existing and Committed traffic volume and the higher volume was used in the analysis. The Interim Year analysis was conducted with the committed network improvements and the Horizon Year analysis included the planned network improvements.

### 5.2 Interim Year 2023 Conditions

The 2023 Interim Year analysis was conducted comparing projected traffic volumes to the roadway network capacity and service volumes. This analysis is based on the existing and committed roadway network. **Table 5** summarizes the analysis, which reveals that the roadway network in the study area is projected to continue to operate at adequate LOS, except for the backlogged segment of University Boulevard and the 2-lane segment of Dean Road. Planned improvements identified in the LRTP would provide capacity relief to both segments.

The proposed amendment will reduce the number of trips generated by the site and therefore will not adversely impact conditions on the study roadway network in the Interim Year 2023.

### 5.3 Horizon Year 2030 Conditions

The 2030 Horizon Year analysis was based on the planned roadway network. **Table 6** summarizes the 2030 Horizon Year analysis, which reveals that the roadway network in the study area is projected to continue to operate at adequate LOS, except for the segments of University Boulevard. The proposed amendment will reduce the number of trips generated by the site and will not adversely impact the study roadway network in the Horizon Year 2030.



**Table 5**  
**Projected Conditions – Interim Year (2023)**

ID	Roadway	Segment Limits	# Lns	Min LOS	Capacity	2023 Projected			Meets Std ?
						Volume	Dir	LOS	
44.0	Buck Rd	Dean Rd to Rouse Rd	2	E	880	517	WB	C	Y
98.0	Dean Rd	Colonial Dr to Winder Tr	4	E	2,000	1,351	SB	C	Y
98.5	Dean Rd	Winder Tr to University Blvd	4	E	2,000	1,418	SB	C	Y
99.0	Dean Rd	University Blvd to Seminole C.L.	2	E	880	956	SB	F	N
442.5	University Blvd	Econolockhatchee Tr to SR 417	6	E	3,020	2,906	EB	C	Y
442.8	University Blvd	SR 417 to Dean Rd	8	E	4,040	3,656	EB	C	Y
443.0	University Blvd	Dean Rd to Rouse Rd	6	E	3,020	3,776	WB	F	N

**Table 6**  
**Projected Conditions – Horizon Year (2030)**

ID	Roadway	Segment Limits	# Lns	Min LOS	Capacity	2030 Projected			Meets Std ?
						Volume	Dir	LOS	
44.0	Buck Rd	Dean Rd to Rouse Rd	2	E	880	582	WB	C	Y
98.0	Dean Rd	Colonial Dr to Winder Tr	4	E	2,000	1,520	SB	C	Y
98.5	Dean Rd	Winder Tr to University Blvd	4	E	2,000	1,595	SB	C	Y
99.0	Dean Rd	University Blvd to Seminole C.L.	4	E	2,000	1,076	SB	C	Y
442.5	University Blvd	Econolockhatchee Tr to SR 417	6	E	3,020	3,270	EB	F	N
442.8	University Blvd	SR 417 to Dean Rd	8	E	4,040	4,113	EB	F	N
443.0	University Blvd	Dean Rd to Rouse Rd	6	E	3,020	4,247	WB	F	N

## **6.0 STUDY CONCLUSIONS**

This Transportation Facilities Analysis was conducted in support of a request to amend the Comprehensive Plan for a 6-acre property located southeast of Dean Road and University Boulevard in Orange County, Florida. The proposed amendment is to change the existing Future Land Use designation from Commercial to Medium Density Residential.

This analysis was prepared to determine the impact of the proposed amendment on the area transportation network. The findings and results of the analysis are summarized as follows:

- The proposed amendment would reduce the allowable development intensity of the site and result in a significant reduction in trip generation to the roadway network.
- An analysis of existing conditions reveals that currently, the segment of University Boulevard from Dean Road to Rouse Road is deficient and backlogged.
- A review of the County's transportation improvement plans indicate that several network improvements are planned in the Long-Range Transportation Plan. Additionally, the first segment of Richard Crotty Parkway from Semoran Boulevard to Goldenrod Road is funded for construction in 2019.
- An analysis of projected conditions in the year 2023 indicate that all roadway segments are projected to operate with adequate capacity, except for University Boulevard from Dean Road to Rouse Road and Dean Road from University Boulevard
- An analysis of projected conditions in the year 2030 indicate that all roadway segments are projected to operate with adequate capacity, except for University Boulevard.
- The proposed amendment will reduce the trip generation intensity of the site and will not adversely impact the projected transportation network.
- The project is likely to develop at a lower intensity than the maximum allowable under the comprehensive plan. The development application will undergo further review and will be required to address its impact to the transportation network through the County's concurrency management system.

