**Applicant/Owner:**
Erika Hughes, VHB/Boggy Creek Retail Development, LLC

**Location:** 5757 Simpson Road

Generally located north of Simpson Road, east of Ward Road, south of Lake Nona Boulevard, and west of Boggy Creek Road

**Existing Use:** Undeveloped

**Parcel ID Numbers**:
33-24-30-0000-00-015

**Tract Size:** 16.76 gross acres

| **+The following meetings and hearings have been held for this proposal:** | | |
|---|---|---|
| **Report/Public Hearing** | | **Outcome** |
| ✓ | Community Meeting | October 29, 2018 Neutral |
| ✓ | Staff Report | Recommend Transmittal |
| ✓ | LPA Transmittal January 17, 2019 | Recommend Transmittal (7-0) |
| | BCC Transmittal | February 12, 2019 |
| | State Agency Comments | March 2019 |
| | LPA Adoption | April 18, 2019 |
| | BCC Adoption | May 2019 (TBD) |

**Project Information**

**Request:** Planned Development -Commercial (PD-C) to Planned Development-Commercial/Medium Density Residential (PD-C/MDR)

**Proposed Development Program:** Up to 45,750 square feet of retail commercial uses and up to 336 multi-family residences

**Division Comments:**

**Environmental, Public Facilities and Services:** Please the see the Public Facilities Analysis Appendix for specific analysis of each public facility.

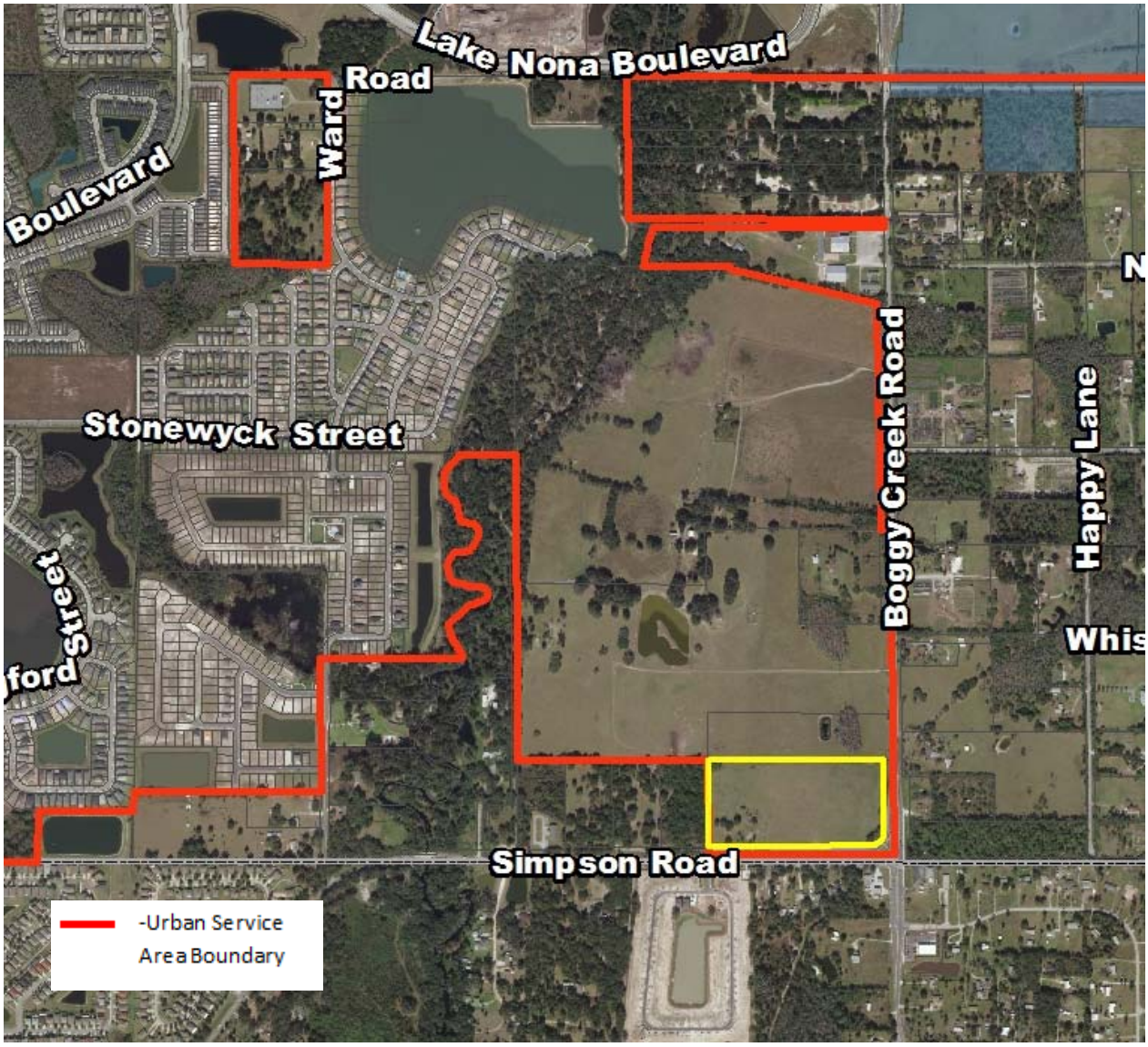
**Environmental:** CAD-14-02-007 and CAI-15-11-037 were completed to remove a 0.07-acre Class III Wetland. Gopher tortoises are located on the site.

**Transportation:** Based on staff's review, the impacts from the proposed future land use compared to the existing future land use will not cause projected deficiencies to the area roadways. There is a programmed roadway improvement to widen Boggy Creek Road to four lanes from the Osceola County Line to SR417. Construction is scheduled for June 2019.

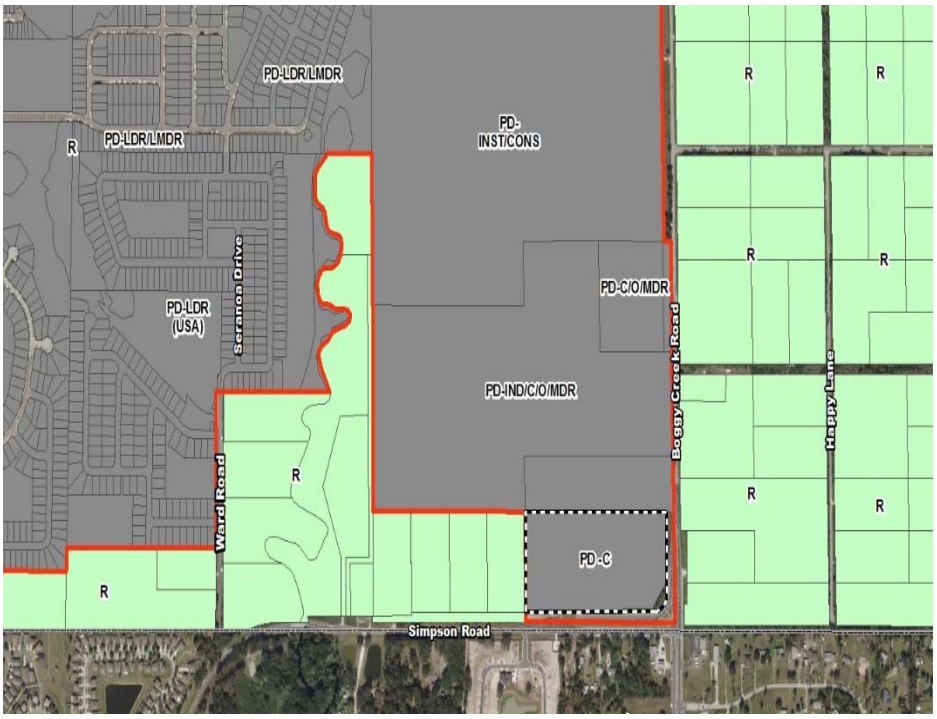
**Schools:** A Capacity Enhancement Agreement (CEA) is required. See FLU8.7.11

**Concurrent PD/LUP Substantial Change:** A proposed substantial change to the currently-approved Boggy Creek Crossings PD Land Use Plan (Case CDR-18-12-412) is proceeding through DRC review and is expected to be considered concurrently with the requested FLUM Amendment during the adoption public hearing stage.

## AERIAL


Lake Nona Boulevard
Ward Road
Boulevard
Stonewyck Street
Boggy Creek Road
Happy Lane
Simpson Road
-Urban Service Area Boundary

## FUTURE LAND USE - CURRENT

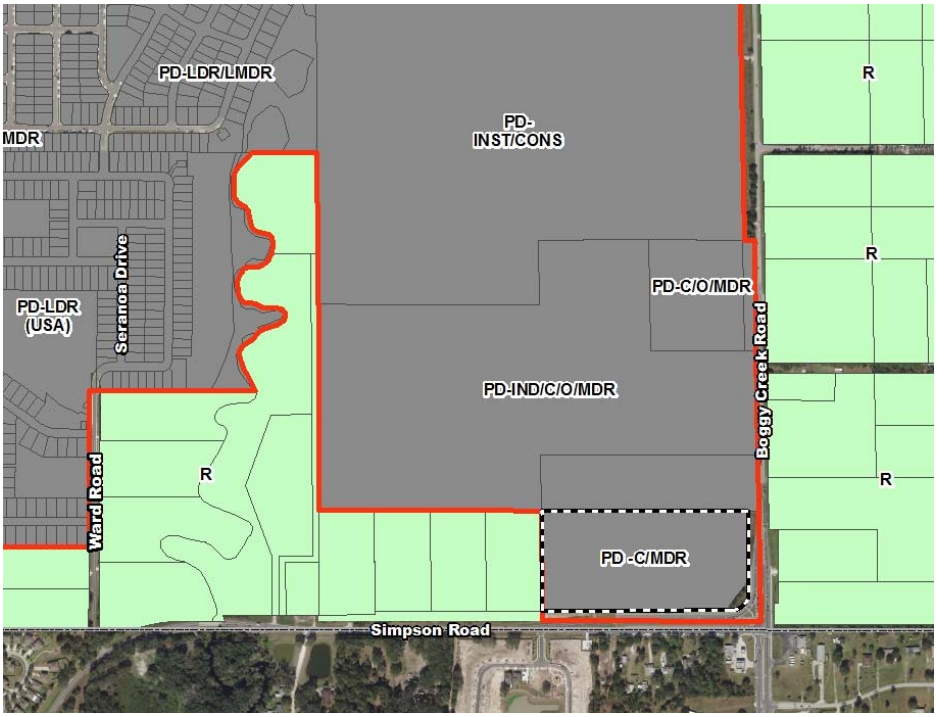



**Current Future Land Use Designation:**

Planned Devleopment – Commercial (PD-C)

-Urban Service Area Boundary

## FUTURE LAND USE - PROPOSED

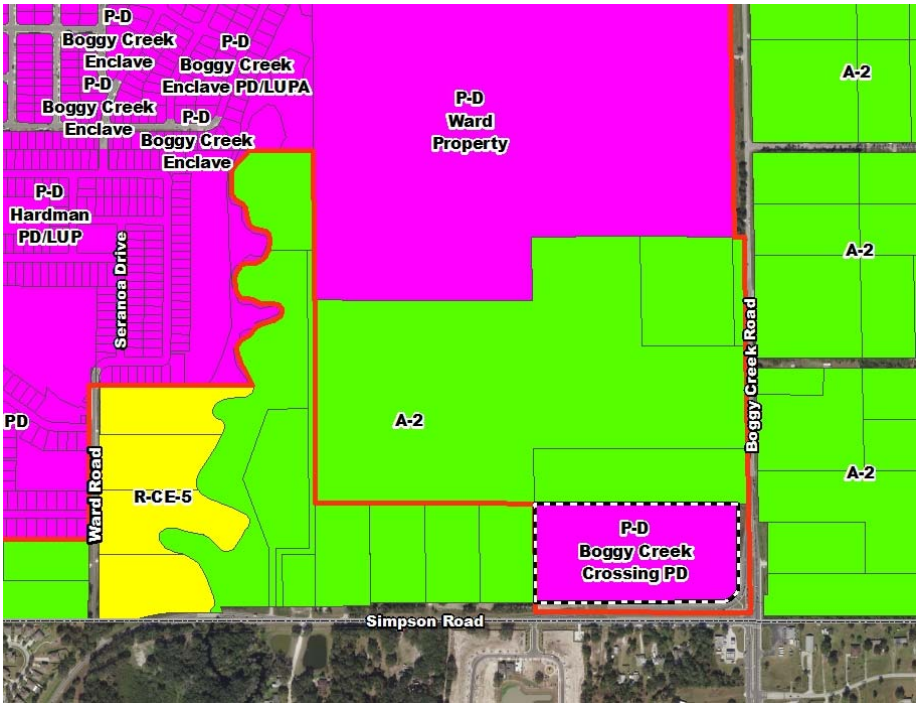



**Proposed Future Land Use Designation:**

Planned Devleopment – Commercial/Medium Density Residential (PD-C/MDR)

-Urban Service Area Boundary

## ZONING - CURRENT




**Current Zoning District:**

PD (Planned Development District – Boggy Creek Crossing PD)

**Existing Uses**

North:
Undeveloped

South:
Osceola County: Single-family subdivision; five single-family residences; gas station

East:
Two single-family residences

West:
Undeveloped

## Staff Recommendation

**Future Land Use Map Amendment 2019-1-A-4-3:** Make a finding that the information contained in the application for the proposed amendment is sufficiently complete; and recommend to the Local Planning Agency that the amendment, 2019-1-A-4-3, be **transmitted** to the reviewing agencies.

## Analysis

### 1. Background and Development Program

The applicant, Erika Hughes, representing Boggy Creek Retail Development, LLC, has submitted an application to change the Future Land Use Map (FLUM) designation of the subject property from Planned Development Commercial (PD-C) to Planned Development-Commercial/Medium Density Residential (PD-C/MDR). The petitioned site, presently undeveloped, consists of 16.76 gross acres. If adopted, the requested future land use designation would permit up to 336 multi-family dwelling units and up to 45,750 square feet of commercial uses, with the combined development program to be limited by a trip generation cap of 5,362 average daily trips, as established in the applicant's approved traffic study. The property is zoned PD (Planned Development District) and is known as the Boggy Creek Crossings PD, with an approved development program of up to 170,000 square feet of commercial uses. In conjunction with this proposed FLUM Amendment, the applicant has requested a substantial change to the current Boggy Creek Crossings PD Land Use Plan (LUP) to add residential development as a permitted use within the PD and to establish the desired mixed-use development program. This proposed substantial change, Case CDR-18-12-412, is proceeding through the Orange County Development Review Committee (DRC) review process and is expected to be considered concurrently with the requested FLUM Amendment during the adoption public hearing before the Board of County Commissioners (BCC).

On June 26, 2007, the BCC approved FLUM Amendment **2007-1-A-4-1**, which changed the future land use designation of the subject property from Rural/Agricultural (R) to Planned Development-Commercial (PD-C) with a concurrent Urban Service Area (USA) Expansion. The subject property is located west of Boggy Creek Road and north of Simpson Road, adjacent to the Osceola County line, with approximately 1,158 feet of frontage on Simpson Road and approximately 491 feet of frontage along Boggy Creek Road. Boggy Creek Road is a two-lane roadway that transitions at the northernmost point of the subject site to four lanes with a median. The northbound lane is one lane, and the southbound lanes consist of two through lanes and a right turn only lane. At the intersection, there is a left turn lane and two right turn lanes that merge at Simpson Road. Simpson Road is a two-lane road that transitions at the western point of the subject site to two westbound lanes and two eastbound lanes with a median. The eastbound lanes are left or right turn only lanes at the signalized intersection.

Although development in the area is presently rural in character, abutting properties to the north of the subject site have approved future land use designations of Planned Development-Industrial/ Commercial/Office/Medium Density Residential (PD-IND/C/O/MDR) and a maximum development program of 820,000 sq. ft. of airport and medical support uses, 250 hotel rooms, 450 multi-family dwelling units, 300 single-family dwelling units, 100,000 square feet of commercial uses, and 275,000 square feet of office space. Uses to the east of the site include single-family residences on lots that range from 4.2 to 13 acres in size with future land use designations of Rural/Agricultural (R). These uses are separated from the subject site by Boggy Creek Road. Abutting properties to the south are located in Osceola County. Development includes a single-family residential subdivision with lots that are approximately 6,500 square feet. Adjacent to this are five (5) single-family

residential lots that are approximately one acre in size. There is a Circle K located at the intersection of Boggy Creek and Simpson Roads. The property to the west has future land use designation of Rural/Agricultural (R). The 4.5-acre site is undeveloped.

The request is to amend the Future Land Use Map (FLUM) designation from Planned Development Commercial (PD-C) to Planned Development-Commercial/Medium Density Residential (PD-C/MDR). The request, if approved, would allow for the consideration of up to 336 multi-family dwelling units and up to 45,750 square feet of retail development, subject to the constraint of the trip generation cap of 5,362 average daily trips. Table 1, below, provides a comparison of the existing and proposed development of the subject site.

*Table 1 Existing and Proposed Development*

| | *Existing* | *Proposed* |
|---|---|---|
| *Service Area* | Urban Service Area (USA) | Urban Service Area (USA) |
| *Future Land Use* | Planned Development-Commercial (PD-C) | Planned Development-Commercial/Medium Density Residential (PD-C/MDR) |
| *Zoning* | Planned Development District | Planned Development District |
| *Density* | None | 20 dwelling units per net acre |
| *Intensity* | 0.23 FAR | 0.06 FAR |

**Future Land Use Element FLU8.1.2** describes the Planned Development (PD) Future Land Uses as intended to incorporate a broad mix of uses under specific design standards, provided the Planned Development land uses are consistent with the cumulative densities or intensities identified on the Future Land Use Map. The proposal would amend the existing Planned Development future land use designation to incorporate residential and commercial development on the 16.76-acre site.

The request will require an amendment to the Comprehensive Plan **Future Land Use Element Policy FLU8.1.4**. This request is under a separate staff report, 2019-1-B-FLUE-1.

The applicant is requesting to:

1) Amend the Future Land Use Map
2) Amend the Comprehensive Plan **Future Land Use Element Policy FLU8.1.4,** being reviewed as 2019-1-B-FLUE-1.

A community meeting for the proposed Future Land Use Amendment was held Wednesday, October 29, 2018. There were three (3) residents in attendance. The primary concern of those in attendance was the existing and potential increase in traffic in the immediate area, along with drainage concerns.

### *Existing Planned Development*

If the proposed amendments are adopted, the approval of PD/LUP Substantial Change Case CDR-18-12-412 will be required to incorporate the revised development program into the Boggy Creek Crossings PD Land Use Plan and establish design and development standards for the mixed-use project. Previously, the Boggy Creek Crossings LUP appeared before the Development Review Committee (DRC) on October 31, 2007, for the consideration of up to 170,000 square feet of C-1 (Retail Commercial District) uses on a total of 19.6 acres. The request was continued upon the resolution of right-of-way issues, including a roadway agreement. The request was considered by

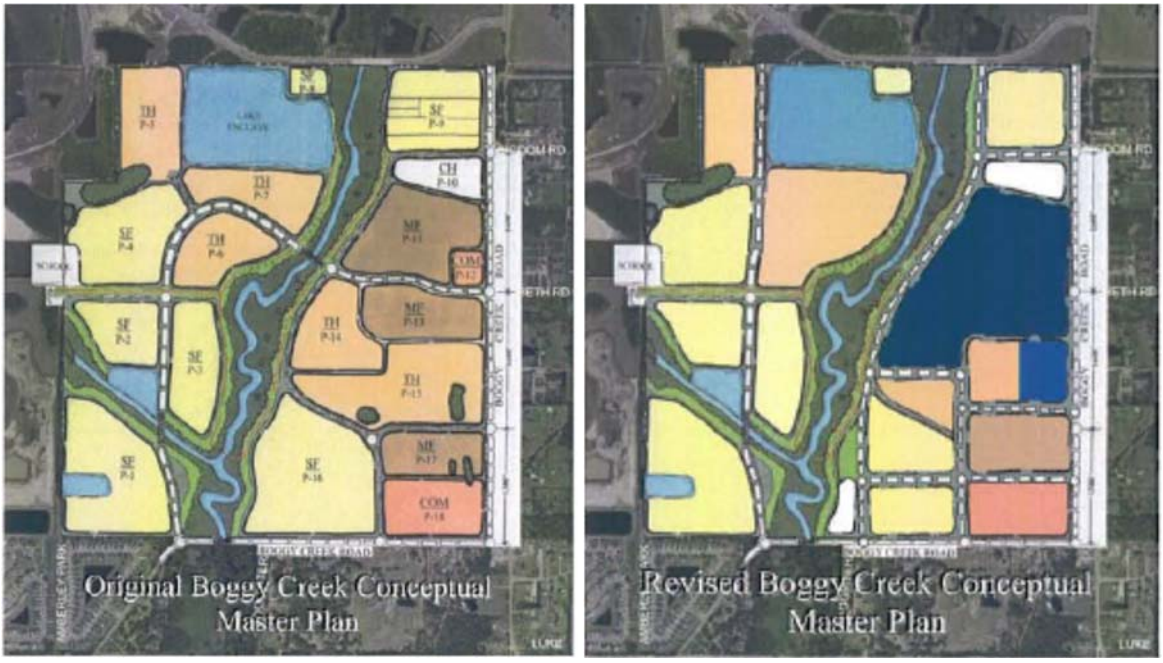
the DRC as Case LUP-13-02-036 and was continued for decision only upon resolution of a road agreement. Subsequent to the August 28, 2013, DRC meeting, a right-of-way conveyance agreement was completed. As such, the property owner dedicated 2.84 acres to Osceola County. The Board of County Commissioners (BCC) approved Case LUP-13-02-036 during their May 13, 2014, meeting, subject to 13 conditions.

### *Boggy Creek Area Amendment History*

The subject site is located within the Boggy Creek Area. To better understand the current request and the overall development pattern in the area, previous amendments are detailed below. The current request involves one (1) parcel with a total of 16.76 acres labeled on Map 1 (following page) as Parcel "B".

### *2005 Boggy Creek Enclave Study*

**Boggy Creek Conceptual Master Plan (Not Adopted)**




The Boggy Creek Enclave Study was used as the justification statement prepared for Amendment 2005-2-A-4-2. The applicant's position was that the Urban Service Area should be expanded to include all the parcels within the Boggy Creek Enclave (BCE) (a total of 1,272 acres) and a new future land use designation created specific to this area (Boggy Creek Neighborhood District), shown above. The study describes the BCE as rural land completely surrounded by existing and proposed urban development, including the Orlando International Airport. The study proposed policies and a Conceptual Master Plan (CMP). Any proposed future development would be required to seek PD (Planned Development District) zoning in conformance with the policies and CMP.

The Board of County Commissioners ***did not*** adopt the proposed future land use designation, nor did it adopt the proposed policies that would have included a provision that lands in the BCE west of Boggy Creek Road would be subject to a Conceptual Master Plan as approved by the Orange County Board of County Commissioners. Instead, the Board of County Commissioners adopted PD future land uses and expanded the Urban Service Area for only two (2) parcels within the Boggy Creek Enclave. Therefore, the Boggy Creek Enclave Study and the accompanying Conceptual Master

Plan/Boggy Creek Assemblage Master Plan are historic reference documents only and are not officially adopted documents.

*Map 1 Boggy Creek Area Future Land Use Map Amendments*

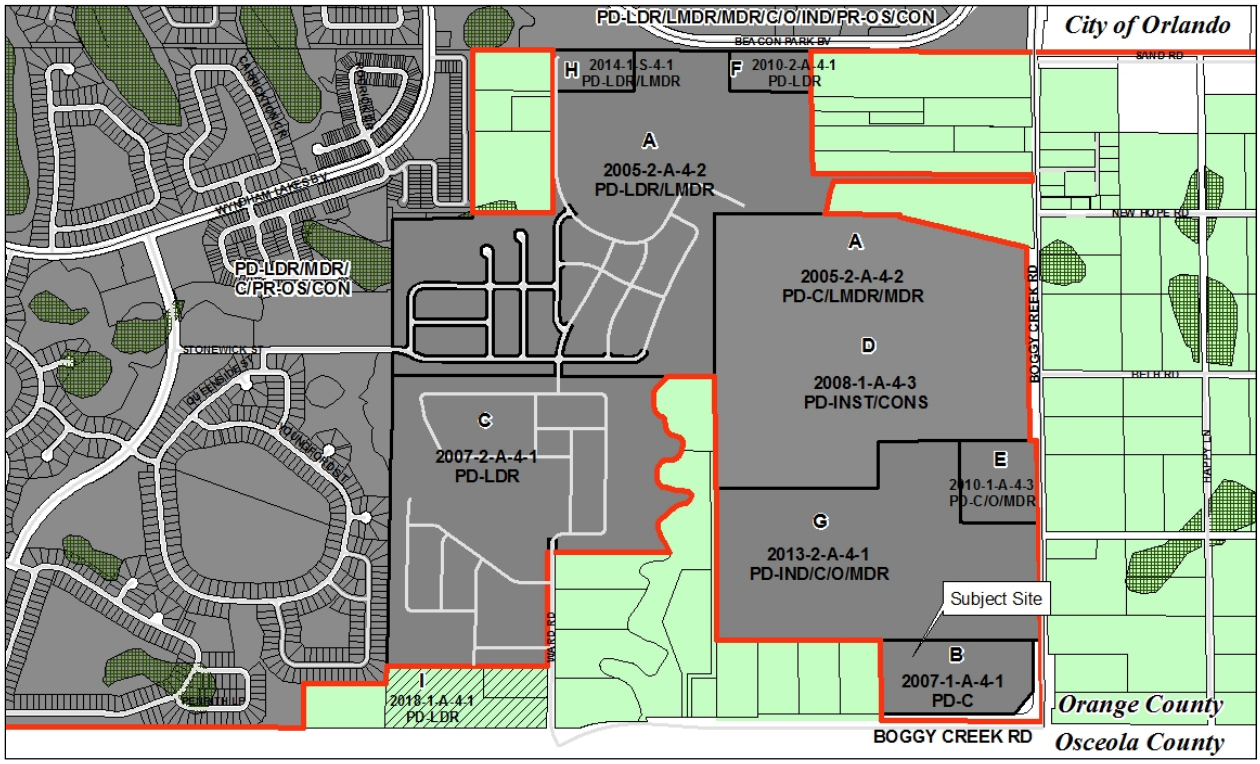



*Table 2 Previous Amendments in the Boggy Creek Area*

| Map Letter | FLUM Amendment | Parcel 33-24-30-0000-00 | From/To | Gross Acreage | PD Rezoning |
|---|---|---|---|---|---|
| A | 2005-2-A-4-2 | -021<br>-005 | R to PD-C/LMDR/MDR<br>R to PD-LDR/LMDR | 116.84<br>135.11 | Ward Property<br>Boggy Creek Enclave |
| B | 2007-1-A-4-1 | -015 | R to PD-C | 19.58 | Boggy Creek Crossings |
| C | 2007-2-A-4-1 | -010 -044<br>-034 -011<br>-009 | R to PD-LDR | 100.22 | Hardman<br>Bishop |
| D | 2008-1-A-4-3 | -021 | PD-C/LMDR/MDR to PD-INST/CONS | 116.84 | Ward Property |
| E | 2010-1-A-4-3 | -035 | LMDR to PD-C/O/MDR | 9.54 | A-2 Zoning |
| F | 2010-2-A-4-1 | -039 | R to PD-LDR | 5.0 | Ginn Property |
| G | 2013-2-A-4-1 | -036 -038 | R to PD-IND/C/O/MDR | 75.32 | A-2 Zoning |
| H | 2014-1-S-4-1 | -012 | R to PD-LDR/LMDR | 5.0 | Boggy Creek Enclave |
| I | *2018-1-A-4-1* | -023<br>-046 | R to PD-LDR | 14.8 | Bishop Landing |
| Total Acres | | | | 481.41 | |

**Summary of Previous Boggy Creek Area Amendments**

**A. Amendment 2005-2-A-4-2 (Boggy Creek Enclave):**

- Changed the Future Land Use of two (2) parcels and expanded the Urban Service Area Boundary:

| Parcels | From | To | Acreage | Uses |
|---|---|---|---|---|
| 33-24-30-0000-00-021 | R | PD-C/LMDR/MDR & USA expansion* | 116.84 | 1,051 units |
| 33-24-30-0000-00-005 | R | PD-LDR/LMDR & USA expansion | 135.11 | 470 units |

- Amendment 2005-2-A-4-2 had requested a FLUM amendment for 622 acres west of Boggy Creek Road and an Urban Service Area expansion for 1,272 acres east and west of Boggy Creek Road. These areas were ultimately not included.
- Canin Associates prepared a justification statement also called the "Boggy Creek Enclave Study" to support Amendment 2005-2-A-4-2. The justification statement included a USA Expansion Study that indicated a need for 12,167 more acres of residential Urban Service Area land.
- The "Boggy Creek Enclave Study" included a conceptual master plan (also called the Boggy Creek Assemblage Master Plan), showing primarily residential uses with neighborhood-serving commercial uses.
- Proposed that the "Western Enclave" portion of the amendment would be subject to a Conceptual Master Plan as approved by the Board of County Commissioners.
- The Board of County Commissioners approved a Planned Development rezoning in August 2007, known as the "Ward Property PD" for Parcel 33-24-30-0000-00-021 – Development Program: 184 townhouses, 865 multifamily units, and 36,000 square feet of commercial.
- Amended Parcel 33-24-30-0000-00-021 to PD-INST/CONS with Amendment 2008-1-A-4-3; see below Letter D for greater detail.

**B. Amendment 2007-1-A-4-1 (Boggy Creek Retail):**

- Changed the Future Land Use of one (1) parcel and expanded the Urban Service Area Boundary:

| Parcel | From | To | Acreage | Uses |
|---|---|---|---|---|
| 33-24-30-0000-00-015 | R | PD-C & USA expansion | 19.58 | 170,000 sq. ft. commercial |

- Staff recommended approval based on consistency with the conceptual land use plan for the Boggy Creek Enclave Area.
- Staff recommended the non-contiguous Urban Service Area expansion based on the parcel (identified as P-18 on the Boggy Creek Enclave Study conceptual map) being part of an overall plan to include the general area in the Urban Service Area boundary – this being accomplished on a parcel-by-parcel basis and eventually all parcels within the approved study area will be within the Urban Service Area.
- Adoption of Amendment 2007-1-A-4-1 created a gap in the Urban Service Area boundary.

**C. Amendment 2007-2-A-4-1**

- Changed the Future Land Use of five (5) parcels and expanded the Urban Service Area (USA) Boundary:

| Parcels | From | To | Acreage | Uses |
|---|---|---|---|---|
| 33-24-30-0000-00-010<br>33-24-30-0000-00-044<br>33-24-30-0000-00-034<br>33-24-30-0000-00-011<br>33-24-30-0000-00-009 | R | PD-LDR/USA | 100.22 | Residential- 100 acres at 4 dwelling units per acre and a maximum development program of 400 units. |

- Staff analysis indicated the proposed land use designation would allow land uses that were compatible with the existing development or trends in the area.
- Staff recommended approval based on consistency with the conceptual land use plan for the Boggy Creek Enclave Area.
- Two approved Planned Development rezonings, Hardman (LUP-13-06-159) and Bishop (LUP-13-10-264).
- *This Future Land Use Amendment abuts the subject site along the north property line.*

**D. Amendment 2008-1-A-4-3 (Boggy Creek Road aka Ward Property):**

- Changed Future Land Use of one (1) parcel:

| Parcel | From | To | Acreage | Uses |
|---|---|---|---|---|
| 33-24-30-0000-00-021 | PD-C/LMDR/MDR | PD-INST/CONS | 116.84 | 1,000,000 sq. ft. hospital and internalized or physically connected support uses; 450 multifamily dwelling units; 250 hotel rooms; 100,000 sq. ft. retail; 299,000 sq. ft. office; heliport; cell tower and related facilities |

- Staff analysis indicated the proposed land use designation would allow land uses that are compatible with the existing development or trends in the area.
- Property owner dedicated right-of-way 60 feet in width as part of Boggy Creek Road widening.

**E. Amendment 2010-1-A-4-3 (Bonnemaison):**

- Changed Future Land Use of one (1) parcel:

| Parcel | From | To | Acreage | Uses |
|---|---|---|---|---|
| 33-24-30-0000-00-035 | LMDR | PD-C/O/MDR | 9.54 | 50,000 sq. ft. commercial; 100,000 sq. ft. office; and 86 dwelling units |

- Staff recommended approval based on compatibility with trends in the area, noting the proposed mix of uses could be complimentary to the medical center allowed to the north (Ward Property, Amendment 2008-1-A-4-3).

- Staff analysis noted the potential for an activity center if the mix of uses on this site, the proposed medical center to the north, and other adjoining parcels within the Boggy Creek Enclave Study area are well designed and coordinated (through a well-connected internal roadway network).
- The applicant's justification statement notes that with the adoption of the hospital use with Amendment 2008-1-A-4-3 (Ward Property), the original "Boggy Creek Master Plan" no longer had the balance of land uses as initially intended; and, the request was more consistent with a major hospital use, to provide complimentary land uses to a hospital and meet market demand for employment centers in the area.
- The applicant included a revised "Boggy Creek Assemblage Master Plan" in the justification statement to reflect the Ward Property hospital site and the subject property, noting, "At some point, it is appropriate to undertake a re-examination of the Boggy Creek Master Plan. The rapid surrounding employment growth, the Airport entry road and future hospital are significant new trends which substantially change the base assumptions of the original Boggy Creek Master Plan."
- Zoning has not been changed from A-2 (Farmland Rural District) to PD to reflect the PD-C/O/MDR future land use designation.

***F. Amendment 2010-2-A-4-1***

- Changed Future Land Use of one (1) parcel:

| Parcel | From | To | Acreage | Uses |
|---|---|---|---|---|
| 33-24-30-0000-00-039 | R | PD-LDR | 5 | Stormwater management pond |

- Proposed stormwater management pond for the residential planned development to the north of the subject site.
- A Land Use Plan Amendment (LUPA-13-05-112) was approved, rezoning the property to Planned Development (PD) and incorporating it into the existing Ginn Property Planned Development.

***G. Amendment 2013-2-A-4-1***

- Changed Future Land Use of two (2) parcels:

| Parcels | From | To | Acreage | Uses |
|---|---|---|---|---|
| 33-24-30-0000-00-036<br>33-24-30-0000-00-038 | R | PD-IND/C/O/MDR | 75.32 | 820,000 sq. ft. of airport and medical support uses; 250 hotel rooms; 450 multi-family dwelling units; 300 single-family dwelling units; 100,000 sq. ft. of commercial; and 275,000 sq. ft. of office |

- Staff recommended approval based on compatibility with trends in the area, noting the proposed mix of uses could be complimentary to the medical center allowed to the north and that the amendment allows for the transition of a rural enclave to urban land uses consistent with previous amendments in the surrounding area.

- Staff recommended a phased development program limited by the number of trips available on Boggy Creek Road after the facility is widened to four lanes.
- Staff recommended that Phase Two of the development program be linked to the **completion of a small area study**. This study would update the Boggy Creek Enclave Study and focus on land use and transportation issues.
    - The small area study would update the Boggy Creek Enclave Study and focus on land use and transportation issues.

***H. Amendment 2014-1-S-4-1***

- Changed Future Land Use of one (1) parcel:

| Parcel | From | To | Acreage | Uses |
|---|---|---|---|---|
| 33-24-30-0000-00-012 | R | PD-LDR/LMDR | 5 | Adding property to the Boggy Creek Enclave PD for stormwater and single-family residential use. PD was originally approved for 470 residential units, later amended to 400 units. |

- The justification for the proposed amendment was to add the 5-acre parcel to the existing, adjacent Boggy Creek Enclave Planned Development and incorporate it into the site.
- The subject site was part of a rural enclave created by previous Urban Service Area Boundary expansions.
- The Preliminary Subdivision Plan is approved for 296 units. This proposal does not exceed the number of units approved through the PD zoning.

***I. Amendment 2018-1-A-4-1***

- Proposed Amendment to the Future Land Use of two (2) parcels:

| Parcel | From | To | Acreage | Uses |
|---|---|---|---|---|
| 33-24-30-0000-00-023<br>33-24-30-0000-00-046 | R | PD-LDR | 14.8 | Residential – 53 single-family dwelling units – Bishop Landing, Phase III – part of the Bishop PD |

- The justification for the proposed amendment was to add the 14.8-acre parcel to the adjacent Bishop PD and incorporate it into the 46.47-acre site.
- The subject site was part of a rural enclave created by previous Urban Service Area Boundary expansions.
- Amendment 2018-1-A-4-1 was adopted by the BCC December 18, 2018. On January 15, 2019, the BCC approved associated Rezoning Case LUPA-18-01-025, expanding the Bishop PD to encompass 61.27 gross acres and adding 53 single-family detached dwelling units to the existing development program, thus increasing the PD's entitlements to 167 dwelling units.

## 2. Future Land Use Map Amendment Analysis

### *Pertinent Policies*

The following Comprehensive Plan Goals, Objectives, and Policies appear to be most pertinent to the review of this amendment and are specifically discussed in the paragraphs below.

**Future Land Use Element Goal FLU1, OBJ FLU1.1, and Policies FLU1.1.1, FLU1.1.2(A), FLU1.1.2(B), FLU1.1.4(A), and FLU1.1.4(B)** describe Orange County's urban planning framework, including the requirement that urban land uses shall be concentrated within the Urban Service Area. The Medium Density Residential (MDR) future land use designation is intended for urban-style multi-family residential densities within the Urban Service Area with a density of up to twenty (20) dwelling units per net acre. The Commercial future land use designation includes neighborhood- and community-scale commercial and office development that serves neighborhood or community needs. An urban mixed-use development program may be achieved through the adoption of the Planned Development (PD) future land use designation, which ensures adjacent land use compatibility and physical integration and design. This proposal would be in keeping with the intent of the Planned Development designation by adding a multi-family residential component on the petitioned site, consistent with the diverse land uses previously approved for neighboring properties.

**Future Land Use Objective FLU1.4 and Polices FLU1.4.1 and FLU1.4.2** contain location and development criteria that must be used to guide the distribution, extent, and location of urban land uses, and encourage the compatibility with existing neighborhoods. Policy FLU1.4.1 states that Orange County shall promote a range of living environments and employment opportunities to achieve a stable and diversified population and community, and FLU1.4.2 ensures that land use changes are compatible with and serve existing neighborhoods. The proposed Future Land Use Map Amendment, which would incorporate residential development into the existing commercial land use designation, would meet intent of the aforementioned policies by promoting a range of living environment and employment opportunities. The immediate surrounding development is diverse in that it consists of Planned Developments to the north and west and residential development that is rural in nature to the east.

**Future Land Use Element Policy FLU1.4.4** mandates that primary access to single-family residential development through a multi-family development shall be avoided. The proposed incorporation of commercial and multi-family on the subject site meets the requirement of this policy.

**Future Land Use Element Policy FLU8.2.1** states that land use changes shall be required to be compatible with the existing development and development trends in the area. The development trend in this area anticipates a change from rural uses to urban uses, as reflected and allowed for by previous Comprehensive Plan Amendments beginning with the 2005 Boggy Creek Enclave Study.

In a larger context, the property is near the south access to Orlando International Airport and is located approximately two miles from Lake Nona/Medical City. Lake Nona/Medical City has created a significant employment center for this area of the County and is now home to Nemours Children's Hospital, Veterans Administration Hospital, UCF Medical School, Sanford Burnham Prebys Medical Discovery Institute, and other health-related businesses.

**Future Land Use Element Policy FLU8.2.10** ensures land use compatibility with residential-zoned areas and protection of the residential character of those areas through performance standards. These standards may be incorporated as conditions of approval as part of the Planned Development Substantial Change request.

Finally, **Future Land Use Element Policy FLU8.2.11** states that 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. The proposed Future Land Use Map Amendment request, if approved, would reduce the approved commercial entitlements on the petitioned site from 170,000 square feet to 45,750 square feet and incorporate 336 multi-family dwelling units. The subject site is located in an area that is slowly transitioning from rural to urban. The request would provide additional housing and commercial opportunities in an area that is primarily single-family residential today, but which—as detailed previously—is approved for the future development of a wide variety of residential, commercial, office, industrial, and institutional uses.

**Future Land Use Element Policy FLU8.1.4** lists the development program for Planned Development (PD) Future Land Use Map designations adopted since January 1, 2007. The development program for this requested amendment is proposed for incorporation into **Policy FLU8.1.4** via a staff-initiated text amendment (Amendment 2019-1-B-FLUE-1). The maximum development program for Amendment 2019-1-A-4-3, if adopted, would be set at 45,750 square feet of retail commercial uses and up to 336 multi-family dwelling units, with the combined development program to be limited by a trip generation cap of 5,362 average daily trips, as established in the applicant's approved traffic study.

| Amendment Number | Adopted FLUM Designation | Maximum Density/ Intensity | Ordinance Number |
|---|---|---|---|
| 2019-1-A-4-3<br><br>Boggy Creek Crossings | PD-Commercial/Medium Density Residential (PD-C/MDR) | Up to 45,750 square feet of retail commercial uses and up to 336 multi-family dwelling units<br><br>The combined development program is limited by a maximum of 5,362 ADT (Average Daily Trips), as established in the approved traffic study. | 2019- |

***Compatibility***

The subject site is part of what is currently a rural enclave surrounded by urbanizing development to the north and south. As detailed above, previous Future Land Use Map Amendments and Planned Developments have been approved for properties surrounding the site. Of special note is the approved Planned Development immediately north of the subject site, with an adopted development program of 820,000 square feet of airport and medical support uses, 250 hotel rooms, 450 multi-family dwelling units, 300 single-family dwelling units, 100,000 square feet of commercial space, and 275,000 square feet of office activity.

The development trend in the area is to allow for a transition from rural to urban land uses, and this proposal is consistent with this trend. The requested amendment would allow land uses that are

compatible with the diverse mix of residential, commercial, office, industrial, and institutional land uses approved for neighboring properties. The proposal to amend the existing Planned Development future land use designation to allow Medium Density Residential (MDR) in addition to the existing Commercial (C) future land use provides for a compatible mix of uses on the subject site. The proposal is consistent with existing and planned development along Ward Road, Narcoossee Road, and within the Lake Nona community. Staff notes, though, that the existing rural development to the east and west of the subject site consists of single-family residential development on larger parcels ranging from one to thirteen (1-13) acres in size. Although conditions may not be placed on the FLUM Amendment, compatibility with these abutting properties will be addressed via the PD/LUP Substantial Change and Development Plan review processes through the imposition of performance standards including, but not limited to, building height limitations, architectural design, lighting restrictions, landscaping and buffering requirements, and parking design.

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

**Environmental**: Orange County Conservation Area Determination CAD-14-02-007 and Impact Permit CAI-15-11-037 were completed to remove a small Class III wetland on site (0.07 acres). This request shall comply with all related permit conditions of approval. Contact the Environmental Protection Division (EPD) to request a time extension prior to the permit expiration date.

Gopher tortoises have been located on this site. 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 for determining the presence of listed species and obtaining 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.

**Fire Rescue:** The distance of the petitioned site from the nearest fire station is 5.8 miles. The emergency response time is 11 minutes. Orange County Fire Rescue Department has indicated that the proposed location for this development project currently exists in an area that is beyond five (5) miles from the closest fire station. The insurance industry gauges fire loss risk based, in-part, on this criterion for calculating Insurance Premiums related to fire-loss risk. Potential buyers/renters in this development have the potential for higher than expected insurance premium rates associated with this higher potential risk.

The site in question is currently categorized as Rural-High population density, which has a travel time standard of 9 minutes for the arrival of the first responding unit. As you noted, this is already below the 11 minute estimation. As the surrounding area continues to develop, we will likely reclassify the area to Urban-Low or Urban-High, which have first unit arrival standards of 7 and 5 minutes, respectively. Fire Rescue already owns a parcel in that area for building a new fire station. However, that station is a long term development, and not currently part of a capital improvement plan.

