



Interoffice Memorandum

01-18-19PU2:21 RCVD

01-18-19PU2:12 RCVD

A handwritten signature, possibly "JP", in black ink.

DATE: January 16, 2019

TO: Katie A. Smith, Deputy Clerk of the
Board of County Commissioners,
County Comptroller's Office

THROUGH: Cheryl Gillespie, Supervisor,
Agenda Development Office

FROM: Lisette M. Egipciaco, Development Coordinator *gme*
Planning Division

CONTACT PERSON(S): **Lisette M. Egipciaco**
Development Coordinator
Planning Division 407-836-5684
lisette.egipciaco@ocfl.net

SUBJECT: Request for Board of County Commissioners
Public Hearing

Project Name: Orangewood N-1 Planned Development / N-1
Westwood Preliminary Subdivision Plan / Parcel 4
– Westwood Hotel Development Plan
Case # DP-18-01-017

Type of Hearing: Development Review Committee (DRC) Appeal

Appellant: A. Kurt Ardaman
Fishback Dominick
1947 Lee Road
Winter Park, Florida 32789

Commission District: 1

General Location: North of Westwood Boulevard / South of State
Road 528

Parcel ID #(s) 12-24-28-9655-00-024

of Posters: 0

LEGISLATIVE FILE #

19-160

February 26, 2019
@ 2pm

Use: 299 Room Hotel

Size / Acreage: 5.0

BCC Public Hearing
Required by: Orange County Code Sec. 34-29(b)

Clerk's Advertising
Requirements: No advertising required for appeals

Spanish Contact Person: Para más información referente a esta vista pública, favor de comunicarse con la División de Planificación (Planning Division) al número 407-836-8181.

Advertising Language:

This request is an appeal of the October 24, 2018 decision of the Development Review Committee (DRC), to approve the development plan for construction of a 299 room hotel.

Material(s) Provided:

- (1) Appeal Letter
- (2) Development Review Committee (DRC) approved meeting minutes dated October 24, 2018
- (3) Location Map
- (4) Site Plan Sheet

Special Instructions to Clerk (if any):

Unless stated otherwise, the public hearing should be advertised to begin at 2:00 p.m., or as soon thereafter as the matter may be heard.

Please notify Lisette Egipciaco and Sapho Vatel of the scheduled date and time. The Planning Division will notify the applicant.

Attachments (appeal letter, meeting minutes, location map, and site plan sheet)

FISHBACK DOMINICK

ATTORNEYS AT LAW

1947 LEE ROAD

WINTER PARK, FLORIDA 32789-1834

G. BEN FISHBACK (1893-1983)
JULIAN K. DOMINICK (1924-2003)

MARK F. AHLERS
* A. KURT ARDAMAN
JOHN F. BENNETT
CHRISTOPHER R. CONLEY
KURT H. GARBER
RICHARD S. GELLER
ERIC B. JONTZ
JEFFRY R. JONTZ
LANCE D. KING
* DANIEL W. LANGLEY
MICHAEL D. TEMPKINS

OF COUNSEL
CHARLES R. STEPTER, JR.

RECEIVED

NOV 08 2018

CEDS

DRC OFFICE

TEL (407) 262-8400
FAX (407) 262-8402
WWW.FISHBACKLAW.COM

FLORIDA BAR BOARD CERTIFIED IN
* CITY, COUNTY AND LOCAL GOVERNMENT

November 8, 2018

Via Electronic & U.S. Mail

Eric Raasch, Chairman
Orange County Development
Review Committee
201 South Rosalind Avenue
Orlando, FL 32801

Re: Development Review Committee ("DRC") Meeting, 10/24/18
CASE NO.: DP-18-01-017 - APPEAL OF DRC DECISION

Dear Eric:

Our firm represents Skorman Development Corp. ("Skorman") who is the owner of Lot 1 in the Westwood PD and an aggrieved party as a result of the DRC decision rendered on October 24, 2018 for the above referenced case number relating to the Westwood Hotel Development Plan on Lot 4 of the Westwood PD. Please allow this letter to serve as Skorman's Notice of Appeal to the Board of County Commissioners pursuant to section 38-1203(3)d of the Orange County Code.

If anything else is needed to perfect or process this appeal, please advise.