## **APPENDIX**

**Appendix A**  
Property Information



# Property Record - 08-22-31-0000-00-003

Orange County Property Appraiser •  
http://www.ocpafl.org

## Property Summary

### Property Name

University Blvd

### Names

James W Hickman Revocable Trust

### Municipality

ORG - Un-Incorporated

### Property Use

1000 - Vacant Commercial

### Mailing Address

C/O Andre Francois Trustee  
Po Box 1618  
Maitland, FL 32794

### Physical Address

University Blvd  
Orlando, FL 32817



QR Code For Mobile Phone



## Value and Taxes

### Historical Value and Tax Benefits

Tax Year Values		Land	Building(s)	Feature(s)	Market Value	Assessed Value
2017		\$763,500	+ \$0	+ \$0 = \$763,500 (3.0%)	\$763,500 (3.0%)	\$763,500 (3.0%)
2016		\$741,263	+ \$0	+ \$0 = \$741,263 (0%)	\$741,263 (0%)	\$741,263 (0%)
2015		\$741,263	+ \$0	+ \$0 = \$741,263 (0%)	\$741,263 (0%)	\$741,263 (0%)
2014		\$741,263	+ \$0	+ \$0 = \$741,263	\$741,263	\$741,263

### 2017 Taxable Value and Estimate of Proposed Taxes

Taxing Authority	Assd Value	Exemption	Tax Value	Millage Rate	Taxes	%
Public Schools: By State Law (Rle)	\$763,500	\$0	\$763,500	4.2220 (-7.47%)	\$3,223.50	25 %
Public Schools: By Local Board	\$763,500	\$0	\$763,500	3.2480 (0.00%)	\$2,479.85	20 %
Orange County (General)	\$763,500	\$0	\$763,500	4.4347 (0.00%)	\$3,385.89	27 %
Unincorporated County Fire	\$763,500	\$0	\$763,500	2.2437 (0.00%)	\$1,713.06	14 %
Unincorporated Taxing District	\$763,500	\$0	\$763,500	1.8043 (0.00%)	\$1,377.58	11 %
Library - Operating Budget	\$763,500	\$0	\$763,500	0.3748 (0.00%)	\$286.16	2 %
St Johns Water Management District	\$763,500	\$0	\$763,500	0.2724 (-5.58%)	\$207.98	2 %
				<b>16.5999</b>	<b>\$12,674.02</b>	

### 2017 Non-Ad Valorem Assessments

Levying Authority	Assessment Description	Units	Rate	Assessment
There are no Non-Ad Valorem Assessments				

## Property Features





## Property Description

COMMAT NW COR OF NW1/4 OF NW1/4 OF SEC 08-22-31 THE 674.10 FT S 64.03 FT FOR POB E 326 FT S 130.40 FT S 15 DEG E 231.06 FT S 29 DEG W 95.78 FT S 2 DEG W 201.03 FT S 47 DEG W 165.71 FT S 47 DEG W 124.39 FT W 111.33 FT N 833.05 FT TO POB A/K/A PHASE 3 OF MISSION BAY IN SEC 08-22-31 SEE 3172/1847

## Total Land Area

261,036 sqft (+/-) | 5.99 acres (+/-) GIS Calculated

## Land

Land Use Code	Zoning	Land Units	Unit Price	Land Value	Class Unit Price	Class Value
1000 - Vacant Commercial	P-D	5.99 ACRE(S)	\$127,462.50	\$763,500	\$0.00	\$763,500

## Buildings

## Extra Features

Description	Date Built	Units	Unit Price	XFOB Value
There are no extra features associated with this parcel				

## Sales

### Sales History

Sale Date	Sale Amount	Instrument #	Book/Page	Deed Code	Seller(s)	Buyer(s)	Vac/Imp
01/14/2000	\$100	20000031783	05928 / 0943	Quitclaim Deed	Hickman James W Tr	Hickman Andre Francois Miller Harold A Tr	Vacant
04/26/1993	\$100	19934447347	04556 / 0786	Warranty Multiple	Hickman James W	Hickman James W Tr	Vacant
05/27/1992	\$10,000	19924112639	04421 / 1453	Certificate of Title	Mission Bay II LTD	Hickman James W	Vacant
03/09/1990	\$1,090,200	19903471160	04166 / 2600	Warranty Deed			Vacant
06/01/1968	\$17,500	19680174592	01696 / 1018	Warranty Deed			Improved