**Schools:** There is not sufficient capacity at Wyndham Lakes Elementary and Cypress Creek High School for this project. A Capacity Enhancement Agreement (CEA) is required. (See Future Land Use Element Policy FLU8.7.11.)

**Transportation:**

**Future Roadway Network.**

Road Agreements: None

**Planned and Programmed Roadway Improvements:** Boggy Creek Road – There is a programmed roadway improvement to widen Boggy Creek Road to 4 lanes from the Osceola County Line to SR417. Construction is scheduled for June 2019.

**Right of Way Requirements:** None

**Summary:** 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 539 pm peak hour trips. The proposed use will generate 312 pm peak hour trips resulting in a net decrease of 227 pm peak hour trips.

The subject property is located adjacent to Boggy Creek Road, 4 lane minor arterial from the Osceola County Line to the Central Florida Greeneway. Based on the County's concurrency management system database dated 01-09-19, the segment is operating near capacity with less than 50 trips available to be encumbered. This information is dated and subject to change.

A traffic study was provided in support of the proposed land use amendment however, the trip generation calculations were incorrect and a revised study is requested. Based on staff's review, the trip generation calculations for this proposed future land use change will result in an overall trip reduction of the maximum trip generation potential when compared to the maximum allowable intensity of the existing future land use and therefore the impacts to the area roadways will not cause projected deficiencies.

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

**GOAL FLU1** URBAN FRAMEWORK. Orange County shall implement an urban planning framework that provides for long-term, cost-effective provision of public services and facilities and the desired future development pattern for Orange County

**OBJ 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.

**Policy 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.

**Policy FLU1.1.2(A)** The Future Land Use Map shall reflect the most appropriate maximum and minimum densities for residential development. Residential development in Activity Centers and Mixed Use Corridors, the Horizon West Village and Innovation Way Overlay (Scenario 5)

and Growth Centers may include specific provisions for maximum and minimum densities. The densities in the International Drive Activity Center shall be those indicated in the adopted Strategic Development Plan.

**Policy FLU1.1.2(B)**The following are the maximum residential densities permitted within the Urban Service Area for all new single use residential development or redevelopment. Future Land Use densities for the following categories shall be:

| FLUM Designation | General Description | Density |
|---|---|---|
| **Urban Residential – Urban Service Area** | | |
| Medium Density Residential (MDR) | Recognizes urban-style multifamily residential densities within the USA. | 0 to 20 du/ac |

**Policy 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.) Also, Institutional and Educational designations may be located within the Rural Service Area on a limited basis as may be expressly allowed by other goals, objectives and/or policies in this Comprehensive Plan. (Amended 11/17, Ord. 2017-19)

| FLUM Designation | General Description | Density/Intensity |
|---|---|---|
| **Urban Non-Residential – Predominantly urban in use** | | |
| Commercial (C) | Commercial uses include neighborhood and commercial scale commercial and office development that serves neighborhood or community or village needs. Examples include neighborhood center, community center and village commercial. | 1.50 FAR (0.15 FAR for Rural Settlements per FLU6.2.9) unless otherwise restricted or increased for specific locations pursuant to adopted County Comprehensive Plan policy or land development code |

**Policy FLU1.1.4.B -** In addition to FLU1.1.2(B), permitted densities and/or intensities for residential and non-residential development can be established through additional Future Land Use designations. Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(C). The Future Land Use and Zoning Correlation is found in FLU8.1.1.

**B. URBAN MIXED USE OPTIONS** – The following Future Land Use designations allow for a mix of uses. Per a settlement agreement with the State Department of Community Affairs, Orange County's Planned Development Future Land Use designation now requires an adopted text amendment to specify the maximum intensity and density of a project. See Policy FLU8.1.4. Mixed-Use Corridors are a staff initiated option intended to complement the County's Alternative Mobility Areas and Activity Center policies.

| FLUM Designation | General Description | Density/ Intensity |
|---|---|---|
| **Urban Mixed Use– Urban Service Area** | | |
| Planned Development (PD) | The PD designation ensures that adjacent land use compatibility and physical integration and design. Development program established at Future Land Use approval may be single or multiple use. See FLU8.1.4. Innovation Way is another large planning area similar in some respects to the planning process for Horizon West. Developments within the Innovation Way Overlay (Scenario 5) are processed as Planned Developments. Innovation Way is being implemented through the policies found in Chapter 4. | Must establish development program at Future Land Use amendment stage per FLU8.1.4. |

**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

**Policy 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.

**Policy FLU1.4.2** Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.

**Policy 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.

**Policy FLU8.1.2** Planned Developments (PDs) intended to incorporate a broad mixture of uses under specific design standards shall be allowed, provided that the PD land uses are consistent with the cumulative densities or intensities identified on the Future Land Use Map.

**Policy FLU8.1.4** The following table details the maximum densities and intensities for the Planned Development (PD) Future Land Use designations that have been adopted subsequent to January 1, 2007.

**Policy 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 places on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

**Policy 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

**Policy FLU8.2.11** Compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

## Site Visit Photos

### Subject Site

**North**

**East**

**South (Osceola County)**

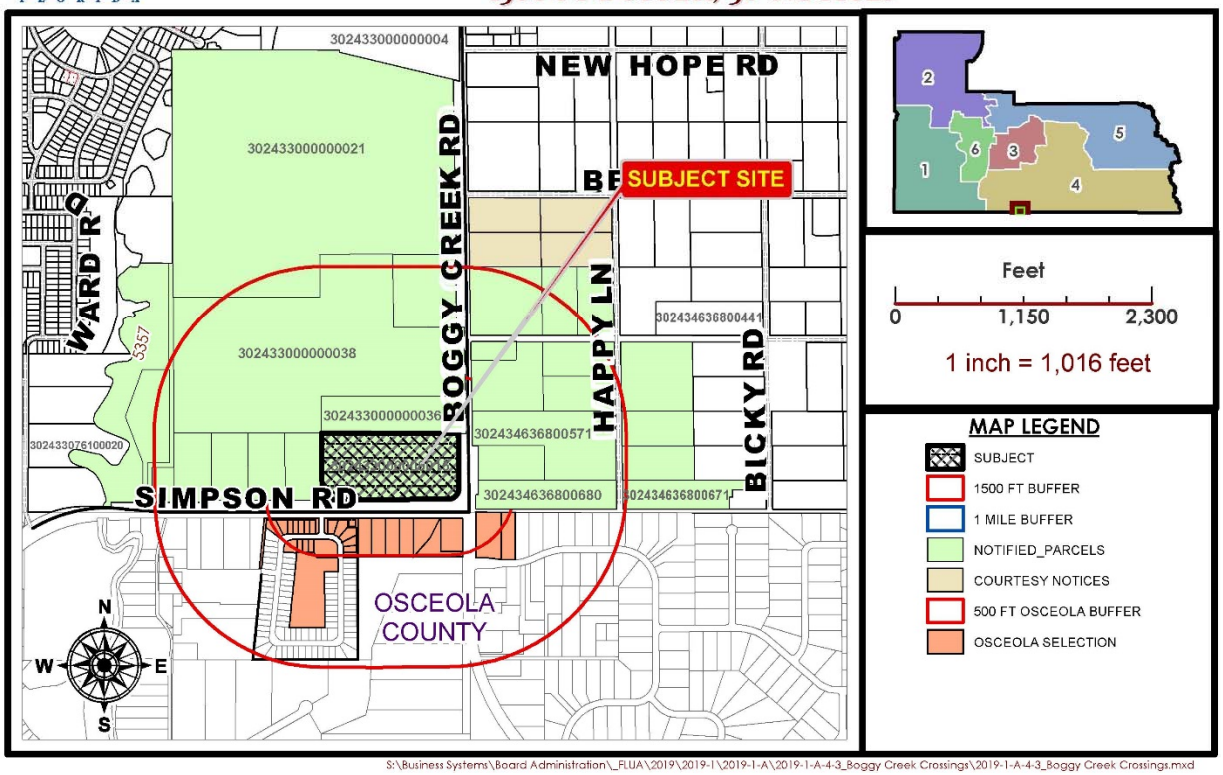
**South (Osceola County)**

**South (Osceola County)**

**West**

# Public Notification Map

**2019-1-A-4-3_Boggy Creek Crossings**
**1500 FT BUFFER, 58 NOTICES**

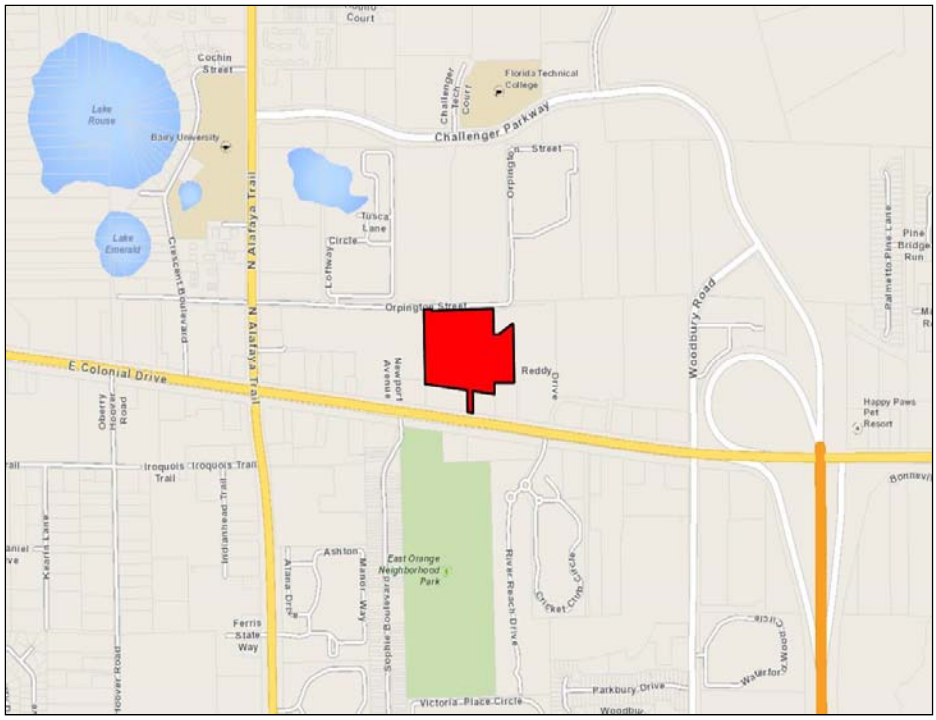



S:\Business Systems\Board Administration_FLUA\2019\2019-1\2019-1-A\2019-1-A-4-3_Boggy Creek Crossings\2019-1-A-4-3_Boggy Creek Crossings.mxd

**Notification Area:**

1,500' buffer

58 notices sent




**Applicant/Owner:**
Thomas R. Sullivan, Gray Robinson, P.A. / Marolyn Cowart Russell, Trustee and Park Square UCF, LLC

**Location:** 12151 E Colonial Drive; generally located north of E Colonial Drive, east of N Alafaya Trail, south of Orpington Street, and west of Woodbury Road.

**Existing Use:** Retail commercial and undeveloped land

**Parcel ID Numbers**: 22-22-31-9461-00-010/011 and 22-22-31-0000-00-091 (portion of)

**Tract Size:** 12.28 gross/net developable acres

**+The following meetings and hearings have been held for this proposal:**

| | Report/Public Hearing | Outcome |
|---|---|---|
| ✓ | Community Meeting | November 14, 2018<br>No attendance |
| ✓ | Staff Report | Recommend Transmittal |
| ✓ | LPA Transmittal January 17, 2019 | Recommend Transmittal (7-0) |
| | BCC Transmittal | February, 2019 |
| | State Agency Comments | Early March 2019 |
| | LPA Adoption | April 18, 2019 |
| | BCC Adoption | June. 2019 |

**Project Information**

**Request:** Commercial (C) to Planned Development-Commercial/Medium Density Residential (Student Housing) (PD-C/MDR) (Student Housing)

**Proposed Development Program:** Up to 162 student housing units (up to 650 bedrooms) or up to 802,375 square feet of commercial development

**Division Comments:**

**Environmental, Public Facilities and Services:** Please the see the Public Facilities Analysis Appendix for specific analysis of each public facility.

**Environmental:** The subject site is located within the limits of the Econlockhatchee River Protection Ordinance. Basin-wide regulations apply.

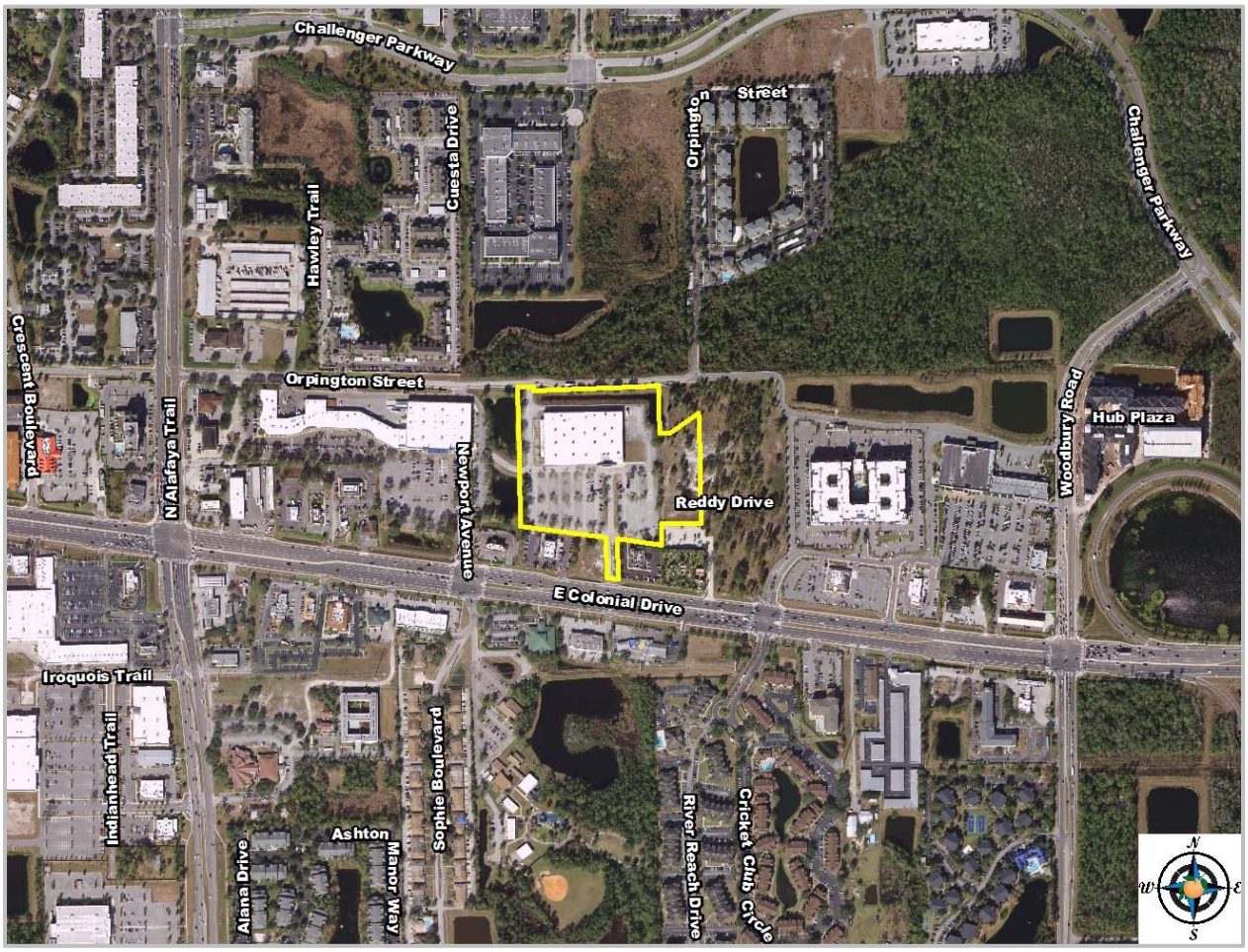
**Transportation:** The submittal of a revised traffic study is required.

**Schools:** As this application entails the proposed development of student housing, the applicant shall not be required to enter into a Capacity Enhancement Agreement (CEA) with Orange County Public Schools (OCPS).

**Concurrent Rezoning: Yes**

Rezoning Case LUP-19-01-001 is proceeding through the Orange County Development Review Committee (DRC) review process. The applicant is requesting a rezoning of the 12.28-acre subject parcel from C-1 (Retail Commercial District) and C-2 (General Commercial District) to PD (Planned Development District) (Burlington PD/LUP).

## AERIAL


Challenger Parkway
Orpington Street
Hawley Trail
Cussetta Drive
Crescent Boulevard
N Alafaya Trail
Newport Avenue
Reddy Drive
Woodbury Road
Hub Plaza
E Colonial Drive
Iroquois Trail
Indianhead Trail
Ashton
Manor Way
Alana Drive
Sophie Boulevard
River Reach Drive
Cricket Club Circle
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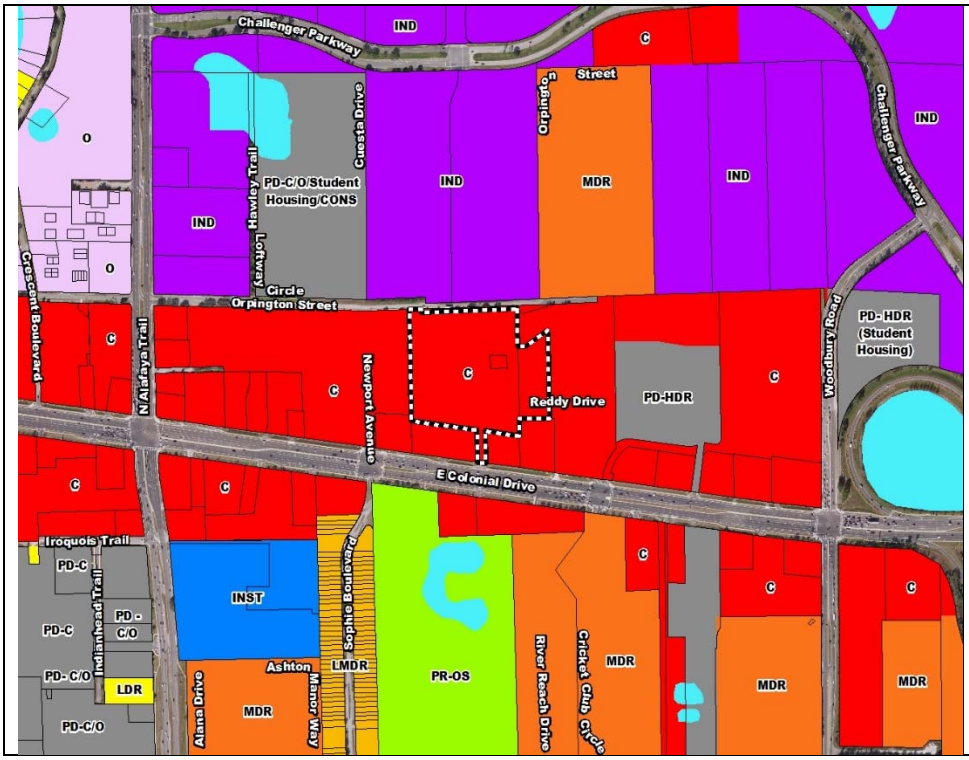
## FUTURE LAND USE - CURRENT




**Current Future Land Use Designation:**

Commercial (C)

**Special Area Information:**

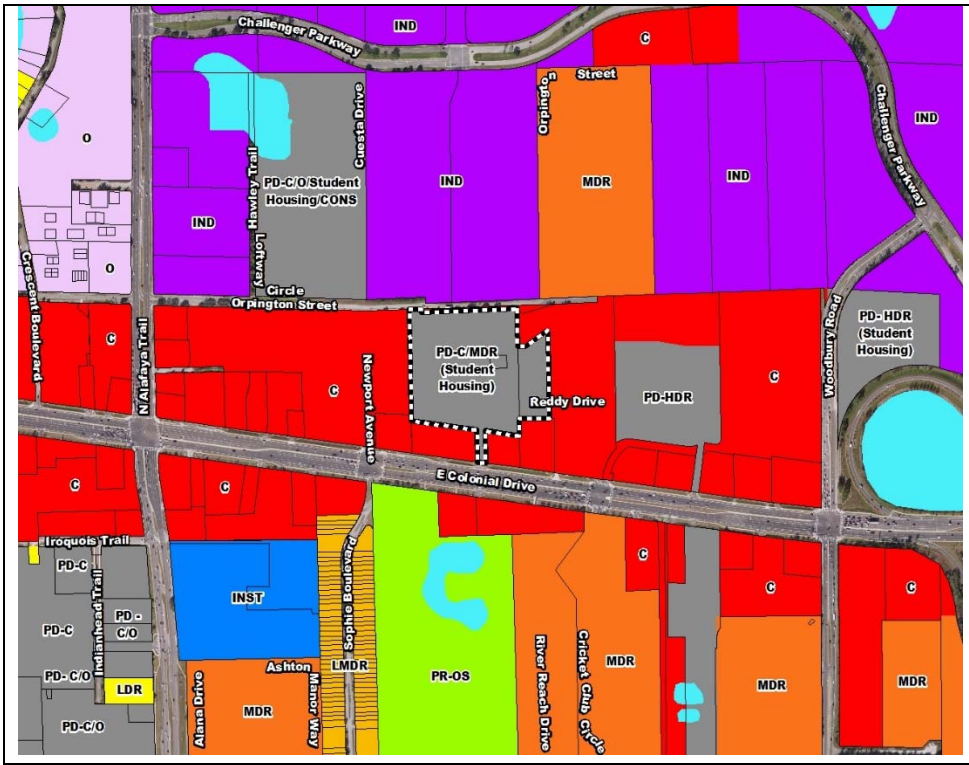
Overlay District: Econlockhatchee River Protection Area

JPA: N/A

Rural Settlement: N/A

Airport Noise Zone: N/A

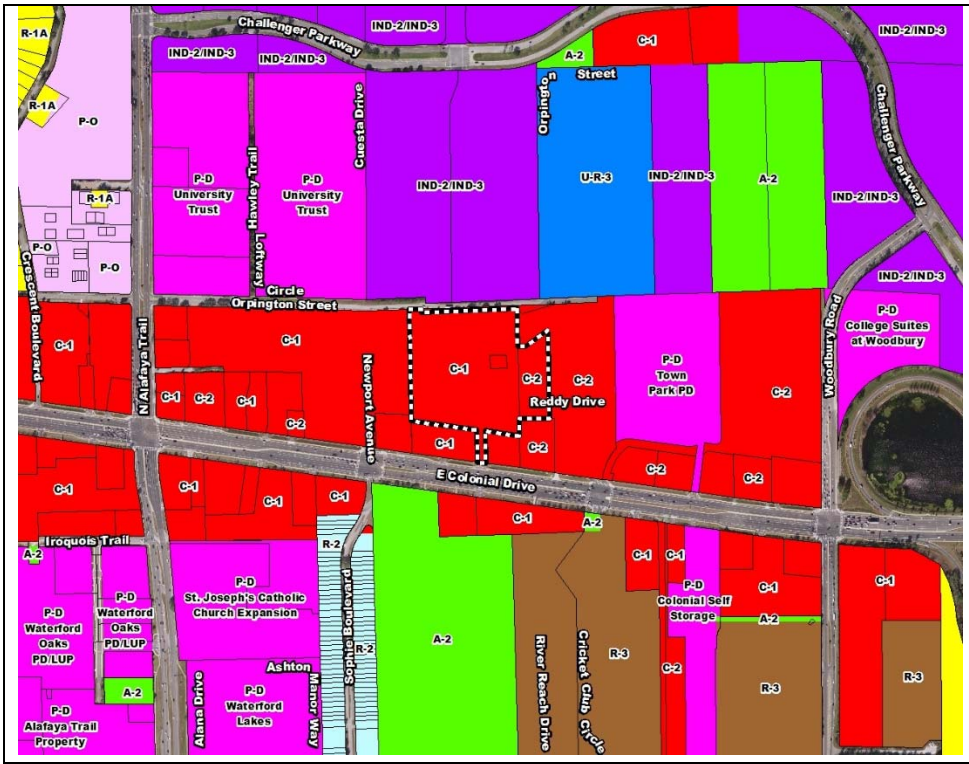
## FUTURE LAND USE - PROPOSED




**Proposed Future Land Use Designation:**

Planned Development-Commercial/Medium Density Residential (Student Housing) (PD-C/MDR) (Student Housing)

## ZONING - CURRENT




**Current Zoning:**

C-1 (Retail Commercial District) and C-2 (General Commercial District)

**Existing Uses**

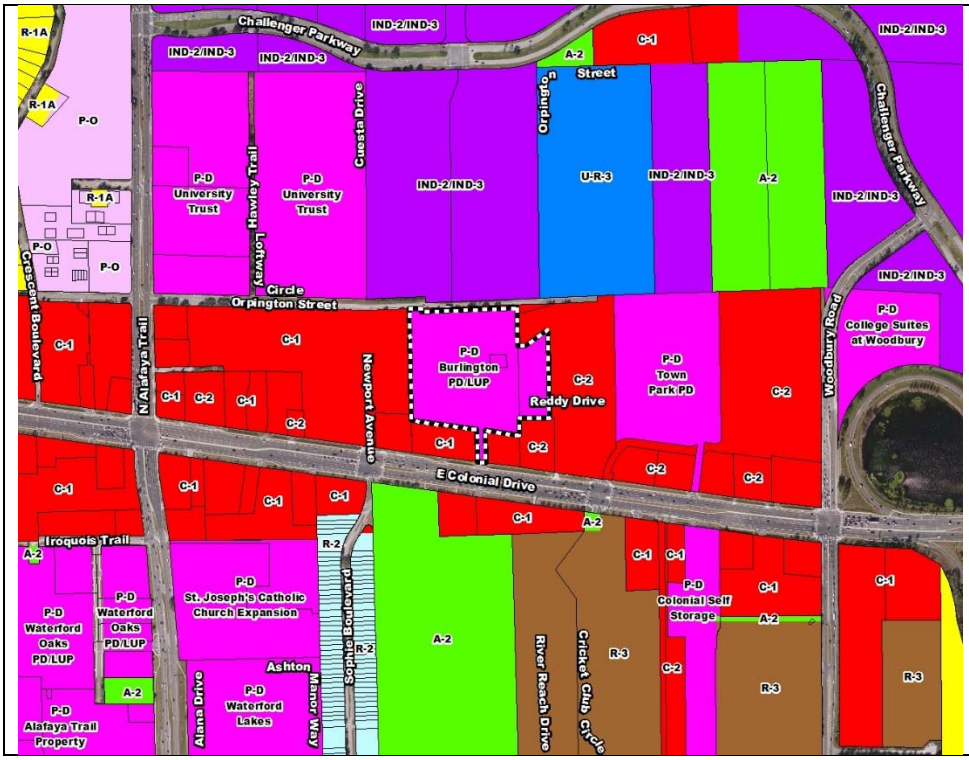
North:
Undeveloped

South:
Retail – Drive-through restaurant and restaurant

East:
Undeveloped

West:
Stormwater pond and retail commercial

## ZONING - PROPOSED




**Proposed Zoning:**

PD (Planned Development District) (Burlington PD/LUP)

## Staff Recommendation

**Future Land Use Map Amendment 2019-1-A-5-1:** Make a finding that the information contained in the application for the proposed amendment is sufficiently complete; that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; and recommend to the Board of County Commissioners that the amendment, 2019-1-A-5-1, be **transmitted** to the reviewing agencies.

## Analysis

### 1. Background and Development Program

The applicant, Thomas Sullivan, representing Marolyn Cowart Russell, Trustee and Park Square UCF, LLC, has submitted an application to change the Future Land Use Map (FLUM) designation of the 12.28-acre subject property from Commercial (C) to Planned Development-Commercial/Medium Density Residential (Student Housing) (PD-C/MDR) (Student Housing). The requested future land use designation, if adopted, would permit the development of a student housing project featuring up to 162 student housing units (up to 650 bedrooms) or, alternatively, up to 802,375 square feet of commercial uses.

The petitioned site consists of three individual parcels. The west 10.19 acres, comprised of Parcels 22-31-9461-00-010 and 22-22-31-9461-00-011, are currently zoned C-1 (Retail Commercial District) and are presently the site of a Burlington Coat Factory. The undeveloped east 2.09 acres, a portion of the 11.43-acre Parcel 22-22-31-0000-00-091, have a zoning classification of C-2 (General Commercial District). In conjunction with this proposed FLUM Amendment, the applicant has submitted an application to rezone the subject property to PD (Planned Development District) to create the Burlington Planned Development and establish the desired development program. This requested rezoning, Case LUP-19-01-001, is proceeding through the Orange County Development Review Committee (DRC) review process and is expected to be considered concurrently with the FLUM Amendment petition during the adoption public hearing stage.

The subject property is located north of East Colonial Drive and south of Orpington Street. East Colonial Drive is a six-lane roadway with a median. The site has access from East Colonial Drive from a right-in/right-out entrance at Darrell Drive and from a signalized intersection at Sophie Boulevard. Orpington Street is a two-lane street with one access point to the property. Orpington Street intersects with North Alafaya Trail to the west and Woodbury Road to the east. Access to the East-West Expressway is approximately half a mile from the petitioned site.

The petitioned site, with an intended use of student housing, is located approximately three (3) miles from the University of Central Florida (UCF). Access to UCF by car could be achieved along North Alafaya Trail or from Challenger Parkway, to Ingenuity Drive, to Discovery Drive. There is a bicycle lane on North Alafaya Trail and a sidewalk which connects to UCF. There is a LYNX bus stop at North Alafaya Trail and Orpington Street which has a stop at UCF.

Development in the area is suburban in character. Commercial uses are concentrated along East Colonial Drive and at its intersection with North Alafaya Trail. The commercial uses along East Colonial Drive are automobile-oriented, with large parking lots fronting the major street and buildings set back along the rear of the property. There are outparcels at the sites which include drive-through restaurants and sit-down chain restaurants. Uses to the north of the subject site include two apartment complexes, The Lofts and Orion on Orpington, and an office park. The site that is improved with The Lofts has a future land use designation of Planned Development-

Commercial/Office/Student Housing/Conservation (PD-C/O/SH/CONS). The office park is situated on property with a future land use of Industrial (IND), while the Orion on Orpington apartment complex has a future land use of Medium Density Residential (MDR).

Uses to the east of the site include a vacant parcel—the 9.34 acres of Parcel 22-22-31-0000-00-091 not included in this application—with Commercial (C) future land use. Orange County has issued permits for improvements to this site which include a commercial retail building with a hotel outparcel and two restaurant outparcels. East of this site is an apartment complex, EOS Apartments, with a future land use of Planned Development-High Density Residential (PD-HDR) and commercial uses, including a grocery.

Properties to the south of the petitioned site are commercial uses, including fast-food drive through restaurants and a putt-putt golf course. South of East Colonial Drive are public facility uses that include the Alafaya Branch Library and the East Orange Park, along with commercial uses, such as fast-food restaurants and a carwash. The properties to the west have a future land use designation of Commercial (C) and include a strip commercial development with outparcels.

As one radiates out from the subject property, there are multi-family uses, commercial uses along the major roads, and single-family subdivisions. A major shopping center, Waterford Lakes Town Center, is located approximately 1.5 miles from the subject site and includes restaurants, retail commercial, and a movie theater.

The request is to amend the Future Land Use Map (FLUM) designation from Commercial (C) to Planned Development-Commercial/Medium Density Residential (Student Housing) (PD-C/MDR) (Student Housing). The request, if approved, would allow for the consideration of up to 162 student housing units consisting of up to 650 bedrooms or up to 802,375 square feet of commercial development. Table 1, below, provides a comparison of the existing and proposed development of the subject site.

*Table 3 Existing and Proposed Development*

| | *Existing* | *Proposed* |
|---|---|---|
| *Service Area* | Urban Service Area (USA) | Urban Service Area (USA) |
| *Future Land Use* | Commercial (C) | Planned Development-Commercial/Medium Density Residential (Student Housing) (PD-C/MDR (Student Housing) |
| *Zoning* | C-1 (Retail Commercial District) and C-2 (General Commercial District) | PD (Planned Development District) (Burlington PD/LUP) |
| *Density* | None | 13.2 dwelling units per acre |
| *Intensity* | 3.0 FAR | 1.5 FAR |

A staff-initiated text amendment to Future Land Use Element Policy **FLU1.1.4(A)** decreased the Commercial Floor Area Ratio (FAR) from 3.0 to 1.5 (Amendment 2017-2-B-FLUE-4, approved by the Board of County Commissioners on November 14, 2017). Any changes to the Future Land Use Map would require a prospective developer of a commercial project to adhere to the current FAR cap.

**Future Land Use Element FLU8.1.2** describes the Planned Development (PD) Future Land Uses as intended to incorporate a broad mix of uses under specific design standards, provided the Planned Development land uses are consistent with the cumulative densities identified on the Future Land Use Map. This proposal, if adopted, would amend the existing Commercial future land use designation to Planned Development to enable residential (student housing) or commercial development on the 12.28-acre site. Although the applicant has communicated to staff that the intended use of the site is that of student housing, for which the property is ideally suited given its proximity to UCF and the availability of alternative transportation to the campus, the present owners would retain the ability to utilize the land for commercial purposes, which is likewise consistent with the development pattern of the surrounding area.

The request will require an amendment to the Comprehensive Plan **Future Land Use Element Policy FLU8.1.4**. This request is under a separate staff report, Staff-Initiated Text Amendment 2019-1-B-FLUE-1.

The applicant is requesting to:

1) Amend the Future Land Use Map
2) Amend the Comprehensive Plan **Future Land Use Element Policy FLU8.1.4,** being reviewed as Amendment 2019-1-B-FLUE-1.

A community meeting for the proposed Future Land Use Amendment was held Wednesday, November 14, 2018. There were no residents in attendance.

## 2. Future Land Use Map Amendment Analysis

### *Pertinent Policies*

The following Comprehensive Plan Goals, Objectives, and Policies appear to be most pertinent to the review of this amendment and are specifically discussed in the paragraphs below.

**Future Land Use Element Goal FLU1, OBJ FLU1.1, and Policies FLU1.1.1, FLU1.1.2(A), FLU1.1.2(B), FLU1.1.4(A), and FLU1.1.4(B)** describe Orange County's urban planning framework, including the requirement that urban land uses shall be concentrated within the Urban Service Area. The Medium Density Residential (MDR) future land use designation is intended for urban-style multi-family residential densities within the Urban Service Area with a density of up to twenty (20) dwelling units per net acre. The Commercial future land use designation includes neighborhood- and community-scale commercial and office development that serves neighborhood or community needs. An urban mixed-use development program may be achieved through the adoption of the Planned Development (PD) future land use designation, which ensures adjacent land use compatibility and physical integration and design. The proposal is in keeping with the intent of the Planned Development (PD) future land use designation.

**Future Land Use Element Policy FLU1.1.2(F)(1)(2)** addresses student housing. Student housing is permitted only on property with a future land use designation of Medium Density Residential, Medium-High Density Residential, High Density Residential, or Planned Development. The proposal meets this requirement by requesting Medium Density Residential. Student housing density is based on the number of bedrooms, with four (4) bedrooms equal to one (1) multi-family units. The applicant's request is for a total of 650 bedrooms or 162 student housing units, which meets the density ratio of 4:1.

Staff notes that any conversion of student housing to unrestricted housing shall require a Comprehensive Plan amendment and the approval of a substantial change to the Planned Development-Land Use Plan by the Board of County Commissioners at a public hearing.

**Future Land Use Objective OBJ FLU2.1 Infill** requires Orange County to 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. The subject site is an underutilized parcel within the County's core area. Incentives, however, are not currently included in the Land Development Code.

**Future Land Use Policy FLU1.1.5** 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. Development of the subject property for either student housing or commercial use would fulfill these policy requirements, as it would constitute urban infill and utilize utility and transportation infrastructure that is already in place. Per Orange County Utilities (OCU), potable water and wastewater lines are in place on East Colonial Drive and Orpington Street, and OCU has sufficient plant capacity to serve the site. In addition, a variety of alternative transportation options are available, as the property is located adjacent to a LYNX bus route with a stop at the UCF campus, and an on-street bike path runs along North Alafaya Trail.

**Future Land Use Objective FLU1.4 and Polices FLU1.4.1 and FLU1.4.2** contain location and development criteria that must be used to guide the distribution, extent, and location of urban land uses, and encourage the compatibility with existing neighborhoods. **Policy FLU1.4.1** states that Orange County shall promote a range of living environments and employment opportunities to achieve a stable and diversified population and community, and **FLU1.4.2** ensures that land use changes are compatible with and serve existing neighborhoods. The proposed Future Land Use Map Amendment, which would incorporate residential development into the existing commercial land use designation, would meet the aforementioned policies by allowing for the construction of additional housing for the student population. The immediate surrounding development is diverse in that it consists of multi-family housing and commercial uses.

**Future Land Use Element Policy FLU8.2.1** states that land use changes shall be required to be compatible with the existing development and development trends in the area. The subject site is located in an area of suburban development that includes multi-family, student housing, and commercial land uses. The proposed student housing and commercial land uses are similar to the existing development in the area.

**Future Land Use Element Policy FLU8.1.4** lists the development program for Planned Development (PD) Future Land Use Map designations adopted since January 1, 2007. The development program for this requested amendment is proposed for incorporation into **Policy FLU8.1.4** via a staff-initiated text amendment (Amendment 2019-1-B-FLUE-1). The maximum development program for Amendment 2019-1-A-5-1, if adopted, would be established for a student housing project featuring up to 162 student housing units (up to 650 bedrooms) or, alternatively, up to 802,375 square feet of commercial uses.

| Amendment Number | Adopted FLUM Designation | Maximum Density/Intensity | Ordinance Number |
|---|---|---|---|
| 2019-1-A-5-1<br><br>12151 E Colonial Drive | Planned Development-Commercial/Medium Density Residential (Student Housing) (PD-C/MDR (Student Housing) | Up to 162 student housing units (up to 650 bedrooms) or up to 802,375 square feet of commercial uses | 2019- |

### *Compatibility*

The subject site is located in a portion of Orange County that is characterized as auto-dependent suburban development, although alternative transportation options are available. Commercial uses are concentrated along East Colonial Drive and at the intersection of North Alafaya Trail along with apartment complexes. Existing Future Land Use Map designations include Planned Development-Commercial/Office/Student Housing/Conservation (PD-C/O/SH/CONS), Medium Density Residential (MDR), Commercial (C), and Planned Development-High Density Residential (PD-HDR).

The development trend in the area is a mix of commercial and residential land uses. The proposed amendment of the Future Land Use Map from Commercial (C) to Planned Development-Commercial/Medium Density Residential (MDR) (Student Housing) (PD-C/MDR) (Student Housing) would allow land uses that are compatible with other permitted uses in the area. As discussed previously, approval of this requested designation would allow for the development of a student housing community on the site, an ideal use of the property given its proximity to the UCF campus and the availability of infrastructure. Alternatively, it would enable the present owners to retain the ability to utilize the land for commercial purposes, which is likewise consistent with the development pattern of the surrounding area.

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

**Environmental**: The site is located within the geographical limits of the Econlockhatchee River Protection Ordinance. Basin-wide regulations apply. Please Reference the 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.

**Utilities.** The subject property is located in Orange County Utilities' (OCU's) potable water, wastewater, and reclaimed water service areas, and OCU presently has sufficient plant capacity to serve the project. Per OCU, there is a 12-inch potable water main within the Orpington Street right-of-way and a 24-inch potable water main within the right-of-way of E. Colonial Drive. With respect to sewer service, a 4-inch force main is in place within the Orpington Street right-of-way, and a 30-inch force main lies within the right-of-way of E. Colonial Drive. Reclaimed water service, however, is presently unavailable in the vicinity of the subject site.

**Transportation.** The Transportation Planning Division has requested a revised traffic study. The applicant is presently coordinating with Transportation Planning to address their outstanding issues.

### 3. Policy References

**GOAL FLU1** URBAN FRAMEWORK. Orange County shall implement an urban planning framework that provides for long-term, cost-effective provision of public services and facilities and the desired future development pattern for Orange County

**OBJ 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.

**Policy 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.

**Policy FLU1.1.2(A)** The Future Land Use Map shall reflect the most appropriate maximum and minimum densities for residential development. Residential development in Activity Centers and Mixed Use Corridors, the Horizon West Village and Innovation Way Overlay (Scenario 5) and Growth Centers may include specific provisions for maximum and minimum densities. The densities in the International Drive Activity Center shall be those indicated in the adopted Strategic Development Plan.

**Policy FLU1.1.2(B)** The following are the maximum residential densities permitted within the Urban Service Area for all new single use residential development or redevelopment. Future Land Use densities for the following categories shall be:

| FLUM Designation | General Description | Density |
|---|---|---|
| **Urban Residential – Urban Service Area** | | |
| Medium Density Residential (MDR) | Recognizes urban-style multifamily residential densities within the USA. | 0 to 20 du/ac |

**Policy FLU1.1.2(F)(1)(2)** Student housing may be permitted only on property with a future land use designation of Medium Density Residential, Medium-High Density Residential, High Density Residential, or Planned Development (in which medium or high density student housing is included as a single use or part of a mix of uses). A Planned Development zoning classification shall be required for all student housing projects.

(1) Student housing density shall be calculated based on the number of bedrooms, with four (4) bedrooms equal to one (1) multi-family unit. An alternative density calculation may be permitted upon the approval of the Board of County Commissioners, provided the developer has committed to a mobility plan to be implemented with the development of the student housing project, has demonstrated a need for the additional units, and/or has proposed a redevelopment project located within the area extending one (1) mile east and one (1) mile west of the Alafaya Trail corridor, between McCulloch Road and State Road 408.

(2) Any conversion of student housing to unrestricted housing shall require a Comprehensive Plan amendment and/or the approval of a substantial change to the Planned Development-Land Use Plan (PD-LUP) by the Board of County Commissioners at a public hearing. If the Comprehensive Plan amendment

and/or substantial change is approved, school impact fees in effect at the time shall be paid, and the project shall comply with any school capacity regulations in effect at that time.

**Policy 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.) Also, Institutional and Educational designations may be located within the Rural Service Area on a limited basis as may be expressly allowed by other goals, objectives and/or policies in this Comprehensive Plan.

| FLUM Designation | General Description | Density/Intensity |
|---|---|---|
| **Urban Non-Residential – Predominantly urban in use** | | |
| Commercial (C) | Commercial uses include neighborhood and commercial scale commercial and office development that serves neighborhood or community or village needs. Examples include neighborhood center, community center and village commercial. | 1.50 FAR (0.15 FAR for Rural Settlements per FLU6.2.9) unless otherwise restricted or increased for specific locations pursuant to adopted County Comprehensive Plan policy or land development code |

**Policy FLU1.1.4.B -** In addition to FLU1.1.2(B), permitted densities and/or intensities for residential and non-residential development can be established through additional Future Land Use designations. Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(C). The Future Land Use and Zoning Correlation is found in FLU8.1.1.

**B. URBAN MIXED USE OPTIONS** – The following Future Land Use designations allow for a mix of uses. Per a settlement agreement with the State Department of Community Affairs, Orange County's Planned Development Future Land Use designation now requires an adopted text amendment to specify the maximum intensity and density of a project. See Policy FLU8.1.4. Mixed-Use Corridors are a staff initiated option intended to complement the County's Alternative Mobility Areas and Activity Center policies.

| FLUM Designation | General Description | Density/ Intensity |
|---|---|---|
| **Urban Mixed Use– Urban Service Area** | | |
| Planned Development (PD) | The PD designation ensures that adjacent land use compatibility and physical integration and design. Development program established at Future Land Use approval may be single or multiple use. See FLU8.1.4. Innovation Way is another large planning area similar in some respects to the planning process for Horizon West. Developments within the Innovation Way Overlay (Scenario 5) are processed as Planned Developments. Innovation Way is being implemented through the policies found in Chapter 4. | Must establish development program at Future Land Use amendment stage per FLU8.1.4. |

**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 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

**Policy 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.

**Policy FLU1.4.2** Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.

**Policy FLU8.1.2** Planned Developments (PDs) intended to incorporate a broad mixture of uses under specific design standards shall be allowed, provided that the PD land uses are consistent with the cumulative densities or intensities identified on the Future Land Use Map.