Sincerely,



A. Kurt Ardaman

AKA/ml

C: Marc Skorman (Via E-Mail)
Kevin Skorman (Via E-Mail)
Joel Prinsell (Via E-Mail)
Whitney Evers (Via E-Mail)
Chris Testerman (Via E-Mail)

**APPROVED MEETING MINUTES
OCTOBER 24, 2018**

- ~~j. Prior to construction plan approval, documentation must be provided certifying that this project has the legal right to tie into the master drainage system.~~

10/24/2018: THE PRECEDING CONDITION HAS BEEN REPLACED BY NEW CONDITION OF APPROVAL #10

- k. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to issuance of the initial certificate of occupancy. Nothing in this condition and nothing in the decision to approve this development plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
- l. This DP shall void the previously approved dated "April 17, 2008."
- ~~m. All three lots included in this DP shall be aggregated into one parcel through the Orange County Property Appraiser's office.~~

10/24/2018: THE PRECEDING CONDITION HAS BEEN SATISFIED AND IS NO LONGER NEEDED.

MOTION CARRIED.

**3. DP-18-01-017- DISTRICT 1
Orangewood N-1 PD / N-1 Westwood PSP / Parcel 4 - Westwood Hotel DP**

Present for discussion were James Monica and Dovi Leshes. Tammilea Chami, the Project Manager, presented the TRG Summary Report to the DRC.

This request is to construct a 299 room hotel on 4.99 acres.

Discussion ensued regarding dedication of a cross access easement for the northern end of the property to accommodate the at-grade future Convention Center connector road to the east. An agreement acceptable to the County will need to be recorded prior to issuance of Certificate of Occupancy.

MOTION by Andres Salcedo, seconded by Alberto Vargas, TO APPROVE THE PARCEL 4 - WESTWOOD HOTEL DEVELOPMENT PLAN, subject to the following conditions of approval, and to placing this item on the DRC Consent Agenda for final approval.

**APPROVED MEETING MINUTES
OCTOBER 24, 2018**

1. Development shall conform to the Orangewood N-1 Planned Development; Orange County Board of County Commissioners (BCC) approvals; N-1 - Westwood at Orangewood Preliminary Subdivision Plan; BCC approvals; Parcel 4 Westwood Hotel Development Plan dated "Received October 8, 2018" and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.
3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this development plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.

**APPROVED MEETING MINUTES
OCTOBER 24, 2018**

5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. Development plan (DP) approval by the DRC (or BCC, as applicable), shall automatically expire if construction plans are required and have not been submitted and approved within two (2) years from DP approval; if construction plans are not required, such DP shall expire two (2) years from approval unless a building permit has been obtained within such two-year period. The foregoing notwithstanding, the DRC may, upon good cause shown, grant successive one (1) year extensions to the expiration date of a DP if the developer makes written request to the DRC chair prior to the expiration date.
7. This project shall comply with the County's International Drive Activity Center Comprehensive Plan requirement for a 15-foot transit easement and a separate 20-foot landscape, pedestrian and utility easement needed for future roadway improvements. The easement areas required shall be shown on all plans and shall be conveyed concurrently at time of platting or dedicated to the County via separate instrument prior to building certificate of occupancy.
8. Prior to Certificate of Occupancy, the necessary road right-of-way or easement(s) at the corner of Westwood Boulevard and West Entrance Drive to accommodate the existing sidewalk and signal pole shall be dedicated to the county.
9. Prior to issuance of any certificate of completion, all storm drain inlets shall have metal medallion inlet markers installed. Text on the marker shall read "No Dumping, Only Rain in the Drain." Specification detail will be provided within all plan sets. Contact the National Pollutant Discharge Elimination System (NPDES) Supervisor at the Orange County Environmental Protection Division for details.
10. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
11. 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.