**Appendix B**  
CMS Information Sheet



# Orange County, Florida

## Traffic Concurrency Management Program

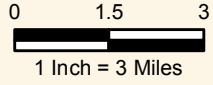
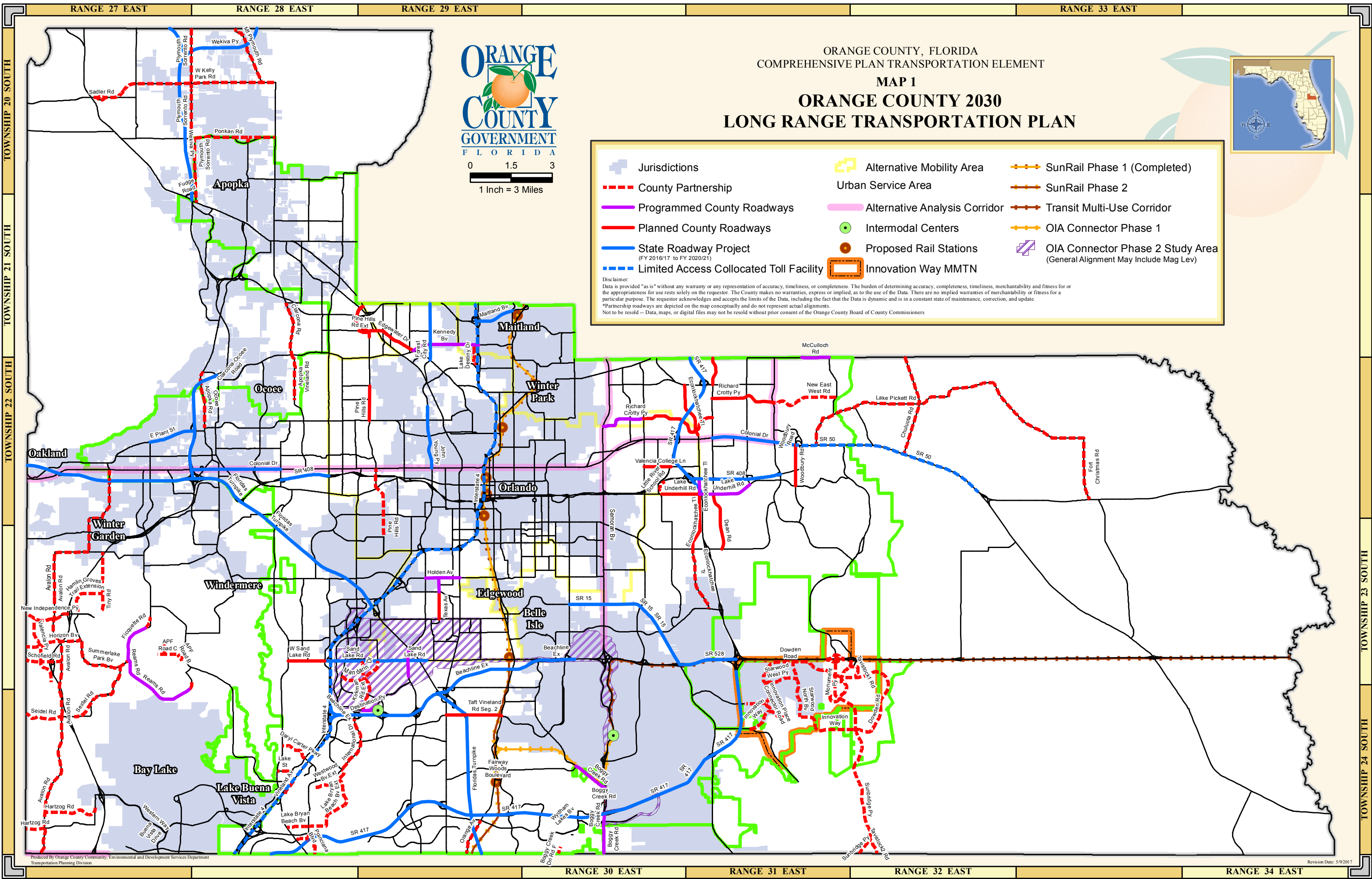
### Concurrency Link Information

**Application Number:**

<i>ID</i>	<i>From</i>	<i>To</i>	<i>Lgth</i>	<i>Maint Agency</i>	<i>Capacity Group</i>	<i>Min Ln</i>	<i>Total LOS</i>	<i>Cap</i>	<i>AADT</i>	<i>PmPk</i>	<i>PkDir</i>	<i>Comm Trips</i>	<i>Avail Cap*</i>	<i>LOS</i>
<b><i>Buck Rd</i></b>														
44	Dean Rd	Rouse Rd	1.26	Cnty	Urban - Class I	2	E	880	9,341	462	WB	1	417	C
<b><i>Central Florida Greenway</i></b>														
108.28	Colonial Dr	University Blvd	2.27	ST	Urban Freeway	6	E	6080	89,500	4,229	NB	0	1,851	C
108.3	University Blvd	Seminole County Line	1.08	ST	Urban Freeway	6	E	6080	77,000	3,638	NB	0	2,442	C
<b><i>Dean Rd</i></b>														
98	Colonial Dr	Winder Tr	1.03	Cnty	Urban - Class I	4	E	2000	25,745	1,206	SB	10	784	C
98.5	Winder Tr	University Blvd	0.91	Cnty	Urban - Class I	4	E	2000	25,408	1,266	SB	3	731	C
99	University Blvd	Seminole County Line	1.02	Cnty	Urban - Class I	2	E	880	17,246	854	SB	11	15	D
<b><i>University Blvd</i></b>														
442.5	Econlockhatchee Tr	Central Florida Greenway	0.72	Cnty	Urban - Class I	6	E	3020	52,227	2,595	EB	38	387	C
442.8	Central Florida Greenway	Dean Rd	0.32	Cnty	Urban - Class I	8	E	4040	66,113	3,264	EB	9	767	C
443	Dean Rd	Rouse Rd	1.23	Cnty	Urban - Class I	6	E	3020	69,428	3,371	WB	26	0	F

\* It should be noted that the capacities indicated on this information sheet are a snapshot at this specific date and time. Available capacities are subject to change at any time.