**Policy FLU8.1.4** The following table details the maximum densities and intensities for the Planned Development (PD) Future Land Use designations that have been adopted subsequent to January 1, 2007.

**Policy 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 places on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

## Site Visit Photos

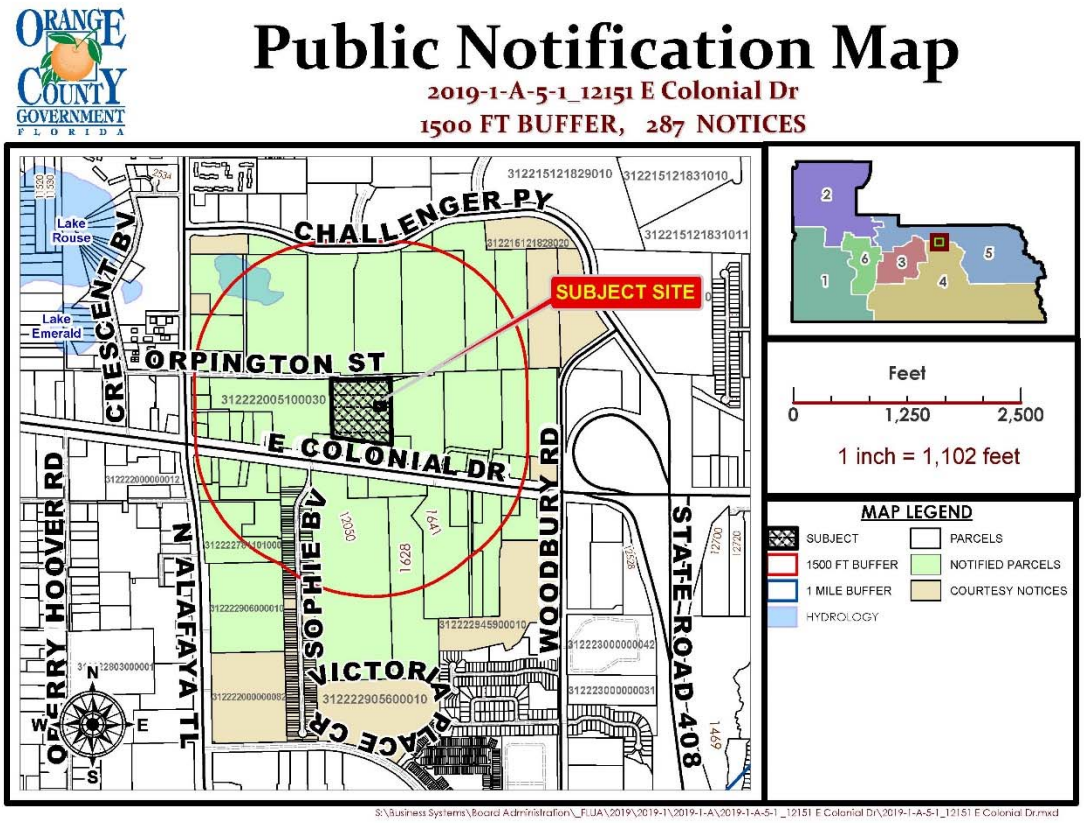
### Subject Site

**North**

**East**

**South**

**West**




**Notification Area:**

1,500-foot buffer

287 notices sent

**Applicant/Owner:**
Chris Dougherty, S&ME, Inc./ The Wise Partnership

**Location:** 6575 East Colonial Drive

Generally located north of Colonial Drive, west of North Forsyth Road, south of Hanging Moss Road, and east of Commerce Boulevard

**Existing Use:** Undeveloped

**Parcel ID Numbers**:
22-22-30-0000-00-001

**Tract Size:** 10.09 gross acres

| +The following meetings and hearings have been held for this proposal: | | |
|---|---|---|
| **Report/Public Hearing** | | **Outcome** |
| ✓ | Community Meeting | October 22, 2019 Mixed |
| ✓ | Staff Report | Recommend Transmittal |
| ✓ | LPA Transmittal January 17, 2019 | Recommend Transmittal (7-0) |
| | BCC Transmittal | February 12, 2019 |
| | State Agency Comments | Early March 2019 |
| | LPA Adoption | April 18, 2019 |
| | BCC Adoption | May. 2019 |

**Project Information**

**Request:** Commercial (C) to Medium-High Density Residential (MHDR)

**Proposed Development Program:** Up to 350 multi-family residences.

**Division Comments:**

**Environmental, Public Facilities and Services:** Please the see Public Facilities Analysis Appendix for specific analysis on each public facility.

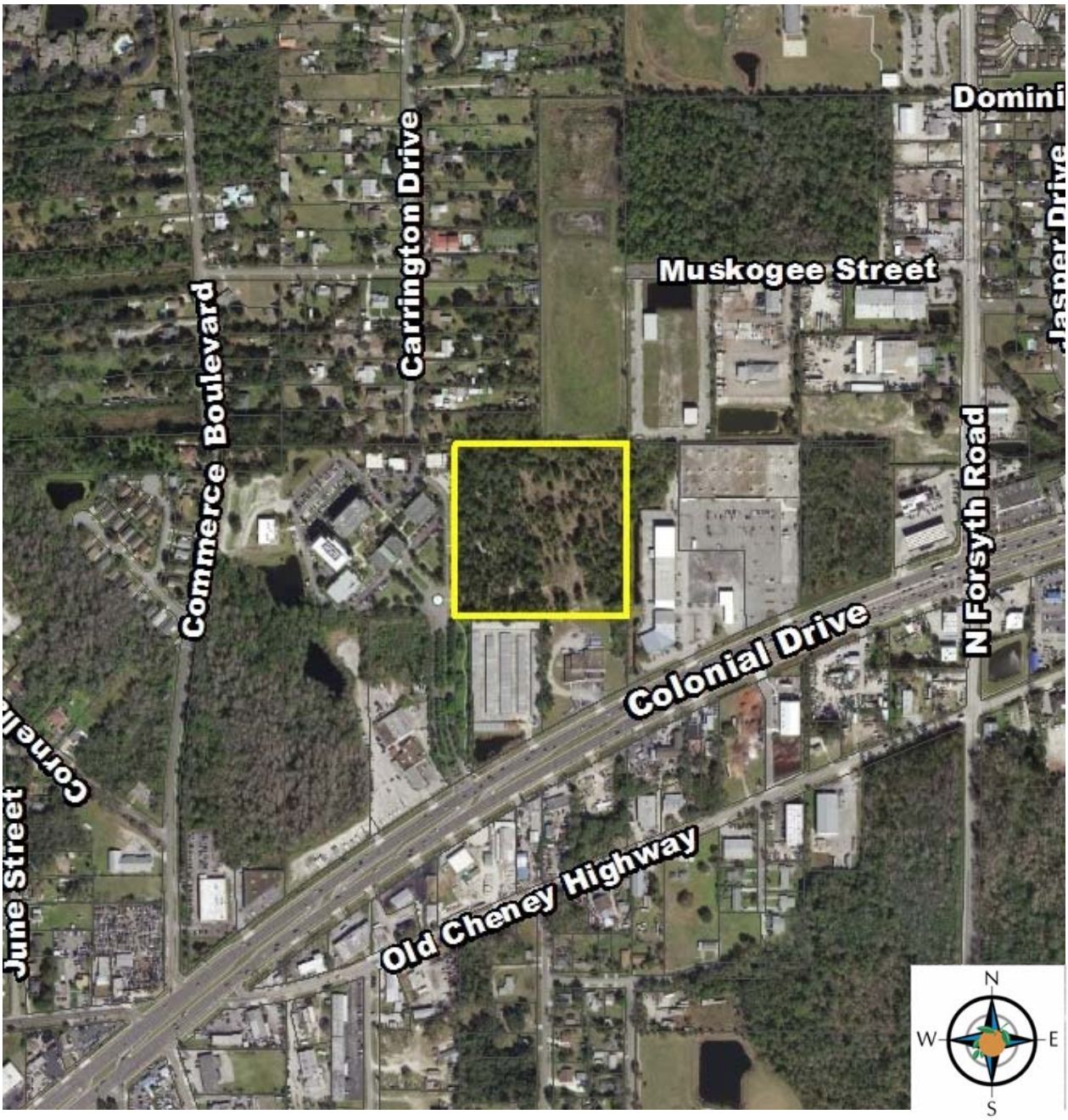
**Environmental:** Must meet all regulations that are applicable to the site.

**Transportation:** The subject property is located within the Alternative Mobility Area and is therefore exempt from transportation concurrency.

**Schools:** The developer will be required to enter into a Capacity Enhancement Agreement (CEA) with Orange County Public Schools (OCPS). See FLU8.7.11

**Concurrent Rezoning:** A rezoning application has not been submitted to date; however, the LPA directed the applicant to submit their PD application for concurrent consideration during the plan amendment adoption phase.

## AERIAL

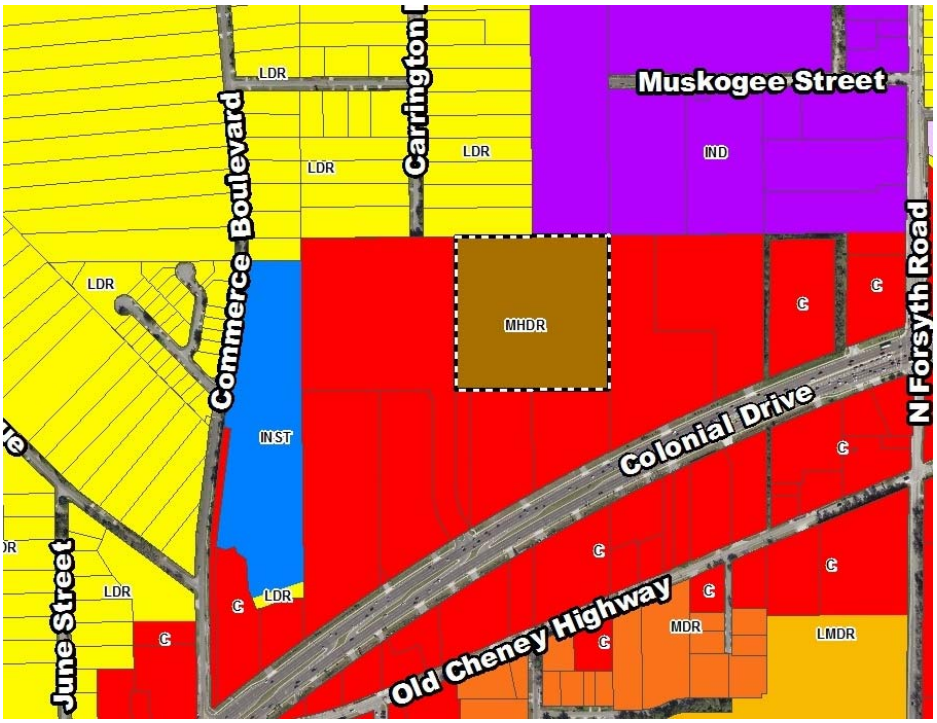

Domini
Carrington Drive
Muskogee Street
Commerce Boulevard
N Forsyth Road
Colonial Drive
June Street
Old Cheney Highway
N
W
E
S

## FUTURE LAND USE - CURRENT

**Current Future Land Use Designation:**

Commercial (C)

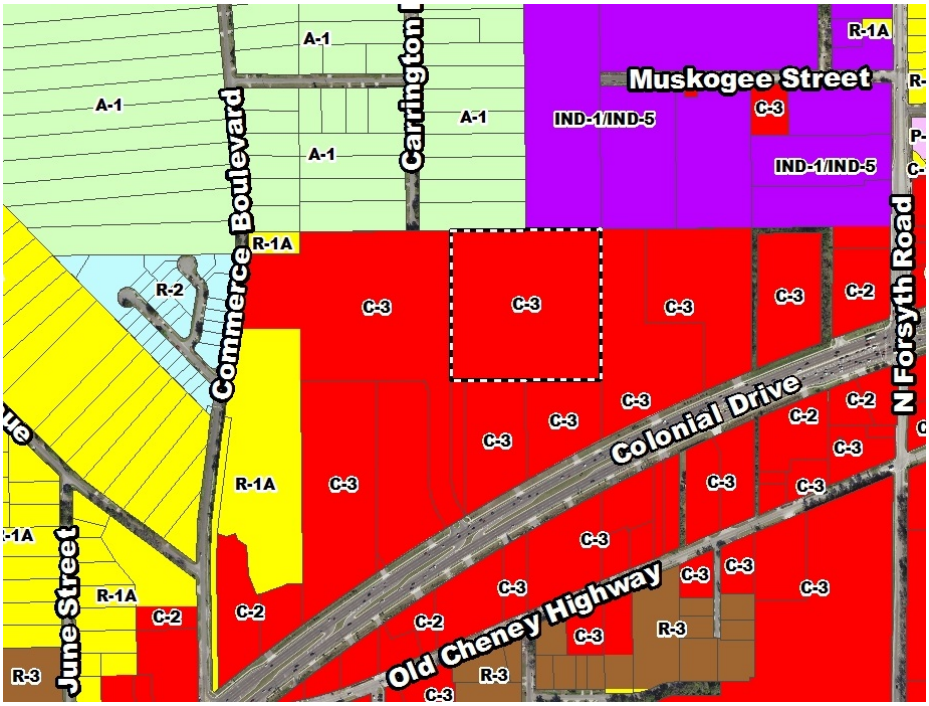
## FUTURE LAND USE - PROPOSED




**Proposed Future Land Use Designation:**

Medium-High Density Residential (MHDR)

## ZONING - CURRENT




**Current Zoning District:**

C-3 (Wholesale Commercial District)

**Existing Uses**

North:
Single-family and undeveloped land

South:
Highway commercial/services and personal storage

East:
Retail and light industrial

West:
Barry University School of Law

## Staff Recommendation

**Future Land Use Map Amendment 2019-1-A-5-2:** Make a finding that the information contained in the application for the proposed amendment is sufficiently complete; and recommend to the Local Planning Agency that the amendment, 2019-1-A-5-2, be **transmitted** to the reviewing agencies.

## Analysis

### 1. Background and Development Program

The applicant, Chris Dougherty, representing The Wise Partnership, submitted an application with a request to change the Future Land Use Map (FLUM) designation from Commercial (C) Medium High Density Residential (MHDR). The petitioned site consists of 10.09 gross acres. The requested future land use designation would permit up to 350 multi-family dwelling units. The zoning on the property is C-3 (Wholesale Commercial District). The applicant will submit a Planned Development rezoning application which would go before the Development Review Committee for review and recommendation. The Planned Development rezoning would provide additional development detail and review by additional County divisions. The site is undeveloped.

The abutting property to the southeast of the petitioned site is in common ownership with the petitioned site. This parcel is not subject to a future land use map amendment. Access to the subject site could be gained through this parcel that is currently developed with a commercial building.

The subject property is located north of East Colonial Drive and west of Forsyth Road. East Colonial Drive is a six-lane roadway with a median. There is a signalized intersection at Forsyth Road, approximately 0.30 miles from the site and at Semoran Boulevard, approximately 1 mile west of the subject site. Forsyth Road is a two lane street with a left turn lane in the center. Forsyth Road does not provide access to the site.

There are two (2) LYNX routes near the site, LYNX 29 – East Colonial Drive/Goldenrod Road and LYNX 104 East Colonial Drive/UCF. LYNX 29 begins and ends at the Central Station in Downtown Orlando, travels east on Colonial Drive to Semoran Boulevard to Forsyth Road then west on Aloma Avenue and then south on Goldenrod and west on Colonial Drive. LYNX 104 begins at the Central Station and travels Robinson Street, to Colonial Drive to Alafaya Trail with a SuperStop at the University of Central Florida.

The petitioned site, with a proposed use of multi-family residences, is located north of East Colonial Drive, generally between Semoran Boulevard and North Forsyth Road. The petitioned site is east of the Barry University School of Law. Development in the area is suburban in nature. This is exemplified by the automobile oriented commercial uses along East Colonial Drive with single-family residences radiating outward. Commercial uses are concentrated along East Colonial Drive and at intersections of Semoran Boulevard and Forsyth Road. The commercial uses along East Colonial Drive include convenience stores with gas pumps, auto repair, self-storage, used auto sales, auto parts sales, and a big-box home improvement store.

Uses to the north of the subject site include single-family residences and a vacant parcel. The single-family residences are situated on parcels approximately one acre in size with a future land use of Low Density Residential (LDR). Abutting the single-family residences, to the east is a vacant parcel with a future land use of Industrial (IND).

Uses to the east of the site include a commercial development with Commercial (C) future land use. The tenants in this include a pawn shop and a video store. Based on staff observation, many of the tenant spaces are vacant. Properties to the south of the petitioned site are commercial uses, including self-storage and a commercial building. This parcel is in common ownership with the subject site. South of East Colonial Drive are commercial uses with used automobile sales. Those properties south of the subject site have a future land use of Commercial (C). The properties to the west of the subject site are improved with Barry University. These parcels have a future land use designation of Commercial (C).

The request is to amend the Future Land Use Map (FLUM) designation from Commercial (C) to Medium-High Density Residential (MHDR). The request, if approved, would allow for the consideration of up to 350 multi-family dwelling units. Table 1, below, provides a comparison of the existing and proposed development of the subject site.

*Table 4 Existing and Proposed Development*

| | *Existing* | *Proposed* |
|---|---|---|
| *Service Area* | Urban Service Area (USA) | Urban Service Area (USA) |
| *Future Land Use* | Commercial (C) | Medium-High Density Residential (MHDR) |
| *Zoning* | C-3 (Wholesale Commercial District) | PD (Planned Development) |
| *Density* | None | 35 dwelling units per acre |
| *Intensity* | 3.0 FAR (1,318,953 sq. ft. commercial development) | None |

**Future Land Use Element FLU8.1.2** describes the Planned Development (PD) Future Land Uses as intended to incorporate a broad mixture of uses under specific design standards provided the Planned Development land uses are consistent with the cumulative densities identified on the Future Land Use Map. The proposal would amend the existing Planned Development future land use to incorporate residential (student housing) and commercial development on the 10.093 acre site.

The request will require an amendment to the Comprehensive Plan **Future Land Use Element Policy FLU8.1.4**. This request is under a separate staff report, 2019-1-B-FLUE-1.

The applicant is requesting to:

3) Amend the Future Land Use Map
4) Amend the Comprehensive Plan **Future Land Use Element Policy FLU8.1.4** being reviewed as 2019-1-B-FLUE-1.

A community meeting for the proposed Future Land Use Amendment was held Wednesday, October 22, 2018. There were nineteen (19) residents in attendance. The primary concern of those in attendance was an increase in traffic along Colonial Drive along with the multi-family complex adjacent to single-family residences.

## 2. Future Land Use Map Amendment Analysis

### *Pertinent Policies*

The following Comprehensive Plan goals, objectives, and policies appear to be most pertinent to the review of this amendment and are specifically discussed in the paragraphs below.

**Future Land Use Element Goal FLU1, OBJ FLU1.1, and Policies FLU1.1.1, FLU1.1.2(A), FLU1.1.2(B), FLU1.1.4(A), and FLU1.1.4(B)** describe Orange County's urban planning framework, including the requirement that urban land uses shall be concentrated within the Urban Service Area. The Medium-High Density Residential (MHDR) future land use designation recognizes a transition in density between highly urbanized areas and medium density residential development that support public transit and neighborhood servicing amenities within a reasonable pedestrian walkshed. This recognizes a density of up to 35 dwelling units an acre. The subject site is located along East Colonial Drive, located near commercial uses, and two (2) LYNX routes. The proposed number of dwelling units is 350, which maximizes the development potential of the Medium-High Density Residential future land use designation.

The existing future land use of Commercial (C) includes neighborhood and commercial scale commercial and office development that serves neighborhood or community or village needs. The zoning designation of C-3 (Wholesale Commercial District) is composed of land and structures where more intense commercial activity is located. This district must be located away from residential districts because it allows uses that are not compatible with residential districts.

**Future Land Use Objective OBJ FLU2.1** requires Orange County to 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. The subject site is a vacant parcel within the County's core area. The proposal to amend the future land use map to allow for multi-family residential use is consistent with this policy.

**Future Land Use Policy FLU1.1.5** 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 location of the subject site is adjacent to commercial uses and transit routes.

**Future Land Use Objective FLU1.4 and Polices FLU1.4.1 and FLU1.4.2** contain location and development criteria that must be used to guide the distribution, extent, and location of urban land uses, and encourage the compatibility with existing neighborhoods. Policy FLU1.4.1 states that Orange County shall promote a range of living environments and employment opportunities to achieve a stable and diversified population and community and FLU1.4.2 ensures that land use changes are compatible with and serve existing neighborhoods. The proposed future land use map amendment, which is multi-family residential development, would meet the aforementioned policies by promoting a range of living environments in an area that consists of single-family, commercial, and industrial land uses.

**Future Land Use Element Policy FLU8.2.1** states that land use changes shall be required to be compatible with the existing development and development trends in the area. The subject site is located in an area that includes, residential, commercial, and light industrial land uses. The proposed multi-family residential development could serve as a transition between the existing residential area and the commercial uses in the area.

***Compatibility***

The subject site is located in a portion of Orange County that is characterized as suburban development. Commercial uses are concentrated along East Colonial Drive. Existing future land use map designations near the subject site include Low Density Residential (LDR), Industrial (IND), and Commercial (C).

The development trend in the area is a mix of commercial and residential land uses. The proposed amendment would allow land uses that are compatible with other permitted uses in the area. The proposal to amend the future land use map from Commercial (C) to Medium-High Density Residential (MHDR) would provide a less intense use on the subject site than is currently permitted. Additionally, the multi-family development would be adjacent to single-family uses, a college, and commercial uses, with a potential for direct pedestrian access to the college campus.

The single-family residential uses to the north of the subject site abut property:

- To the south (subject site) with a Commercial (C) future land use and C-3 (Wholesale Commercial District) zoning.
- To the east with an Industrial (IND) future land use and IND-1/IND-5 (Industrial District Light District) zoning.

The proposal to amend the future land use map from Commercial (C) to Medium-High Density Residential (MHDR) is less intense in nature than the existing permitted future land use and zoning district. As noted above, the C-3 (Wholesale Commercial District) is not intended to be located near residential districts. Section 38-876, Intent and purpose, states that the district must be located away from residential districts because it allows uses that are not compatible with residential districts.

A portion of the subject site abuts a parcel with a future land use of Industrial (IND). **Future Land Use Element Policy FLU1.4.16** addresses the appropriate locations for industrial uses. Residential or neighborhood commercial are seen as potentially incompatible land use designations and shall not be established adjacent to industrial land use designations. The I-1/1-5 (Industrial District) intent is to provide areas for light manufacturing and industry that will provide low intensity industrial development which will have minimal impact on the surrounding areas, to establish and maintain standards which will protect adjacent residential and commercial developments, and to allow industrial uses where proximity to residential or commercial districts makes it desirable to limit the manner and extent of industrial operations.

This area surrounding the petitioned site, generally bounded by North Semoran Boulevard, Hanging Moss Road, North Forsyth Road, and East Colonial Drive displays a mix of residential, commercial, industrial and institutional uses. There are examples of existing residential and industrial uses adjacent to each other.

The staff used data from the Orange County Property Appraiser to determine the types of uses within a one mile radius of the subject site, shown in Figure 1 below. There are 2,648 parcels within the buffer. Staff found residential uses are the most prominent in the area, making up 76% of the uses. Following residential uses, vacant uses make up 7.5% of the uses, and commercial 3.5%. As shown in Figure 1, these uses within the buffer are varied and range from single-family residences on one-acre parcels, Orange County Public School bus parking site, vehicle repair, and big-box stores.

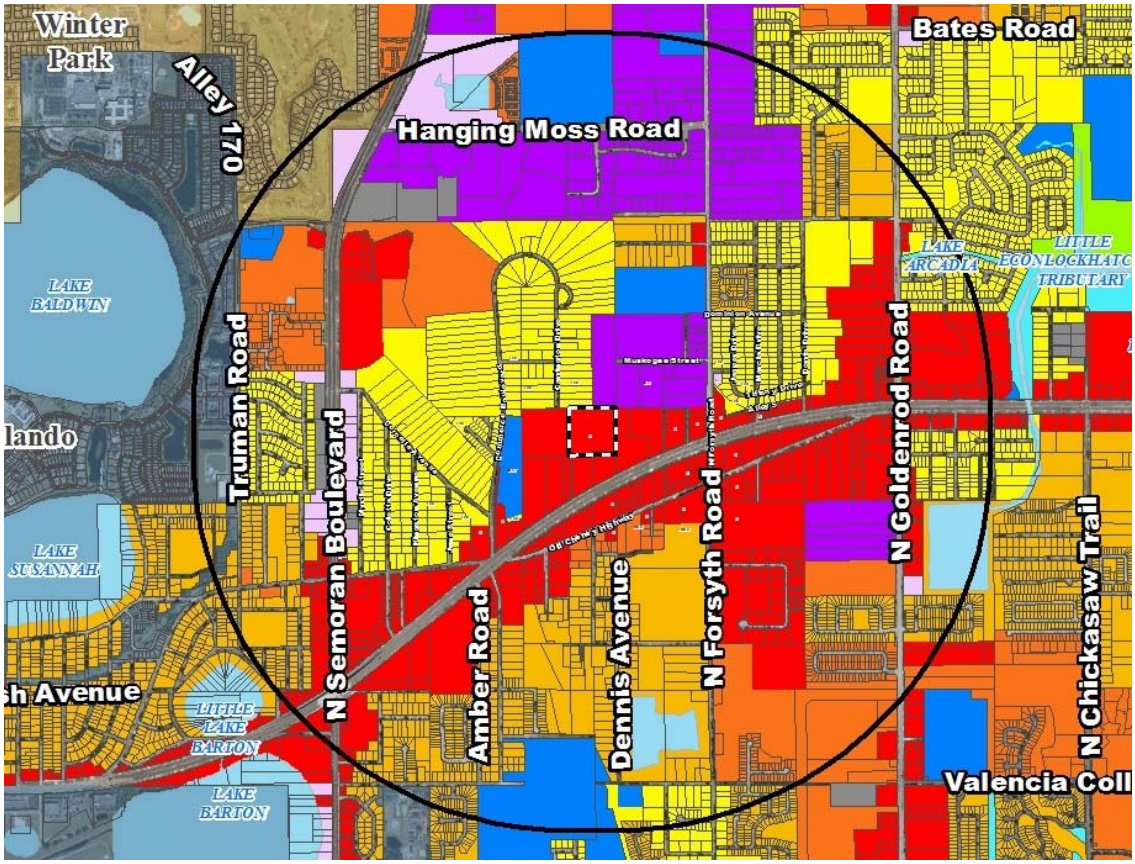



*Figure 1 - 1 Mile Buffer*

**Policy FLU8.2.1** states 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. The applicant intends to submit a Planned Development rezoning application which would include conditions of approval to ensure compatibility.

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

**Environmental**: 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 and 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.

**Transportation:**

**Future Roadway Network:**

Road Agreements: None

Planned and Programmed Roadway Improvements: None

Right of Way Requirements: None

**Summary:** The subject property **is** located within the County's **Alternative Mobility Area** and is therefore exempt from transportation concurrency. The allowable development based on the approved future land use will generate 1777 pm peak hour trips. The proposed use will generate 149 pm peak hour trips resulting in a net decrease of 1628 pm peak hour trips.

Based on the LYNX System map, transit service is available with a quarter mile walk distance along East Colonial Drive along which Links 29 and 104 operate. There are currently no sidewalks around the subject parcel. There are no signed bicycle routes within the project impact area.

Final permitting of any development on this site will be subject to review and approval by the county's development review committee. 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.

**Schools.** There is inadequate capacity at the Glenridge Middle School. The developer will be required to enter into a Capacity Enhancement Agreement (CEA) with Orange County Public Schools (OCPS). See FLU8.7.11

## 3. Policy References

**GOAL FLU1** URBAN FRAMEWORK. Orange County shall implement an urban planning framework that provides for long-term, cost-effective provision of public services and facilities and the desired future development pattern for Orange County

**OBJ 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.

**Policy 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.

**Policy FLU1.1.2(A)** The Future Land Use Map shall reflect the most appropriate maximum and minimum densities for residential development. Residential development in Activity Centers and Mixed Use Corridors, the Horizon West Village and Innovation Way Overlay (Scenario 5) and Growth Centers may include specific provisions for maximum and minimum densities. The densities in the International Drive Activity Center shall be those indicated in the adopted Strategic Development Plan.

**Policy FLU1.1.2(B)** The following are the maximum residential densities permitted within the Urban Service Area for all new single use residential development or redevelopment. Future Land Use densities for the following categories shall be:

| FLUM Designation | General Description | Density |
|---|---|---|
| **Urban Residential – Urban Service Area** | | |
| Medium-High Density Residential (MHDR) | Recognizes a transition in density between highly urbanized areas and medium density residential development that support public transit and neighborhood serving amenities within a reasonable pedestrian walkshed. | 0 to 35 du/ac |

**Policy 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.) Also, Institutional and Educational designations may be located within the Rural Service Area on a limited basis as may be expressly allowed by other goals, objectives and/or policies in this Comprehensive Plan.

| FLUM Designation | General Description | Density/Intensity |
|---|---|---|
| **Urban Non-Residential – Predominantly urban in use** | | |
| Commercial (C) | Commercial uses include neighborhood and commercial scale commercial and office development that serves neighborhood or community or village needs. Examples include neighborhood center, community center and village commercial. | 1.50 FAR (0.15 FAR for Rural Settlements per FLU6.2.9) unless otherwise restricted or increased for specific locations pursuant to adopted County Comprehensive Plan policy or land development code |

**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 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

**Policy 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.

**Policy FLU1.4.2** Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.

**Policy 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.

**Policy 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 places on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

**Policy FLU8.7.11** If the Orange County School Board determines that a Capacity Enhancement Agreement (CEA) is required, the applicant must deliver to the Planning Division, a copy of a fully executed CEA at least two weeks prior to the BCC adoption public hearing for the respective large scale or small scale Future Land Use Map amendment. If a CEA is

required, but the applicant is receiving an assignment or transfer of school capacity credits in lieu of executing a CEA, a copy of the executed transfer or assignment document must be delivered to the Planning Division at least two weeks prior to the BCC adoption public hearing. If the applicant has negotiated a postponement agreement with the Orange County School Board, delaying the CEA to the rezoning stage, a copy of the executed postponement agreement must be delivered to the Planning Division at least two weeks prior to the adoption public hearing.

If the applicant does not deliver a copy of a fully-executed CEA, transfer document, assignment document, or postponement agreement at least two weeks prior to the BCC adoption public hearing, the Future Land Use Map amendment application may be continued to the next Future Land Use Map amendment cycle. If the application is continued to the next cycle, the applicant is still required to submit the necessary documents to the Planning Division at least two weeks prior to the scheduled BCC adoption public hearing for that Future Land Use Map amendment cycle.

Any Future Land Use Map amendment application continued under this policy is subject to the refund policy in effect at that time.

## Site Visit Photos

**Subject Site**

**North of Subject Site**

**South of Subject Site**

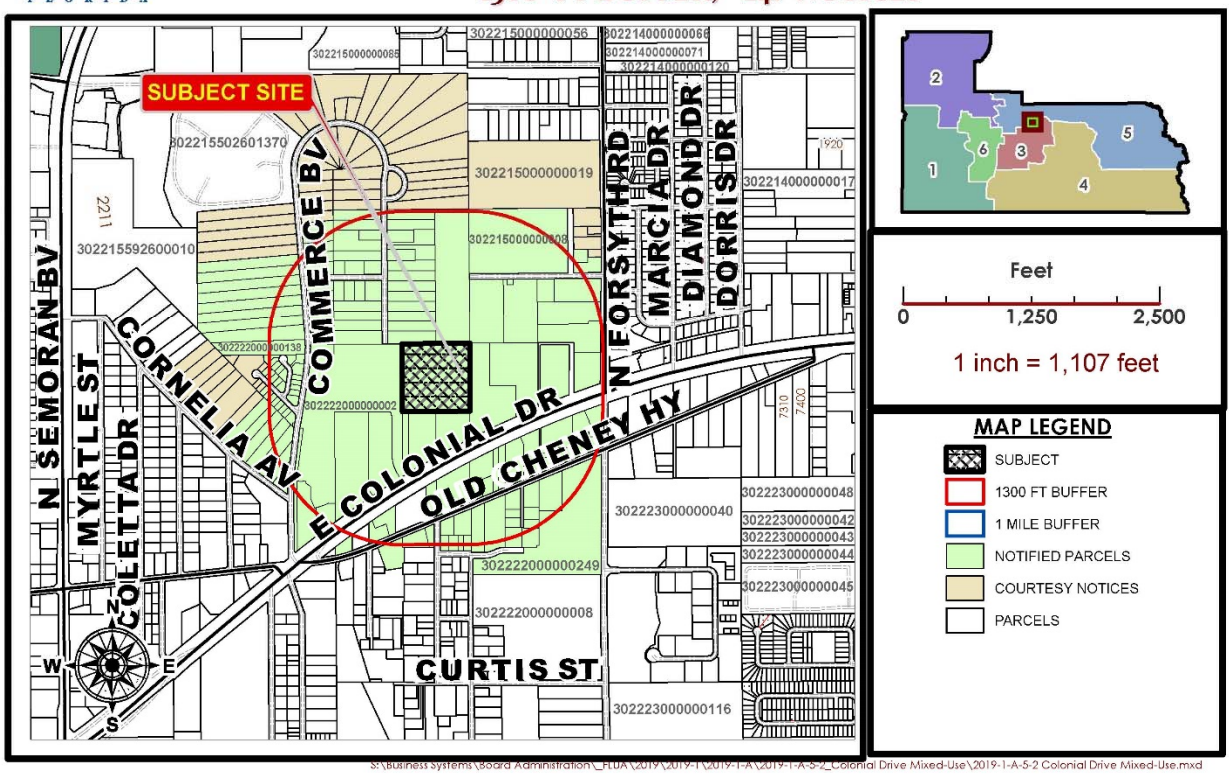
**West of Subject Site**

**East of Subject Site**

# Public Notification Map

## 2019-1-A-5-2 Colonial Drive Mixed-Use

## 1300 FT BUFFER, 241 NOTICES

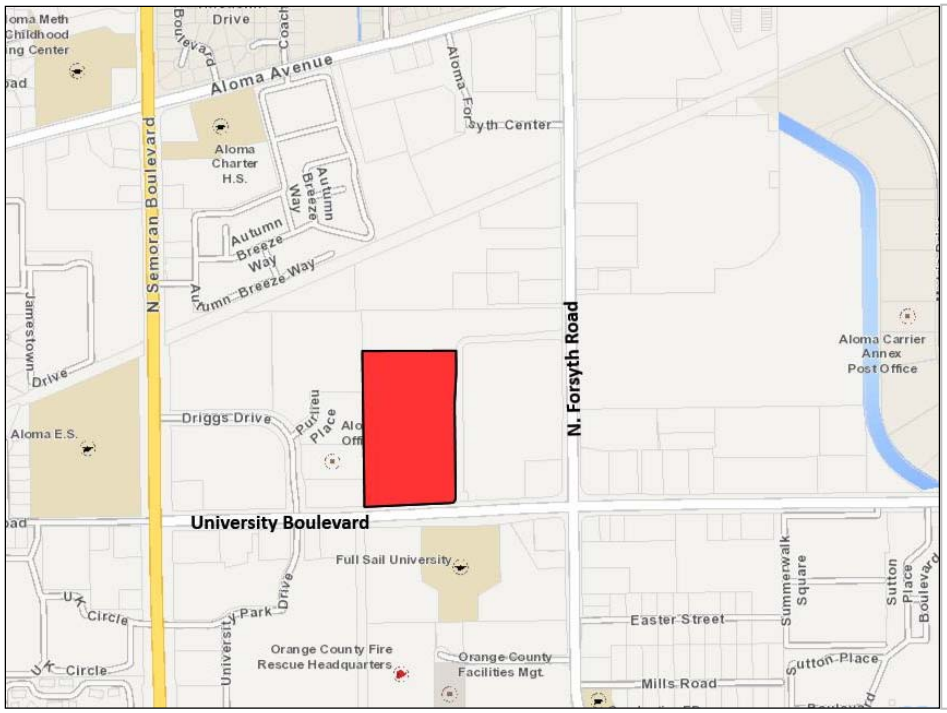



S:\Business Systems\Board Administration_PLUA\2019\2019-1\2019-1-A\2019-1-A-5-2_Colonial Drive Mixed-Use\2019-1-A-5-2 Colonial Drive Mixed-Use.mxd

**Notification Area:**

1,300’ buffer

241 notices sent




**Applicant/Owner:**
Geoff Rogers, Silver City Properties, Ltd.

**Location:** 3714 North Forsyth Road. Generally located on the north side of University Boulevard, east of North Semoran Boulevard, south of Aloma Avenue and west of North Forsyth Road.

**Existing Use:** Undeveloped

**Parcel ID Number**:
03-22-30-0000-00-029

**Tract Size:** 13.14 gross acres

| +The following meetings and hearings have been held for this proposal: | | |
|---|---|---|
| **Report/Public Hearing** | | **Outcome** |
| ✓ | Community Meeting | November 7, 2018 |
| ✓ | Staff Report | Recommend Transmittal |
| ✓ | LPA Transmittal January 17, 2019 | Recommend Transmittal (6-0) |
| | BCC Transmittal | February 12, 2019 |
| | State Agency Comments | March 2019 |
| | LPA Adoption | April 18, 2019 |
| | BCC Adoption | May 2019 |

**Project Information**

**Request:** Commercial (C) to Planned Development-Commercial/ High Density Residential (Student Housing) (PD-C/HDR) (Student Housing)

**Proposed Development Program:** Up to 30,000 square feet of commercial uses and up to 2,400 student housing bedrooms (600 student housing units)

**Division Comments:**

**Environmental, Public Facilities and Services:** Please the see the Public Facilities Analysis Appendix for specific analysis of each public facility.

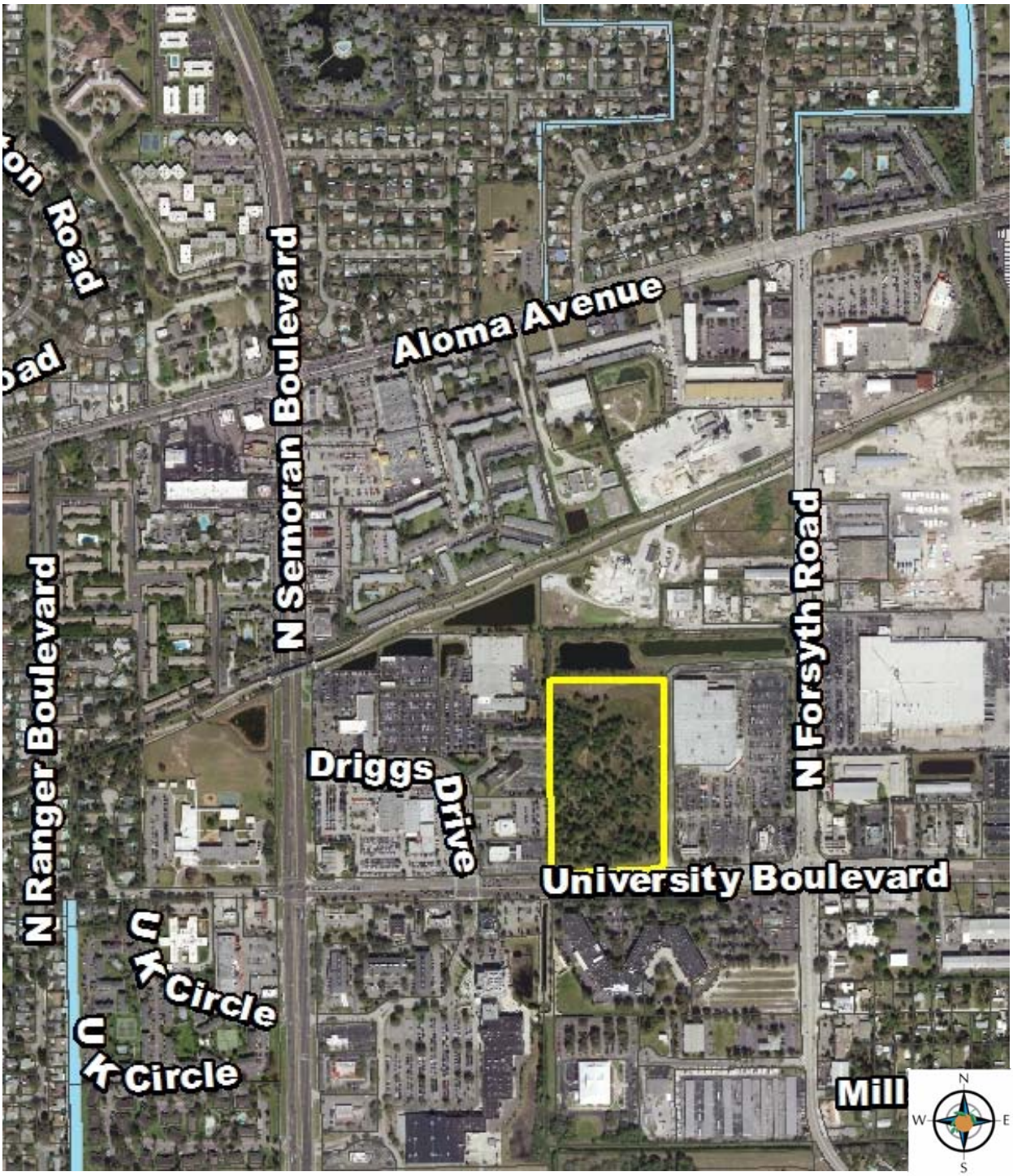
**Environmental:** There is existing contamination on the site. Please provide additional site analysis. The applicant should submit a Phase I and/or Phase II Environmental Site Assessment as soon as possible.

**Transportation:** The allowable development based on the current Commercial FLUM designation will generate 2,161 pm peak hour trips. The proposed mixed-use project will generate 704 pm peak hour trips, resulting in a net decrease of 1,457 pm peak hour trips. A revised traffic analysis, is requested, however, to formalize the desired development program with the Transportation Planning Division.

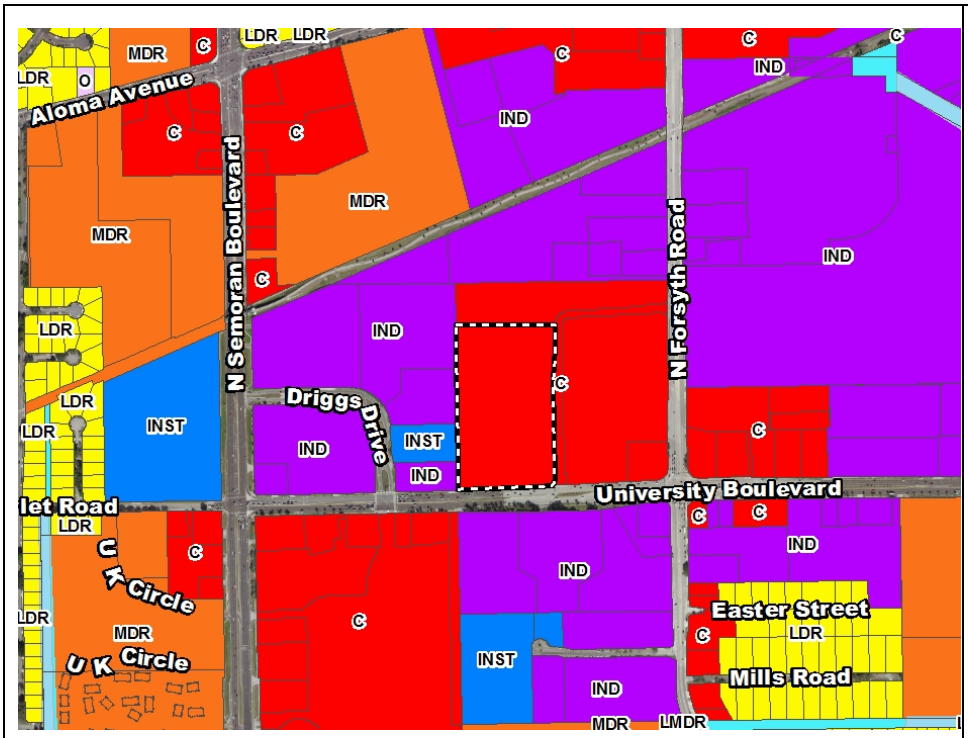
**Concurrent Change Determination Review (CDR) Request:**

The concurrent consideration of a CDR application to incorporate the proposed mixed-use development program into the currently-approved Silver City Properties Planned Development Land Use Plan (PD/LUP) is expected during the adoption public hearing stage.