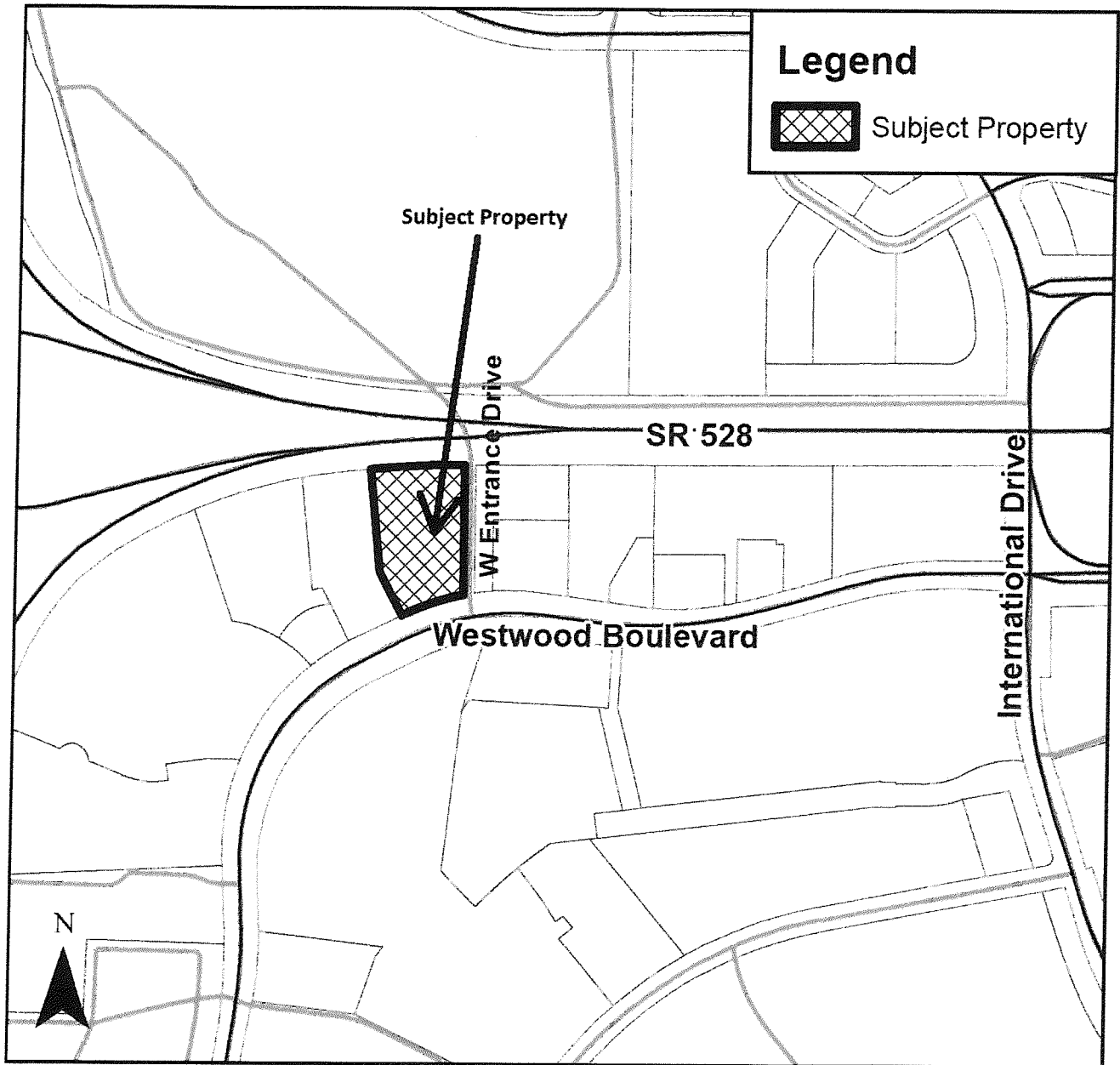
**APPROVED MEETING MINUTES
OCTOBER 24, 2018**

12. The site shall be stabilized following grubbing, clearing, earth work or mass grading to establish a dense stand of grass, or shall incorporate other approved Best Management Practices, on all disturbed areas if development does not begin within 7 days. Final stabilization shall achieve a minimum of seventy percent (70%) coverage of the disturbed land area and shall include a maintenance program to ensure minimum coverage survival and overall site stabilization until site development. Prior to clearing or grubbing, or approval of mass grading or constructions plans a letter of credit or cash escrow acceptable to the County shall be submitted to guarantee the required site stabilization and maintenance of all disturbed areas. The County Engineer shall establish the amount of the letter of credit or cash escrow.
13. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water and wastewater systems have been designed to support all development within the DP, and that construction plans are consistent with an approved and up-to-date Master Utility Plan for the PD.
14. Prior to construction plan approval, documentation with supporting calculations shall be submitted which certifies that the existing drainage system accommodates this development and that this project is consistent with the approved master drainage plan (MDP) for this PD.
15. Outside sales, storage, and display shall be prohibited.
16. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 Tourist Commercial standards of the Orange County Code.
17. Prior to construction plan approval, documentation shall be provided that this project has the legal right to tie into the master drainage system.
18. Prior to the issuance of any Certificate of Occupancy, a cross-access easement on the northern portion of the property as shown on the development plan dated "received October 8, 2018," shall be dedicated to the county.