**Appendix C**  
Orange County CIP & LRTP



ORANGE COUNTY, FLORIDA  
COMPREHENSIVE PLAN TRANSPORTATION ELEMENT  
MAP 1  
**ORANGE COUNTY 2030**  
**LONG RANGE TRANSPORTATION PLAN**



Jurisdictions

County Partnership

Programmed County Roadways

Planned County Roadways

State Roadway Project  
(FY 2016/17 to FY 2020/21)

Limited Access Collocated Toll Facility

Alternative Mobility Area

Alternative Analysis Corridor

Intermodal Centers

Proposed Rail Stations

Innovation Way MMTN

SunRail Phase 1 (Completed)

SunRail Phase 2

Transit Multi-Use Corridor

OIA Connector Phase 1

OIA Connector Phase 2 Study Area  
(General Alignment May Include Mag Lev)

Disclaimer:  
Data is provided "as is" without any warranty or any representation of accuracy, timeliness, or completeness. The burden of determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requestor. The County makes no warranties, express or implied, as to the use of the Data. There are no implied warranties of merchantability or fitness for a particular purpose. The requestor acknowledges and accepts the limits of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction, and update.  
\*Partnership roadways are depicted on the map conceptually and do not represent actual alignments.  
Not to be resold -- Data, maps, or digital files may not be resold without prior consent of the Orange County Board of County Commissioners

**Orange County, Florida**  
**Public Works Department's 10-Year Roadway Program**  
 (by Fiscal Year)

RCA   Design   ROW   Const.  

Project Name	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
<b>Aerospace Py (Innovation Wy to Innovation Wy)</b>										
TBA Final Design										
TBA Construction										
<b>Alafaya Tr (Avalon Park Bv to Mark Twain Bv) Completed 4/2015</b>										
5062 Right-of-Way Acquisition										
5062 Construction										
<b>All American Bv (Edgewater Dr to Forest City Rd)</b>										
3097 Right-of-Way Acquisition										
3097 Construction										
<b>APF Rd A (APF Rd C to Overstreet Rd)</b>										
TBA Final Design										
TBA Construction										
<b>APF Rd B (APF Rd C to Winter Garden Vineland Rd)</b>										
TBA Final Design										
TBA Construction										
<b>APF Rd C (Tattant Bv to Village Lake Rd)</b>										
TBA Final Design										
TBA Construction										
<b>Apopka Vineland Rd (AD Mims Rd to Clarcona-Ocoee Rd)</b>										
New CIP RCA Study										
New CIP Final Design										
New CIP Right-of-Way Acquisition										
New CIP Construction (Future Phase)										
<b>Boggy Creek Rd (Orange County Line to SR 417) Invest Funds</b>										
5085 Final Design										
5085 Right-of-Way Acquisition										
5085 Construction										
<b>Boggy Creek Rd (South Access Rd to Wetherbee Rd) Invest Funds</b>										
3075 Final Design										
3075 Right-of-Way Acquisition										
3075 Construction										
<b>Boggy Creek DRI Rd F (Osceola CL to Wyndham Lakes Bv)</b>										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Chuluota Rd (SR 50 to Seminole CL)</b>										
5004 RCA Study (TBD)										
5004 Design (TBD)										
5004 Right-of-Way Acquisition (TBD)										
5004 Construction (TBD)										
<b>Clarcona Rd (Clarcona-Ocoee Rd to Keene Rd)</b>										
TBA Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Connector Rd Fenton Rd (Palm Parkway to Apopka Vineland Rd)</b>										
3095 Construction										
<b>CR 545 (Orange County Line to Fleming Crossings Bv)</b>										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>CR 545 (Fleming Crossings Bv to Schofield Rd) RCA Completed 8/2015</b>										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>CR 545 (Schofield Rd to W Sandy Garden Ln)</b>										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>CR 545 (W. Sandy Garden Ln to N of Hickory Hammock/Overlook St) PH I</b>										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>CR 545 (N of Hickory Hammock to S of FL Turnpike) PH II</b>										
TBA Right-of-Way Acquisition										
TBA Construction										



**Orange County, Florida**  
**Public Works Department's 10-Year Roadway Program**  
 (by Fiscal Year)

RCA   Design   ROW   Const.  