**AERIAL**


Aloma Avenue
N Semoran Boulevard
N Forsyth Road
N Ranger Boulevard
Driggs Drive
University Boulevard
Circle
Circle
Mill
N
S
E
W

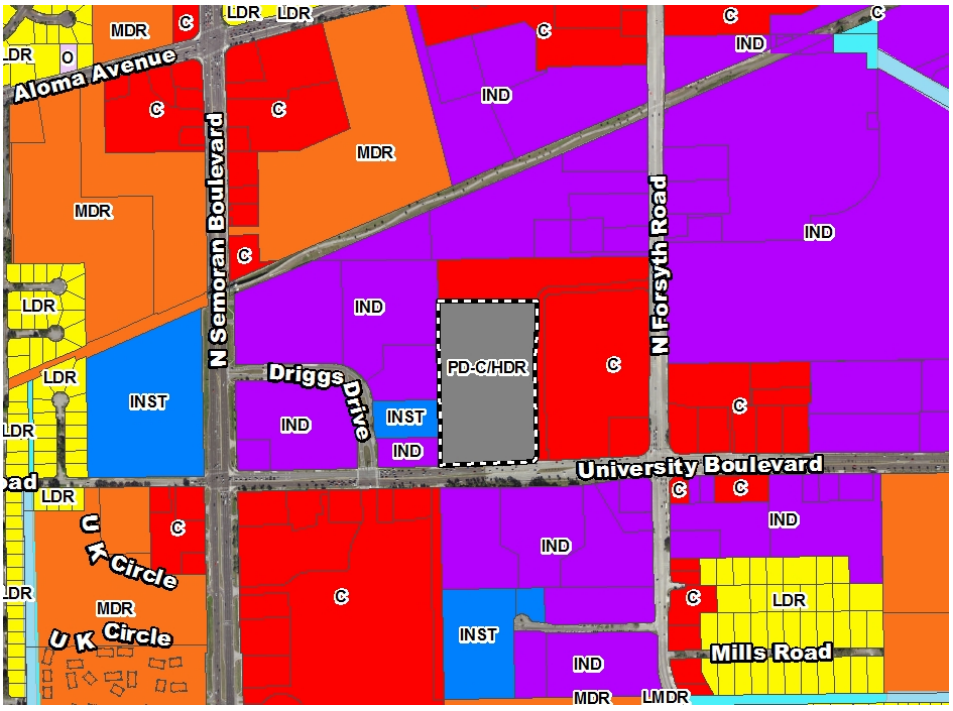
## FUTURE LAND USE - CURRENT




**Current Future Land Use Designation:**

Commercial (C)

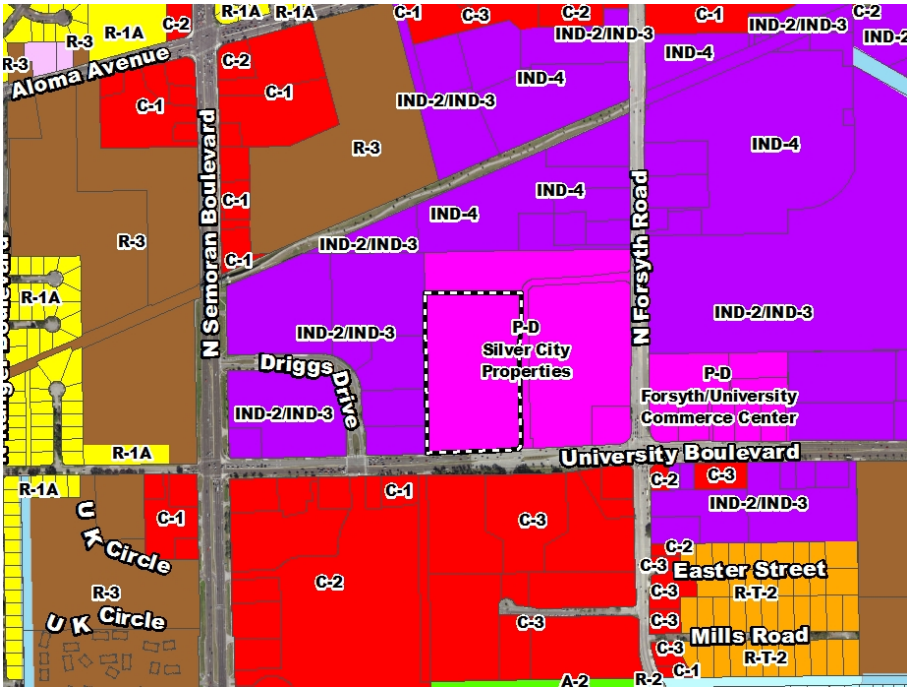
## FUTURE LAND USE - PROPOSED




**Proposed Future Land Use Designation:**

Planned Development-Commercial/High Desnity Residential (Student Housing) (PD-C/HDR) (Student Housing)

## ZONING - CURRENT




**Current Zoning District:**

PD (Planned Development District Silver City Properties PD/LUP)

**Existing Uses**

North: Stormwater pond

South:
Full Sail University

East:
Costco

West:
Bank, post office, office

## Staff Recommendation

**Future Land Use Map Amendment 2019-1-A-5-3:** Make a finding that the information contained in the application for the proposed amendment is sufficiently complete; that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; and recommend to the Local Planning Agency that the amendment, 2019-1-A-5-3, be **transmitted** to the reviewing agencies.

## Analysis

### 1. Background Development Program

The applicant, Geoff Rogers, representing Silver City Properties, Ltd., has submitted an application to change the Future Land Use Map (FLUM) designation from Commercial (C) to Planned Development-Commercial/High Density Residential (Student Housing) (PD-C/HDR) (Student Housing). The petitioned site consists of 13.14 gross acres. The requested future land use designation, if approved, would allow for the development of a mixed-use project featuring up to 2,400 bedrooms (a maximum of 600 units) for student housing and 30,000 square feet of commercial uses. The zoning on the property is PD (Planned Development) (Silver City Properties PD/LUP). The applicant will submit a Change Determination Review (CDR) request which will go before the Orange County Development Review Committee (DRC) for review and recommendation to the Board of County Commissioners (BCC). The Planned Development zoning provides additional development detail and review by multiple County divisions. The site is presently undeveloped.

The subject property is located north of University Boulevard and west of North Forsyth Road. University Boulevard is a six-lane roadway with a median. There is one existing median cut that allows a left turn into a driveway that provides access the subject site. North Forsyth Road is a two-lane road with two access points to the site: one right-in/right-out, and the access point to the north is right-in with left or right turn from the site onto North Forsyth. North Forsyth Road has a turn lane until approximately 830 feet before the intersection with University Boulevard, where a concrete median separates north and southbound traffic.

The petitioned site is north of Full Sail University. The proximity of the proposed student housing to Full Sail allows for the option to walk to campus. The Cady Way Trail is located approximately 600 feet north of the subject site. There is a LYNX bus stop located south of the subject property that provides a direct route to the University of Central Florida, Winter Park Hospital, the Colonial Plaza Superstop, and the downtown Orlando LYNX Central Station.

Development in the area is suburban in character, with institutional, commercial, and industrial uses surrounding the subject site. Uses to the north of the subject site are industrial, including sheet metal works, concrete mixing, and steel fabrication. These uses are separated from the petitioned site by an existing stormwater pond. The future land use on these parcels is Industrial (IND).

Uses to the east of the site are commercial. These uses include Costco, a Costco Gas Station, and Chick-fil-A. These uses are approved as part of the Silver City Properties Planned Development and have a future land use of Commercial (C). Uses east of Forsyth Road include a Sears Outlet which has an Industrial (IND) future land use classification. Uses at the northeast intersection of North Forsyth Road and University Boulevard include self-storage, convenience stores, and fast food restaurants. The future land use on these parcels is Commercial (C).

Full Sail University is located south of the petitioned site, and the parcels have a future land use of Industrial (IND). Southwest of the site, the properties have a future land use of Commercial (C) and are improved with restaurants and uses related to Full Sail University.

The properties to the west have a future land use designation of Industrial (IND) and include a bank, an office building, and two automobile dealerships. The United States Post Office has a future land use of Institutional (INST).

As one travels out from the subject property, there are multi-family uses, commercial activity, and industrial development along the major roads. The nearest single-family subdivision is approximately 0.35 miles southeast of the subject site and has a future land use of Low Density Residential (LDR).

The request is to amend the Future Land Use Map (FLUM) designation from Commercial (C) to Planned Development-Commercial/High Density Residential (Student Housing) (PD-C/HDR) (Student Housing). The request, if approved, would allow for the construction of a student housing community comprised of up to 2,400 bedrooms. Density calculations are based on four bedrooms equating to one student housing unit, thereby resulting in 600 units. In addition, the mixed-use designation would allow for up to 30,000 square feet of commercial development. Table 1, below, provides a comparison of the existing and proposed development of the subject site.

*Table 5 Existing and Proposed Development*

| | *Existing* | *Proposed* |
|---|---|---|
| *Service Area* | Urban Service Area (USA) | Urban Service Area (USA) |
| *Future Land Use* | Commercial (C) | Planned Development-Commercial/High Density Residential (Student Housing) (PD-C/HDR (Student Housing) |
| *Zoning* | PD (Planned Development District) | PD (Planned Development District) |
| *Density* | None | 45.6 dwelling units per acre |
| *Intensity* | 3.0 FAR (1,717,135 sq. ft.) | 1.5 FAR (858,567 sq. ft.) (The limitation to 30,000 square feet is proposed.) |

A staff-initiated Comprehensive Plan Amendment to Future Land Use Element **FLU1.1.4 (A)** decreased the Commercial Floor Area Ratio (FAR) from 3.0 to 1.5 (Amendment 2017-2-B-FLUE-4) and was approved by the Board of County Commissioners on November 14, 2017). Any changes to the Future Land Use Map entailing commercial development would require the applicant to adhere to the current FAR cap.

**Future Land Use Element FLU8.1.2** describes the Planned Development (PD) Future Land Use category as intended to incorporate a broad mix of uses under specific design standards, provided the Planned Development land uses are consistent with the cumulative densities identified on the Future Land Use Map. The proposal would amend the existing Commercial future land use designation of the 13.14-acre to allow a mix of residential (student housing) and complementary commercial development immediately north of the Full Sail campus.

The request will require an amendment to the Comprehensive Plan **Future Land Use Element Policy FLU8.1.4**. This request is under a separate staff report, Amendment 2019-1-B-FLUE-1.

The applicant is requesting to:

1) Amend the Future Land Use Map
2) Amend the Comprehensive Plan **Future Land Use Element Policy FLU8.1.4,** being reviewed as Staff-Initiated Text Amendment 2019-1-B-FLUE-1.

A community meeting for the proposed Future Land Use Amendment was held Thursday, November 7, 2018. There were seventeen (17) residents in attendance, with concerns focused on the additional traffic that could be generated by the proposed change.

**Planned Development Zoning – Silver City Properties PD**

**Case Z-98-099** was a request to rezone from Industrial District (I-2) to Planned Development District (PD) on the portion of the site at the intersection of University Boulevard and North Forsyth Road that is currently developed with a Costco. According to the staff report dated August 13, 1998, and December 1, 1998, the future land use designation of the parcel was Industrial (IND). The applicant requested an amendment of the Future Land Use Map to Commercial (C). The PD Land Use Plan (LUP) approved commercial uses (wholesale/retail with tire sales and installation and gas pumps on Lot 1, commercial uses consistent with C-1 uses on Lot 2, and drainage and access on Lot 3. The subject site was not included on the original LUP.

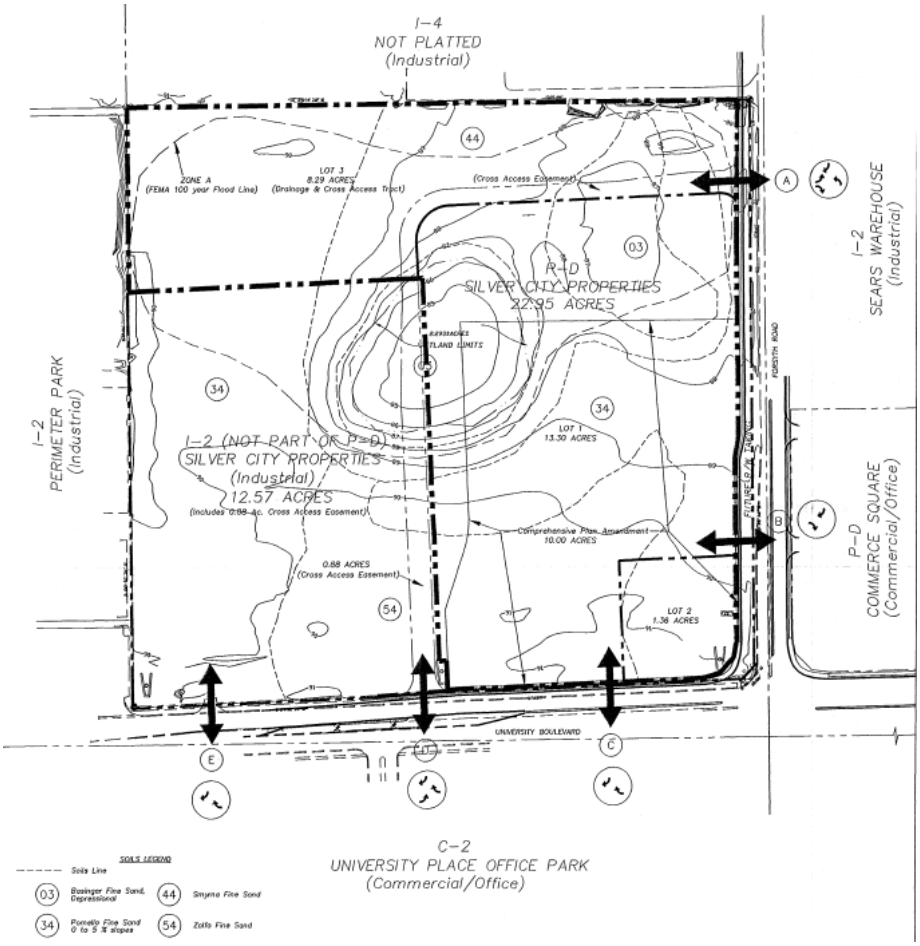



*Figure 2 1998 Silver City Properties Land Use Plan Z-98-099*

**Case Z-99-077** was a request to rezone from Industrial (I-2) and Planned Development (PD) to Planned Development (PD). This petition included the subject property. The request was approved by the Board of County Commissioners on March 7, 2000. The property was excluded from the original Silver City Properties PD to allow two existing billboards along University Boulevard to remain. At the time of the PD approval, Condition #2 required the two existing billboards along University Boulevard to be removed in accordance with a developer's agreement. The agreement allowed the continued operation of the billboards on the property, but only for a term of ten (10) years from the date of recording of the Agreement. The LUP approved a maximum gross floor area of 305,000 square feet of commercial uses conforming to C-1 criteria.

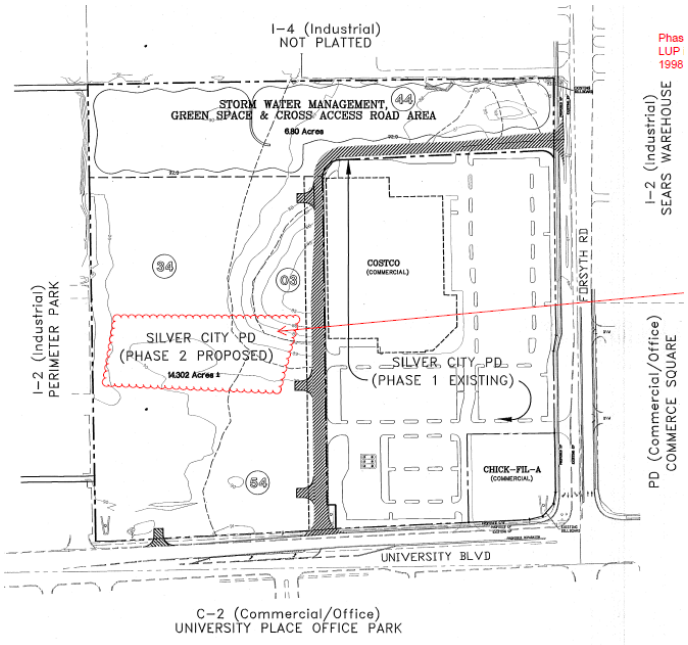



*Figure 3 1999 Silver City Properties Land Use Plan Z-99-077*

**CDR-15-08-242** was a substantial change request to amend the Silver City Properties PD by reducing the number of billboards within the project. The proposal was to reduce the number of billboards from five to three and to permit the three remaining billboards to incorporate multi-messaging technology. The billboard shown on the LUP as BB1 is located on the subject property. Condition #7 allowed the continued operation for a maximum of twenty-five (25) years. The substantial change was approved by the Board of County Commissioners at the January 5, 2016, public hearing.

*Figure 3 Silver City Properties CDR-15-08-242*

## 2. Future Land Use Map Amendment Analysis

### *Pertinent Policies*

The following Comprehensive Plan Goals, Objectives, and Policies appear to be most pertinent to the review of this amendment and are specifically discussed in the paragraphs below.

**Future Land Use Element Goal FLU1, OBJ FLU1.1, and Policies FLU1.1.1, FLU1.1.2(A), FLU1.1.2(B), FLU1.1.4(A), and FLU1.1.4(B)** describe Orange County's urban planning framework, including the requirement that urban land uses shall be concentrated within the Urban Service Area. The High Density Residential (HDR) future land use designation is intended for urban-style multi-family residential densities within the Urban Service Area with a density of up to fifty (50) dwelling units per net acre. The Commercial future land use designation includes neighborhood- and community-scale commercial and office development that serves neighborhood or community needs. An urban mixed-use development program may be achieved through the adoption of the Planned Development (PD) future land use designation, which ensures adjacent land use compatibility and physical integration and design. The proposal is in keeping with the intent of the Planned Development (PD) future land use designation.

**Future Land Use Element Policy FLU1.1.2(F)(1)(2)** addresses student housing. Student housing is permitted only on property with a future land use designation of Medium Density Residential, Medium-High Density Residential, High Density Residential, or Planned Development. The proposal meets this requirement by requesting High Density Residential. Student housing density is based on the number of bedrooms, with four (4) bedrooms equal to one (1) student housing unit. The applicant's request is for a total of 2,400 bedrooms or 600 dwelling units, which meets the density ratio of 4:1.

Staff notes that any conversion of student housing to unrestricted housing shall require a Comprehensive Plan amendment and the approval of a substantial change to the Planned Development-Land Use Plan by the Board of County Commissioners at a public hearing.

**Future Land Use Objective OBJ FLU2.1** requires Orange County to 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. The subject site is an underutilized parcel within the County's core area. Incentives, however, are presently not established in the Land Development Code.

**Future Land Use Policy FLU1.1.5** 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 proposed project meets these policy requirements, as it entails the development of a student housing community with complementary commercial uses. Additionally, the urban infill development will utilize utility and transportation infrastructure already in place. The site is located adjacent to a LYNX bus route, and the Cady Way bike path is located north of the subject property. In addition to this existing transportation infrastructure, the applicant informed the Local Planning Agency (LPA) during the January 17, 2019, transmittal public hearing that the construction of a pedestrian bridge over University Boulevard to help further ensure the safety of pedestrians and bicyclists is currently in the conceptual stage.

**Future Land Use Objective FLU1.4 and Polices FLU1.4.1 and FLU1.4.2** contain location and development criteria that must be used to guide the distribution, extent, and location of urban land uses, and encourage the compatibility with existing neighborhoods. Policy **FLU1.4.1** states that Orange County shall promote a range of living environments and employment opportunities to

achieve a stable and diversified population and community, and **FLU1.4.2** mandates that land use changes shall be compatible with and serve existing neighborhoods. The proposed Future Land Use Map Amendment, which would incorporate residential development into the existing commercial land use designation, would meet the aforementioned policies by promoting a range of living environments for the student population. The immediate surrounding development is diverse in that it consists of a university, a variety of commercial establishments, and industrial uses.

**Future Land Use Element Policy FLU8.2.1** states that land use changes shall be required to be compatible with the existing development and development trends in the area. The subject site is located in an area of suburban development that features a mix of institutional, commercial, and industrial land uses. The proposed student housing and commercial land uses are in harmony with the existing development in the area.

**Future Land Use Element Policy FLU8.1.4** lists the development program for Planned Development (PD) Future Land Use Map designations adopted since January 1, 2007. The development program for this requested amendment is proposed for incorporation into **Policy FLU8.1.4** via a staff-initiated text amendment (Amendment 2019-1-B-FLUE-1). The maximum development program for Amendment 2019-1-A-5-3, if adopted, would be incorporated into Policy FLU8.1.4 as follows:

| Amendment Number | Adopted FLUM Designation | Maximum Density/ Intensity | Ordinance Number |
|---|---|---|---|
| 2019-1-A-5-3<br><br>Silver City Properties Student Housing | Planned Development-Commercial/High Density Residential (Student Housing) (PD-C/HDR (Student Housing) | Up to 30,000 square feet of commercial uses and up to 2,400 student housing bedrooms (600 student housing units) | 2019- |

### *Compatibility*

The subject site is located in a portion of Orange County that is characterized by auto-dependent suburban development, although the site is served by LYNX and lies in close proximity to the Cady Way Trail. Commercial uses are predominant in the area, with an industrial use located north of the subject property and Full Sail University located immediately south of the site. Existing future land use map designations include Industrial (IND), Commercial (C), and Institutional (INST).

The proposed amendment would allow a mixed-use student housing/commercial project compatible with other permitted uses in the area, specifically Full Sail University. Staff, therefore, supports the proposal to amend the Future Land Use Map from Commercial (C) to Planned Development-Commercial/High Density Residential (Student Housing) (PD-C/HDR) (Student Housing).

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

**Environmental**: Due to existing contamination on this site, student housing may not be a compatible use. Additional site analysis is needed prior to EPD support of this request.

The subject area was included in the Orange County Conservation Area Determination CAD 97-103 and Impact Permit 99-045 completed for the Silver City Properties PD. This request shall comply with all related permit conditions of approval. A Class III wetland of 2.29 acres was removed during construction of the adjacent Costco.

The subject parcel is vacant and vegetated. Development 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 for determining the presence of listed species and obtaining any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

The site is located within an area of groundwater contamination delineated by the Florida Department of Environmental Protection (FDEP, various contaminants). No activity will be permitted on the site that may disturb, influence or interfere with: areas of soil or groundwater contamination, any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through FDEP and such approval has been provided to the Orange County EPD. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in Section 376.308, F.S.

This property may be the location of petroleum spills, agricultural or industrial related contamination, and fertilizer, pesticide or herbicide spillage or residue. As it will be needed prior to site development or platting, please submit a completed Phase I Environmental Site Assessment (ESA) as soon as possible to avoid future delays to the Orange County Development Engineering Division (ATTN: Platting Office) and to the Environmental Protection Division (Attention: Development Review Committee Representative). Depending upon the results of the Phase I analysis, either limited soil and groundwater sampling will be required, or a full Phase II ESA will be required, in which case the Phase II shall also be submitted to the FDEP Central District office. Per Comprehensive Plan Policy C1.5.7, Orange County shall require development in/on or near contaminated soils to properly address the contamination prior to any approvals allowing disturbance of the contaminated soils with land clearing, mass grading, and/or construction.

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 62-777, 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. This shall be provided to the Environmental Protection and Development Engineering Divisions by submittal of either an FDEP No Further Action letter or Site Rehabilitation Completion Order (SRCO), with or without conditions or controls, or documentation of specific permissions from FDEP.

If the Environmental Site Assessment indicates site contamination of soil, groundwater, or surface water, or if the FDEP is currently conducting contamination remediation, then the covenants, conditions, and restrictions (CC&Rs) and lease agreements shall include notification that portions of this property have been identified with soil, groundwater, or surface water contamination.

Any waste material found on site during clearing and grading shall be properly disposed of according to the solid waste and hazardous waste regulations.

Depending upon the contamination site review, there may be a need to prohibit the operation and installation of potable and irrigation water wells.

**Transportation.** The Transportation Planning Division has informed staff that 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 Commercial future land use designation will generate 2,161 pm peak hour trips. The proposed development of up 2,400 beds for student housing and up to 300,000 square of commercial space under the requested Planned Development-Commercial/High Density Residential (Student Housing) classification would generate 704 pm peak hour trips, resulting in a net decrease of 1,457 pm peak hour trips.

The subject property is located east of Semoran Boulevard, a six-lane principal arterial, and is adjacent to Scarlett Road, a two-lane local roadway. There is a programmed roadway improvement to construct a new four-lane road, Richard Crotty Parkway, from Semoran Boulevard to Dean Road. The segment from Semoran Boulevard to Goldenrod Road is currently in the design phase, and construction is scheduled for October 2019. The segments form Goldenrod Road to Harrell Road and Harrell Road to Dean Road are in the design stage, but a construction schedule has not been determined to date.

Based on the Concurrency Management System database dated January 7, 2019, there are two failing roadways within the project's impact area. Aloma Avenue is currently operating below the adopted level of service standard from Lakemont Avenue to Semoran Boulevard and from Semoran Boulevard to Tangerine Avenue. This information is dated, however, and is subject to change. Analysis of the short-term (Interim Year 2023) and long-term (Horizon Year 2030) conditions indicates that these capacity deficiencies will continue to occur on Aloma Avenue from Lakemont Avenue to the Seminole County Line in the short term. In the long term, Semoran Boulevard from Hanging Moss Road to University Boulevard to Aloma Avenue will operate at Level of Service F.

The trip generation calculations for this proposed future land use change will result in an overall trip reduction of the maximum trip generation potential when compared to the maximum allowable intensity of the existing future land use. Therefore, the impacts to the area roadways will not cause projected deficiencies.

The applicant submitted a traffic analysis in support of the proposed amendment. However, an FAR of 3.0 was used to calculate the development intensity for the commercial component of the project. The Planning Division amended the commercial density to a maximum FAR of 1.5, which was adopted in November 2017. The applicant's proposed FAR, though, is 0.61. The applicant shall revise the traffic analysis accordingly. In addition, the applicant used ITE land use code 222 for apartments to calculate the trip generation for the student housing. The ITE 10$^{th}$ Edition has a land use code for student housing, which should be used to calculate the daily and pm peak hour trip generation. Although the Transportation Planning Division based their analysis on the intended student housing concept, the revised traffic study shall incorporate the corrected trip generation data.

Final permitting of any development on this site will be subject to review and approval under the capacity constraints of the County's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment 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 and/or as a text amendment to the Comprehensive Plan.

**Utilities.** The subject property is located within the City of Winter Park's potable water, wastewater, and reclaimed water service areas.

## 3. Policy References

**GOAL FLU1** URBAN FRAMEWORK. Orange County shall implement an urban planning framework that provides for long-term, cost-effective provision of public services and facilities and the desired future development pattern for Orange County

**OBJ 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.

**Policy 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.

**Policy FLU1.1.2(A)** The Future Land Use Map shall reflect the most appropriate maximum and minimum densities for residential development. Residential development in Activity Centers and Mixed Use Corridors, the Horizon West Village and Innovation Way Overlay (Scenario 5) and Growth Centers may include specific provisions for maximum and minimum densities. The densities in the International Drive Activity Center shall be those indicated in the adopted Strategic Development Plan.

**Policy FLU1.1.2(B)** The following are the maximum residential densities permitted within the Urban Service Area for all new single use residential development or redevelopment. Future Land Use densities for the following categories shall be:

| FLUM Designation | General Description | Density |
|---|---|---|
| **Urban Residential – Urban Service Area** | | |
| Medium Density Residential (MDR) | Recognizes urban-style multifamily residential densities within the USA. | 0 to 20 du/ac |

**Policy FLU1.1.2(F)(1)(2)** Student housing may be permitted only on property with a future land use designation of Medium Density Residential, Medium-High Density Residential, High Density Residential, or Planned Development (in which medium or high density student housing is included as a single use or part of a mix of uses). A Planned Development zoning classification shall be required for all student housing projects.

(1) Student housing density shall be calculated based on the number of bedrooms, with four (4) bedrooms equal to one (1) multi-family unit. An alternative density calculation may be permitted upon the approval of the Board of County Commissioners, provided the developer has committed to a mobility plan to be implemented with the development of the student housing project, has demonstrated a need for the additional units, and/or has proposed a redevelopment project located within the area extending one (1) mile east and one (1) mile west of the Alafaya Trail corridor, between McCulloch Road and State Road 408.

(2) Any conversion of student housing to unrestricted housing shall require a Comprehensive Plan amendment and/or the approval of a substantial change to the Planned Development-Land Use Plan (PD-LUP) by the Board of County Commissioners at a public hearing. If the Comprehensive Plan amendment

and/or substantial change is approved, school impact fees in effect at the time shall be paid, and the project shall comply with any school capacity regulations in effect at that time.

**Policy 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.) Also, Institutional and Educational designations may be located within the Rural Service Area on a limited basis as may be expressly allowed by other goals, objectives and/or policies in this Comprehensive Plan.

| FLUM Designation | General Description | Density/Intensity |
|---|---|---|
| **Urban Non-Residential – Predominantly urban in use** | | |
| Commercial (C) | Commercial uses include neighborhood and commercial scale commercial and office development that serves neighborhood or community or village needs. Examples include neighborhood center, community center and village commercial. | 1.50 FAR (0.15 FAR for Rural Settlements per FLU6.2.9) unless otherwise restricted or increased for specific locations pursuant to adopted County Comprehensive Plan policy or land development code |

**Policy FLU1.1.4.B -** In addition to FLU1.1.2(B), permitted densities and/or intensities for residential and non-residential development can be established through additional Future Land Use designations. Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(C). The Future Land Use and Zoning Correlation is found in FLU8.1.1.

**B. URBAN MIXED USE OPTIONS** – The following Future Land Use designations allow for a mix of uses. Per a settlement agreement with the State Department of Community Affairs, Orange County's Planned Development Future Land Use designation now requires an adopted text amendment to specify the maximum intensity and density of a project. See Policy FLU8.1.4. Mixed-Use Corridors are a staff initiated option intended to complement the County's Alternative Mobility Areas and Activity Center policies.

| FLUM Designation | General Description | Density/ Intensity |
|---|---|---|
| **Urban Mixed Use– Urban Service Area** | | |
| Planned Development (PD) | The PD designation ensures that adjacent land use compatibility and physical integration and design. Development program established at Future Land Use approval may be single or multiple use. See FLU8.1.4. Innovation Way is another large | Must establish development program at Future Land Use amendment stage per FLU8.1.4. |

| | | |
|---|---|---|
| | planning area similar in some respects to the planning process for Horizon West. Developments within the Innovation Way Overlay (Scenario 5) are processed as Planned Developments. Innovation Way is being implemented through the policies found in Chapter 4. | |

**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 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

**Policy 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.

**Policy FLU1.4.2** Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.

**Policy FLU8.1.2** Planned Developments (PDs) intended to incorporate a broad mixture of uses under specific design standards shall be allowed, provided that the PD land uses are consistent with the cumulative densities or intensities identified on the Future Land Use Map.

**Policy FLU8.1.4** The following table details the maximum densities and intensities for the Planned Development (PD) Future Land Use designations that have been adopted subsequent to January 1, 2007.

**Policy 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 places 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

## Site Visit Photos

**North**

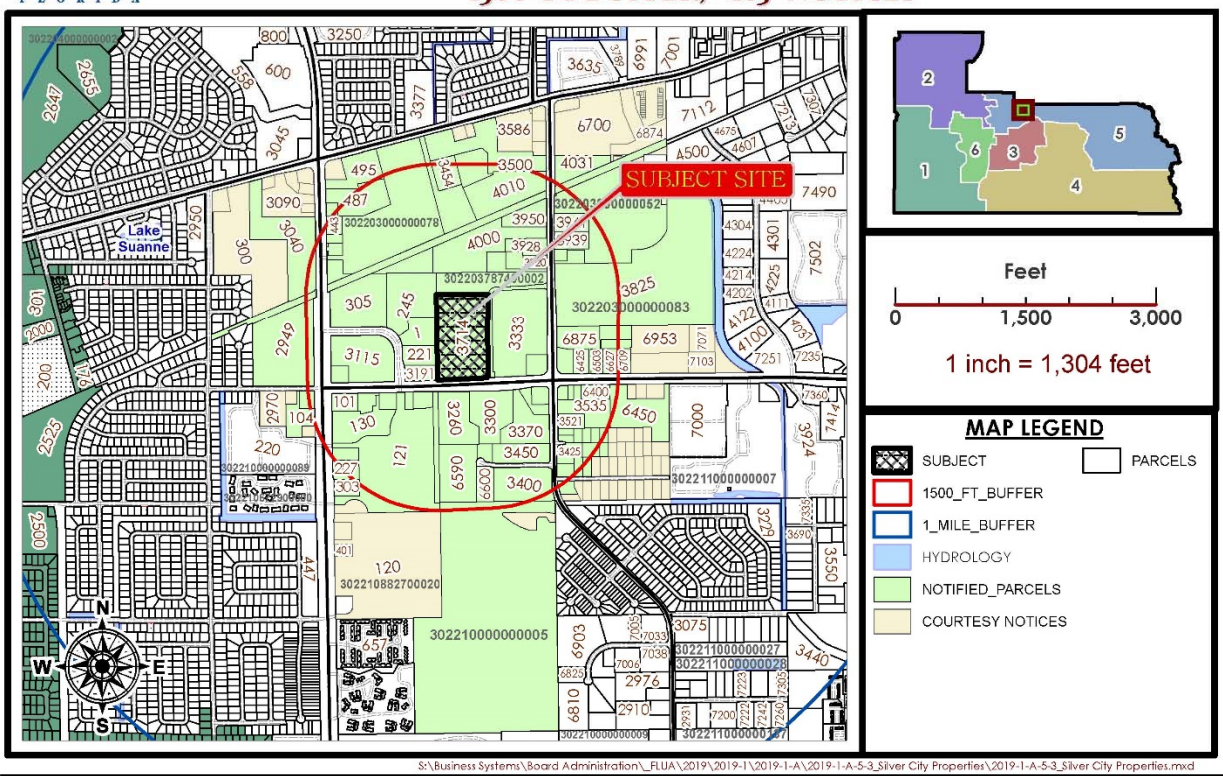
**East**

**South**

**West**

# Public Notification Map

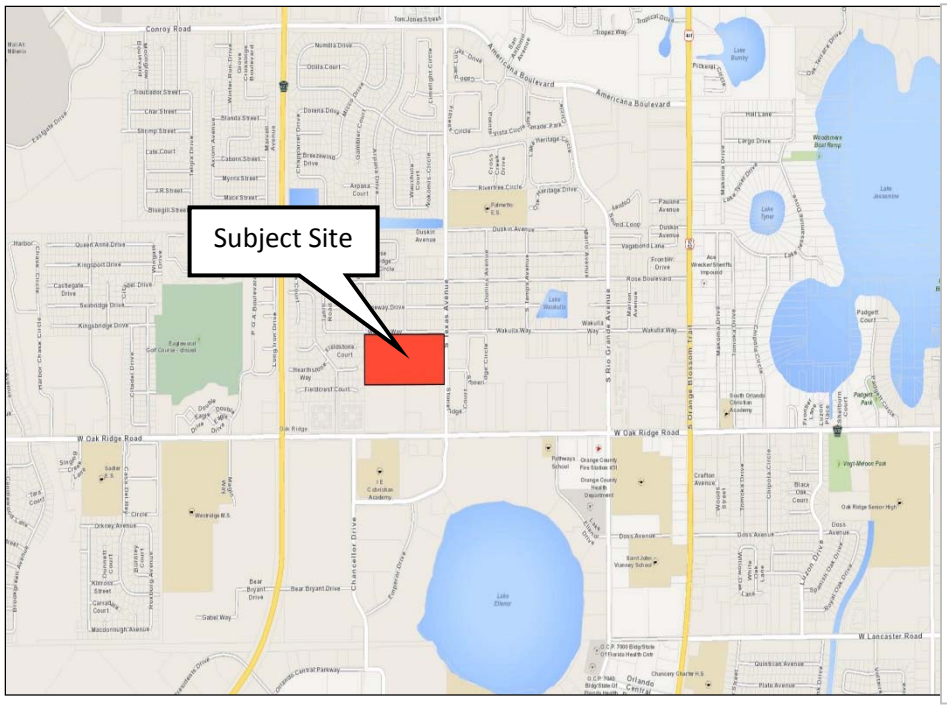
**2019-1-A-5-3_Silver City Properties**
**1500 FT BUFFER, 183 NOTICES**




**Notification Area:**

1,500-foot buffer

183 notices sent




**Applicant/Owner:** VHB for Central Florida Investments, Inc.

**Location:** 5736 S. Texas Ave.; Generally located on the west side of S. Texas Ave., south of Wakulla Wy., east of S. John Young Pkwy., and north of W. Oak Ridge Rd.

**Existing Use:** Multi-family dwelling units

**Parcel ID Numbers**:
21-23-29-5361-00-170/171/172

**Tract Size:** 19.40 gross acres

| +The following meetings and hearings have been held for this proposal: | | |
|---|---|---|
| **Report/Public Hearing** | | **Outcome** |
| ✓ | Community Meeting (340 notices sent; 3 people in attendance) | October 17, 2018 Positive |
| ✓ | Staff Report | Recommend Transmittal |
| ✓ | LPA Transmittal January 17, 2019 | Recommend Transmittal (7-0) |
| | BCC Transmittal | February 12, 2019 |
| | State Agency Comments | Early March 2019 |
| | LPA Adoption | April 18, 2019 |
| | BCC Adoption | May. 2019 |

**Project Information**

**Request:** Low-Medium Density Residential (LMDR) to Medium Density Residential (MDR)

**Proposed Development Program:** Up to 358 multi-family dwelling units

**Division Comments:**

**Environmental, Public Facilities and Services:** Please the see Public Facilities Analysis Appendix for specific analysis on each public facility.

**Environmental:** Per the Orange County Environmental Protection Division (EPD), a Conservation Area Determination (CAD) must be completed before the amendment can be considered for adoption.

**Transportation:** The subject property is located within the County's Alternative Mobility Area. The proposed amendment will result in an increase of 85 p.m. peak hour trips.

**Schools:** The developer will be required to enter into a Capacity Enhancement Agreement (CEA) with Orange County Public Schools (OCPS). The applicant has submitted a formal capacity determination request to OCPS.

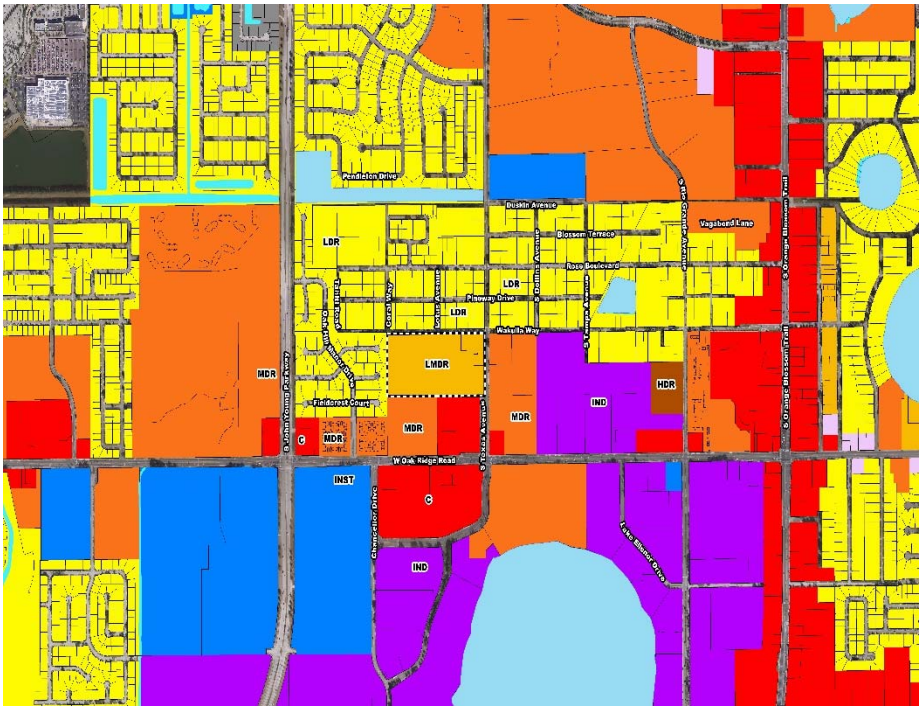
**Concurrent Rezoning:** LUP-17-04-135 – R-3 (Multiple-Family Dwelling District) to PD (Planned Development District)(Westgate Seasons Planned Development)

The associated PD Land Use Plan (LUP) is proceeding through DRC review and is expected to be considered in conjunction with the requested amendment during the adoption public hearing stage.