MOTION CARRIED.

Location Map

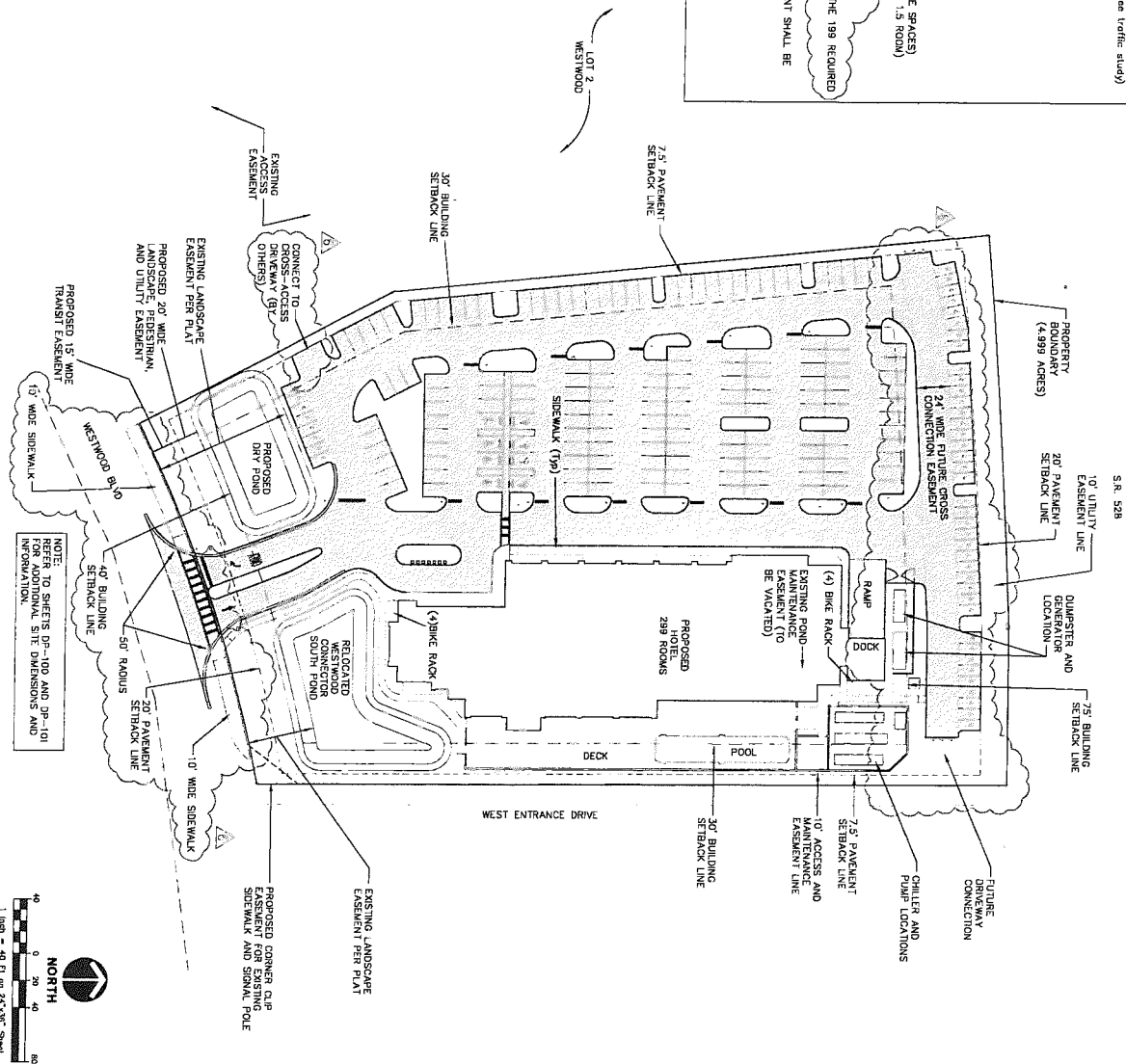
DP-18-01-017 DRC Appeal



For questions regarding this
map, please call Lisette
Egipciaco at 407.836.5684

SITE DATA TABLE	
PAGE: 4.999 ACRES	12-24-28-9855-00-024
PAGE: 299 ROOM HOTEL	1.02289 ACRES
AVERAGE DAILY TRIPS	1.02289 ACRES
MAX. BUILDING COVERAGE	0.202 ACRES
MAX. F.A.R.	2.0 (PER PSP) PROVIDED: 6.68 ACRES/4.999 = 1.34
OPEN SPACE:	MINIMUM REQUIRED: 1.2467 ACRES (25% PER SEC. 38-1234)
	TYPE A = 1.02289 ACRES
	TYPE B = 0.32289 ACRES
IMPERVIOUS AREAS:	TOTAL PROVIDED: 1.5578 ACRES (3.115%)
	MAY ALLOWED (SEC. 38-1222): 3.4933 ACRES (70%)
	PROPOSED BUILDING: 0.7820 AC (15.44%)
	PROPOSED ASPHALT: 2.2070 AC (44.14%)
	PROPOSED CONCRETE: 0.2467 AC (4.93%)
	PROPOSED POOL: 0.2467 AC (4.93%)
	PROPOSED TOTAL IMPERVIOUS: 3.4412 AC (68.85%)
MAXIMUM BUILDING HEIGHT:	200' (MAX) 160' (PROPOSED BUILDING HEIGHT)
PARKING (SEC. 38-1475)	MINIMUM REQUIRED: 198 TOTAL (INCLUDES 7 ADA ACCESSIBLE SPACES)
	299 HOTEL ROOMS 198 SPACES REQUIRED (1 SPACE PER 1.5 ROOM)
BUILDING SETBACKS:	PROVIDED: 154' 47' 209' 154' 47' 209'
	REGULAR SPACES (10'x18')
	ADA ACCESSIBLE SPACES (8'x18')
	8 BICYCLE SPACES PROVIDED ON SITE (4) IN EACH BIKE RACK
	NOTE: ANGLARY BALROOM, SWIMMING POOL, TERRACE, AND RESTAURANT SHALL BE UTILIZED ONLY FOR HOTEL GUESTS.