Project Name	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
<b>CR 545 (S of FL Turnpike to SR 50) PH III</b>										
5055 RCA Study										
5055 Final Design										
5055 Right-of-Way Acquisition										
5055 Construction										
<b>Dean Rd (University Bv to McCulloch Rd)</b>										
3071 RCA Study (Completed 10/14)										
3071 Final Design										
3071 Right-of-Way Acquisition										
3071 Construction										
<b>Dean Rd (Curry Ford Rd to Lake Underhill Rd)</b>										
TBA RCA Study										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Destination Py (Tradeshow Bv to East of Lake Cay) IB/IIA</b>										
5089 Final Design										
5089 Construction										
<b>Dowden Rd ( SR 417 Ramp to Innovation Wy)</b>										
TBA Construction										
5024 Construction										
<b>Econlockhatchee Tr (Lake Underhill Rd to Valencia College Ln) Invest Funds</b>										
5024 Design										
5024 Right-of-Way Acquisition										
5024 Construction										
<b>Econlockhatchee Tr (SR 50 to University Bv)</b>										
5073 RCA Study										
5073 Final Design										
5073 Right-of-Way Acquisition										
5073 Construction										
<b>Econlockhatchee Tr (Curry Ford Rd to Lake Underhill Rd)</b>										
2942 RCA Study										
2942 Final Design										
2942 Right-of-Way Acquisition										
2942 Construction (Future Phase)										
<b>Econlockhatchee Tr ( Lee Vista Bv to Curry Ford Rd)</b>										
TBA RCA Study										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Edgewater Dr (Clarcona-Ocoee Rd to Pine Hills Rd)</b>										
5023 Final Design (Completed 02/2015)										
5023 Right-of-Way Acquisition										
5023 Construction										
<b>Ficquette Rd (Summerlake Park Bv to Overstreet Rd) Invest Funds</b>										
RCA Study										
Final Design										
Right-of-Way Acquisition										
Construction										
<b>Ft Christmas Rd (Lake Pickett Rd to SR 50)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Hamlin Groves Tr Ext. (New Independence Py to Tiny Rd)</b>										
2892 Final Design										
2892 Right-of-Way Acquisition										
2892 Construction										

**Orange County, Florida**  
**Public Works Department's 10-Year Roadway Program**  
 (by Fiscal Year)

RCA   Design   ROW   Const.  

Project Name	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
<b>Hartzog Rd (Lake County Line to CR 545)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Hartzog Rd (CR 545 to Flamingo Crossing Bv)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Holden Av (John Young Py to Orange Blossom Tr)</b>										
3045 Final Design										
3045 Right-of-Way Acquisition										
3045 Construction										
<b>Horizon Bv (Lake CL to Summerlake Park Boulevard)</b>										
TBA Right-of-Way Acquisition										
5071 Construction										
<b>Innovation Way (Moss Park Rd to North-South Rd)</b>										
TBA Final Design										
TBA Construction										
<b>Innovation Way (North-South Rd to Innovation Wy Interchange)</b>										
TBA Final Design										
TBA Construction										
<b>Innovation Way Beachline Interchange (Dowden Rd to Innovation Wy)</b>										
TBA Final Design										
TBA Construction										
<b>International Dr (South Westwood Bv to North Westwood Bv)</b>										
5107 Construction										
<b>International Dr Ext (SR 535 to World Center Dr)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>International Dr Transit (Intermodal Center to Sand Lake Rd)</b>										
5070 Final Design										
5070 Construction										
<b>John Young Py / Sand Lake Rd Interchange</b>										
5001 Final Design										
5001 Construction										
<b>Kennedy Bv (Forest City Rd to Wymore Rd) Invest Funds</b>										
3096 Final Design										
3096 Right-of-Way Acquisition										
3096 Construction (Future Phase)										
<b>Kelly Park Rd/Sadler Rd (US 441 to Rock Springs Rd)</b>										
TBA Study										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Kirkman Rd Ext. (Destination Py to Sand Lake Rd)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Lake Bryan Beach Bv (SR 535 to Westwood Bv Ext.)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Lake Destiny Dr Ext. (Lee Rd to Kennedy Bv)</b>										
5104 Final Design										
5104 Right-of-Way Acquisition										
5104 Construction										

**Orange County, Florida**  
**Public Works Department's 10-Year Roadway Program**  
 (by Fiscal Year)

RCA   Design   ROW   Const.  

Project Name	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
<b>Lake St (Apopka Vineland Rd to East Rd)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Lake Pickett Rd (Chuluota Rd to Ft Christmas Rd)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Lake Pickett Rd (SR 50 to Chuluota Rd)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Lake Underhill Rd (E. of Econlockhatchee Tr to W. of Rouse Rd) Invest Funds</b>										
5090 Final Design										
5090 Right-of-Way Acquisition										
5090 Construction										
<b>Little River School Rd (SR 50 to Chuluota Rd)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Mandarin Dr Ext (Universal Bv to Sand Lake Rd)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>McCulloch Rd (Native Dance Ln to Chuluota Rd)</b>										
5005 RCA Study										
5005 Final Design										
5005 Right-of-Way Acquisition										
5005 Construction										
<b>Monument Py (Innovation Wy to SR 528 Beachline)</b>										
TBA Construction										
<b>Mt Plymouth Rd (Kelly Park Rd to Lake CL)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>New Independence Py Seg M (Avalon Rd to Schoolhouse Pond Rd)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>North South Rd (Orange County Line to Innovation Way)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Ocoee-Apopka Rd (Silver Star Rd to Clarcona-Ocoee Rd)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Orange Av (Osceola CL to Town Center Bv)</b>										
2929 RCA Study										
2929 Final Design										
2929 Right-of-Way Acquisition										
2929 Construction										
<b>Pine Hills Rd Ext (Beggs Rd to Orange Blossom Tr)</b>										
5072 Final Design										
5072 Right-of-Way Acquisition										
5072 Construction										

**Orange County, Florida**  
**Public Works Department's 10-Year Roadway Program**  
 (by Fiscal Year)

RCA   Design   ROW   Const.  