## AERIAL

Pendleton Drive
Duskin Avenue
Blossom Terrace
Rose Boulevard
Vagabond Lane
S Rio Grande Avenue
S Dollins Avenue
S Tampa Avenue
Pineway Drive
Wakulla Way
Coral Way
Lotus Avenue
Tahiti Road
Oak Hill Manor Drive
Fieldcrest Court
S John Young Parkway
W Oak Ridge Road
S Texas Avenue
Chancellor Drive
Lake Eleanor Drive

## FUTURE LAND USE - CURRENT




**Current Future Land Use Designation:**

Low-Medium Density Residential (LMDR)

**Special Area Information:**

JPA: N/A

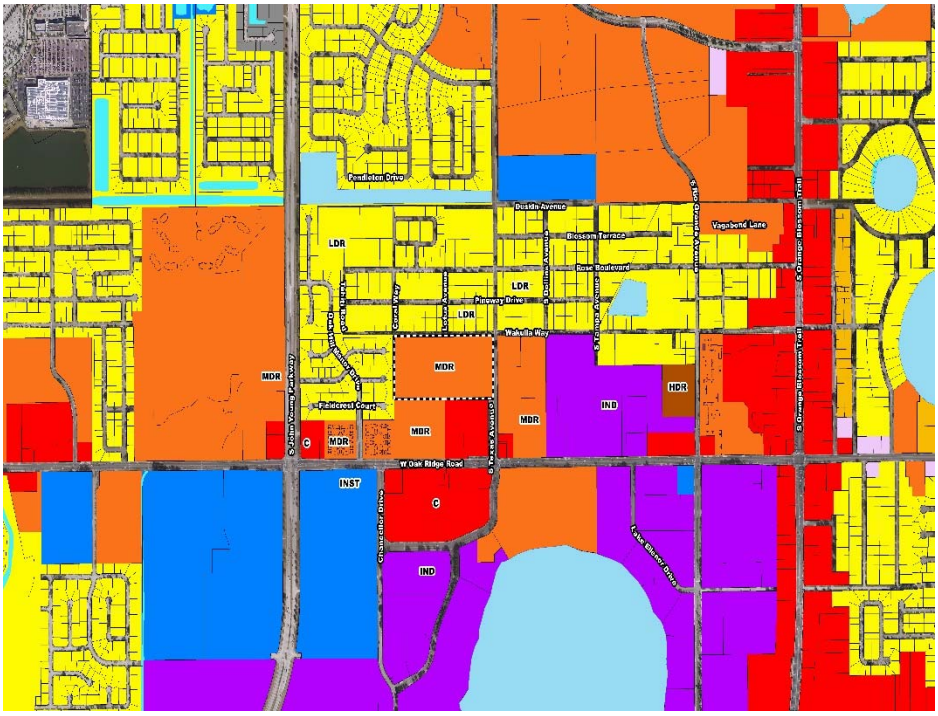
Rural Settlement: N/A

Overlay District: N/A

AMA District: Alternative Mobility Area

Airport Noise Zone: N/A

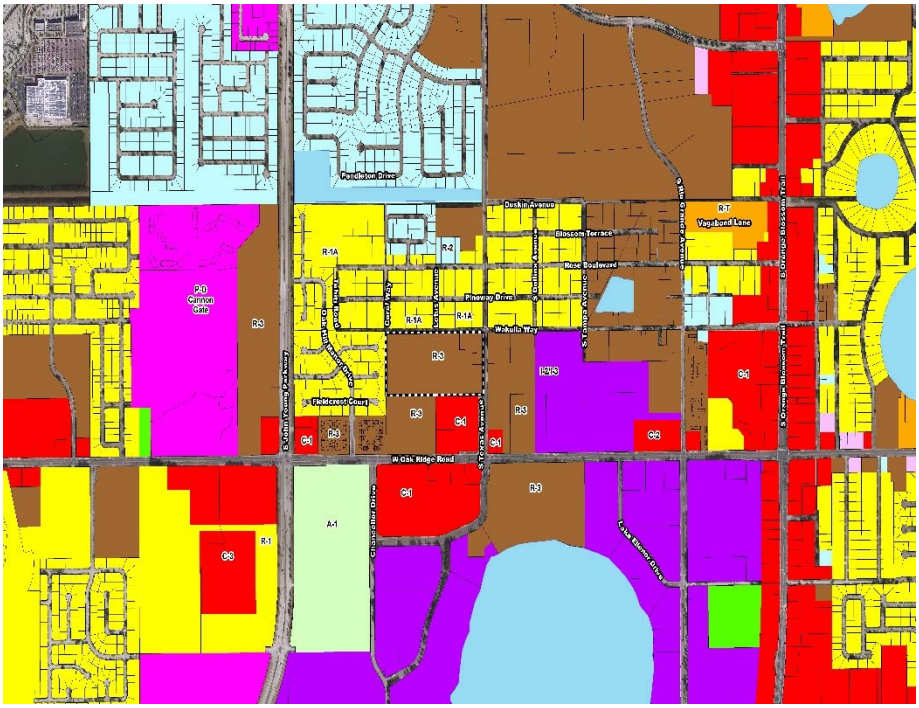
## `FUTURE LAND USE - PROPOSED




**Proposed Future Land Use Designation:**

Medium Density Residential (MDR)

## ZONING - CURRENT




**Current Zoning District:**

Multiple-Family Dwelling District (R-3)

**Existing Uses**

North: Single-family dwellings

South: Oakridge Commercial Retail Complex (under construction) and Royal Palm Apartments-West

East: Casienna Apartments and Seventh Day Adventist Church

West: Single-family dwellings

## Staff Recommendation

**Future Land Use Map Amendment 2019-1-A-6-1:** Make a finding that the information contained in the application for the proposed amendment is sufficiently complete; that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; and recommend to the Local Planning Agency that the amendment, 2019-1-A-6-1, be **transmitted** to the reviewing agencies.

## Analysis

### 1. Background Development Program

The applicant, Erika Hughes, VHB, has requested to change the Future Land Use Map (FLUM) designation of the 19.40-acre site from Low-Medium Density Residential (LMDR) to Medium Density Residential (MDR). The subject site was rezoned from R-1A (Single-Family Dwelling District) to R-3 (Multiple-Family Dwelling District) on June 24, 1980 and received approval for the development of 248 condominium units in 1982. On March 24, 1998, the property owner received approval from the Florida Department of Business & Professional Regulation (DBPR) to operate a timeshare development, The Seasons, on the property. Between 1983 and 1990, forty-four (44) timeshare units were constructed on approximately five (5) acres of the subject site. On January 1, 2016, the timeshare development's license expired, and the partially-developed site is currently being used for multi-family use.

This request was originally scheduled for consideration during the 2017-1 Regular Cycle as Amendment 2017-1-A-6-1. At the November 10, 2016, community meeting held for the proposed amendment, the applicant stated that The Seasons timeshare resort was not successful because of its location. Therefore, the property owner is seeking to redevelop the subject property to allow for up to 358 multi-family units that will be market rate three-story garden-style apartments. The MDR Future Land Use Map designation allows for a maximum density of twenty dwelling units per acre. While Amendment 2017-1-A-6-1 was transmitted to the Florida Department of Economic Opportunity (DEO), the applicant withdrew the request prior to the May 18, 2017, Local Planning Agency (LPA) adoption public hearing to allow for the resolution of outstanding school capacity issues with Orange County Public Schools (OCPS).

The subject property is located at the northwest corner of S. Texas Avenue and Wakulla Way, approximately 650 feet north of W. Oak Ridge Road, an urban collector roadway, with approximately 650 feet of frontage on S. Texas Avenue. S. Texas Avenue is also an urban collector roadway. The subject site is situated in a densely developed area characterized by a mix of industrial, commercial, institutional, and residential uses and a variety of housing types, including single-family detached homes, condominiums, and apartments. Single-family residences, located north and west of the site, are zoned R-1A and possess Low Density Residential (LDR) Future Land Use Map designations. Two parcels to the south, one retail commercial shopping center currently under construction (Oakridge Commercial Retail Complex) and one developed (Apache Plaza) are zoned C-1 (Retail Commercial District) and have corresponding Commercial Future Land Use Map designations. Royal Palm Apartments-West, a 192-unit apartment complex is also located immediately to the south and possesses a MDR Future Land Use Map designation and corresponding R-3 zoning classification. Another 160-unit apartment complex, Casienna Apartments, is located across the street on S. Texas Avenue, east of the subject property. The Florida Conference Association of Seventh Day Adventist Church is also located across the street on S. Texas Avenue, east of the subject site. Both properties possess MDR Future Land Use Map designations and are zoned R-3. Two more apartment developments, Royal Palm Apartments-East, a 96-unit apartment complex, and Enclave at Lake Ellenor Apartments, a 296-unit apartment complex, are located southeasterly of the site on W. Oak Ridge Road. Both properties have MDR Future Land Use Map

designations and are zoned R-3. Chateau De Ville, consisting of two residential condominium developments containing 56 units each, is located southwesterly of the site on W. Oak Ridge Road. Each of these developments has a MDR Future Land Use Map designation and is zoned R-3. Orlando Central Park, an industrial park that encompasses a variety of uses—including warehousing, manufacturing, and offices—is located approximately 700 feet south of the subject property.

## 2. Future Land Use Map Amendment Analysis

### *Consistency*

The requested FLUM amendment initially appears to be **consistent** with the applicable Goals, Objectives, and Policies of the Comprehensive Plan. The subject property is located within the County's Urban Service Area (USA) Boundary and is situated in an urbanized area characterized by a mix of industrial, commercial, institutional, and residential uses. As mentioned above, the applicant is seeking the MDR Future Land Use Map designation to allow for the redevelopment of the 19.40-acre infill site to construct up to 358 multi-family units. It should be noted that regulated wetlands are believed to be present on the site and may reduce the amount of developable acreage and the proposed unit count.

Staff consulted **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. Also applicable is **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. **Future Land Use Element Policy FLU1.1.5**, 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. As noted previously, The Seasons is surrounded by residential, industrial, commercial, and institutional activity and is considered to be an infill development. The proposed Future Land Use Map Amendment and associated residential development program seems to further Orange County's commitment to ensuring that sufficient land is available to meet the identified housing needs of its present and future residents. The applicant's intent to develop up to 358 multi-family dwelling units is also applicable to **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. It is staff's belief that the proposed project will contribute to the mix of available housing options in an area of the County deemed appropriate for urban uses, as set forth in **Policy FLU1.1.1**. Further, **Future Land Use Element Policy FLU1.4.1** states that Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

### *Compatibility*

The proposed FLUM amendment initially appears to be **compatible** with the existing development and development trend of the surrounding area. **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 stated above, the subject property is located in an urbanized area characterized by a mix of residential, industrial, commercial, and institutional uses. It is staff's belief that the proposed project can be compatible with the existing mix of single-family residences and multi-

family dwelling units. There are several existing apartment complexes located east and south of the subject property that already possess the MDR Future Land Use Map designation.

If the requested FLUM amendment is adopted, provisions must be taken to ensure that any future development of the subject site for multi-family residential use will not adversely impact the existing single-family residential communities in the surrounding area. Although no restrictions or conditions may be imposed during the FLUM amendment stage, performance restrictions and/or conditions may be placed on the property through the appropriate subsequent development order to ensure compatibility, as established in **Policy FLU8.2.1**. As stated previously, this request was originally scheduled during the 2017-1 Regular Cycle as Amendment 2017-1-A-6-1. At the November 10, 2016, community meeting held during that review, the residents in attendance had concerns that access to the proposed development would be achievable via Wakulla Way and that the drainage ditch located alongside Wakulla Way would be filled in. The residents requested that a six-foot high masonry wall and a landscape buffer be placed along the north and west property lines of the subject site where it abuts single-family residences, and they asked that no access be granted onto Wakulla Way. The applicant stated that he would be submitting a rezoning application to run concurrently with the FLUM Amendment request so that he could address the residents' concerns. Rezoning application LUP-17-04-135 has been submitted and is proceeding through the Development Review Committee (DRC) review process. The applicant agreed to their requests, including the construction of the masonry wall along the north and west property lines, the provision of a landscape buffer, and the retention of an existing natural treed buffer. He also stated there will be no access onto Wakulla Way; rather, access will be provided on S. Texas Avenue. Additionally, he told the residents that the developer will not be filling in the drainage ditch along Wakulla Way.

At the October 17, 2018, community meeting held for the currently proposed amendment, three residents were in attendance, and the current applicant agreed to honor the same commitments that were made to the citizens by the previous applicant: construction of a masonry wall along the north property and west property lines, the provision of a landscape buffer, the retention of an existing natural treed buffer, and no access onto Wakulla Way. The applicant stated that these conditions would be stated on the Westgate Seasons Planned Development (PD)/Land Use Plan (LUP) (LUP-17-04-135). Approval of the FLUM Amendment request from LMDR to MDR would be compatible with the existing development pattern and uses in the area.

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

**Environmental**: The project site is partially developed but wetlands and surface waters are located on site, including a portion of the Wakulla Canal on the north boundary. An Orange County Conservation Area Determination (CAD) must be completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD) to determine net developable area prior to submitting subdivision, development plans or permit applications. 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 buildable area is the net developable acreage less protective buffer areas 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.

A portion of the project site is vacant and vegetated. Development 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).

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.

This site is located adjacent to existing residential neighborhoods, therefore dust control during all site preparation and construction will be necessary. Fugitive dust emissions shall not be allowed from any activity including: vehicular movement, transportation of materials, construction, alteration, loading, unloading, storing or handling, without taking reasonable precautions to prevent such emissions. Reasonable precautions include application of water, dust suppressants, and other measures defined in Orange County Code Chapter 15, Environmental Control, Article III, Air Quality Control, Division 2 Rules, Section 15-89.1, Air Pollution prohibited.

This site is adjacent to existing residential neighborhoods, therefore noise control during all site preparation and construction will be necessary. Construction noise is limited by Orange County Code Chapter 15, Environmental Control, Article V Noise Pollution Control, Section 15-185, Exemptions allows for construction or demolition activities between 7:00 a.m. and 10:00 p.m. Any construction after 10:00 p.m. and prior to 7:00 a.m. needs to comply with the requirements of the ordinance. In addition, dewatering pumps shall be shielded from exposure to the adjacent residential units and located as far away as possible to minimize adverse noise level impacts.

**Schools:** The developer will be required to enter into a Capacity Enhancement Agreement (CEA) with Orange County Public Schools (OCPS). The applicant has submitted a formal capacity determination request to OCPS.

**Transportation.** Based on trip generation estimates from the 10th Edition of the Institute of Transportation Engineers Trip Generation Handbook, it was determined that the maximum allowable development of 179 multi-family dwelling units based on the current future land use designation of Low-Medium Density Residential would generate approximately 99 new p.m. peak hour trips, while the proposal to develop up to 358 multi-family dwelling units under the Medium Density Residential future land use designation will generate 184 new p.m. peak hour trips, resulting in an increase of 85 p.m. peak hour trips.

**Future Roadway Network**
**Road Agreements:** None

**Planned and Programmed Roadway Improvements:**
Texas Avenue - There are two (2) programmed roadway improvements to widen Texas Avenue to four (4) lanes. The segment from Oakridge Road to S. of Americana Boulevard is currently in the design phase and a construction schedule is yet to be determined. The segment from Americana Boulevard to S. of Holden Road is in design and construction is scheduled for August 2019.

**Right of Way Requirements:**
Right-of-Way acquisition for the widening of Texas Avenue is to be determined.

**Summary**
The applicant is requesting a land use change and rezoning change for 17.70 developable from Low-Medium Density Residential to Medium Density Residential approval to develop up to 358 multi-family dwelling units. This project is located in the Alternative Mobility Area and is exempt from transportation concurrency. The applicant submitted a mobility analysis in support of the proposed change.

The subject property is located within the County's Alternative Mobility Area, near the intersection of Texas Avenue, a two-lane collector road from Oakridge Road to Americana Boulevard and Wakulla Way, a local roadway. Based on the Concurrency Management System database, all roadways within the project impact area operates at an acceptable Level of Service and there are no capacity deficiencies. This information is dated and subject to change.

The allowable development based on the approved future land use will generate 99 p.m. peak hour trips.

The proposed use will generate 184 p.m. peak hour trips resulting in a net increase of 85 p.m. peak hour trips.

Analysis of short-term conditions (5-Year) shows that all of the roadways within the study area are projected to operate within the acceptable Level of Service capacity. For long term conditions, however, deficiencies occur on John Young Parkway between Oakridge Road and Americana Boulevard. This deficiency occurs before the project trips area added, therefore, this is a background deficiency that will be present with or without the proposed land use change. All other roadways within the study area are projected to operate within the acceptable Level of Service capacity standards in both the daily and PM peak hour conditions.

A review of alternative transportation modes in the area indicates transit service availability within a quarter-mile of this parcel. There are seven fixed routes serving the project area. The bus stops along Oak Ridge Road closest to the project site are equipped with concrete landing pads, benches, and/or shelters.

The area is also well served by public sidewalks and the proposed development will connect to the existing sidewalks along Texas Avenue.

There are dedicated bike lanes available along John Young Parkway and Conroy Road but not along the roadways adjacent to the site.

The applicant submitted a traffic study in support of this proposed change, however, the trip generation calculations were based on development densities that are not consistent with the densities approved by the Planning Division. The trip generation data should be updated and a revised study submitted. Final permitting of any development on this site will be subject to review and approval by the County's Development Review Committee. 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.

### Policy References

**GOAL H1 –** Orange County's goal is to promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, to meet current and anticipated housing needs so that all our 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.

**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.** Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following polices 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).

**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.

**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.

## Site Visit Photos

### Subject Site

**North – Single-Family Residential**

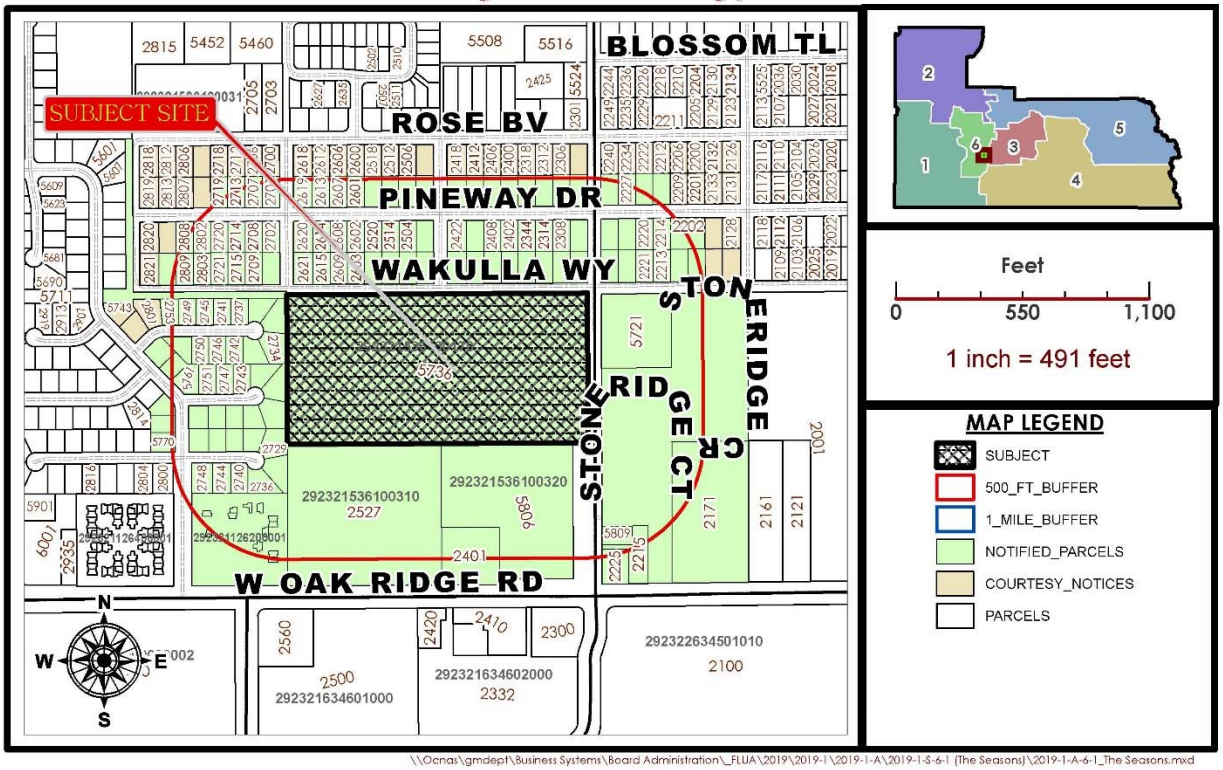
**South – Retail Commercial Under Construction**

**East – Casienna Apartments**

**West – Single-Family Residential**

# Public Notification Map

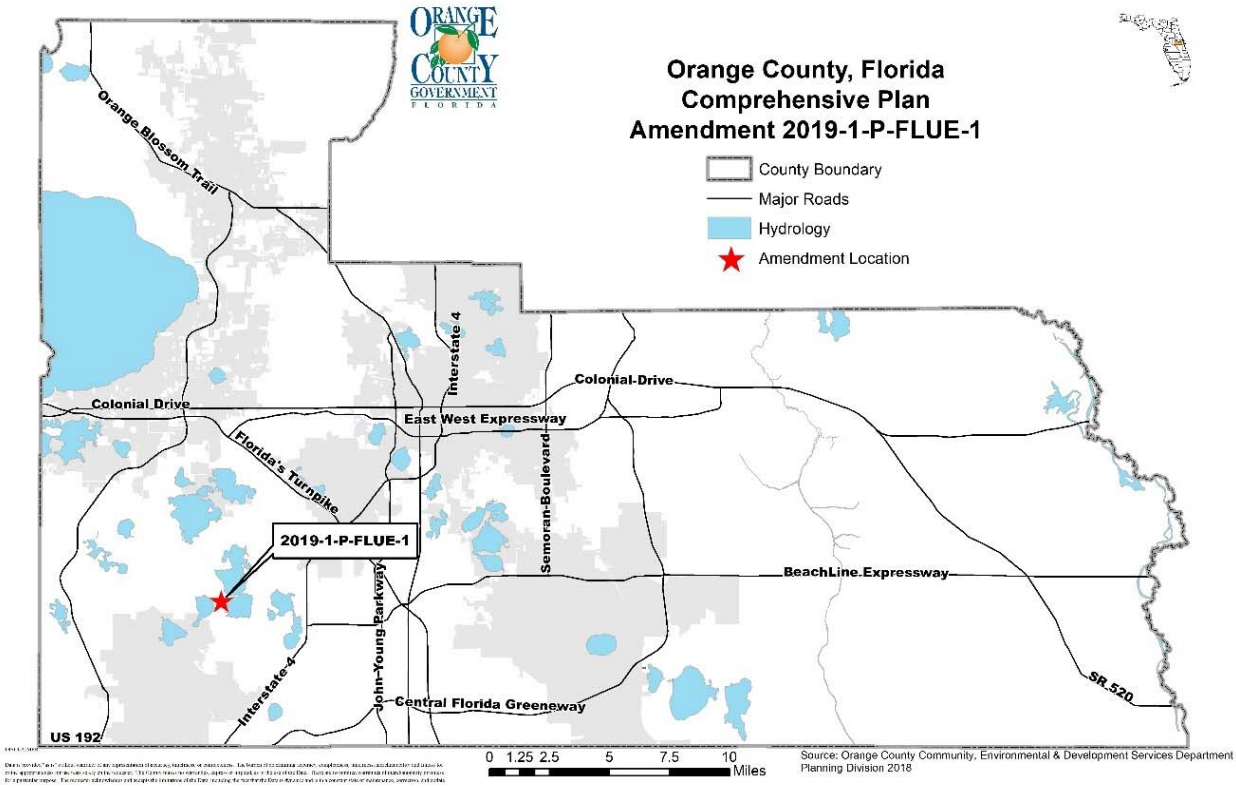
**2019-1-A-6-1_The Seasons**
**500 FT BUFFER, 340 NOTICES**




**Notification Area:**

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

316 notices sent




| **The following meetings and hearings have been held for this proposal:** | | | | **Project/Legal Notice Information** |
|---|---|---|---|---|
| **Report/Public Hearing** | | **Outcome** | | **Title:** Amendment 2019-1-P-FLUE-1 |
| ✓ | Community Meeting May 3, 2018 | Mixed: half in favor, half opposed | | **Division:** Planning |
| ✓ | Staff Report | Recommend Do Not Transmit | | **Request**: Text amendment to amend Future Land Use Element Policy FLU2.5.5, and create new Policy FLU2.5.5.1 related to the Lake Mabel Rural Residential Enclave. |
| ✓ | LPA Transmittal January 17, 2019 | Recommend Transmittal (4-3) | | **Revision: FLU2.5.5**<br>**Creation: FLU2.5.5.1** |
| | BCC Transmittal | February 12, 2019 | | |
| | State Agency Comments | March 2019 | | |
| | LPA Adoption | April 18, 2019 | | |
| | BCC Adoption | May, 2019 | | |

## Staff Recommendation

Make a finding of **inconsistency** with the Comprehensive Plan, determine that the plan amendment is not in compliance (see Future Land Use Element Objective FLU8.2, and Policies FLU1.4.2, FLU2.5.1, FLU2.5.5 (as adopted), FLU8.2.1, FLU8.2.11, and FLU8.8.1 and Neighborhood Element Objective N1.1), and recommend **DO NOT TRANSMIT** Amendment 2019-1-P-FLUE-1, revising Future Land Use Element Policy FLU2.5.5 and creating Policy FLU2.5.5.1.

## Background

This proposed text amendment (2019-1-P-FLUE-1) is a privately initiated text amendment to amend Comprehensive Plan Policy FLU2.5.5 and create new Policy FLU2.5.5.1. Future Land Use Element Policy FLU2.5.5 is part of the Rural Residential Enclave policies, which were adopted on July 10, 2018, by the Board of County Commissioners (BCC) through Comprehensive Plan Amendment 2018-2-C-FLUE-1, and Ordinance No. 2018-17. This amendment was originally part of the 2018-2 Regular Comprehensive Plan amendment cycle; however, recognizing that the Local Planning Agency (LPA) and BCC Transmittal hearing dates for the 2018-2 cycle were the same dates that Amendment 2018-2-C-FLUE-1 would be heard for adoption, the applicant requested to continue the request to the 2019-1 Regular amendment cycle.

The applicant is proposing to revise the Rural Residential Enclave policies to add additional standards that would apply only to four (4) parcels totaling 10.61 acres located at the eastern portion of the Lake Mabel Rural Residential Enclave. The applicant has indicated that the purpose of the revised policies is to allow for a development program consisting of a 121,193-square-foot assisted living facility with one hundred ten (110) beds, and seventeen (17) independent senior dwelling units. A Planned Development (PD) rezoning would be required to implement the proposed development program for the 10-acre subject site.

In 2015, Orange County began a small area study process for four existing residential neighborhoods located within or in close proximity to the Orange County Urban Service Area (USA) boundary. The "Rural Residential Enclaves" of Lake Mabel, Chickasaw, Berry Dease, and Rocking Horse are characterized as established neighborhoods with a homogeneous and stable low-density residential development pattern. Each Rural Residential Enclave includes well-defined or fairly-defined geographic boundaries and the presence of historic, physical, environmental, regulatory, or other site-specific constraints. In addition to maintaining rural development patterns and characteristics, the County recognized that the Rural Residential Enclaves were experiencing pressure from surrounding urban development as the County continues to grow. The goal of the Rural Residential Enclaves Study was to guide future planning in these neighborhoods by establishing Comprehensive Plan provisions that balanced private land development opportunities with the needs and expectations of local residents. Throughout the small area study process, the County has worked with all residents and property owners within these neighborhoods through numerous discussions and community meetings to determine a suitable and equitable solution.

The Rural Residential Enclave policies include minimum lot sizes and rural corridor design guidelines within the Lake Mabel, Chickasaw, Berry Dease, and Rocking Horse enclaves. The Rural Residential Enclave policies establish a definition and intent for Rural Residential Enclaves, delineate the boundaries of the enclaves, and establish development standards that are the product of three years of County and community collaboration. The boundaries of these enclaves are also adopted as Maps 25(a)-(d) of the Future Land Use Map Series of the Comprehensive Plan. The policies specific

to the Lake Mabel Enclave, the Enclave to which the current amendment would apply, are intended to preserve and/or enhance its rural residential character and require minimum one (1) acre lots.

This request has been submitted pursuant to **Future Land Use Element Policy FLU8.8.1 B. e**, which allows consideration of a privately-initiated text amendment if the Planning Manager determines the amendment may be submitted for processing. It was the applicant's position that a plan could be developed that would be compatible with and maintain the integrity of the desired Lake Mabel Rural Residential Enclave large-lot, single-family character and that guiding policies could be prepared that would ensure this. Consistent with this policy, the Planning Manager determined that an application intended to achieve this could be submitted.

## A. Analysis

Upon review of the applicant's proposed policy changes and materials presented at the community meeting, staff has determined that the proposed amendment would result in an incompatible development pattern and should not be transmitted for continued review.

As identified in **Future Land Use Element Objective OBJ FLU8.2**, compatibility is the fundamental consideration in all land use and zoning decisions made by the County. While **Future Land Use Element Policy FLU8.2.11** states that compatibility does not have to mean a use that is identical to those uses that surround it, it does require consideration of the physical integration of a project and its function in the broader community, as well as its contribution toward Comprehensive Plan Goals and Objectives. In addition, **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. The proposed amendment does not include a Future Land Use Map (FLUM) change, but it does constitute an increase in allowable development on the subject property to an extent that is incompatible with the scale of development in the Lake Mabel Enclave. Throughout the small area study process, the Lake Mabel community and County staff worked together to identify what scale and type of development would be appropriate for the area. The adopted development standards reduce the allowable density for three of the four proposed Rural Residential Enclaves from what was previously permitted under the Goals, Objectives, and Policies of the Comprehensive Plan. The allowable development density for the Lake Mabel Enclave, however, has increased from one (1) dwelling unit per ten (10) acres to one (1) dwelling unit per acre, with required minimum one (1) acre lot sizes.

The applicant's proposed development program for the subject site is also inconsistent with **Neighborhood Element Objective N1.1** and **Future Land Use Element Policy FLU1.4.2** which maintain that Orange County shall ensure that Future Land Use changes are compatible with, do not adversely impact, and serve existing or proposed neighborhoods. As previously discussed, staff finds that the intensity of the proposed development would be incompatible with and adversely impact the existing Lake Mabel Enclave community.

**Future Land Use Element Policy FLU2.5.1** describes the Rural Residential Enclaves as established neighborhoods with a homogeneous and stable rural residential pattern. The purpose of adopting the Rural Residential Enclave policies was to preserve those existing patterns. Staff finds that the proposed assisted living facility and independent senior living units are inconsistent with the established rural residential development pattern within the Lake Mabel enclave.

**Future Land Use Element Policy FLU2.5.5**, as adopted, prohibits the accommodation of lot sizes smaller than prescribed by the adopted Rural Residential Enclave standards. Staff's position is that allowing an exception to this prohibition, as proposed by this text amendment, will create a

precedent and incentive for future properties to request additional exceptions and that the granting of numerous exceptions to the adopted standards is in opposition to the goals of establishing the standards in the first place.

**Future Land Use Element Policy FLU8.1.1** includes the Future Land Use and Zoning correlation table, which identifies which zoning districts are consistent with each Future Land Use Map (FLUM) designation and specialty planning area. This policy was amended with the adoption of the Rural Residential Enclave policies to state that the following zoning districts are consistent with the Rural Residential Enclave areas: R-CE (Country Estate District), A-1 (Citrus Rural District), A-2 (Farmland Rural District), A-R (Agricultural-Residential District), R-1A (Single-Family Dwelling District), R-1AA (Single-Family Dwelling District), and P-D (Planned Development District). Per Section 38-77, of the Orange County Code, which is the zoning use table, an assisted living facility is not a permitted use or a special exception use in any of these zoning districts. Assisted living facilities are only permitted in commercial and industrial zoning districts and in the R-3 (Multiple-Family Dwelling District). The Lake Mabel enclave is located outside of the Urban Service Area (USA), in the area known as the Rural Service Area (RSA). The Comprehensive Plan restricts urban FLUM designations such as Commercial to the USA and the rural designation of Rural/Agricultural (R) to the RSA. The zoning districts which would allow an assisted living facility use would require FLUM designations that are not permitted within the RSA.

The applicant's proposed development program for the subject site was presented at a May 3, 2018, community meeting. Approximately half of the residents in attendance expressed support for the pending Lake Mabel Policy provisions as recommended by the County, and half were opposed to the applicant's proposed development. Staff has determined that the proposed development conflicts with the agreed-upon rural vision for the Lake Mabel community.

## Proposed Text Amendment

Following are the policy revisions proposed by this amendment. The text in black is part of the County Initiated Rural Residential Enclave policies included in Amendment 2018-2-C-FLUE-1, and the text in red and *italicized* is the additional language proposed by the applicant. The staff recommendation is **DO NOT TRANSMIT** the amendment.

FLU2.5.5. Clustering of Residential units to accommodate smaller lot sizes than prescribed by Maps 25(a) through 25(d) of the Future Land Use Map Series shall be prohibited *except within the Lake Mabel Rural Residential Enclave as may be authorized under Policy FLU 2.5.5.1.*

*FLU2.5.5.1. Subject to approval of a Planned Development Zoning District, senior adult housing and care facilities may be permitted within the Lake Mabel Rural Residential Enclave when sited on a minimum of ten (10) gross acres of which at least five (5) acres must be upland acres, and where public water and wastewater lines exist in an abutting right-of-way. Senior adult housing and care facilities must be designed in context with its rural setting, while ensuring compatibility with existing development and preserving important environmental features. Cottages for independent living shall not exceed 1.9 units per developable acre and assisted living for more senior residents shall not exceed 110 beds, all integrated within the property as required by this Policy.*

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

**Environmental Protection Division**

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. 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.

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, fertilizers, pesticides, or herbicides. Prior to platting, demolition, site clearing, grading, grubbing, or review of mass grading and 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.

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, a 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 for determining the presence of listed species and obtaining 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 submitted with this request (dated February 12, 2018) reported the presence of listed species on the site, including gopher tortoise and sand skink habitat. 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.

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 waters without pretreatment is prohibited. If a septic system is required or in use, the applicant has been advised to notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment.

**Transportation Planning Division**

A traffic study is required for submittal for this project.

## B. Policy References

**FLU2.5.1** ***Rural Residential Enclaves*** are generally described as established neighborhoods with a homogeneous and stable rural residential development pattern; well-defined or fairly defined geographic boundaries; and the presence of historic, physical, environmental, regulatory, or other site-specific constraints. Rural Residential Enclaves may also reflect other rural characteristics, despite being located in the Urban Service Area (USA), or in close proximity to designated urban growth areas.

**FLU2.5.5** ***(as adopted)*** Clustering of residential units to accommodate smaller lot sizes than as prescribed by Policy FLU2.5.4 shall be prohibited.

**FLU1.4.2** Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.

**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 polices 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.

**FLU8.2.11** 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.

**FLU8.8.1** Amendments to the Comprehensive Plan Goals, Objectives, and Policies and large scale Future Land Use Map (FLUM) amendments shall be considered no more than two times a year, unless the amendment is a staff-initiated FLUM or text amendment, or a privately-initiated FLUM amendment continued to a date certain at the request of the Board of County Commissioners. Nothing in this policy shall preclude the more frequent consideration of amendments to the Future Land Use Map in association with Developments of Regional Impact, Florida Quality Developments, or small-scale development activities. The County may require DRIs to be submitted concurrently with Future Land Use Map Amendment requests.

A. Privately-initiated text amendments may be submitted for Horizon West and the Innovation Way Overlay (Scenario 5) in conjunction with a Future Land Use Map amendment or as a stand-alone text amendment during a large-scale Comprehensive Plan amendment cycle. Privately-initiated text amendments in these areas may not be processed out-of-cycle, unless the amendments are associated with a DRI or Florida Quality Development. The Horizon West and Innovation Way Overlay planning processes involved comprehensive and extensive public participation and visioning efforts, and as such, were designed for applicant submittals consistent with their master plans.

B. Privately-initiated text amendments, not within Horizon West or the Innovation Way Overlay (Scenario 5), may be accepted for processing twice-per-year as part of a large-scale Comprehensive Plan amendment cycle when any of the following conditions have been satisfied:

a) The proposed amendment supports a Workforce Housing project consistent with the Workforce Housing Task Force Report (2007);

b) The proposed amendment supports an infill development project consistent with the Infill Master Plan (2008);

c) The proposed amendment supports a transit-related development project consistent with the Transportation Element and Transit Oriented Development Overlay;

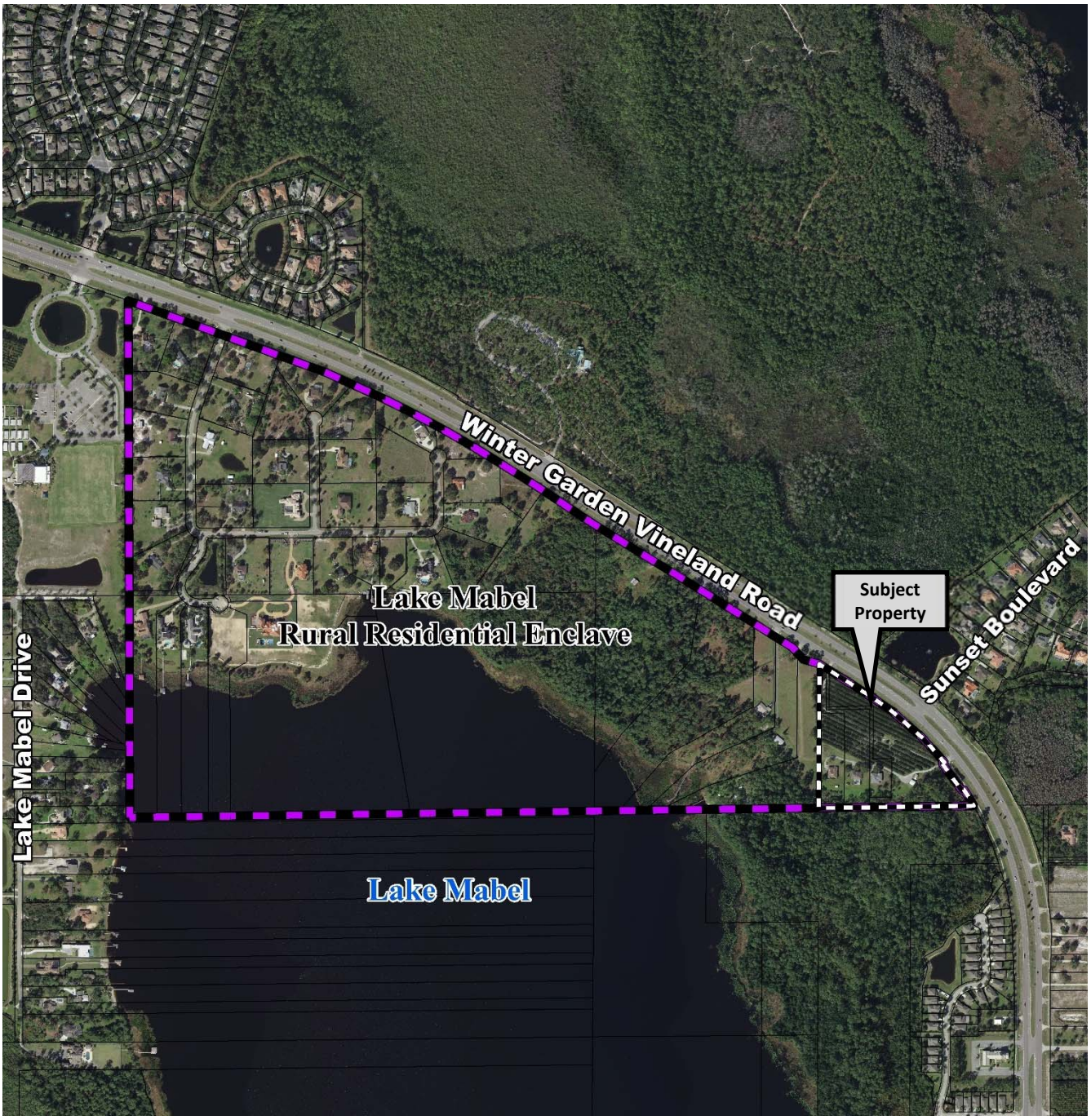
d) The proposed amendment supports a development project meeting nationally recognized Green Building and Energy Conservation standards; or

e) The Planning Manager determines the amendment may be submitted for processing. In making a determination, the Planning Manager will consider whether the proposed amendment maintains the internal consistency of the Comprehensive Plan, furthers the overall goal of the Comprehensive Plan, directly relates to a Future Land Use Map Amendment, and has a limited geographic effect. The Planning Manager will also evaluate whether the proposal contravenes the Comprehensive Plan, Land Development Code, or state law. The Planning Manager's denial to process a proposed text amendment may be appealed to the Board of County Commissioners. No privately-initiated text amendments will be processed out-of-cycle unless associated with a DRI or Florida Quality Development.

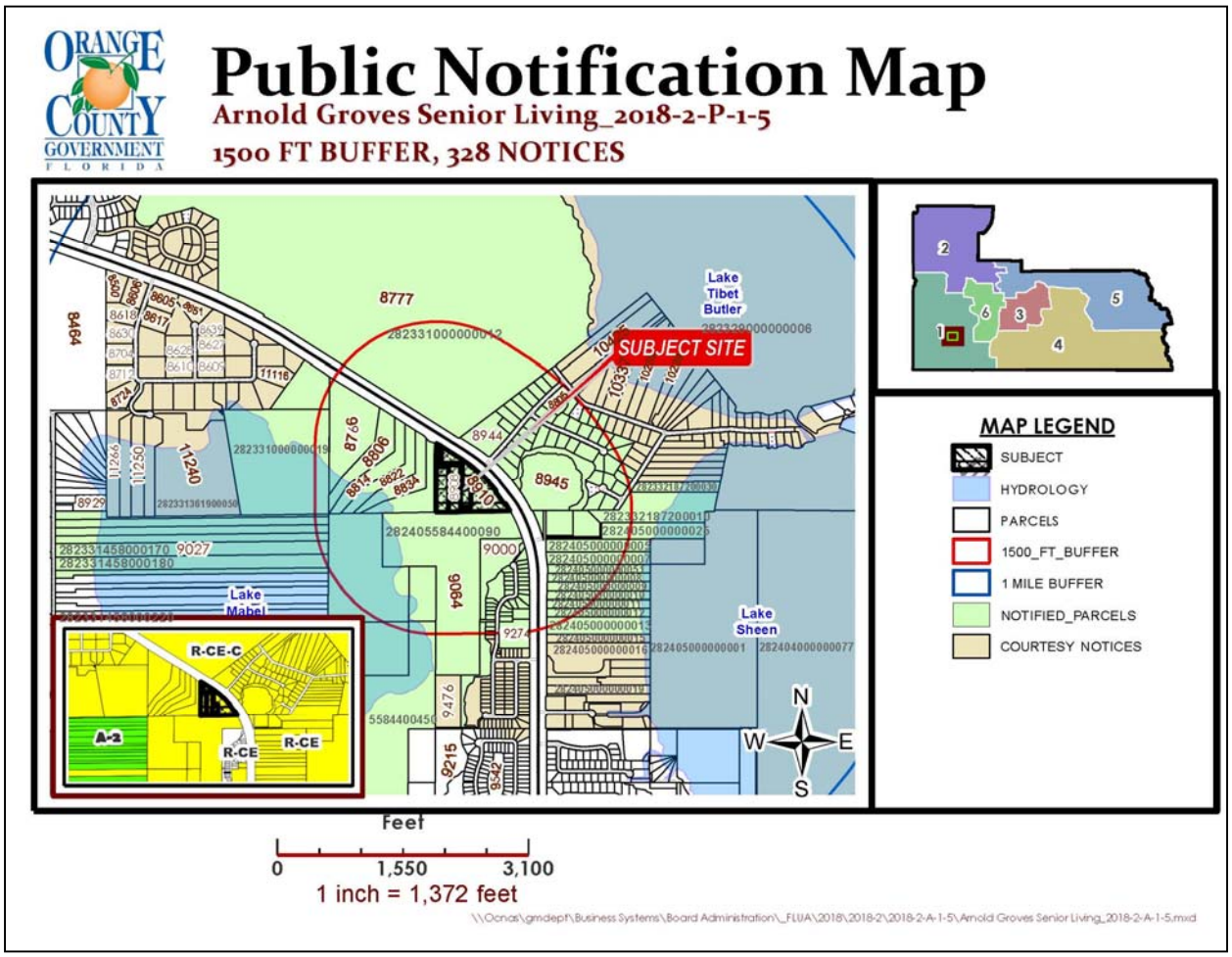
f) Text amendments may be submitted for small scale map amendments when the text amendments are directly related to and simultaneously adopted with the corresponding small

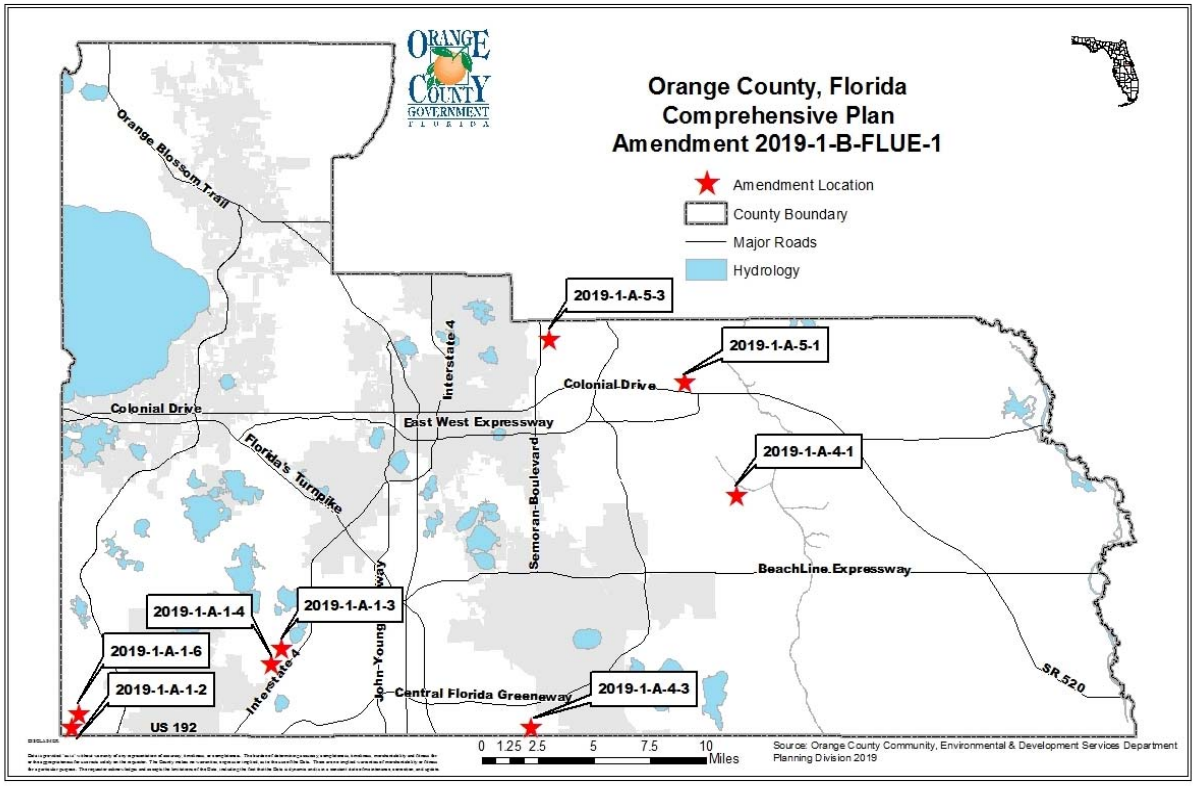
**OBJ N1.1** Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing or proposed neighborhoods.