	WEST ENTRANCE DRIVE: 30' (BLDG) 7.5' (PAVEMENT)
	WESTWOOD BOULEVARD: 40' (BLDG) 20' (PAVEMENT)
	LOT 2 SIDE PARKING: 30' (BLDG) 7.5' (PAVEMENT)
	STATE ROAD 528: 75' (BLDG) 20' (PAVEMENT)

- NOTES:
1. PLANS MUST COMPLY WITH THE COMMERCIAL DESIGN STANDARDS SET FORTH IN ARTICLE 16 OF CHAPTER 3 OF THE ORANGE COUNTY CODE.
 2. IN ACCORDANCE WITH SECTION 38-1222, ANY VARIATIONS FROM COUNTY CODE MINIMUM STANDARDS REPRESENTED ON THE PLAN HAVE NOT BEEN EXPRESSLY APPROVED BY THE BOC ARE INVALID.
 3. BILLBOARDS AND POLE SIGNS SHALL BE PROVIDED GRADING AND COMMERCIAL STANDARDS.
 4. ELEVATIONS SHOWN HEREON BASED OFF THE NORTH AMERICAN DATUM OF 1988 (NAVD 88).
 5. ALL CONSTRUCTION DETAILS ARE CONCEPTUAL AND SUBJECT TO REVIEW AND MODIFICATION DURING THE APPROVAL OF FINAL CONSTRUCTION PLANS.



REVISIONS	
No.	DATE
1	05-18-18
2	06-01-18
3	06-01-18
4	06-01-18
5	06-01-18
6	06-01-18

Designed	SJM
Drawn	SJM
Checked	SJM
Approved	SJM

DEVELOPMENT PLAN FOR:

Westwood Hotel

WESTWOOD BLVD

ORANGE COUNTY, FLORIDA

DO NOT SCALE THIS DRAWING - DIMENSIONS AND NOTES TAKE PREFERENCE

HARRIS

HARRIS CIVIL ENGINEERS, LLC

1200 E. Tenth Street

Orlando, Florida 32839

Phone: (407) 294-4777

Fax: (407) 294-7888

www.harrisengineers.com

ES 3014

Scale of 1/4" = 1'-0"

DATE: 09/24/2018

DP-005