Project Name	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
<b>Pine Hills Rd North (Silver Star Rd to North Ln)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Pine Hills Rd Ext (Metro West Bv to Old Winter Garden Rd)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Plymouth Sorrento Rd (US 441 to Ponkan Rd)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Plymouth Sorrento Rd (Ponkan Rd to Orange County Line)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Poinciana Bv (Osceola CL to International Dr Ext. )</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Ponkan Rd (Plymoth Sorrento Rd to Rock Springs Rd)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Reams Rd (Delmar Rd to Taborfield Rd)</b>										
5068 Final Design										
5068 Right-of-Way Acquisition										
5068 Construction										
<b>Reams Rd (Summerlake Park Bv to Taborfield Rd) Invest Funds</b>										
5139 CIP RCA Study										
5139 Final Design										
5139 Right-of-Way Acquisition										
5139 Construction										
<b>Regency Village Dr (Lake St to Wildwood Av)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Richard Crotty Py (SR 436 to Goldenrod Rd) Invest Funds</b>										
2752 Final Design										
2752 Right-of-Way Acquisition										
2752 Construction										
<b>Richard Crotty Py (Goldenrod Rd to Dean Rd)</b>										
2752 Final Design										
2752 Right-of-Way Acquisition										
2752 Construction										
<b>Richard Crotty Py (Dean Rd to Alafaya Tr)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Richard Crotty Py (Alafaya Tr to N Tanner Rd)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Sand Lake Rd (AV to Turkey Lake)</b>										
2883 RCA Study										
2883 Design										
2883 Right-of-Way Acquisition										
2883 Construction										

**Orange County, Florida**  
**Public Works Department's 10-Year Roadway Program**  
 (by Fiscal Year)

RCA   Design   ROW   Const.  

Project Name	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026
<b>Schofield Rd (Lake CL to Avalon Rd)</b>										
TBA Right-of-Way Acquisition										
TBA Construction										
TBA Construction										
<b>Seidel Rd (Lake CL to Avalon Rd)</b>										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Seidel Rd (Summerlake Park Bv to Approximately 1,200 feet east of SR 429)</b>										
Construction										
<b>Summerlake Park Bv (Hamlin Groves Tr to Ficquette Rd)</b>										
TBA Construction										
<b>Taft-Vineland Rd (Orange Blossom Tr to Orange Av)</b>										
3037 Final Design										
3037 Right-of-Way Acquisition										
3037 Construction										
<b>Texas Av (Oak Ridge Rd to S. of Holden Av) Invest Funds</b>										
5027 Final Design										
5027 Right-of-Way Acquisition										
5027 Construction										
<b>Tiny Rd (School House Pond Rd to Tilden Rd)</b>										
TBA Final Design										
TBA Right-of-Way Acquisition										
TBA Construction										
5029 Construction										
<b>Valencia College Ln (Goldenrod Rd to SR 417)</b>										
5029 Final Design										
5029 Right-of-Way Acquisition										
5029 Construction										
<b>Valencia Py (Old YMCA Rd to New Independence Py)</b>										
TBA Right-of-Way Acquisition										
TBA Construction										
<b>Vineland Av (1800' N of SR 535 for 3500')</b>										
TBA Final Design										
TBA Construction										
<b>Woodbury Rd (Lake Underhill Rd to SR 50)</b>										
5059 RCA Study										
5059 Final Design										
5059 Right-of-Way Acquisition										
5059 Construction										