**Figure 1 – Lake Mabel Rural Residential Enclave / Subject Property**



## PUBLIC NOTIFICATION MAP






| The following meetings and hearings have been held for this proposal: | | |
|---|---|---|
| **Report/Public Hearing** | | **Outcome** |
| ✓ | Staff Report | |
| ✓ | LPA Transmittal January 17, 2019 | Recommend Transmittal (7-0) |
| | BCC Transmittal | February 12, 2019 |
| | Agency Comments | March 2019 |
| | LPA Adoption | April 18, 2019 |
| | BCC Adoption | May 2019 |

| **Project/Legal Notice Information** |
|---|
| **Title:** Amendment 2019-1-B-FLUE-1 |
| **Division:** Planning |
| **Request:** Amendments to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County |
| **Revision:** FLU8.1.4 |

## Staff Recommendation

Make a finding of consistency with the Comprehensive Plan, determine that the plan amendment is in compliance, and recommend **transmittal** of Amendment 2019-1-B-FLUE-1 to include the development programs for Amendments 2019-1-A-1-2; 2019-1-A-1-3; 2019-1-A-1-4; 2019-1-A-1-6; 2019-1-A-4-1; 2019-1-A-4-3; 2019-1-A-5-1; and 2019-1-A-5-3 in Future Land Use Element Policy FLU8.1.4.

## C. 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 transmit Amendments 2019-1-A-1-2, 2019-1-A-1-3, 2019-1-A-1-4, 2019-1-A-1-6, 2019-1-A-4-1, 2019-1-A-4-3, 2019-1-A-5-1, and 2019-1-A-5-3. Therefore, as a supporting text amendment, this amendment to Policy FLU8.1.4 to reflect the development programs for these amendments should also be transmitted for state review. The language for Amendment 2019-1-A-1-3 (Ruby Lake) supplements the development program previously adopted for Amendment 2016-1-A-1-5 (Ruby Lake). 2019-1-A-1-6 (Avalon Groves) replaces the development program formerly adopted for Amendment 2013-2-A-1-3 (Groves of West Orange) and Amendment 2016-1-A-1-8 (Island Reef), which are proposed for unification into a single Planned Development. 2019-1-A-4-3 (Boggy Creek Crossings) replaces the development program adopted for Amendment 2007-1-A-4-1, which predated the creation of Policy FLU8.1.4. For elaboration on the development program for each amendment, please refer to the respective staff report for the amendment.

## D. Policy Amendments

Following are the policy changes proposed by this amendment. The proposed changes are shown in ***underline***/~~***strikethrough***~~ format. Staff recommends transmittal of the amendment.

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 |
|---|---|---|---|
| *** | | | |
| ~~2013-2-A-1-3 Groves of West Orange~~ | ~~Growth Center (GC) Planned Development-Low-Medium Density Residential (PD-LMDR)~~ | ~~Single Family – 139 dwelling units~~ | ~~2013-22~~ |
| ~~2016-1-A-1-8 Island Reef~~ | ~~Growth Center-Planned Development-Commercial/Low-Medium Density Residential (GCPD-C/LMDR)~~ | ~~220 single-family dwelling units and/or townhomes and up to 20,000 square feet of C-1 (Retail Commercial District uses)~~ | ~~2016-15~~ |
| *** | | | |
| 2019-1-A-1-2 The Registry on Grass Lake | Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR) | Up to 395 multi-family dwelling units | 2019- |
| 2019-1-A-1-3 Ruby Lake | Planned Development-Commercial/Low-Medium Density Residential (PD-C/LMDR) | Up to 20 townhome units and up to 200,000 square feet of non-residential uses, to include an off-site (freestanding) emergency department and commercial and offices uses permitted in the C-1 (Retail Commercial) zoning district | 2019- |
| 2019-1-A-1-4 Bering I | Planned Development-Commercial/ Medium-High Density Residential (PD-C/MHDR) | Up to 400 multi-family dwelling units and 15,000 square feet of C-1 (Retail Commercial District) uses | 2019- |
| 2019-1-A-1-6 Avalon Groves | Growth Center-Planned Development-Commercial (GC/PD-C) | Up to 328 short-term rental units and 20,000 square feet of C-1 (Retail Commercial District) uses | 2019- |

| | | | |
|---|---|---|---|
| 2019-1-A-4-1<br>Innovation Pointe | Planned Development- Medium Density Residential/Industrial/Parks and Recreation/Open Space (PD-MDR/IND/PR/OS) | 350 multi-family dwelling units, 284,000 sq. ft. of industrial and parks and recreation/open space | 2019- |
| 2019-1-A-4-3<br>Boggy Creek Crossings | Planned Development-Commercial/Medium Density Residential (PD-C/MDR) | Up to 45,750 square feet of retail commercial uses and up to 336 multi-family dwelling units<br><br>The combined development program is limited by a maximum of 5,362 ADT (Average Daily Trips), as established in the approved traffic study. | 2019- |
| 2019-1-A-5-1<br>12151 E Colonial Drive | Planned Development-Commercial/Medium Density Residential (Student Housing) (PD-C/MDR (Student Housing) | Up to 162 student housing units (up to 650 bedrooms) or up to 802,375 square feet of commercial uses | 2019- |
| 2019-1-A-5-3<br>Silver City Properties Student Housing | Planned Development-Commercial/ High Density Residential (Student Housing) (PD-C/HDR) (Student Housing) | Up to 30,000 square feet of commercial uses and up to 2,400 student housing bedrooms (600 student housing units) | 2019- |

# Community Meeting Memorandum

**DATE:** October 9, 2018

**TO:** Alberto A. Vargas, MArch., Planning Manager

**FROM:** Sue Watson, Planner

**SUBJECT:** Amendment 2019-1-A-1-2 (The Registry on Grass Lake) Community Meeting Synopsis

**C:** Project File

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**Location of Project**: 14544 Avalon Rd.; Generally located on the west side of Avalon Rd., north of Arrowhead Blvd., east of the Orange/Lake County Line, and south of Grove Blossom Wy.

**Meeting Date and Location:** Monday, October 8, 2018 at 6:00 PM at Bridgewater Middle School, 5600 Tiny Road, Winter Garden, FL 34787

**Attendance:**

| | |
|---|---|
| District Commissioner | District 1 Commissioner Betsy VanderLey<br>Diana Dethlefs, Commissioner's Aide, District 1 |
| Orange County Staff | Sue Watson, Jennifer DuBois, and Alyssa Henriquez Planning Division<br>Diana Almodovar, County Engineer, Public Works Department, Renzo Nastasi, Manager, Transportation Planning Division |
| Applicant | Robert Reese |
| Residents | 105 notices sent; 8 residents in attendance |

**Overview of Project:** The applicant, Robert Reese, is requesting to change the Future Land Use Map (FLUM) designation of the 17.90-acre subject property from Growth Center-Commercial (GC-C) to Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR). The applicant proposes a development program of up to 395 multi-family residential dwelling units.

**Meeting Summary:** Planner Sue Watson opened the meeting at 7:00 PM and informed the residents that this is the second of the two scheduled community meetings. The first scheduled community meeting was conducted for FLUMA 2019-1-A-1-6 prior to the beginning of this meeting. Ms. Watson introduced the applicant, Mr. Robert Reese, since introductions of the Commissioner and County Staff were done at the earlier meeting. 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 Growth Center-Commercial (GC-C) to Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR). Staff summarized the Future Land Use Map Amendment process and the schedule for the LPA and BCC public hearings. Ms. Watson asked the citizens if they had any questions. There were no questions and staff turned the meeting over to the applicant, Robert Reese, Brossier Company. Mr. Reese stated he is the owner of the Brossier Company and he has approximately 27 to 28 years of development experience. Mr. Reese provided an overview of the proposal. He stated that he is

requesting the Future Land Use Map Amendment to be able to construct up to 395 multi-family residential dwelling units. He stated that he knows that there are wetlands on the property and he is willing to reduce the total number of units to 315-325 in order to not impact the wetlands. Mr. Reese asked if there were any questions.

**Questions and Comments from area residents:**
Question: When will you begin construction?
Answer: Mr. Reese stated mid-2020.

Question: Will you fill the land?
Answer: Mr. Reese stated, "No, they don't need to."

Question: Is Grass Lake still a lake?
Answer: Mr. Reese stated that it is still wet. The sand is buildable sand.

Comment: Mr. Reese stated that the proposed apartment buildings will be four (4) or five (5) stories. He doesn't know yet at this stage of the project.

Comment: Commissioner VanderLey asked Mr. Reese to conduct a Balloon Test for the residents when he decides on the height of the proposed buildings. This way, the residents will be able to see the height of the proposed buildings.

Comment: The residents commented about the lake levels in the area because they do not want their properties to flood.

Response: Ms. Diana Almodovar responded by saying that the County is monitoring all the lake levels twice a week. She told the residents that the rain that we've received this year is higher. The County has localized flooding; not major flooding. The soils are saturated and the water has nowhere to go and she stated that certain areas are more prone to flooding than others. She stated the County is watching Hurricane Michael which she anticipates that it will drop more rain water in the area. The County will have sand bags ready in case they need them.

Comment: Ms. Almodovar stated that retention ponds serves the purpose of retaining water on-site. The parameters are set by the state. She named some of the types of retention ponds: 25-year, 24-hour, and 100-year/24 hours.

Comment: The residents stated concerns about the traffic in the area. Some of their concerns were about the site distance and safety along Avalon Road near the intersection of Arrowhead Boulevard.

Response: Ms. Almodovar stated that she will direct Traffic Engineering to take a look at this. She stated that the proposed project would have proper deceleration and turning lanes. Mr. Reese stated that he will do a concurrent Planned Development rezoning which will have more design criteria. He also stated that he is proposing less traffic impacts and he will have to pay traffic impact fees for his proposed project. Also, Commissioner VanderLey stated that the County have the monies for the road improvements, but they have to have the design improvements in place before they can widen the road which makes the road improvements longer to complete.

Overall, the residents' concerns was mostly traffic and environmental related

The meeting concluded at approximately 7:27 PM.

# Community Meeting Memorandum

**DATE:** January 22, 2019

**TO:** Gregory Golgowski, AICP, Chief Planner, Planning Division

**FROM:** Jennifer DuBois, Senior Planner

**SUBJECT:** Amendment 2019-1-A-1-3 (Ruby Lake PD) – Community Meeting Memo

**C:** Project File

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**Location of Project**: Generally located west of Palm Parkway, east of Lemon Lake Boulevard, and south of Fenton Street and the proposed Daryl Carter Parkway Extension.

**Parcel ID Numbers:** 15-24-28-6211-17-010 (portion of), 15-24-28-6211-14-010/130, 15-24-28-6211-15-010/131, 15-24-28-6211-16-010/130/150, 15-24-28-6211-17-131, 15-24-28-6211-24-010/090/131, 15-24-28-6211-25-010/130, 15-24-28-6211-98-010/090/130, and 15-24-28-6211-99-010/130/170

**Meeting Date and Location:** October 23, 2018 at 6:00 p.m. at Sand Lake Elementary School, 8301 Buena Vista Woods Boulevard, Orlando, FL 32836

**Attendance:**

| | |
|---|---|
| District Commissioner: | District 1 Commissioner Betsy VanderLey<br>Diana Dethlefs and Amy Berman, Aides to Commissioner VanderLey |
| PZC/LPA Commissioner: | District 1 Commissioner Jimmy Dunn |
| Orange County Staff: | Jennifer DuBois, Greg Golgowski, and Maria Cahill, Planning Division; Diana Almodovar, Development Engineering Division; Renzo Nastasi, Transportation Planning Division |
| Applicant Team: | Adam Smith and Erika Hughes, VHB |
| Residents: | 159 notices sent; 30 members of the public in attendance |

**Overview of Project:** The applicant, Adam Smith, is seeking to change the Future Land Use Map (FLUM) designation of the 16.72-acre subject property, a portion of the 244.68-acre Ruby Lake Planned Development (PD), from Planned Development—Low-Medium Density Residential (PD-LMDR) to Planned Development—Commercial/Low-Medium Density Residential (PD-C/LMDR). As established on the current Ruby Lake PD Land Use Plan (LUP), the property, identified on the LUP as Lot 3B, is entitled for the development of up to 156 townhomes. To date, one 20-unit townhome plat, Overlook at Ruby Lake (Plat Book 67, Page 42), has been recorded.

At the time of submittal in August 2018, this amendment application entailed a proposed development program of up to 156 townhomes and/or 200,000 square feet of non-residential development on the 16.72-acre site, then solely owned by Pulte Home Corp., with the mix of uses

to be limited by a trip generation cap of 8,864 daily trips. **This desired development program was the subject of this community meeting, and this memorandum summarizes its proceedings.** However, on December 21, 2018, the north 11.63 acres were conveyed to Adventist Health System/Sunbelt, Inc. via a general warranty deed recorded on December 27, 2018 (Doc #20180745882). On January 9, 2019, the applicant submitted a revised application package reflecting Adventist Health System/Sunbelt, Inc.'s status as the second owner of record and proposing a new mixed-use development program—with the trip generation cap removed—of 20 townhome units and up to 200,000 square feet of non-residential activity, to include an off-site (freestanding) emergency department and commercial and office uses permitted in the C-1 (Retail Commercial) zoning district. It is Pulte Homes' intent to retain control of the 5.09-acre Overlook at Ruby Lake subdivision, in which five units have been completed to date, with another four under construction. Adventist Health System/Sunbelt, Inc. proposes to develop a freestanding Advent Health emergency department as the centerpiece of its 11.63-acre project, to be complemented by commercial and office space. Although the applicant is still requesting the PD-C/LMDR future land use designation, and staff is recommending transmittal of the proposed FLUM Amendment, a second community meeting to discuss the updated application may be necessary at a future date.

**Meeting Summary:** Commissioner VanderLey opened the meeting and welcomed those in attendance.

Senior Planner Jennifer DuBois provided an overview of the proposed amendment and requested mixed-use development program. She informed the meeting participants of the upcoming Local Planning Agency (LPA) and Board of County Commissioners (BCC) transmittal and adoption public hearing dates.

The applicant, Adam Smith, provided a brief history of the Ruby Lake PD and discussed the present and requested development programs. Mr. Smith explained that Pulte Homes is requesting the change in land use to PD-C/LMDR to allow the development of up to 156 townhomes and/or 200,000 square feet of non-residential development on the 16.72-acre site, with the mix of uses to be limited by a trip generation cap of 8,864 daily trips. He informed the meeting attendees that a proposed substantial change to the currently-approved Ruby Lake PD Land Use Plan is expected to be considered concurrently by the Board of County Commissioners during the adoption hearing stage. In answer to an area resident, Mr. Smith verified that the project will not feature a timeshare component.

In response to questions regarding traffic impacts, Mr. Smith stated that the Ruby Lake PD is vested for 45,217 daily trips under Concurrency Vested Rights Certificate (CVRC) #98-104. Per the present PD Land Use Plan, there are 15,310 daily trips remaining. If approved, the project will utilize these vested trips, with the precise number to be determined through the DRC review process. However, the developer will still be required to mitigate for any impacts to the area transportation network. The developer would have the option to enter into a Proportionate Share Agreement with the County or make the improvements themselves.

Commissioner VanderLey and Transportation Planning Division Manager Renzo Nastasi provided a summary of the planned road improvements in the vicinity of the subject site. The property is situated at the intersection of Palm Parkway and the proposed Palm Parkway to Apopka-Vineland Connector Road (formerly Fenton Street, now known as the Daryl Carter Parkway Extension). The 1.6-mile four-lane divided urban roadway, to be constructed through a public-private partnership, will provide additional capacity and a new connection between S. Apopka-Vineland Road and Palm Parkway. The project includes widening along S. Apopka-Vineland Road and Palm Parkway for the intersection turn lanes and features bicycle lanes, signalization improvements, and landscaping. Eight-foot-wide sidewalks will be constructed along some sections of the roadway, with the majority to be added by individual developers at a later date, in accordance with the Palm Parkway to Apopka-Vineland Connector Road Agreement, as amended.

Construction of the Daryl Carter Parkway Extension is scheduled to commence in April 2019, with completion expected in April 2021. The subject property also lies in the immediate vicinity of the planned I-4/Daryl Carter Parkway diverging diamond Interchange, an element of the Florida Department of Transportation's (FDOT's) "I-4 Beyond the Ultimate" project. However, no definitive timeline for its construction has been established to date. Commissioner VanderLey noted that she has been working with FDOT to move up the construction of the interchange in its project timetable.

In answer to concerns expressed about overcrowding in area public schools, Mr. Smith explained that the proposed project is not subject to school concurrency, as Capacity Enhancement Agreement (CEA) #OC-14-025 is applicable to the development.

The majority of attendees expressesd their objection to the request, voicing frustration about the traffic and congestion on area roadways. Area residents communicated their skepticism that the proposed road improvements in the vicinity of the subject site—including the construction of the Daryl Carter Parkway Extension and the I-4/Daryl Carter Parkway interchange—will alleviate the current traffic problem. Several attendees stated that the planned road improvements should first be completed and evaluated prior to the consideration of new commercial development.

A number of residents asserted that they prefer the development to remain entirely residential. The two attendees who had purchased units within the Overlook at Ruby Lake townhome development also voiced concern about the status of the subdivision, particularly with respect to alleged representations made by Pulte Homes regarding community amenities and pedestrian access. They also noted that there has been a considerable increase in crime in the area, stating that they are worried about security. Commissioner VanderLey urged these individuals to speak with Pulte Homes regarding these matters.

Commissioner VanderLey thanked the meeting participants for their participation and encouraged them to contact her office and those of the Mayor and her fellow Commissioners with their questions and concerns.

The meeting concluded at 7:25 p.m.

The tone of the meeting was **negative**.

# Community Meeting Memorandum

**DATE:** January 22, 2019

**TO:** Gregory Golgowski, AICP, Chief Planner, Planning Division

**FROM:** Jennifer DuBois, Senior Planner

**SUBJECT:** Amendment 2019-1-A-1-4 (Bering I) – Community Meeting Memo

**C:** Project File

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**Location of Project**: Generally located north of Lake Street, east of Ruby Lake Road, and south of Lemon Lake Boulevard.

**Parcel ID Numbers:** 15-24-28-6211-17-010 (portion of), 15-24-28-6211-14-010/130, 15-24-28-6211-15-010/131, 15-24-28-6211-16-010/130/150, 15-24-28-6211-17-131, 15-24-28-6211-24-010/090/131, 15-24-28-6211-25-010/130, 15-24-28-6211-98-010/090/130, and 15-24-28-6211-99-010/130/170

**Meeting Date and Location:** October 9, 2018 at 6:00 p.m. at Sand Lake Elementary School, 8301 Buena Vista Woods Boulevard, Orlando, FL 32836

**Attendance:**

| | |
|---|---|
| District Commissioner: | District 1 Commissioner Betsy VanderLey<br>Diana Dethlefs and Amy Berman, Aides to Commissioner VanderLey |
| PZC/LPA Commissioner: | District 1 Commissioner Jimmy Dunn |
| Orange County Staff: | Jennifer DuBois and Alyssa Henriquez, Planning Division; Diana Almodovar, Development Engineering Division; Renzo Nastasi, Transportation Planning Division |
| Applicant Team: | Dan O'Keefe, Shutts & Bowen, LLP and Jim Hall, Hall Development Services, Inc. |
| Residents: | 99 notices sent; 23 members of the public in attendance |

**Overview of Project:** The applicant, Dan O'Keefe, is seeking to change the Future Land Use Map (FLUM) designation of the 17.74-acre subject property, presently undeveloped, from Activity Center Mixed Use (ACMU) to Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR). The property—consisting of entirely of upland acreage—is comprised of the 17.42-acre Sunterra Resorts Planned Development (PD) and a single 0.325-acre parcel with an R-CE (Country Estate District) zoning classification.

Initially approved on April 20, 1999 (Case Z-99-027), the Sunterra Resorts PD was last amended by the Orange County Development Review Committee (DRC) on June 25, 2008, as a non-substantial change to the PD Land Use Plan (LUP). Per the current LUP, dated "Received June 26, 2008", the Sunterra Resorts PD is presently entitled for up to 420 timeshare units and 30,000

square feet of commercial space. Although the Orange County Development Review Committee (DRC) approved the Sunterra Resorts PD-Timeshare Resort Development Plan (DP) on April 27, 2000—allowing for the construction of 372 timeshare units and ancillary amenities—the site was never developed for timeshare resort purposes. The applicant is now proposing to add the 0.325-acre, R-CE-zoned property (Parcel 15-24-28-6211-99-130) to the Sunterra Resorts PD, consisting of nineteen (19) individual parcels, and establish a new development program of up to 400 multi-family dwelling units and 15,000 square feet of C-1 (Retail Commercial District) uses.

In conjunction with this requested amendment, the applicant has submitted a Land Use Plan Amendment rezoning application (Case LUPA-18-12-393) to incorporate R-CE-zoned Parcel 15-24-28-6211-99-130 into the Sunterra Resorts PD and establish the desired mixed-use development program. Case LUPA-18-12-393 is proceeding through the DRC review process and will be considered concurrently with the proposed FLUM Amendment during the adoption public hearing stage.

**Meeting Summary:** Commissioner VanderLey opened the meeting and welcomed those in attendance.

Senior Planner Jennifer DuBois provided an overview of the requested amendment and associated rezoning application. Ms. DuBois informed the meeting participants of the upcoming Local Planning Agency (LPA) and Board of County Commissioners (BCC) transmittal and adoption public hearing dates.

Consultant Jim Hall of Hall Development Services, Inc. provided a brief history of the Sunterra Resorts PD and discussed the present and requested development programs. Mr. Hall explained that the subject parcel's current ACMU future land use designation is intended to provide for a combination of tourist-related development and supporting residential activity. However, as established in the Orange County Comprehensive Plan, no more than thirty (30) percent of an ACMU-classified site may be utilized for residential purposes. The applicant is thus requesting the change in land use to PD-C/MHDR to allow the development of a 400-unit multi-family residential community on the bulk of the property's 17.74 acres, with the remainder proposed for up to 15,000 square feet of commercial space, with uses restricted to those permitted in the C-1 zoning district, the least intense of the County's commercial zoning categories. Mr. Hall verified that the proposed FLUM Amendment and Land Use Plan Amendment (LUPA) rezoning application are expected to be considered concurrently during the adoption hearing stage.

In response to questions regarding traffic impacts, Mr. Hall informed the meeting attendees that approximately one-third of the trips the proposed mixed-use project is expected to generate are vested from concurrency per the 2008 Agreement Regarding Transfer and Use of Vested Trips for the Sunterra Resorts PD. However, the additional anticipated trips shall be subject to concurrency, and the developer will be required to mitigate for any impacts to the area transportation network. Mr. Hall explained that the developer would have the option to enter into a Proportionate Share Agreement with the County or make the improvements themselves.

Mr. Hall further emphasized that the proposed project is subject to school concurrency. He noted that the developer shall be required to enter into a Capacity Enhancement Agreement (CEA) with the Orange County School Board, as the middle school (Southwest Middle) and high school (Dr. Phillips High) that would currently serve the development are operating over capacity.

The majority of attendees expressesd their objection to the request, voicing frustration about the traffic and congestion on area roadways. Area residents communicated their skepticism that the proposed road improvements in the vicinity of the subject site—including the proposed widening of

Lake Street (currently in the right-of-way acquisition stage) and the construction of the Daryl Carter Parkway Extension and the I-4/Daryl Carter Parkway interchange—will alleviate the current traffic problem. Several attendees stated that the planned road improvements should first be completed and evaluated prior to the consideration of new commercial and residential development

While the meeting attendees did not appear to object to the commercial component of the proposed project, they voiced their concern about the requested 400 multi-family units, assserting that more apartments are not needed in their community. They further expressed worry that the development of additional multi-family units could result in an increase in crime in the neighborhood.

Commissioner VanderLey thanked the meeting participants for their participation and encouraged them to contact her office and those of the Mayor and her fellow Commissioners with their questions and concerns.

The meeting concluded at 7:30 p.m.

The tone of the meeting was **negative**.

# Community Meeting Memorandum

**DATE:** October 9, 2018

**TO:** Alberto A. Vargas, MArch., Planning Manager

**FROM:** Sue Watson, Planner

**SUBJECT:** Amendment 2019-1-A-1-6 (Avalon Groves) Community Meeting Synopsis

**C:** Project File

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**Location of Project**: Generally described as located on the east side of Avalon Road, south of Hartzog Road, north of Arrowhead Boulevard, and west of Vista Del Lago Boulevard

**Meeting Date and Location:** Monday, October 8, 2018 at 6:00 PM at Bridgewater Middle School, 5600 Tiny Road, Winter Garden, FL 34787

**Attendance:**

| | |
|---|---|
| District Commissioner | District 1 Commissioner Betsy VanderLey<br>Diana Dethlefs, Commissioner's Aide, District 1 |
| Orange County Staff | Sue Watson, Jennifer DuBois and Alyssa Henriquez, Planning Division<br>Diana Almodovar, County Engineer, Public Works Department, Renzo Nastasi, Manager, Transportation Planning Division |
| Applicant's Representative | David Hulme, BTI Partners |
| Residents | 312 notices sent; 8 residents in attendance |

**Overview of Project:** The applicant, David Evans, David Evans Engineering, Inc., is requesting to change the Future Land Use Map (FLUM) designation of the 37.83-acre subject property from Growth Center-Planned Development-Commercial/Low-Medium Density Residential (GC-PD-C/LMDR) and Growth Center-Planned Development-Low-Medium Density Residential (GC-PD-LMDR) to Growth Center-Planned Development-Commercial (GC-PD-C). The applicant proposes a development program of up to 328 short-term rental units and 20,000 square feet of C-1 (Retail Commercial District) uses. The property lies within the existing Island Reef Planned Development with approval for 318 timeshare units (West Parcel) and within the existing Groves of West Orange Planned Development with approval for the development of 108 single-family detached and attached residential dwellings (East Parcel).

**Meeting Summary:** Planner Sue Watson opened the meeting at 6:05 PM and informed the residents that this will be the first of two scheduled community meetings. The second meeting for FLUMA 2019-1-A-1-2 will begin shortly after this meeting. She introduced District 1 Commissioner Betsy VanderLey, who provided the ground rules for the format of the community meeting. Ms. Watson then introduced District 1 Commissioner Aide, Diana Dethlefs, Jennifer DuBois and Alyssa Henriquez of the Orange County Planning Division, Diana Almodovar, County Engineer, Orange Public Works Department, Renzo Nastasi, Manager, Transportation Planning Division, and the

applicant's representative, Mr. David Hulme, BTI Partners. 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 Growth Center-Planned Development-Commercial/Low-Medium Density Residential (GC-PD-C/LMDR) and Growth Center-Planned Development-Low-Medium Density Residential (GC-PD-LMDR) to Growth Center-Planned Development-Commercial (GC-PD-C). Staff summarized the Future Land Use Map Amendment process and the schedule for the LPA and BCC public hearings. Ms. Watson asked the citizens if they had any questions. There were no questions and staff turned the meeting over to the applicant's representative, David Hulme.

Mr. Hulme provided an overview of the proposal. He stated that the property owners, who also own the Grove Resort & Spa Resort, located directly across the street on Avalon Road, would like to bring the parcels of land to its original uses. The property owners are proposing up to 328 short-term rental units and 20,000 square feet of C-1 (Retail Commercial District) uses. The applicant, Commissioner VanderLey, Ms. Almodovar, and Mr. Nastasi then responded to residents' questions, comments, and concerns.

The residents in attendance primary concern was traffic on Avalon Road. They stated that traffic backs up heavily from Arrowhead Boulevard to Hartzog Road. They stated they need dedicated turn lanes for Arrowhead Lakes Subdivision along Hartzog Road. Commissioner VanderLey and Mr. Nastasi informed the residents in attendance that Avalon Road is over capacity and that the applicant will have to mitigate their traffic impacts before they are able to construct their proposed project. They added, even if the property owner does not increase the unit count and just build what they are entitled to, they are still responsible for mitigating the transportation impacts. Mr. Nastasi stated that the County cannot deny the proposed FLUMA based on traffic alone. He also stated that Hartzog Road will be realigned and widen to four lanes in the future. He also informed the residents that the County is in negotiations with the Village H and I property owners to widen S.R. 545 (Avalon Road), but it will be awhile before the road is widened. Also, Mr. Nastasi stated that when the Western Way Extension is completed it should help ease the traffic congestion.

Another concern of the residents was speeding drivers on Avalon Road. The residents also complained about drivers who cut through their subdivision (Arrowhead Lakes) to avoid traffic backups on Avalon Road. The residents also stated that the shoulders along Avalon Road are soft. Ms. Almodovar stated that the County will make sure that the proposed project will have safe and adequate ingress/egress and deceleration lanes, as well as median improvements. Commissioner VanderLey also stated that she could tell the Orange County Sheriff Office (OCSO) about the speeders in the area, but she let them know that the County does have not have jurisdiction over the OCSO.

One of the residents in attendance was concerned with the wildlife on the site-gopher tortoises, indigo snakes, and other species. The applicant stated that they would follow Orange County Environmental Protection Division's recommendations and concerns in regards to the wildlife onsite.

Overall, the residents' main concerns were mostly traffic and access related as well as environmental.

The meeting concluded at approximately 7:00 PM.

# Community Meeting Memorandum

**DATE:** October 24, 2018

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

**FROM:** Alyssa Henriquez, Planner

**SUBJECT:** Amendment 2019-1-A-3-1– Community Meeting Notes

**C:** Project File

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**Location of Project**: 2004 Gregory Road; Generally located north of Curry Ford Rd., east of Central Florida Greeneway; south of Berry Dease Rd., and west of S. Dean Rd.

**Property Identification:** 06-23-31-0000-00-008

**Meeting Date and Location:** October 23, 2018 at Deerwood Elementary School

**Attendance:**

| | |
|---|---|
| District Commissioner: | Pete Clarke, District 3 Commissioner<br>Mercedes Fonseca, District 3 Commissioner Aide |
| Planning Division staff: | Alyssa Henriquez, Case Planner<br>Nicolas Thalmueller, Planner |
| Applicant: | Jim Hall |
| Residents: | 44 residents in attendance;<br>574 notices sent |

**Overview of Project:**

The applicant, Jim Hall, is seeking to remove the 17.59-acre subject property from the Berry Dease Rural Residential Enclave. Located north of Curry Ford Road, east of State Road 417, south of Berry Dease Road, and west of S. Dean 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, but is within the Berry Dease Rural Residential Enclave overlay, where the minimum net developable land area requirement is two (2) acres. The applicant is requesting to remove the subject property from the Berry Dease Rural Residential Enclave, which would increase the developable density to the Low Density Residential (LDR) density of four (4)

dwelling units per acre. Currently, the property may be developed with 8 single family homes. The proposed future land use map amendment would allow for the development of up to 68 dwelling units. The applicant is proposing a development program of 43 single-family homes.

**Meeting Summary:**

Ms. Alyssa Henriquez opened the meeting at 6:04 p.m., and introduces Commissioner Pete Clarke, aide Mercedes Fonseca, and county staff. Commissioner Clarke provides opening statement.

Alyssa explained the request and process, and went over the future land use and brief history of the property. The applicant, Mr. Jim Hall, introduced the proposal for the subject property. Mr. Hall explained that the project has been in the works since prior to 2014, and the Rural Residential Enclave study has since postponed the project. Mr. Hall stated that the subject property will not have access via Berry Dease Road, and said that access will be via Curry Ford Rd from the south, and that the previously planned 100' buffer will remain.

In response to Mr. Hall's opening statements, residents voiced concerns about this application setting a precedent for future cases in the area, and that the removal of this property from the Rural Residential Enclave would create a 'domino effect'. Several residents were concerned that this proposal would be the second phase of the townhome property to the south of the subject property.

Several residents asked the applicant why the subject property was not exempted from the Rural Residential Enclave similar to two other properties to the north, and Mr. Hall explained that the subject property had applied for the same exemption but was denied. Mr. Hall continued to explain that the proposal for the subject property would include half-acre lots adjacent to the Rural Residential Enclave to ensure compatibility with the surrounding larger lots.

Following concerns about the proposal's compatibility with the existing surroundings, several residents inquired about how the proposal would impact traffic in the area. Mr. Hall stated that Curry Ford Rd. had an adequate level of service (LOS) to support the proposed development, and that access to the subject property would be through the townhome development to the south. Mr. Hall clarified that there would be no access to the subject property via Gregory Road, because the County deemed it inadequate and currently does not have sufficient right-of-way.

Planning and Zoning Commissioner Demostene asked Mr. Hall where the proposed project's PD is in the process, and Mr. Hall states that it has been submitted. Planning and Zoning Commissioner Demostene states that this property must have a concurrent PD in order to show how the proposed development could be compatible with the surrounding area.

Several residents asked the applicant why it was possible for them to continue to apply after being denied by the BCC. Mr. Nicolas Thalmueller explained that all property owners have the right to ask. Mr. Hall explains that when the property owner inherited the property, it had a

future land use of Low Density Residential (LDR). With the Low Density Residential future land use, the property could be developed with 68 dwelling units, and that the current request is for 43 single-family homes. Mr. Hall maintains that he and the property owner have been willing to negotiate the number of dwelling units to be developed on the site.

# Community Meeting Memorandum

**DATE:** January 10, 2019

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

**FROM:** Alyssa Henriquez, Planner

**SUBJECT:** Amendment 2019-1-A-3-2– Community Meeting Notes

**C:** Project File

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**Location of Project**: Generally located north of Lake Underhill Rd., west of S. Palermo Ave., south of Troxler Dr., and east of S. Chickasaw Trl.

**Property Identification:** 25-22-30-0000-00-028

**Meeting Date and Location:** January 9, 2019 at Little River Elementary School

**Attendance:**

| | |
|---|---|
| District Commissioner: | Mayra Uribe, District 3 Commissioner<br>Cortez Whatley, District 3 Commissioner Aide |
| Planning Division staff: | Alyssa Henriquez, Case Planner<br>Nicolas Thalmueller, Planner |
| Applicant: | Bryan Borland, WP South Acquisitions, LLC |
| Residents: | ~150 residents in attendance;<br>755 notices sent |

**Overview of Project:**

The applicant, Bryan Borland, is seeking to change the Future Land Use designation of the 37.30 gross acre/16.90 net developable acre subject property from Low Density Residential (LDR) to Medium Density Residential (MDR). Generally located north of Lake Underhill Rd., west of S. Palermo Ave., south of Troxler Dr., and east of S. Chickasaw Trl., the subject property is currently undeveloped. Currently, the subject property may be developed with up to 67 single-family dwelling units. The proposed Future Land Use Map amendment would allow for the development of up to 338 multi-family dwelling units. The applicant has also applied to rezone the subject property to Planned Development (LUP-18-12-411) with a proposed development

program of 338 multi-family dwelling units.

**Meeting Summary:**

Mr. Nicolas Thalmueller opened the meeting at 6:12 p.m. and introduced Commissioner Mayra Uribe, aides, and county staff. Commissioner Uribe provided an opening statement.

Ms. Alyssa Henriquez explained the request and process, and went over the future land use and zoning of the property. The applicant team introduced the project, and opened the floor for questions.

In response to the applicants' opening statements, residents began the question and answer period with questions about the impacts on the existing wetlands and wildlife on the site. Specific concerns included the gopher tortoises, bald eagles, and other wildlife that are claimed to inhabit the subject property; as well as the existing wetlands on the property, and how the effects of the proposed project would impact the wetlands. The applicant's environmental consultant explained that the project was going through the wetland delineation process, and the applicant would be required to complete a Conservation Area Determination (CAD) prior to the development approval. The environmental consultant added that a wildlife survey was conducted and any gopher tortoise burrows would be permitted through the state and relocated per state procedures.

One of the topics of greatest concern of residents was the current condition of Lake Underhill Road, and questions about when the road will be improved/widened. Residents had concerns about the major congestion on Lake Underhill Road particularly between Econlockhatchee Trail and Chickasaw Trail. Residents were concerned about the access points of the proposed project, and how the additional vehicles from the proposed 338 multi-family dwelling units would be handled. Mr. Renzo Nastasi of the Transportation Planning division explained that a study had been completed for the Econlockhatchee Trail to Chickasaw Trail segment, but funding had not been designated for the improvement at this segment. Mr. Nastasi mentioned that road improvements are funded by impact fees and gas taxes. Mr. Nastasi further explained that Florida Statute prohibits local governments from prohibiting development solely based on level of service (LOS) issues when there is the possibility to mitigate, but the Board of County Commissioners may look at a range of issues when making their determination.

Residents were concerned about the proposed project's compatibility with the existing residential surroundings. Concerns included the proposed heights of buildings, buffers/landscaping of the proposed project from existing homes, and the impact of the proposed development on the character and property values of the existing community. Additionally, questions were raised about what kind of development the proposed project would be (i.e. luxury apartments, affordable housing, etc.). The applicant explained that the county has standards for proposed multi-family developments which are adjacent to single-family residential neighborhoods, and the proposed project would have to maintain a 150 ft setback, and include a six-foot masonry wall and landscape buffer. The applicant team mentioned that the proposed project would be luxury apartments, and would include no

certified affordable housing.

Residents expressed concerns about the access to and capacity of Little River Elementary School. Residents were concerned that additional traffic on the route to Little River Elementary would make the walking path dangerous. Residents also mentioned that the proposed project would generate additional students to Little River ES, which is nearing student capacity. The applicant explained that the proposed project was required to apply for a Capacity Determination through Orange County Public Schools. The OCPS Capacity Determination submitted for the proposed project determined there was capacity at the elementary, middle, and high schools which would serve the subject side.

Residents were also concerned about flooding in the area, mentioning that the area was flooded severely during the last hurricane. Questions were asked about whether the property would be raised for the development of the proposed project, and how the proposed development would impact the surrounding area were asked. The applicant team responded saying the issue would be worked out later at the site planning stage, and that county regulations require all stormwater to be retained onsite.

The overall tone of the meeting was negative. The meeting concluded at 7:30 p.m.

# Community Meeting Memorandum

**DATE:** January 18, 2019

**TO:** Gregory Golgowski, Chief Planner

**FROM:** Maria Cahill, Planner

**SUBJECT:** Amendment 2019-1-A-4-1 (Innovation Pointe) – Community Meeting Notes

**C:** Project file

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**Location of Project**: Portion of Parcel ID 12-23-31-0000-00-002; Generally located south of S. Alafaya Trail and S. Avalon Park Boulevard, east of Innovation Way.

**Meeting Date and Location:** Wednesday, January 16, 2019 at Avalon Elementary School 13500 Tanja King Boulevard, Orlando, Florida.

**Attendance:**

| | |
|---|---|
| District Commissioner | *Commissioner Gomez Cordero, District 4*<br>*Mercedes Fonseca, District Commissioner Aide* |
| Orange County staff | *Maria Cahill (Comprehensive Plan Case Planner), Karen McGuire and Greg Golgowski, Planning Division*<br>*Renzo Nastasi, Transportation Planning Division, Francisco Villar, Public Works Development Engineering, and John Geiger, Environmental Planning Division* |
| Applicant team | *Dustin Lucas, Owner*<br>*Thomas Sullivan, Gray Robinson, PA*<br>*Jay Jackson, KHA* |
| Residents | 7 residents |

**Overview of Project:**

The proposal is to change the Future Land Use Map designation of the 33.85-acre subject property from **Planned Development-Industrial/Commercial/Conservation (PD-IND/C/CONS)** to **Planned Development-Medium Density Residential /Industrial/Parks and Recreation/Open Space (PD-MDR/IND/PR/OS)** to allow up to 350 multi-family dwelling units, 284,000 square feet of industrial, and recreation and parks and open space.

**Meeting Summary:**

The case planner, **Maria Cahill**, opened the meeting and introduced **Commissioner Maribel Gomez Cordero, Commissioner District 4** and **Mercedes Fonseca**, District Commissioner Aide, who thanked the community for participating in the meeting.

Maria Cahill presented a summary of the request and reviewed the amendment and rezoning process. She explained that there would be additional opportunities for public input during

the transmittal and adoption processes of the comprehensive plan, as well as during the rezoning at the LPA and BCC adoption.

After Maria Cahill presented **Thomas Sullivan**, of Gray Robinson PA, the attorney for the applicant, provided additional details for the project. Residents asked the owner and Mr. Sullivan if they had renderings or plans of what the apartments would look like. Mr. Sullivan responded that this was too early in the process and they wanted to make sure the Commission was in support before they expended funds for renderings and site plans.

Major concerns raised by the residents included the impacts to overcrowded schools, deficient transportation facilities and traffic congestion in the area, and routine flooding associated with road building and development trends. Additional concerns were raised regarding a recent class action lawsuit against the Orlando Utilities Commission (OUC) claiming that emissions from coal burning related activities were causing cancer among area residents. Residents could not understand how the County could be considering amendments for more residential growth in the area when the question raised by the lawsuit was outstanding. Staff agreed to coordinate with the County's legal staff.

Since the Community Meeting EPD provided the following information.

- The OUC Stanton Power Plant is a Title V facility permitted out of the Tallahassee Division of Air Resources Management Office, Florida Department of Environmental Protection (FDEP). The facility has a 5-year permit.
- The facility's last two ambient air violations were in 9/12/18 and 10/5/17 for late submittals for required compliance reports.
- The units are required to have Continuous Emissions Monitoring Systems.

According to our legal staff, Orange County is not a party to the lawsuit and any questions regarding the lawsuit should be directed to OUC and the FDEP. This would not be a basis to stop the amendment from being transmitted. As legal pointed out, there is no guarantee even if transmitted that the amendment will ultimately be adopted or that the development will get approved.

A resident also questioned why this plan amendment was before the County again as the past Commission rejected the proposal. Mr. Sullivan clarified that the last plan amendment proposal was withdrawn after transmittal and the plan amendment was never presented to the BCC for adoption. In addition, the previous proposal was for single family and now the proposal is for apartments. He pointed out that there are several apartment projects in various stages of development in the vicinity of this project and asked if the residents preferred industrial development on the site.

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

# Community Meeting Memorandum

**DATE:** November 12, 2018

**TO:** Gregory Golgowski, Chief Planner

**FROM:** Misty Mills, Planner

**SUBJECT:** Amendment 2019-1-A-4-3 – Community Meeting Notes

**C:** Project file

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**Location of Project**: Parcel ID 33-24-30-0000-00-015; 5757 Simpson Road; generally located north of Simpson Road, west of Boggy Creek Road, south of Lake Nona Boulevard, and east of Ward Road.

**Meeting Date and Location:** Monday, October 29, 2018 at Wyndham Lakes Elementary School 14360 Wyndham Lakes Boulevard Drive, Orlando, Florida.

**Attendance:**

| | |
|---|---|
| District Commissioner | *Sarah Nemes, District Commissioner Aide* |
| Orange County staff | *Misty Mills and Jennifer DuBois, Planning Division*<br>*Romy Enage and Francisco Villar, Public Works Development Engineering* |
| Applicant team | *Erika Hughes, VHB; Bob Peck, Jay Levy, and Lee Freeman Watkins Engineering;* |
| Residents | *3 residents in attendance* |

**Overview of Project:**

The applicant's request is to amendment the future land use designation of the 16.76-acre site from Planned Development-Commercial (PD-C) to Planned Development-Commercial/Medium Density Residential (PD-C/MDR). The petitioned site is undeveloped. The request to amendment the Future Land Use Map, if approved, would allow to the proposed construction of a multi-family complex consisting of 336 dwelling units and up to 45,750 square feet of retail commercial uses.

**Meeting Summary:**

Mrs. Mills began the meeting and noted the amendment process.

The applicant, Erika Hughes, provided an overview of the request explaining the site is currently approved for up to 170,000 square feet of retail commercial. She noted the request to amend the future land use map would decrease the approved commercial development intensity to 45,750 square feet of retail commercial and the addition of 336 multi-family dwelling units. The noted the proposed change in the development program would not increase the number of trips that are planned for the site.

There were three residents in attendance. The questions they had were about stormwater and traffic. A specific question was where the stormwater on the site would drain. The applicant team stated it would drain on-site with limited overflow on the east site of Simpson Road. The resident explained there is increased flooding in the area and there is concern with drainage.

Concern with traffic was another topic that the residents held. A resident explained that the schools in Osceola County and other traffic from Osceola County have an impact on the roads in Orange County. The applicant team explained the traffic counts are based on counts from the Trip Generation Manual and that the number of proposed multi-family units has less of an impact on traffic than commercial uses.

The meeting adjourned at 6:30 p.m. The overall tone of the meeting was **NEUTRAL**.

# Community Meeting Memorandum

**DATE:** December 10, 2019

**TO:** Gregory Golgowski, Chief Planner

**FROM:** Misty Mills, Planner

**SUBJECT:** Amendment 2011-A-5-1 Community Meeting Notes

**C:** Project file

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**Location of Project**: Parcel ID 22-22-31-9461-00-010/011; 12151 East Colonial Drive generally located

**Meeting Date and Location:** Wednesday, November 14, 2018 at Riverdale Elementary School, 11301 Lokanotosa Trail, Orlando, Florida

**Attendance:**

| | |
|---|---|
| District Commissioner | *Ashton Holland, District Commissioner Aide* |
| Orange County staff | *Gregory Golgowski and Nicolas Thalmueller, Planning Division*<br>*Renzo Nastasi, Transportation Planning* |
| Applicant team | *Thomas Sullivan, James Johnston, Frank Porter, John Hebert, and Anthony Everett* |
| Residents | *0 residents in attendance* |

**Overview of Project:**

The applicant's request is to amendment the Future land use designation of the 10.19-acre site from Commercial (C) to Planned Development- Commercial/Medium Density Residential (Student Housing) (PD-C/MDR)(Student Housing). The petitioned site is currently developed as a big-box retail commercial site. The request to amendment the Future Land Use Map is to allow to the proposed construction of a student housing complex consisting of 116 dwelling units and up to 94,974 square feet commercial development.

**Meeting Summary:**

Orange County staff waiting from 6:00 until 6:15 to commence the meeting. At 6:15 staff noted that there were no members of the community present.

# Community Meeting Memorandum

**DATE:** October 24, 2018

**TO:** Gregory Golgowski, Chief Planner

**FROM:** Misty Mills, Planner

**SUBJECT:** Amendment 2019-1-A-5-2 – Community Meeting Notes

**C:** Project file

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**Location of Project**: Parcel ID 22-22-30-0000-00-001 6575 East Colonial Drive generally located north of Colonial Drive, east of North Forsyth Road, South of Hanging Moss Road, and west of Commerce Boulevard.

**Meeting Date and Location:** Wednesday, October 22, 2018 at Baldwin Park Elementary School, 1750 Common Way Road., Orlando, Florida 32824

**Attendance:**

| | |
|---|---|
| District Commissioner | *Ashton Holland, District Commissioner Aide* |
| Orange County staff | *Misty Mills and Maria Cahill, Planning Division* |
| Applicant team | *Chris Dougherty, S&ME and George Kramer, S&ME* |
| Residents | *19 residents in attendance* |

**Overview of Project:**

The applicant's request is to amendment the Future land use designation of the 10.09-acre site from Commercial (C) to Medium-High Density Residential (MHDR). The petitioned site is undeveloped. The request to amendment the Future Land Use Map to Medium-High Density Residential (MHDR) would allow up to 350 multi-family dwelling units.

**Meeting Summary:**

Mrs. Mills provided and overview of the amendment process. She noted the public hearing date before the Local Planning Agency is scheduled for Thursday, December 20, 2018, and the Board of County Commissioners for Tuesday, January 22, 2019. Chris Dougherty explained the proposal to construct 350 multi-family dwelling unit on the site. He noted the current zoning of C-3 (Wholesale Commercial) is a more intense use than the proposed residential development. Three (3) conceptual plans were provided indicating different configurations of the proposed use on the petitioned site. He noted that the plans are yield studied to determine the maximum number of dwelling units that could fit on the site.

Approximately 19 residents were in attendance. The items of immediate concern was traffic impacts along Highway 50 (Colonial Drive) along with impacts to the schools. Mr. Dougherty explained that traffic impacts are reduced with residential development and traffic and engineering studies are required as part of the amendment process. It was also explained that Orange County Public Schools requires the impacts to schools to be mitigated as part of the

amendment process.

One resident stated that traffic would be worse if the site was a commercial development. It was stated that if the proposed concrete crushing facility were to open it would be bad for all of the residents. It was noted that if the petitioned site were a residential development that would benefit the area as it has the potential to prevent the concrete crushing facility from opening.

Another resident asked if other future land use categories, such as Medium Density Residential (MDR) and Low-Medium Density residential (LMDR) were explored. Mr. Dougherty stated that from a unit count these categories would not work. The resident then stated that everyone would love the site to stay vacant but the community could work with the applicant to find something that would be a benefit to the community and noted that some residential units would be okay.

Many of the residents stated their desire for a wall between the petitioned site and the residential neighborhood to the north.

Mr. Kramer addressed the concerns of the residents including multi-family development, traffic, and school overcrowding. He asked the residents to please support transmittal of the request so that it could move forward to the Department of Economic Opportunity for state level review.

The meeting adjourned at 7:00 p.m. The overall tone of the meeting was **MIXED,** with some residents **AGAINST** the change and others in **SUPPORT** of a negotiated development.

# Community Meeting Memorandum

**DATE:** November 9, 2018

**TO:** Gregory Golgowski, Chief Planner

**FROM:** Misty Mills, Planner

**SUBJECT:** Amendment 2019-A-5-3 – Community Meeting Notes

**C:** Project file

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**Location of Project**: Parcel ID 03-22-30-0000-00-029 3714 North Forsyth Road, generally located north of University Boulevard, east of North Semoran boulevard, south of Aloma Avenue and west of North Forsyth Road

**Meeting Date and Location:** Thursday, November 7, 2018 at Brookshire Elementary School, 2500 Cady Way, Winter Park, Florida 32792.

**Attendance:**

| | |
|---|---|
| District Commissioner | *Ashton Holland, District Commissioner Aide* |
| Orange County staff | *Greg Golgowski and Maria Cahill, Planning Division*<br>*Regina Ramos and Cedric Moffet, Park and Recreation Division* |
| Applicant team | *Geoff Rogers, James Johnston, Micky Grindstaff and Mohammed Abdallah* |
| Residents | *17 residents in attendance* |

**Overview of Project:**

The applicant's request is to amendment the future land use designation of the 13.14-acre site from Commercial (C) to Planned Development-Commercial/High Density Residential (Student Housing) (PD-C/HDR)(Student Housing). The petitioned site is undeveloped. The request to amendment the Future Land Use Map would allow the proposed construction of up to 2,400 bedrooms for student housing and up to 30,000 square feet of commercial development.

**Meeting Summary:**

Mr. Golgowski began the meeting and noted the amendment process.

Applicant, Geoff Rogers, provided an overview of the history Full Sail University and presented the proposed development program.

Full Sail University sits on 211 acres, they have 880,000 square feet of space with 110 studios and 60 plus classes and offices to support online programs and teachers and staff. The applicant described the request and explained that the University is struggling with assisting students in finding housing in close proximity to the campus.

Mr. Rogers explained the proposal is to construct up to 2,400 beds and up to 30,000 sf of retail. As part of the presentation, they presented several design options. Their plan is to provide housing so students can live in proximity to campus. The proposed designs incorporate a pedestrian bridge so students can walk from the proposed site on the north side of University Boulevard to the main campus without driving.

The main concerns raised at the meeting had to do with traffic congestion, safety, and ingress and egress onto University Boulevard. University Boulevard, as stated by the residents, is congested, students routinely ignore traffic rules, don't use the crosswalk, ride bicycles on sidewalk, or against traffic, raising safety issues. It was stated that nightime pedestrian activity is also of concern. Traffic from businesses in the area, including Costco, routinely backs traffic up on University Boulevard. Residents are concerned that the plan for student housing will not alleviate traffic concerns but actually make conditions worse. Some expressed skepticism that the students would use the pedestrian bridge. It was suggested that the placement in the design would not encourage its use.

The applicant stressed that the designs are preliminary and traffic issues, designs of pedestrian bridge, ingress/egress would be finalized in later phases of the development approval process. Their transportation consultant discussed how the proposal reduces trips from what the current land use would allow on the property. He stated if more students walk to campus, this should relieve some of the traffic congestion associated with commuting students.

One resident asked whether Full Sail would consider providing their own transportation/shuttle service for students. It was also asked if Full Sail would consider restricting parking on campus for students at the new housing complex to discourage their use of their vehicles. Another suggestion was to reserve parking on the housing site to only students, or to restrict students from parking altogether on campus like other Universities are doing.

Another concern raised was the security of students and increased crime in the area. A resident mentioned several students have been robbed, attacked in the area. Finally, a suggestion was made to move the student housing to the other south of University Boulevard where the main campus is located.

# Community Meeting Memorandum

**DATE:** October 18, 2018

**TO:** Alberto A. Vargas, MArch., Planning Manager

**FROM:** Sue Watson, Planner

**SUBJECT:** Amendment 2018-1-A-6-1 (The Seasons) Community Meeting Synopsis

**C:** Project File

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**Location of Project**: Generally located on the west side of S. Texas Avenue, south of Wakulla Way, east of S. John Young Parkway, and north of W. Oak Ridge Road

**Meeting Date and Location:** Wednesday, October 17, 2016 at 6:00 PM at Westridge Middle School, 3800 W. Oak Ridge Road, Orlando, FL 32809

**Attendance:**

| | |
|---|---|
| District Commissioner | District 6 Commissioner Victoria Siplin<br>Vanessa Lewis, Commissioner's Aide, District 6 |
| Orange County Staff | Sue Watson and Jennifer DuBois, Planning Division<br>Colin Kidd, Engineer III, Development Engineering Division |
| Applicant | Erika Hughes, VHB, Inc.<br>Bryon Smith, Westgate Resorts |
| Residents | 340 notices sent; 3 residents in attendance |

**Overview of Project:** The applicant, Erika Hughes, VHB, is requesting to change the Future Land Use Map (FLUM) designation of the 19.40-acre subject property from Low-Medium Density Residential to Medium Density Residential (MDR). The applicant proposes a development program of up to 358 multi-family dwelling units. The subject site has forty-four (44) existing multi-family units.

**Meeting Summary:** Planner Sue Watson opened the meeting at 6:05 PM and introduced District 6 Commissioner Victoria Siplin and her aide, Ms. Vanessa Lewis, Jennifer DuBois, Senior Planner, Orange County Planning Division, Colin Kidd, Engineer III, Orange County Development Engineering Division, and the applicant, Ms. Erika Hughes, VHB. 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 Low-Medium Density Residential to Medium Density Residential (MDR). Staff informed the residents in attendance that the proposed FLUMA was submitted in the 2017-1 Regular Cycle (2017-1-A-6-1). The applicant had to withdraw the FLUMA application due to not being able to obtain a Capacity Enhancement Agreement (CEA) from the Orange County School Board in a timely manner before the BCC adoption public hearing. Ms. Watson informed the residents that the applicant is requesting the same FLUMA request as in 2017. Ms. Watson stated that at the November 10, 2016, community meeting that was held for

the proposed FLUMA the applicant agreed to the following: 1) installation of a six (6) foot high masonry wall along the north and west property lines and install landscaping; 2) No access onto Wakulla Way; the access will be on Texas Avenue; and 3) not to fill in the ditch along Wakulla Way. Staff summarized the Future Land Use Map Amendment process and the schedule for the LPA and BCC public hearings. Ms. Watson asked the citizens if they had any questions. There were none and she turned the meeting over to the applicant.

Ms. Hughes gave an overview of her proposal. She informed the citizens that the existing site was formerly a timeshare resort that was not successful and her proposal is to construct up to 358 multi-family apartment units. Ms. Hughes stated she would like to change the Future Land Use Map (FLUM) designation of the property from LMDR to MDR. Ms. Hughes also stated that a rezoning application (LUP-17-04-135) is in for submittal as well to change the zoning of the property from R-3 (Multiple-Family Dwelling District) to PD (Planned Development District) and the rezoning would run concurrently with the FLUMA request. She informed the residents that she will honor the same commitments that were made to the citizens by the previous applicant: construction of a masonry wall along the north property and west property lines, the provision of a landscape buffer, the retention of an existing natural treed buffer, and no access onto Wakulla Way. The applicant stated that these conditions would be stated on the Westgate Seasons Planned Development (PD)/Land Use Plan (LUP) (LUP-17-04-135). Staff and the applicant then responded to the residents' questions.

Commissioner Siplin thanked everyone in attendance for coming. The meeting adjourned at approximately 6:35 PM. The overall tone of the meeting was **POSITIVE**.

# Community Meeting Memorandum

**DATE:** June 6, 2018

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

**FROM:** Nicolas Thalmueller, Planner

**SUBJECT:** Amendment 2018-2-P-1-5 Community Meeting Synopsis

**C:** Project File

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**Location of Project**: Generally located south and west of Winter Garden Vineland road, northeast of Lake Mabel, and east of Reams Road.

**Property Identification:** 04-20-27-0000-00-001

**Meeting Date and Location:** May 3rd 2018 at Sunset Park Elementary School

**Attendance:**

| | |
|---|---|
| District Commissioner: | Betsy VanderLey, District 1 Commissioner |
| | Diana Dethlefs, District 1 Commissioner Aide |
| Planning Division staff: | Nicolas Thalmueller, Planning Division |
| | Steven Thorp, Planning Division |
| | Maria Cahill, Planning Division |
| | Greg Golgowski, Planning Division |
| Residents: | 69 residents |
| | 328 community meeting notices sent |

**Overview of Project:**

The applicant, Marc Skorman with Skorman Development Corp, has requested a privately initiated text amendment to amend the Comprehensive Plan policies relating to Rural Residential Enclaves that the County is currently in the process of adopting. The policies specific to the Lake Mabel Enclave, the Enclave to which the current amendment would apply, are intended to preserve and/or enhance its rural residential character and require minimum one (1) acre lots. The applicant is proposing to revise the Rural Residential Enclave policies to add additional standards that would apply only to four (4) parcels totaling 10.61 acres located at the eastern portion of the Lake Mabel Rural Residential Enclave. The applicant has indicated that the purpose of the revised policies is to allow for the development of a "Rural Hamlet" with a development program consisting of a 121,193 square foot assisted living facility with one-hundred ten (110) beds, and seventeen (17) independent senior dwelling units.

**Meeting Summary:**

Nicolas Thalmueller opened the meeting at 6:00 P.M. and introduced Orange County Staff and the applicant. Mr. Thalmueller discussed the background of the Rural Residential Enclave small area study and the resulting policies and development standards intended to implement a shared community vision. The purpose of the meeting was to give the applicant team a chance to present their alternate vision for the 10-acre tract within the Lake Mabel Enclave.

Mr. Thalmueller summarized the Comprehensive Plan Amendment process – noting the upcoming Local Planning Agency (LPA) / Planning & Zoning Commission (PZC) and Board of County Commissioners (BCC) public hearing dates as additional opportunities for public input on the request. It was stated that depending on the outcome of the community meeting, there were two potential paths forward for the applicant's request. The first path was the Comprehensive Plan amendment process just summarized. However, if the community were to express consensus in full support of the proposed request, the applicant's policy amendments would be incorporated into and adopted along with the County initiated Rural Residential Enclave policies.

The applicant's representative, Rick Geller with Fishback Domnick, presented the applicant's vision for the senior "Rural Hamlet" located on the subject property. Several representations were presented to the community including, no access to Lake Mabel, the project would retain and protect existing wetlands onsite, the project would adhere to dark sky lighting standards, rain gardens and swales would be incorporated, and there would be organic gardens. The applicant team's presentation also stated that when the property rezoned to Planned Development, the applicant intended to add development standards that require active agriculture, barns, gardens, community gardens, pathways, ponds, pastures, meadows, open areas, thickets of trees, bushes, wetlands, upland forests, hedgerows, or natural topography, or other natural elements

Approximately half of the residents who attended the meeting expressed support for the pending Lake Mabel Policy provisions as recommended by the County, and opposition to the applicant's proposed development. The residents in opposition to the request expressed a preference for retaining the existing rural character of the Lake Mabel community and were concerned that the intensity of the 121,193 square foot assisted living facility would not be compatible with the existing large lot, single-family development character. In addition, the residents worried that the light and noise from deliveries, ambulances, and other externalities that would go along with the assisted living facility would negatively affect the existing community. Other residents noted that there were existing traffic issues along Winter Garden Vineland Road resulting from the large-scale development of the nearby communities within Horizon West, and that increasing the allowable development density for the subject property would only exacerbate the traffic problem.

The residents in attendance who spoke in favor of the applicant's request largely spoke to recognize the value of assisted senior housing and to endorse the applicant's reputation as a quality builder. These residents stated that there was a need for services to support an aging population. Several residents in support of the request also noted that traffic is already an issue in the area and the traffic impact from the proposed development would not greatly increase the problem.

The meeting adjourned at 8:00 P.M and the overall tone was **MIXED**.

**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: October 5, 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 2019-1 Regular Cycle Amendments
Development Comprehensive Plan Amendments – Fire Rescue Summary

| Amendment # | OC Fire Station First Due | Distance from Fire Station | Emergency Response Time |
|---|---|---|---|
| 2019-1-A-1-1 | 34 | 3.0 miles | 7 min |
| 2019-1-A-1-2 | 32 | 2.4 miles | 6 min |
| 2019-1-A-1-3 | No map | ? miles | ? min |
| 2019-1-A-1-4 | 36 | 1.6 miles | 5 min |
| 2019-1-A-1-5 | 56 | 0.8 miles | 1 min |
| 2019-1-A-1-6 | 32 | 3.2 miles | 7 min |
| 2019-1-A-3-1 | 81 | 0.7 miles | 2 min |
| 2019-1-A-3-2 | 81 | 1.7 miles | 4 min |
| 2019-1-A-4-1 | 85 | 2.0 miles | 3 min |
| 2019-1-A-4-2 | 85 | 1.0 miles | 3 min |
| 2019-1-A-4-3 | 55 | 5.8 miles | 11 min |
| 2019-1-A-5-1 | 80 | 1.5 miles | 4 min |
| 2019-1-A-5-2 | 66 | 1.2 miles | 2 min |
| 2019-1-A-5-3 | 63 | 2.1 miles | 3 min |
| 2019-1-A-6-1 | 51 | 1.0 miles | 2 min |

*Amended – no change for Fire

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

BKM

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

October 24, 2018

TO: Alberto Vargas, Manager, Planning

FROM: Amy Bradbury, Planner III, Parks and Recreation

SUBJECT: Facilities Analysis and Capacity Report
2019-1 Regular Cycle Comprehensive Policy Plan Amendments

The Parks and Recreation Division has reviewed the 2019-1 Regular 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.

c: Matt Suedmeyer, Manager, Parks and Recreation
Regina Ramos, Project Manager, Parks and Recreation
Cedric M. Moffett, Planner III, Parks and Recreation
File: Comp Plan Amendments

# Facilities Analysis and Capacity Report

## 2019-1 Regular 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) |
|---|---|---|---|---|---|
| 2019-1-A-1-2 (Avalon Park) | Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR) | 395 | 1011.2 | 1.52 | 6.07 |
| 2019-1-A-1-3 (Ruby Lake PD) | Planned Development-Commercial/Low-Medium Density Residential (PD-C/LMDR) | 156 | 399.36 | 0.60 | 2.40 |
| 2019-1-A-1-4 (Bering I) | Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR) | 400 | 1024 | 1.54 | 6.14 |
| 2019-1-A-1-5 (IDI PD) | Activity Center Residential (ACR) | 475 | 1216 | 1.82 | 7.30 |
| 2019-1-A-4-1 (Kurtya) | Low Density Residential (LDR) | 43 | 110.08 | 0.17 | 0.66 |
| 2019-1-A-3-2 (Alta Underhill) | Medium Density Residential (MDR) | 364 | 931.84 | 1.40 | 5.59 |
| 2019-1-A-4-1 (Innovation Pointe) | Planned Development-Medium Density Residential/Commercial (PD-MDR/C) | 264 | 675.84 | 1.01 | 4.06 |
| 2019-1-A-4-2 (Alafaya Apartments) | Medium Density Residential (MDR) | 250 | 640 | 0.96 | 3.84 |
| 2019-1-A-4-3 (Boggy Creek Crossings) | Planned Development Medium Density Residential/Commercial (PD-MDR/C) | 336 | 860.16 | 1.29 | 5.16 |
| 2019-1-A-5-1 (12151 E Colonial Dr) | Planned Development-Medium Density Residential (Student Housing)/Commercial (PD-MDR (Student Housing)/C) | 165 | 422.4 | 0.63 | 2.53 |

# Facilities Analysis and Capacity Report

## 2019-1 Regular Cycle Comprehensive Policy Plan Amendments

## (Amendments with Parks Level-of-Service Impacts)

| | | | | | |
|---|---|---|---|---|---|
| 2019-1-A-5-2 (Colonial Drive Mixed Use) | Medium-High Density Residential (MHDR) | 350 | 896 | 1.34 | 5.38 |
| 2019-1-A-5-3 (Silver City Properties Student Housing) | Planned Development-High Desnity Residenital/Commercial (PD-HDR/C) | 2,400 student housing beds; or 1,200 units (per Sec. 38-1259 of code) | 3072 | 4.61 | 18.43 |
| 2019-1-A-6-1 (The Seasons) | Medium Density Residential (MDR) | 358 | 916 | 1.37 | 5.50 |
| | | Total Acreage Impact | | 18.263 | 73.052 |
| | | Available Capacity (as of July 2017) | | 437.820 | 8085.180 |

# Orange County Public Schools
# School Capacity Report

**DATE ISSUED** January 22, 2019

**JURISDICTION** ORANGE COUNTY

**CASE** 2019-1-A-1-1 (TILDEN ROAD)

**PROPERTY ID** 10-23-27-0000-00-033, 10-23-27-0000-00-034

**ACREAGE** +/- 28.31

**LAND USE CHANGE** V AND A-1 TO SPA AND PD

**PROPOSED USE** Single Family Units: 74 Multi Family Units: 0

Mobile Homes Units: 0 Town Homes Units: 0

**CONDITIONS AT AFFECTED SCHOOLS (AS OF OCTOBER 15, 2018)**

| School Information | KEENE'S CROSSING ES | BRIDGEWATER MS | WINDERMERE HS |
|---|---|---|---|
| Capacity (2018-2019) | 859 | 1,176 | 2,776 |
| Enrollment (2018-2019) | 1,464 | 2,609 | 3,360 |
| Utilization (2018-2019) | 170.0% | 222.0% | 121.0% |
| Adopted LOS Standard | 110.0% | 100.0% | 100.0% |
| Students Generated | 14 | 7 | 10 |

**COMMENTS/CONDITIONS OF APPROVAL:**

A CEA WILL BE REQUIRED FOR THIS PROJECT.

For more information on this analysis, please contact:

Julie Salvo, AICP at 407.317.3700 x2022139

# Orange County Public Schools
# School Capacity Report

**DATE ISSUED** January 22, 2019

**JURISDICTION** ORANGE COUNTY

**CASE** 2019-1-A-1-2 AVALON PARK

**PROPERTY ID** 31-24-27-0000-00-020

**ACREAGE** +/- 17.90

**LAND USE CHANGE** GC-C AND A-1 TO GC-PD-MHDR AND PD

**PROPOSED USE** Single Family Units: 0 Multi Family Units: 395

Mobile Homes Units: 0 Town Homes Units: 0

## CONDITIONS AT AFFECTED SCHOOLS (AS OF OCTOBER 15, 2018)

| School Information | KEENE'S CROSSING ES | BRIDGEWATER MS | WINDERMERE HS |
|---|---|---|---|
| Capacity (2018-2019) | 859 | 1,176 | 2,776 |
| Enrollment (2018-2019) | 1,464 | 2,609 | 3,360 |
| Utilization (2018-2019) | 170.0% | 222.0% | 121.0% |
| Adopted LOS Standard | 110.0% | 100.0% | 100.0% |
| Students Generated | 59 | 25 | 28 |

## COMMENTS/CONDITIONS OF APPROVAL:

A CEA IS REQUIRED FOR THIS PROJECT.

For more information on this analysis, please contact:

Julie Salvo, AICP at 407.317.3700 x2022139

# Orange County Public Schools
# School Capacity Report

**DATE ISSUED** January 22, 2019

**JURISDICTION** ORANGE COUNTY

**CASE** 2019-1-A-1-3 RUBY LAKE

**PROPERTY ID** 00-00-00-0000-00-001

**ACREAGE** +/- 16.72

**LAND USE CHANGE** PD-LMDR AND PD/LUP TO PD-C/LMDR AND PD

**PROPOSED USE** Single Family Units: 0 Multi Family Units: 0

Mobile Homes Units: 0 Town Homes Units: 156

**CONDITIONS AT AFFECTED SCHOOLS (AS OF OCTOBER 15, 2018)**

| School Information | SAND LAKE ES | SOUTHWEST MS | DR. PHILLIPS HS |
|---|---|---|---|
| Capacity (2018-2019) | 828 | 1,211 | 2,761 |
| Enrollment (2018-2019) | 679 | 1,443 | 3,885 |
| Utilization (2018-2019) | 82.0% | 119.0% | 141.0% |
| Adopted LOS Standard | 110.0% | 100.0% | 100.0% |
| Students Generated | 25 | 12 | 14 |

**COMMENTS/CONDITIONS OF APPROVAL:**

A CEA IS REQUIRED FOR THIS PROJECT.

For more information on this analysis, please contact:

Julie Salvo, AICP at 407.317.3700 x2022139

# Orange County Public Schools
# School Capacity Report

**DATE ISSUED** January 22, 2019

**JURISDICTION** ORANGE COUNTY

**CASE** 2019-1-A-1-4 BERING I

**PROPERTY ID** 15-24-28-6211-17-010, 15-24-28-6211-14-010

**ACREAGE** +/- 17.67

**LAND USE CHANGE** ACMU AND PD TO PD-MHDR/C AND PD

**PROPOSED USE** Single Family Units: 0 Multi Family Units: 400

Mobile Homes Units: 0 Town Homes Units: 0

**CONDITIONS AT AFFECTED SCHOOLS (AS OF OCTOBER 15, 2018)**

| School Information | SAND LAKE ES | SOUTHWEST MS | DR. PHILLIPS HS |
|---|---|---|---|
| Capacity (2018-2019) | 828 | 1,211 | 2,761 |
| Enrollment (2018-2019) | 679 | 1,443 | 3,885 |
| Utilization (2018-2019) | 82.0% | 119.0% | 141.0% |
| Adopted LOS Standard | 110.0% | 100.0% | 100.0% |
| Students Generated | 60 | 25 | 28 |

**COMMENTS/CONDITIONS OF APPROVAL:**

A CEA IS REQUIRED FOR THIS PROJECT.

For more information on this analysis, please contact:

Julie Salvo, AICP at 407.317.3700 x2022139

# Orange County Public Schools
# School Capacity Report

**DATE ISSUED** January 22, 2019

**JURISDICTION** ORANGE COUNTY

**CASE** 2019-1-A-1-5 IDI PD

**PROPERTY ID** 23-24-28-5844-00-240, 22-24-28-5844-00-230

**ACREAGE** +/- 20.14

**LAND USE CHANGE** ACMU AND PD TO ACR AND PD

**PROPOSED USE** Single Family Units: 0 Multi Family Units: 475

Mobile Homes Units: 0 Town Homes Units: 0

**CONDITIONS AT AFFECTED SCHOOLS (AS OF OCTOBER 15, 2018)**

| School Information | TANGELO PARK ES | FREEDOM MS | FREEDOM HS |
|---|---|---|---|
| Capacity (2018-2019) | 664 | 1,114 | 2,671 |
| Enrollment (2018-2019) | 666 | 1,256 | 3,995 |
| Utilization (2018-2019) | 100.0% | 113.0% | 150.0% |
| Adopted LOS Standard | 110.0% | 100.0% | 100.0% |
| Students Generated | 71 | 30 | 33 |

**COMMENTS/CONDITIONS OF APPROVAL:**

A CEA IS REQUIRED FOR THIS PROJECT.

For more information on this analysis, please contact:

Julie Salvo, AICP at 407.317.3700 x2022139

# Orange County Public Schools
# School Capacity Report

**DATE ISSUED** January 22, 2019

**JURISDICTION** ORANGE COUNTY

**CASE** 2019-1-A-3-1 KURTYKA

**PROPERTY ID** 06-23-31-0000-00-008

**ACREAGE** +/- 17.59

**LAND USE CHANGE** A-2 TO LDR AND PD

**PROPOSED USE** Single Family Units: 43 Multi Family Units: 0

Mobile Homes Units: 0 Town Homes Units: 0

**CONDITIONS AT AFFECTED SCHOOLS (AS OF OCTOBER 15, 2018)**

| School Information | DEERWOOD ES | LIBERTY MS | UNIVERSITY HS |
|---|---|---|---|
| Capacity (2018-2019) | 650 | 1,498 | 2,674 |
| Enrollment (2018-2019) | 508 | 1,147 | 2,848 |
| Utilization (2018-2019) | 78.0% | 77.0% | 107.0% |
| Adopted LOS Standard | 110.0% | 100.0% | 100.0% |
| Students Generated | 8 | 4 | 6 |

**COMMENTS/CONDITIONS OF APPROVAL:**

A NEW CEA IS REQUIRED FOR THIS PROJECT. EXISTING CEA IS EXPIRED.

For more information on this analysis, please contact:

Julie Salvo, AICP at 407.317.3700 x2022139

# Orange County Public Schools
# School Capacity Report

**DATE ISSUED** January 22, 2019

**JURISDICTION** ORANGE COUNTY

**CASE** ALTA UNDERHILL

**PROPERTY ID** 25-22-30-0000-00-028

**ACREAGE** +/- 37.30

**LAND USE CHANGE** LDR AND R-1A TO MDR AND PD

**PROPOSED USE** Single Family Units: 0 Multi Family Units: 364

Mobile Homes Units: 0 Town Homes Units: 0

**CONDITIONS AT AFFECTED SCHOOLS (AS OF OCTOBER 15, 2018)**

| School Information | LITTLE RIVER ES | UNION PARK MS | COLONIAL HS |
|---|---|---|---|
| Capacity (2018-2019) | 500 | 1,478 | 3,733 |
| Enrollment (2018-2019) | 439 | 782 | 3,414 |
| Utilization (2018-2019) | 88.0% | 53.0% | 91.0% |
| Adopted LOS Standard | 110.0% | 100.0% | 100.0% |
| Students Generated | 54 | 23 | 25 |

**COMMENTS/CONDITIONS OF APPROVAL:**

A CEA IS NOT REQUIRED BUT APPLICANT'S DETERMINATION NEEDS TO BE EXTENDED (OC-18-044)

For more information on this analysis, please contact:

Julie Salvo, AICP at 407.317.3700 x2022139

# Orange County Public Schools
# School Capacity Report

**DATE ISSUED** January 22, 2019

**JURISDICTION** ORANGE COUNTY

**CASE** 2019-1-A-4-1 INNOVATION POINTE

**PROPERTY ID** 12-23-31-0000-00-002

**ACREAGE** +/- 33.85

**LAND USE CHANGE** PD-IND/C/CON AND PD TO PD-MDR/C AND PD

**PROPOSED USE** Single Family Units: 0 Multi Family Units: 264

Mobile Homes Units: 0 Town Homes Units: 0

**CONDITIONS AT AFFECTED SCHOOLS (AS OF OCTOBER 15, 2018)**

| School Information | ANDOVER ES | LEGACY MS | UNIVERSITY HS |
|---|---|---|---|
| Capacity (2018-2019) | 774 | 1,137 | 2,674 |
| Enrollment (2018-2019) | 835 | 924 | 2,848 |
| Utilization (2018-2019) | 108.0% | 81.0% | 107.0% |
| Adopted LOS Standard | 110.0% | 100.0% | 100.0% |
| Students Generated | 39 | 17 | 18 |

**COMMENTS/CONDITIONS OF APPROVAL:**

A CEA IS REQUIRED FOR THIS PROJECT.

For more information on this analysis, please contact:

Julie Salvo, AICP at 407.317.3700 x2022139

# Orange County Public Schools
# School Capacity Report

**DATE ISSUED** January 22, 2019

**JURISDICTION** ORANGE COUNTY

**CASE** 2019-1-A-4-3 BOGGY CREEK CROSSINGS

**PROPERTY ID** 33-24-30-0000-00-015

**ACREAGE** +/- 16.76

**LAND USE CHANGE** PD-C AND PD TO PD-MDR/C AND PD

**PROPOSED USE** Single Family Units: 0 Multi Family Units: 336

Mobile Homes Units: 0 Town Homes Units: 0

## CONDITIONS AT AFFECTED SCHOOLS (AS OF OCTOBER 15, 2018)

| School Information | WYNDHAM LAKES ES | SOUTH CREEK MS | CYPRESS CREEK HS |
|---|---|---|---|
| Capacity (2018-2019) | 828 | 1,125 | 2,762 |
| Enrollment (2018-2019) | 995 | 1,098 | 3,372 |
| Utilization (2018-2019) | 120.0% | 98.0% | 122.0% |
| Adopted LOS Standard | 110.0% | 100.0% | 100.0% |
| Students Generated | 50 | 21 | 24 |

## COMMENTS/CONDITIONS OF APPROVAL:

A CEA IS REQUIRED FOR THIS PROJECT.

For more information on this analysis, please contact:

Julie Salvo, AICP at 407.317.3700 x2022139

# Orange County Public Schools
# School Capacity Report

**DATE ISSUED** January 22, 2019

**JURISDICTION** ORANGE COUNTY

**CASE** 2019-1-A-5-2 COLONIAL DR MIXED USE

**PROPERTY ID** 22-22-30-0000-00-001

**ACREAGE** +/- 10.09

**LAND USE CHANGE** C AND C-3 TO MHDR AND PD

**PROPOSED USE** Single Family Units: 0 Multi Family Units: 350

Mobile Homes Units: 0 Town Homes Units: 0

**CONDITIONS AT AFFECTED SCHOOLS (AS OF OCTOBER 15, 2018)**

| School Information | BALDWIN PARK ES | GLENRIDGE MS | WINTER PARK HS |
|---|---|---|---|
| Capacity (2018-2019) | 842 | 1,251 | 3,723 |
| Enrollment (2018-2019) | 858 | 1,345 | 3,355 |
| Utilization (2018-2019) | 102.0% | 108.0% | 90.0% |
| Adopted LOS Standard | 110.0% | 100.0% | 100.0% |
| Students Generated | 52 | 22 | 25 |

**COMMENTS/CONDITIONS OF APPROVAL:**

A CEA IS REQUIRED FOR THIS PROJECT.

For more information on this analysis, please contact:

Julie Salvo, AICP at 407.317.3700 x2022139

# Orange County Public Schools
# School Capacity Report

**DATE ISSUED** January 22, 2019

**JURISDICTION** ORANGE COUNTY

**CASE** 2019-1-A-6-1 THE SEASONS

**PROPERTY ID** 21-23-29-5361-00-170, 21-23-29-5361-00-171, 21-23-29-5361-00-172

**ACREAGE** +/- 19.40

**LAND USE CHANGE** LMDR AND R-3 TO MDR AND PD

**PROPOSED USE** Single Family Units: 0 Multi Family Units: 358

Mobile Homes Units: 0 Town Homes Units: 0

**CONDITIONS AT AFFECTED SCHOOLS (AS OF OCTOBER 15, 2018)**

| School Information | PALMETTO ES | WESTRIDGE MS | OAK RIDGE HS |
|---|---|---|---|
| Capacity (2018-2019) | 1,163 | 1,087 | 2,318 |
| Enrollment (2018-2019) | 915 | 1,248 | 2,612 |
| Utilization (2018-2019) | 79.0% | 115.0% | 113.0% |
| Adopted LOS Standard | 110.0% | 100.0% | 100.0% |
| Students Generated | 53 | 23 | 25 |

**COMMENTS/CONDITIONS OF APPROVAL:**

A CEA IS REQUIRED FOR THIS PROJECT.

For more information on this analysis, please contact:

Julie Salvo, AICP at 407.317.3700 x2022139

*Sheriff Jerry L. Demings*

# ORANGE COUNTY SHERIFF'S OFFICE

## INTEROFFICE MEMORANDUM

October 16, 2018

TO: Alyssa Henriquez
Orange County Planning Division

FROM: Daniel Divine, Manager
Research & Development

SUBJECT: 2019-1 Regular Cycle Comprehensive Policy Plan Amendments (CPPA)

As requested, we have reviewed the impact of the existing and proposed development scenarios related to the 2019-1 Regular Cycle Comprehensive Policy Plan Amendments (CPPA). Based on the existing and proposed development scenarios, the Sheriff's Office staffing needs for existing are 0.55 deputies and 0.25 support personnel and proposed are 14.38 deputies and 6.53 support personnel to provide the standard level of service (LOS) to these developments.

**Comprehensive Policy Plan Amendment #2019-1-A-3-1** is a proposed single family development, **#2019-1-A-3-2, #2019-1-A-4-2,** and **#2019-1-A-5-2** are proposed multi-familydevelopments, #**2019-1-A-4-1** is comprised of multi-family and commercial units, #**2019-1-A-5-1** and #**2019-1-A-5-3** are comprised of student housing and commercial 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 #2019-1-A-4-3** is comprised of proposed multi-family and commercial uses, **#2019-1-A-6-1** is a proposed multi-family development. 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.

**Comprehensive Policy Plan Amendment #2019-1-A-1-3** proposes townhomes and office uses, **#2019-1-A-1-4** and #**2019-1-A-1-5** are proposed multi-family and commercial uses, 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.

**Comprehensive Policy Plan Amendment #2019-1-A-1-2** is a proposed multi-family development and #**2019-1-A-1-6** proposes short term rental units as well as commercial uses 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, CALEA 15.1.3

ORANGE COUNTY GOVERNMENT FLORIDA

**Interoffice Memorandum**

Date: October 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 10/24/18

**Subject: Facilities Analysis and Capacity Report**
**2019-1 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 LW 10/25/18
Laura Tatro, P.E., Senior Engineer, Utilities Engineering Division 10/24/18
Gregory Golgowski, Chief Planner, Planning Division
Nicolas Thalmueller, Planner, Planning Division
File: 37586; 2019-1 Regular Cycle

# Potable Water and Wastewater Facilities Analysis for 2019-1 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 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 2019-1-A-1-2<br>(Avalon Park) | 331-24-27-0000-00-020 | PW: Toho Water Authority<br>WW: Toho Water Authority<br>RW: Toho Water Authority | PW: Contact Toho Water Authority<br>WW: Contact Toho Water Authority<br>RW: Contact Toho Water Authority | Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR) | 0 | 0 | 738,342 | N/A | N/A | N/A | N/A | N/A | N/A |
| 2019-1-A-1-3<br>(Ruby Lake PD) | 15-24-28-7774-00-020 et al | PW: Orange County Utilities<br>WW: Orange County Utilities<br>RW: Orange County Utilities | PW: 24-inch watermain within Palm Parkway right-of-way<br>WW: 20-inch force main within the Palm Parkway right-of-way<br>RW: 12-inch reclaimed water main within the Palm Parkway right-of-way | Planned Development-Commercial/Low-Medium Density Residential (PD-C/LMDR) | 156 | 0 | 200,000 | 0.061 | 0.050 | 0.061 | 0.050 | Yes | South |
| 2019-1-A-1-4<br>(Bering I) | 15-24-28-6211-17-010 (portion of), 15-24-28-6211-14-010/130, 15-24-28-6211-15-010/131, 15-24-28-6211-16-010/130/150, 15-24-28-6211-17-131, 15-24-28-6211-24-010/090/131, 15-24-28-6211-25-010/130, 15-24-28-6211-98-010/090/130, and 15-24-28-6211-99-010/130/170 | PW: Orange County Utilities<br>WW: Orange County Utilities<br>RW: Orange County Utilities | PW: 24-inch watermain within Lake Street right-of-way<br>WW: 20-inch force main within the Lake Street right-of-way<br>RW: 20-inch reclaimed water main within the Lake Street right-of-way | Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR) | 400 | 0 | 15,000 | 0.111 | 0.091 | 0.111 | 0.091 | Yes | South |
| 2019-1-A-1-5<br>(IDI PD)) | 23-24-28-5844-00-240;<br>23-24-28-5844-00-230 | PW: Orange County Utilities<br>WW: Orange County Utilities<br>RW: Orange County Utilities | PW: 24-inch watermain within International Drive right-of-way and 16-inch watermain within Daryl Carter Parkway right-of-way<br>WW: 30-inch forcemain within International Drive right-of-way<br>RW: 12-inch and 24-inch reclaimed water mains within International Drive right-of-way and 24-inch reclaimed water main within Darly Carter Parkway right-of-way | Activity Center Residential (ACR) | 475 | 0 | 6,000 | 0.131 | 0.107 | 0.131 | 0.107 | Yes | South |
| 2019-1-A-1-6<br>(Avalon Groves) | 31-24-27-0000-00-016;<br>31-24-27-0000-00-039:<br>31-24-27-0000-00-040;<br>31-24-27-0000-00-044 | PW: Toho Water Authority<br>WW: Toho Water Authority<br>RW: Toho Water Authority | PW: Contact Toho Water Authority<br>WW: Contact Toho Water Authority<br>RW: Contact Toho Water Authority | Growth Center-Planned Development-Commercial (GC-PD-C) | 328 | 0 | 20,000 | N/A | N/A | N/A | N/A | N/A | N/A |
| 2019-1-A-3-1<br>(Kurtyka)) | 06-23-31-0000-00-008 | PW: Orange County Utilities<br>WW: Orange County Utilities<br>RW: Orange County Utilities | PW: 8-inch watermain within White Isle Lane right-of-way<br>WW: 8-inch gravity sewer within White Isle Lane right-of-way<br>RW: Not currently available | Low Density Residential (LDR) | 43 | 0 | 0 | 0.012 | 0.010 | 0.012 | 0.010 | No | East |
| 2019-1-A-3-2<br>(Alta Underhill) | 25-22-30-0000-00-028 | PW: Orange County Utilities<br>WW: Orange County Utilities<br>RW: Orange County Utilities | PW: 20-inch watermain within Lake Underhill Road right-of-way<br>WW: 18-inch forcemain within Lake Underhill Road right-of-way<br>RW: Not currently available | Medium Density Residential (MDR) | 364 | 0 | 0 | 0.100 | 0.082 | 0.100 | 0.082 | No | East |
| 2019-1-A-4-1<br>(Innovation Pointe) | 12-23-31-0000-00-002 | PW: Orange County Utilities<br>WW: Orange County Utilities<br>RW: Orange County Utilities | PW: 16-inch watermain within Innovation Way right-of-way<br>WW: 8-inch forcemain within Innovation Way right-of-way and 36-inch forcemain within Alafaya Trail right-of-way<br>RW: 16-inch and 30-inch reclaimed water mains within Innovation Way right-of-way | Planned Development-Medium Density Residential/Commercial (PD-MDR/C) | 264 | 0 | 370,000 | 0.107 | 0.087 | 0.107 | 0.087 | Yes | East |
| 2019-1-A-4-2<br>(Alafaya Apartments) | 01-23-31-0000-00-001 | PW: Orange County Utilities<br>WW: Orange County Utilities<br>RW: Orange County Utilities | PW: 12-inch and 24-inch watermain within Alafaya Trail right-of-way<br>WW: 36-inch forcemain within Alafaya Trail right-of-way<br>RW: 30-inch reclaimed water main within Alafaya Trail right-of-way | Medium Density Residential (MDR) | 250 | 0 | 0 | 0.069 | 0.056 | 0.069 | 0.056 | Yes | East |
| 2019-1-A-4-3<br>(Boggy Creek Crossings) | 33-24-30-0000-00-015 | PW: Orlando Utilities Commission<br>WW: Orange County Utilities<br>RW: Orange County Utilities | PW: Contact Orlando Utilities Commission<br>WW: **See notes<br>RW: Not currently available | Planned Development Medium Density Residential/Commercial (PD-MDR/C) | 336 | 0 | 45,750 | N/A | 0.079 | N/A | 0.079 | No | East |
| 2019-1-A-5-1<br>(12151 E Colonial Dr)) | 22-22-31-9461-00-010<br>22-22-31-9461-00-011 | PW: Orange County Utilities<br>WW: Orange County Utilities<br>RW: Orange County Utilities | PW: 12-inch watermain within Orpington Street right-of-way and 24-inch watermain within Colonial Drive right-of-way<br>WW: 4-inch force main within Orpington Street right-of-way and 30-inch forcemain within Colonial Drive right-of-way<br>RW: Not currently available | Planned Development-Medium Density Residential (Student Housing)/Commercial (PD-MDR (Student Housing)/C) | 165 | 0 | 665,814 | 0.107 | 0.087 | 0.107 | 0.087 | No | East |
| 2019-1-A-5-2<br>(Colonial Drive Mixed Use) | 22-22-30-0000-000-001 | PW: Orlando Utilities Commission<br>WW: Orange County Utilities<br>RW: Orange County Utilities | PW: Contact Orlando Utilities Commission<br>WW: 8-inch and 18-inch gravity mains located within Colonial Drive right-of-way<br>RW: Not currently available | Medium-High Density Residential (MHDR) | 350 | 0 | 0 | N/A | 0.079 | N/A | 0.079 | No | East |

## Potable Water and Wastewater Facilities Analysis for 2019-1 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 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 2019-1-A-5-3<br>(Silver City Properties Student Housing) | 03-22-30-0000-00-029 | PW: City of Winter Park<br>WW: City of Winter Park<br>RW: City of Winter Park | PW: Contact City of Winter Park<br>WW: Contact City of Winter Park<br>RW: Contact City of Winter Park | Planned Development-High Density Residenital/Commercial (PD-HDR/C) | 2,400 | 0 | 30,000 | N/A | N/A | N/A | N/A | N/A | N/A |
| 2019-1-A-6-1<br>(The Seasons) | 21-23-29-5361-00-170;<br>21-23-29-5361-00-171;<br>21-23-29-5361-00-172 | PW: Orlando Utilities Commission<br>WW: Orange County Utilities<br>RW: Orange County Utilities | PW: Contact Orlando Utilities Commission<br>WW: 12-inch force main within W. Oak Ridge Road right-of-way and 20-inch force main within John Young Parkway right-of-way<br>RW: Not currently available | Medium Density Residential (MDR) | 358 | 0 | 0 | 0.098 | 0.081 | 0.098 | 0.081 | 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.