**Appendix D**  
Trip Generation Information Sheets



# Shopping Center (820)

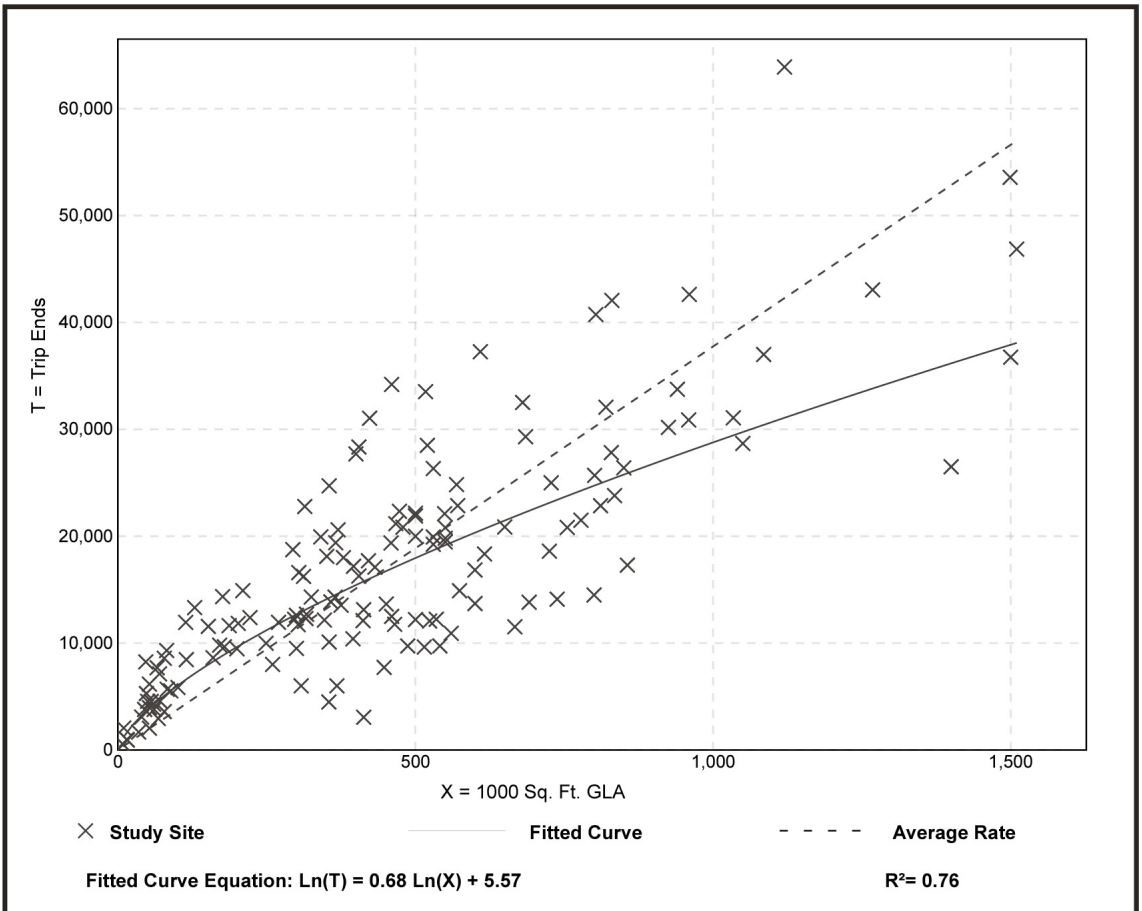
Vehicle Trip Ends vs: 1000 Sq. Ft. GLA  
On a: Weekday

Setting/Location: General Urban/Suburban  
Number of Studies: 147  
1000 Sq. Ft. GLA: 453  
Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
37.75	7.42 - 207.98	16.41

## Data Plot and Equation



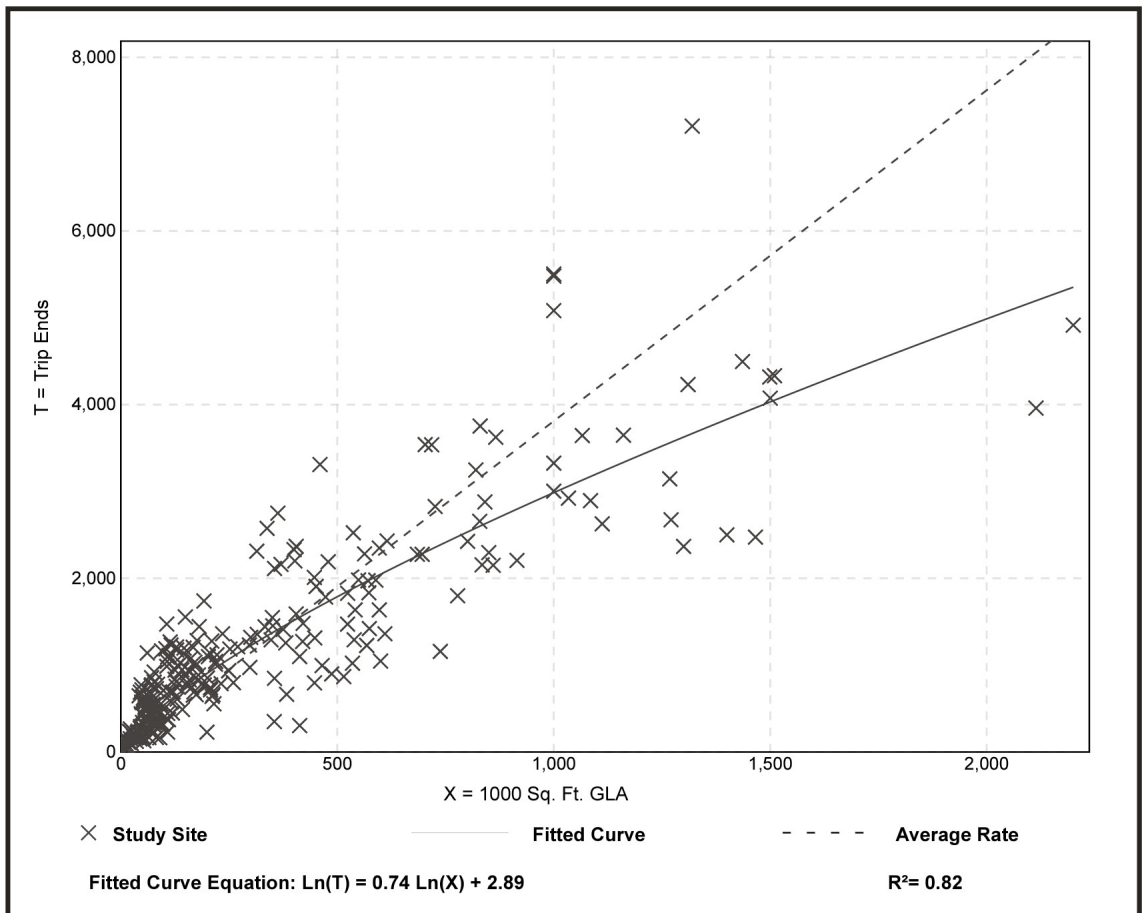
# Shopping Center (820)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA  
 On a: Weekday,  
 Peak Hour of Adjacent Street Traffic,  
 One Hour Between 4 and 6 p.m.  
 Setting/Location: General Urban/Suburban  
 Number of Studies: 261  
 1000 Sq. Ft. GLA: 327  
 Directional Distribution: 48% entering, 52% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
3.81	0.74 - 18.69	2.04

## Data Plot and Equation



## Multifamily Housing (Mid-Rise) (221)

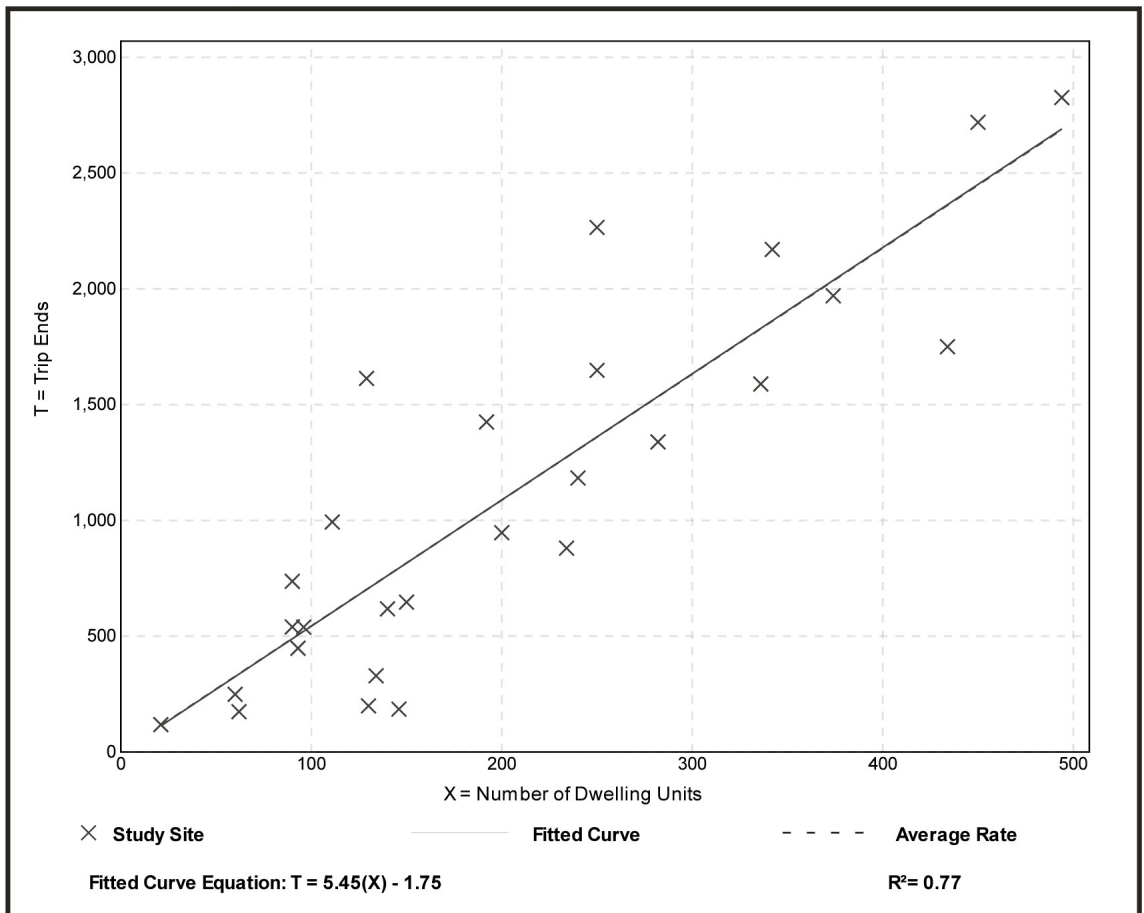
Vehicle Trip Ends vs: Dwelling Units  
On a: Weekday

Setting/Location: General Urban/Suburban  
Number of Studies: 27  
Avg. Num. of Dwelling Units: 205  
Directional Distribution: 50% entering, 50% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
5.44	1.27 - 12.50	2.03

### Data Plot and Equation



# Multifamily Housing (Mid-Rise) (221)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,  
One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 60

Avg. Num. of Dwelling Units: 208

Directional Distribution: 61% entering, 39% exiting

## Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.44	0.15 - 1.11	0.19

## Data Plot and Equation