**2019-1-A-4-3: Wastewater demands and connection points will be addressed as the project proceeds through the DRC and construction permitting processes.

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

# Interoffice Memorandum

**DATE:** November 9, 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
2019-1 Regular Cycle 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 December 20, 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
Tim Hull, Environmental Programs Administrator, Natural Resource Management

Orange County Environmental Protection Division
Comments to the Local Planning Agency for the
2019-1 Regular Cycle Comprehensive Plan Amendments

**1) Amendment #2019-1-A-1-1 (FKA 2018-2-A-1-1) WITHDRAWN**
**Tilden Road**
**FLU from:** Village (V) to Horizon West, Village of Bridgewater Special Area Plan
**Rezoning from:** A-1 (Citrus Rural District) to PD (Planned Development District)
**Proposed Development:** 74 residential units (Garden Home District)
**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 and 034
**Address:** 14950 and 14908 Tilden Rd.
**District:** 1
**Area:** 28.31 gross / 18.54 net developable acres

**2) Amendment #2019-1-A-1-2**
**Avalon Road #14544**
**FLU from:** Growth Center-Commercial (GC-C) to Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR)
**Rezoning from:** A-1 (Citrus Rural District) to PD (Planned Development District)
**Proposed Development:** 395 multi-family dwelling units
**Owner:** 18 Avalon Road, LLC
**Agent:** Robert Reese
**Parcels:** 31-24-27-0000-00-020
**Address:** 14544 Avalon Rd.
**District:** 1
**Area:** 17.90 gross / 11.20 net developable acres

**EPD Comments:**
Class I wetlands and a portion of Grass Lake are located on site. Orange County Conservation Area Determination application CAD-18-08-127 was submitted for this property. The CAD must be completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD) prior to approval of this amendment request, consistent 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 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.

The Normal High Water Elevation (NHWE) of Grass Lake was established at 111.45 feet NAVD 88. 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.

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.

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 of December 21, 2017 reported the presence of gopher tortoises 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.

**3) Amendment #2019-1-A-1-3**
**Ruby Lake PD/Lot 3 Townhomes**
**FLU from:** Planned Development-Low-Medium Density Residential (PD-LMDR) to Planned Development-Commercial/Low-Medium Density Residential (PD-C/LMDR)
**Rezoning from/to:** PD (Planned Development District - Ruby Lake & Hannah Smith)
**Proposed Development:** 156 townhomes and 200,000 sq. ft. office uses
**Owner:** Pulte Home Corp.
**Agent:** Erika Hughes, VHB
**Parcels:** 15-24-28-7774-00-020, Subdivision 15-24-28-6505 (portion)
**Address:** 7701 Palm Parkway
**District:** 1

**Area:** 16.72 gross acres

**EPD Comments:**
The project site is cleared and partially built. This request shall comply will all related environmental permits conditions of approval.

**4) Amendment #2019-1-A-1-4**
**Sunterra Resorts PD aka Bering I**
**FLU from:** Activity Center Mixed Use (ACMU) to Planned Development-Commercial/ Medium-High Density Residential (PD-C/MHDR)
**Rezoning from/to:** PD (Planned Development District - Sunterra Resorts)
**Proposed Development:** 400 multi-family dwelling units and 15,000 sq. ft. commercial
**Owner:** Sunterra Corp. and Diamond Resorts Cypress Pointe III Development, LLC
**Agent:** Daniel T. O'Keefe, Esquire, Shutts & Bowen LLP
**Parcels:** 15-24-28-6211-17-010 (portion), 15-24-28-6211-14-010/130, 15-24-28-6211-15-010/131, 15-24-28-6211-16-010/130/150, 15-24-28-6211-17-131, 15-24-28-6211-24-010/090/131, 15-24-28-6211-25-010/130, 15-24-28-6211-98-010/090/130, and 15-24-28-6211-99-010/130/170
**Address:** north of Lake Street, east of Ruby Lake Road, south of 10th Street, and west of Oak Street.
**District:** 1
**Area:** 17.67 gross acres

**EPD Comments:**
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).

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 #2019-1-A-1-5**
**IDI PD**
**FLU from:** Activity Center Mixed-Use (ACMU) to Activity Center Residential (ACR)
**Rezoning from/to:** PD (Planned Development District - IDI)
**Proposed Development:** 475 multi-family dwelling units and 6,000 sq. ft. restaurant
**Owner:** Vitru Florida Inc.
**Agent:** Jonathan Huels
**Parcels:** 23-24-28-5844-00-240 and 230
**Address:** north of International Dr., east of Vineland Ave., south of Lake St., and west of Daryl Carter Pkwy

**District:** 1
**Area:** 20.14 gross acres

**EPD Comments:**
Orange County Conservation Area Determination CAD 06-219 and Impact Permit CAI 07-024 were completed to delineate and remove the wetlands within the IDI PD. This request shall comply with all related permit conditions of approval.

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).

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.

**6) Amendment #2019-1-A-1-6**
**Island Reef PD & Groves of West Orange PD aka Avalon Groves**
**FLU from:** Growth Center/Planned Development- Commercial/Low-Medium Density Residential (GC-PD-C/LMDR) and Growth Center/Planned Development-Low Medium Density Residential (GC-PD-LMDR) to Growth Center-Planned Development-Commercial (GC-PD-C)
**Rezoning from/to:** PD (Planned Development District - Island Reef & Groves of West Orange)
**Proposed Development:** 328 short-term rental units and 20,000 sq. ft. commercial
**Owner:** Hartzog Road Property LLC/Westport Capital Partners
**Agent:** Evans Engineering, Inc.
**Parcels:** 31-24-27-0000-00-016, 039, 040 and 044
**Address:** east side of Avalon Rd., south of Hartzog Rd., north of Arrowhead Blvd., and west of Vista Del Lago Blvd
**District:** 1
**Area:** 37.83 gross / 36.36 net developable acres

**EPD Comments:**
Class II and III wetlands are located onsite that extend offsite. Orange County Conservation Area Determination CAD 97-211 was completed for these properties with a certified survey of the conservation area boundary approved on January 15, 1998. This determination is still binding.

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 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.

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).

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.

**7) Amendment #2019-1-A-3-1**
**LUP-14-03-069 Kurtyka**
**FLU from:** Berry Dease Rural Enclave to Low Density Residential (LDR)
**Rezoning from:** A-2 (Farmland District) to PD (Planned Development District)
**Proposed Development:** 43 single-family dwelling units
**Owner:** Richard Kurtyka
**Agent:** Jim Hall
**Parcels:** 06-23-31-0000-00-008
**Address:** 2004 Gregory Road
**District:** 3
**Area:** 17.59 gross acres

**EPD Comments:**
Orange County Conservation Area Determination CAD-14-03-016 delineated two Class III wetlands onsite amounting to 1.30 acres. This determination expires on October 20, 2019. Contact the Environmental Protection Division (EPD) to request a time extension prior to the expiration date.

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 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.

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).

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 #2019-1-A-3-2**
**LUP-18-10-360 Alta Underhill**
**FLU from:** Low Density Residential (LDR) to Medium Density Residential (MDR)
**Rezoning from:** R-1A (Single-Family Dwelling District) to PD (Planned Development District)
**Proposed Development:** Up to 364 multi-family dwelling units
**Owner:** Lake Underhill 38 Acres, LLC
**Agent:** Bryan Borland, WP South Acquisitions, LLC
**Parcels:** 25-22-30-0000-00-028
**Address:** 8247 Lake Underhill Rd
**District:** 3
**Area:** 37.3 gross / 16.9 net developable acres

**EPD Comments:**
Wetlands and surface waters are located onsite that extend offsite. Orange County Conservation Area Determination application CAD-18-08-128 was submitted for this property. The CAD must be completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD) prior to approval of this amendment request, consistent 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 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.

A portion of the project site is vacant and vegetated. Development 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).

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.

**9) Amendment #2019-1-A-4-1 (previous 2001-1-A-4-2, 2015-1-A-4-3)**
**Redditt Propert PD/Innovation Pointe**
**FLU from:** Planned Development-Industrial/Commercial/Conservation (PD-IND/C/CON) to Planned Development-Medium Density Residential/Commercial (PD-MDR/C)
**Rezoning from/to:** PD (Planned Development District - Redditt Property)
**Proposed Development:** 264 multi-family residential units 20 du per acre on 13.23 acres and 370,000 sq. ft. of commercial on 5.67 acres
**Owner:** Dustin Lucas
**Agent:** Thomas Sullivan
**Parcels:** 12-23-31-0000-00-002
**Address:** east of Innovation Way, west of S Alafaya Trail
**District:** 4
**Area:** 33.85 gross acres

**EPD Comments:**
Caution: EPD would be able to support residential use of this site upon removal of the buried waste, and post removal sampling verification of the site compliance with applicable state standards. However, note that previous sampling has verified that soil contaminants are present in excess of residential Soil Cleanup Target Levels (SCTL's) and groundwater contaminants are present above Groundwater Cleanup Target Levels (GCTL's).

This project site was included in Orange County Conservation Area Determination CAD-15-07-083 and Impact Permit CAI-15-12-041 that were completed for the PD. This request shall comply with all related permit conditions of approval.

Orange County Mass Grading Permit 17-MG-0112 was approved with numerous conditions. All mass grading, excavation and fill activities shall comply with these permit conditions of approval.

The property is located within the geographic 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, habitat preservation and wildlife management, stormwater management, 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 imperiled species (endangered, threatened, or species of special concern). The applicant is responsible to determine the presence of imperiled species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

The property had two ponds that were filled with Type 2 waste material (clean debris). The property was subsequently used as a yard trash recycling facility. The landfill activities in the two borrow pits occurred approximately between 1992 and 2002.

The project site is located within the Orange County Board of County Commissioners resolution approved on December 1, 2015, regarding designating certain land as the Gene: ROCC (Redeveloping Orange County Communities) and as a Brownfield Area for the purpose of environmental remediation, rehabilitation and economic development pursuant to Section 376.80(2)(c), Florida Statutes.

The Florida Department of Environmental Protection (FDEP) has extended the Limited Scope Remedial Action Plan Approval (LSRAP) originally dated September 22, 2016 to January 1, 2019. The applicant should request another extension as soon as possible. The FDEP active cleanup site facility identification is COM_332944.

No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the FDEP and such approval has been provided to the Orange County EPD. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.

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 all applicable standards, including but not limited to, the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels, and

other contaminant cleanup target levels found to apply during further investigations to the Orange County Environmental Protection and Development Engineering Divisions.

Exceptions to the site disturbance limitations would be activity related to the removal of the buried waste and/or other activity to remediate soil or groundwater contamination in exceedance of any jurisdictional standards.

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, of the prior use of this property for cattle grazing and a cattle vat, and that Type 2 clean debris waste material was buried on portions of this site and that portions of the site were later used as a yard trash recycling facility.

Where contamination has been documented, the covenants, conditions, and restrictions (CC&Rs) and lease agreements, or as appropriate, a recorded restrictive covenant on the property and a note on the plat shall include notification that the property has been identified with soil and groundwater contamination and shall state the status of the resulting remediation.

Approval of this request does not substitute for the geotechnical analysis or other technical studies that any owner or builder should conduct prior to vertical construction on sites that have buried material, or have had buried material removed, that could affect the construction techniques required.

All development on this site shall comply with the guidelines established in the most recent edition of, "Guidance for Disturbance and Use of Old Closed Landfills or Waste Disposal Areas in Florida" published by the Florida Department of Environmental Protection.

In the event of inclement weather during operating hours, the applicant shall secure all waste within the site boundaries and haul vehicles with industrial rated tarps or other similar protective measure to contain waste to prevent fly-away litter deposits onto neighboring properties and roadways.

A Phase I Environmental Site Assessment of November 2002 by Universal Engineering Sciences (UES) indicated that a cattle vat was located in the NW corner of the site near the former house. It is believed to have been in use until 1961. A soil boring and monitoring well were installed by UES in the suspect area to obtain samples. Neither the soil nor groundwater samples contained exceedances of state standards. The concern of a former cattle vat on the site was raised at a prior community meeting November 12, 2014.

Neither installation nor operation of potable or irrigation water supply wells using local groundwater will be allowed on site.

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 neither potable wells nor irrigation wells using local groundwater will be allowed on site.

All site work shall preserve any existing monitoring wells as may be required in coordination with the FDEP.

Prior to any dewatering activities occurring on site, the applicant shall obtain approval of the dewatering plans from the local Water Management District and the FDEP, and will provide the supporting documentation of approval to the Orange County EPD.

Discharged stormwater runoff from proposed activities shall not degrade receiving surface water bodies below the minimum conditions established by state water quality standards (F.A.C. 17-302 and 17-40.420) per Orange County code 30-520(5)e.

The applicant is responsible to comply with any state or federal regulations regarding proximity of residential or commercial uses to high voltage electrical transmission lines that exist adjacent on the eastern boundary. There is also an electrical substation about 700 feet to the southeast of the property.

This review only addresses Orange County environmental regulations. The project shall also obtain and comply with all other existing environmental permits and applicable environmental regulations of, but not limited to: the Army Corps of Engineers, the Florida Department of Environmental Protection, the applicable Water Management District, the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC). It is possible that one of the other agencies could deny the request even if the County approves it, or they may have other natural resource protective requirements. Therefore, it is imperative that the proposed plans be addressed on a multi-agency basis.

**10) Amendment # 2019-1-A-4-2**
**Stoneybrook PD/East Golf Course and Maintenance Facility aka Alafaya Apartments**
**FLU from:** Parks and Recreation/Open Space (PR/OS) to Medium Density Residential (MDR)
**Rezoning from/to:** PD (Planned Development District, remove from Stoneybrook)
**Proposed Development:** 250 multi-family dwelling units
**Owner:** John Caporaletti, Caporaletti Golf Management LP
**Agent:** Jim Hall
**Parcels:** 01-23-31-0000-00-001
**Address:** 2900 Northampton Ave
**District:** 4
**Area:** 14.5 gross acres / 12.5 net developable acres

**EPD Comments:**
Two Class III wetlands are located onsite amounting to 2 acres. A pond was built in the upland. The project site was included in Orange County Conservation Area Determination CAD 89-050

and Impact Permit CAI 93-043 completed for the Stoneybrook PD. This request shall comply with all related permit conditions of approval. A Conservation Easement was recorded in favor of the St. Johns Water Management Districts in official records book 5226, pages 2076-2118.

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 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.

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 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.

This project site has a prior land use as a golf course 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, to the Orange County Environmental Protection and Development Engineering Divisions.

The Orange County Landfill is located approximately one mile to the southwest. The applicant/owner has an affirmative obligation to expressly notify potential purchasers, builders, and/or tenants of this development, through the appropriate mechanism, including a conspicuous note on the plat and/or a recorded restrictive covenant, as applicable, of the proximity of solid waste management facilities. This notification is required since the County shall not support the siting of developments at urban residential densities that would be adversely impacted by existing solid waste management activities. Reference Orange County Comprehensive Plan, Solid Waste Element, Policy SW1.7.4.

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.

**11) Amendment #2019-1-A-4-3**
**Boggy Creek Crossings**
**FLU from:** Planned Development-Commercial (PD-C) to Planned Development Medium Density Residential/Commercial (PD-MDR/C)
**Rezoning from/to:** PD (Planned Development District - Boggy Creek Crossings)
**Proposed Development:** 336 multi-family dwelling units and 45,750 sq. ft. of commercial uses
**Owner:** Boggy Creek Retail Development, LLC
**Agent:** VHB
**Parcels:** 33-24-30-0000-00-015
**Address:** 5757 Simpson Rd
**District:** 4
**Area:** 16.76 gross acres

**EPD Comments:**
Orange County Conservation Area Determination CAD-14-02-007 and Impact Permit CAI-15-11-037 were completed to remove a small Class III wetland on site (0.07 acres). This request shall comply with all related permit conditions of approval. Contact the Environmental Protection Division (EPD) to request a time extension prior to the permit expiration date.

Gopher tortoises have been located on this site. 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).

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.

**12) Amendment #2019-1-A-5-1**
**Retreat at Orlando III**
**FLU from:** Commercial (C) to Planned Development-Medium Density Residential (Student Housing)/Commercial (PD-MDR (Student Housing)/C)
**Rezoning from:** C-1 (Retail Commercial District) to PD (Planned Development District)
**Proposed Development:** 165 student housing units and up to 665,814 sq. ft. commercial
**Owner:** Marolyn Coward Russell Trust
**Agent:** Thomas Sullivan
**Parcels:** 22-22-31-9461-00-010, 011
**Address:** 12151 E Colonial Dr
**District:** 5
**Area:** 10.19 gross acres

**EPD Comments:**
The subject site is developed as a Burlington Coat Factory.

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.

**13) Amendment #2019-1-A-5-2**
**Colonial Drive Mixed Use**
**FLU from:** Commercial (C) to Medium-High Density Residential (MHDR)
**Rezoning from:** C-3 (Wholesale Commercial District) to PD (Planned Development District)
**Proposed Development:** 350 multi-family residential units
**Owner:** The Wise Partnership
**Agent:** S&ME, Inc.Chris Dougherty
**Parcels:** 22-22-30-0000-00-001
**Address:** 6575 E Colonial Dr
**District:** 5
**Area:** 10.09 gross acres

**EPD Comments:**
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).

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.

**14) Amendment #2019-1-A-5-3**
**Silver City Properties PD/Student Housing**
**FLU from:** Commercial (C) to Planned Development-High Density Residential/Commercial (PD-HDR/C)
**Rezoning from/to:** PD (Planned Development District - Silver City Properties)
**Proposed Development:** 2,400 beds for student housing and up to 30,000 sq. ft. commercial
**Owner:** Silver City Properties, LTD.
**Agent:** Silver City Properties, Ltd. Geoff Rogers
**Parcels:** 03-22-30-0000-00-029
**Address:** 3714 N Forsyth Rd
**District:** 5
**Area:** 13.14 gross acres

**EPD Comments:**
CAUTION: Due to existing contamination on this site, student housing may not be a compatible

use. Additional site analysis is needed prior to EPD support of this request.

The subject area was included in the Orange County Conservation Area Determination CAD 97-103 and Impact Permit 99-045 completed for the Silver City Properties PD. This request shall comply with all related permit conditions of approval. A Class III wetland of 2.29 acres was removed during construction of the adjacent Costco.

The subject parcel is vacant and vegetated. Development 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 site is located within an area of groundwater contamination delineated by the Florida Department of Environmental Protection (FDEP, various contaminants). No activity will be permitted on the site that may disturb, influence or interfere with: areas of soil or groundwater contamination, any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through FDEP and such approval has been provided to the Orange County EPD. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.

Submit a Phase I and/or Phase II Environmental Site Assessment if available. This property may be the location of petroleum spills, agricultural or industrial related contamination, and fertilizer, pesticide or herbicide spillage or residue. Since it will be needed prior to site development or platting, submit a completed Phase I Environmental Site Assessment (ESA) as soon as possible to avoid future delays to the Orange County Development Engineering Division (ATTN: Platting Office) and to the Environmental Protection Division (Attention: Development Review Committee Representative). Depending upon the results of the Phase I analysis, either limited soil and groundwater sampling will be required, or a full Phase II ESA will be required in which case the Phase II shall also be submitted to the FDEP Central District office. Per Comprehensive Plan Policy C1.5.7, Orange County shall require development in/on or near contaminated soils to properly address the contamination prior to any approvals allowing disturbance of the contaminated soils with land clearing, mass grading and/or construction.

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. . This shall be provided to Orange County Environmental Protection Division and Development Engineering Division by submittal of either an FDEP No Further Action letter or Site Rehabilitation Completion Order (SRCO) with or without conditions or controls, or documentation of specific permissions from FDEP.

If the Environmental Site Assessment indicates site contamination of soil, groundwater, surface water, or if the FDEP is currently conducting contamination remediation, then the covenants, conditions, and restrictions (CC&Rs) and lease agreements shall include notification that portions of this property have been identified with soil, groundwater, or surface water contamination.

Any waste material found on site during clearing and grading shall be properly disposed of according to the solid waste and hazardous waste regulations.

Depending upon the contamination site review, there may be a need to prohibit the operation and installation of potable and irrigation water wells.

**15) Amendment #2019-1-A-6-1 (FKA 2017-1-A-6-1)**
**LUP-17-04-135 Westgate Seasons**
**FLU from:** Low-Medium Density Residential (LMDR) to Medium Density Residential (MDR)
**Rezoning from:** R-3 (Multiple-Family Dwelling District) to PD (Planned Development District)
**Proposed Development:** 358 multi-family dwelling units
**Owner:** Central Florida Investments, Inc.
**Agent:** VHB
**Parcels:** 21-23-29-5361-00-170, 171, 172
**Address:** 5736 S Texas Ave
**District:** 6
**Area:** 19.40 gross / 17.70 net developable acres

**EPD Comments:**
The project site is partially built but wetlands and surface waters are located on site, including a portion of the Wakulla Canal on the north boundary. An Orange County Conservation Area Determination (CAD) must be completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD) prior to submitting subdivision, development plans or permit applications. 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 buildable area is the net developable acreage less protective buffer areas 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.

A portion of the project site is vacant and vegetated. Development 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).

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.

This site is located adjacent to existing residential neighborhoods, therefore dust control during all site preparation and construction will be necessary. Fugitive dust emissions shall not be allowed from any activity including: vehicular movement, transportation of materials, construction, alteration, loading, unloading, storing or handling, without taking reasonable precautions to prevent such emissions. Reasonable precautions include application of water, dust suppressants, and other measures defined in Orange County Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 2 Rules, Section 15-89.1 Air Pollution Prohibited.

This site is adjacent to existing residential neighborhoods, therefore noise control during all site preparation and construction will be necessary. Construction noise is limited by Orange County Code Chapter 15 Environmental Control, Article V Noise Pollution Control. Section 15-185 Exemptions allows for construction or demolition activities between 7:00 am and 10:00 pm. Any construction after 10:00 pm and prior to 7:00 am needs to comply with the requirements of the ordinance. In addition, dewatering pumps shall be shielded from exposure to the adjacent residential units and located as far away as possible to minimize adverse noise level impacts.

**16) Amendment #2019-1-P-FLUE-1**
**Arnold Groves**
**FLU from:** 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
**Proposed Development:**
**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

Orange County Environmental Protection Division
Comments to the Local Planning Agency for the
2019-1 Regular Cycle Comprehensive Plan Amendments

**1) Amendment #2019-1-A-1-1 (FKA 2018-2-A-1-1) WITHDRAWN**
**Tilden Road**
**FLU from:** Village (V) to Horizon West, Village of Bridgewater Special Area Plan
**Rezoning from:** A-1 (Citrus Rural District) to PD (Planned Development District)
**Proposed Development:** 74 residential units (Garden Home District)
**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 and 034
**Address:** 14950 and 14908 Tilden Rd.
**District:** 1
**Area:** 28.31 gross / 18.54 net developable acres

**2) Amendment #2019-1-A-1-2**
**Avalon Road #14544**
**FLU from:** Growth Center-Commercial (GC-C) to Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR)
**Rezoning from:** A-1 (Citrus Rural District) to PD (Planned Development District)
**Proposed Development:** 395 multi-family dwelling units
**Owner:** 18 Avalon Road, LLC
**Agent:** Robert Reese
**Parcels:** 31-24-27-0000-00-020
**Address:** 14544 Avalon Rd.
**District:** 1
**Area:** 17.90 gross / 11.20 net developable acres

**EPD Comments:**
Class I wetlands and a portion of Grass Lake are located on site. Orange County Conservation Area Determination application CAD-18-08-127 was submitted for this property. The CAD must be completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD) prior to approval of this amendment request, consistent 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 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.

The Normal High Water Elevation (NHWE) of Grass Lake was established at 111.45 feet NAVD 88. 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.

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.

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 of December 21, 2017 reported the presence of gopher tortoises 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.

**3) Amendment #2019-1-A-1-3**
**Ruby Lake PD/Lot 3 Townhomes**
**FLU from:** Planned Development-Low-Medium Density Residential (PD-LMDR) to Planned Development-Commercial/Low-Medium Density Residential (PD-C/LMDR)
**Rezoning from/to:** PD (Planned Development District - Ruby Lake & Hannah Smith)
**Proposed Development:** 156 townhomes and 200,000 sq. ft. office uses
**Owner:** Pulte Home Corp.
**Agent:** Erika Hughes, VHB
**Parcels:** 15-24-28-7774-00-020, Subdivision 15-24-28-6505 (portion)
**Address:** 7701 Palm Parkway
**District:** 1

**Area:** 16.72 gross acres

**EPD Comments:**
The project site is cleared and partially built. This request shall comply will all related environmental permits conditions of approval.

**4) Amendment #2019-1-A-1-4**
**Sunterra Resorts PD aka Bering I**
**FLU from:** Activity Center Mixed Use (ACMU) to Planned Development-Commercial/ Medium-High Density Residential (PD-C/MHDR)
**Rezoning from/to:** PD (Planned Development District - Sunterra Resorts)
**Proposed Development:** 400 multi-family dwelling units and 15,000 sq. ft. commercial
**Owner:** Sunterra Corp. and Diamond Resorts Cypress Pointe III Development, LLC
**Agent:** Daniel T. O'Keefe, Esquire, Shutts & Bowen LLP
**Parcels:** 15-24-28-6211-17-010 (portion), 15-24-28-6211-14-010/130, 15-24-28-6211-15-010/131, 15-24-28-6211-16-010/130/150, 15-24-28-6211-17-131, 15-24-28-6211-24-010/090/131, 15-24-28-6211-25-010/130, 15-24-28-6211-98-010/090/130, and 15-24-28-6211-99-010/130/170
**Address:** north of Lake Street, east of Ruby Lake Road, south of 10th Street, and west of Oak Street.
**District:** 1
**Area:** 17.67 gross acres

**EPD Comments:**
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).

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 #2019-1-A-1-5**
**IDI PD**
**FLU from:** Activity Center Mixed-Use (ACMU) to Activity Center Residential (ACR)
**Rezoning from/to:** PD (Planned Development District - IDI)
**Proposed Development:** 475 multi-family dwelling units and 6,000 sq. ft. restaurant
**Owner:** Vitru Florida Inc.
**Agent:** Jonathan Huels
**Parcels:** 23-24-28-5844-00-240 and 230
**Address:** north of International Dr., east of Vineland Ave., south of Lake St., and west of Daryl Carter Pkwy

**District:** 1
**Area:** 20.14 gross acres

**EPD Comments:**
Orange County Conservation Area Determination CAD 06-219 and Impact Permit CAI 07-024 were completed to delineate and remove the wetlands within the IDI PD. This request shall comply with all related permit conditions of approval.

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).

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.

**6) Amendment #2019-1-A-1-6**
**Island Reef PD & Groves of West Orange PD aka Avalon Groves**
**FLU from:** Growth Center/Planned Development- Commercial/Low-Medium Density Residential (GC-PD-C/LMDR) and Growth Center/Planned Development-Low Medium Density Residential (GC-PD-LMDR) to Growth Center-Planned Development-Commercial (GC-PD-C)
**Rezoning from/to:** PD (Planned Development District - Island Reef & Groves of West Orange)
**Proposed Development:** 328 short-term rental units and 20,000 sq. ft. commercial
**Owner:** Hartzog Road Property LLC/Westport Capital Partners
**Agent:** Evans Engineering, Inc.
**Parcels:** 31-24-27-0000-00-016, 039, 040 and 044
**Address:** east side of Avalon Rd., south of Hartzog Rd., north of Arrowhead Blvd., and west of Vista Del Lago Blvd
**District:** 1
**Area:** 37.83 gross / 36.36 net developable acres

**EPD Comments:**
Class II and III wetlands are located onsite that extend offsite. Orange County Conservation Area Determination CAD 97-211 was completed for these properties with a certified survey of the conservation area boundary approved on January 15, 1998. This determination is still binding.

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 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.

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).

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.

**7) Amendment #2019-1-A-3-1**
**LUP-14-03-069 Kurtyka**
**FLU from:** Berry Dease Rural Enclave to Low Density Residential (LDR)
**Rezoning from:** A-2 (Farmland District) to PD (Planned Development District)
**Proposed Development:** 43 single-family dwelling units
**Owner:** Richard Kurtyka
**Agent:** Jim Hall
**Parcels:** 06-23-31-0000-00-008
**Address:** 2004 Gregory Road
**District:** 3
**Area:** 17.59 gross acres

**EPD Comments:**
Orange County Conservation Area Determination CAD-14-03-016 delineated two Class III wetlands onsite amounting to 1.30 acres. This determination expires on October 20, 2019. Contact the Environmental Protection Division (EPD) to request a time extension prior to the expiration date.

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 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.

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).

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 #2019-1-A-3-2**
**LUP-18-10-360 Alta Underhill**
**FLU from:** Low Density Residential (LDR) to Medium Density Residential (MDR)
**Rezoning from:** R-1A (Single-Family Dwelling District) to PD (Planned Development District)
**Proposed Development:** Up to 364 multi-family dwelling units
**Owner:** Lake Underhill 38 Acres, LLC
**Agent:** Bryan Borland, WP South Acquisitions, LLC
**Parcels:** 25-22-30-0000-00-028
**Address:** 8247 Lake Underhill Rd
**District:** 3
**Area:** 37.3 gross / 16.9 net developable acres

**EPD Comments:**
Wetlands and surface waters are located onsite that extend offsite. Orange County Conservation Area Determination application CAD-18-08-128 was submitted for this property. The CAD must be completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD) prior to approval of this amendment request, consistent 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 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.

A portion of the project site is vacant and vegetated. Development 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).

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.

**9) Amendment #2019-1-A-4-1 (previous 2001-1-A-4-2, 2015-1-A-4-3)**
**Redditt Property PD/Innovation Pointe**
**FLU from:** Planned Development-Industrial/Commercial/Conservation (PD-IND/C/CON) to Planned Development-Medium Density Residential/Industrial/Parks and Recreation/Open Space (PD-MDR/IND/PR/OS)
**Rezoning from/to:** PD (Planned Development District - Redditt Property)
**Proposed Development:** 350 multi-family dwelling units on 17.5 acres, 284,000 square feet of industrial on 4.35 acres, and parks and recreation/open space on the remaining 12 acres
**Owner:** Dustin Lucas
**Agent:** Thomas Sullivan
**Parcels:** 12-23-31-0000-00-002
**Address:** east of Innovation Way, west of S Alafaya Trail
**District:** 4
**Area:** 33.85 gross acres

**EPD Comments:**
Caution: EPD would be able to support residential use of this site upon removal of the buried waste, and post removal sampling verification of the site compliance with applicable state standards. However, note that previous sampling has verified that soil contaminants are present in excess of residential Soil Cleanup Target Levels (SCTL's) and groundwater contaminants are present above Groundwater Cleanup Target Levels (GCTL's).

This project site was included in Orange County Conservation Area Determination CAD-15-07-

083 and Impact Permit CAI-15-12-041 that were completed for the PD. This request shall comply with all related permit conditions of approval.

Orange County Mass Grading Permit 17-MG-0112 was approved with numerous conditions. All mass grading, excavation and fill activities shall comply with these permit conditions of approval.

The property is located within the geographic 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, habitat preservation and wildlife management, stormwater management, 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 imperiled species (endangered, threatened, or species of special concern). The applicant is responsible to determine the presence of imperiled species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

The property had two ponds that were filled with Type 2 waste material (clean debris). The property was subsequently used as a yard trash recycling facility. The landfill activities in the two borrow pits occurred approximately between 1992 and 2002.

The project site is located within the Orange County Board of County Commissioners resolution approved on December 1, 2015, regarding designating certain land as the Gene: ROCC (Redeveloping Orange County Communities) and as a Brownfield Area for the purpose of environmental remediation, rehabilitation and economic development pursuant to Section 376.80(2)(c), Florida Statutes.

The Florida Department of Environmental Protection (FDEP) has extended the Limited Scope Remedial Action Plan Approval (LSRAP) originally dated September 22, 2016 to January 1, 2019. The applicant should request another extension as soon as possible. The FDEP active cleanup site facility identification is COM_332944.

No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the FDEP and such approval has been provided to the Orange County EPD. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.

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 all applicable standards, including but not limited to, the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels, and other contaminant cleanup target levels found to apply during further investigations to the Orange County Environmental Protection and Development Engineering Divisions.

Exceptions to the site disturbance limitations would be activity related to the removal of the buried waste and/or other activity to remediate soil or groundwater contamination in exceedance of any jurisdictional standards.

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, of the prior use of this property for cattle grazing and a cattle vat, and that Type 2 clean debris waste material was buried on portions of this site and that portions of the site were later used as a yard trash recycling facility.

Where contamination has been documented, the covenants, conditions, and restrictions (CC&Rs) and lease agreements, or as appropriate, a recorded restrictive covenant on the property and a note on the plat shall include notification that the property has been identified with soil and groundwater contamination and shall state the status of the resulting remediation.

Approval of this request does not substitute for the geotechnical analysis or other technical studies that any owner or builder should conduct prior to vertical construction on sites that have buried material, or have had buried material removed, that could affect the construction techniques required.

All development on this site shall comply with the guidelines established in the most recent edition of, "Guidance for Disturbance and Use of Old Closed Landfills or Waste Disposal Areas in Florida" published by the Florida Department of Environmental Protection.

In the event of inclement weather during operating hours, the applicant shall secure all waste within the site boundaries and haul vehicles with industrial rated tarps or other similar protective measure to contain waste to prevent fly-away litter deposits onto neighboring properties and roadways.

A Phase I Environmental Site Assessment of November 2002 by Universal Engineering Sciences (UES) indicated that a cattle vat was located in the NW corner of the site near the former house. It is believed to have been in use until 1961. A soil boring and monitoring well were installed by UES in the suspect area to obtain samples. Neither the soil nor groundwater samples contained exceedances of state standards. The concern of a former cattle vat on the site was raised at a prior community meeting November 12, 2014.

Neither installation nor operation of potable or irrigation water supply wells using local groundwater will be allowed on site.

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 neither potable wells nor irrigation wells using local groundwater will be allowed on site.

All site work shall preserve any existing monitoring wells as may be required in coordination with the FDEP.

Prior to any dewatering activities occurring on site, the applicant shall obtain approval of the dewatering plans from the local Water Management District and the FDEP, and will provide the supporting documentation of approval to the Orange County EPD.

Discharged stormwater runoff from proposed activities shall not degrade receiving surface water bodies below the minimum conditions established by state water quality standards (F.A.C. 17-302 and 17-40.420) per Orange County code 30-520(5)e.

The applicant is responsible to comply with any state or federal regulations regarding proximity of residential or commercial uses to high voltage electrical transmission lines that exist adjacent on the eastern boundary. There is also an electrical substation about 700 feet to the southeast of the property.

This review only addresses Orange County environmental regulations. The project shall also obtain and comply with all other existing environmental permits and applicable environmental regulations of, but not limited to: the Army Corps of Engineers, the Florida Department of Environmental Protection, the applicable Water Management District, the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC). It is possible that one of the other agencies could deny the request even if the County approves it, or they may have other natural resource protective requirements. Therefore, it is imperative that the proposed plans be addressed on a multi-agency basis.

**10) Amendment # 2019-1-A-4-2**
**Stoneybrook PD/East Golf Course and Maintenance Facility aka Alafaya Apartments**
**FLU from:** Parks and Recreation/Open Space (PR/OS) to Medium Density Residential (MDR)
**Rezoning from/to:** PD (Planned Development District, remove from Stoneybrook)
**Proposed Development:** 250 multi-family dwelling units
**Owner:** John Caporaletti, Caporaletti Golf Management LP
**Agent:** Jim Hall
**Parcels:** 01-23-31-0000-00-001
**Address:** 2900 Northampton Ave
**District:** 4
**Area:** 14.5 gross acres / 12.5 net developable acres

**EPD Comments:**
Two Class III wetlands are located onsite amounting to 2 acres. A pond was built in the upland. The project site was included in Orange County Conservation Area Determination CAD 89-050 and Impact Permit CAI 93-043 completed for the Stoneybrook PD. This request shall comply with all related permit conditions of approval. A Conservation Easement was recorded in favor of the St. Johns Water Management Districts in official records book 5226, pages 2076-2118.

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 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.

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 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.

This project site has a prior land use as a golf course 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, to the Orange County Environmental Protection and Development Engineering Divisions.

The Orange County Landfill is located approximately one mile to the southwest. The applicant/owner has an affirmative obligation to expressly notify potential purchasers, builders, and/or tenants of this development, through the appropriate mechanism, including a conspicuous note on the plat and/or a recorded restrictive covenant, as applicable, of the proximity of solid waste management facilities. This notification is required since the County shall not support the siting of developments at urban residential densities that would be adversely impacted by existing solid waste management activities. Reference Orange County Comprehensive Plan, Solid Waste Element, Policy SW1.7.4.

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.

**11) Amendment #2019-1-A-4-3**
**Boggy Creek Crossings**
**FLU from:** Planned Development-Commercial (PD-C) to Planned Development Medium Density Residential/Commercial (PD-MDR/C)
**Rezoning from/to:** PD (Planned Development District - Boggy Creek Crossings)
**Proposed Development:** 336 multi-family dwelling units and 45,750 sq. ft. of commercial uses
**Owner:** Boggy Creek Retail Development, LLC
**Agent:** VHB
**Parcels:** 33-24-30-0000-00-015
**Address:** 5757 Simpson Rd
**District:** 4
**Area:** 16.76 gross acres

**EPD Comments:**
Orange County Conservation Area Determination CAD-14-02-007 and Impact Permit CAI-15-11-037 were completed to remove a small Class III wetland on site (0.07 acres). This request shall comply with all related permit conditions of approval. Contact the Environmental Protection Division (EPD) to request a time extension prior to the permit expiration date.

Gopher tortoises have been located on this site. 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).

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.

**12) Amendment #2019-1-A-5-1**
**Retreat at Orlando III**
**FLU from:** Commercial (C) to Planned Development-Medium Density Residential (Student Housing)/Commercial (PD-MDR (Student Housing)/C)
**Rezoning from:** C-1 (Retail Commercial District) to PD (Planned Development District)
**Proposed Development:** 165 student housing units and up to 665,814 sq. ft. commercial
**Owner:** Marolyn Coward Russell Trust
**Agent:** Thomas Sullivan
**Parcels:** 22-22-31-9461-00-010, 011
**Address:** 12151 E Colonial Dr
**District:** 5

**Area:** 10.19 gross acres

**EPD Comments:**
The subject site is developed as a Burlington Coat Factory.

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.

**13) Amendment #2019-1-A-5-2**
**Colonial Drive Mixed Use**
**FLU from:** Commercial (C) to Medium-High Density Residential (MHDR)
**Rezoning from:** C-3 (Wholesale Commercial District) to PD (Planned Development District)
**Proposed Development:** 350 multi-family residential units
**Owner:** The Wise Partnership
**Agent:** S&ME, Inc.Chris Dougherty
**Parcels:** 22-22-30-0000-00-001
**Address:** 6575 E Colonial Dr
**District:** 5
**Area:** 10.09 gross acres

**EPD Comments:**
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).

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.

**14) Amendment #2019-1-A-5-3**
**Silver City Properties PD/Student Housing**
**FLU from:** Commercial (C) to Planned Development-High Density Residential/Commercial (PD-HDR/C)
**Rezoning from/to:** PD (Planned Development District - Silver City Properties)
**Proposed Development:** 2,400 beds for student housing and up to 30,000 sq. ft. commercial
**Owner:** Silver City Properties, LTD.
**Agent:** Silver City Properties, Ltd. Geoff Rogers
**Parcels:** 03-22-30-0000-00-029
**Address:** 3714 N Forsyth Rd
**District:** 5

**Area:** 13.14 gross acres

**EPD Comments:**
CAUTION: Due to existing contamination on this site, student housing may not be a compatible use. Additional site analysis is needed prior to EPD support of this request.

The subject area was included in the Orange County Conservation Area Determination CAD 97-103 and Impact Permit 99-045 completed for the Silver City Properties PD. This request shall comply with all related permit conditions of approval. A Class III wetland of 2.29 acres was removed during construction of the adjacent Costco.

The subject parcel is vacant and vegetated. Development 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 site is located within an area of groundwater contamination delineated by the Florida Department of Environmental Protection (FDEP, various contaminants). No activity will be permitted on the site that may disturb, influence or interfere with: areas of soil or groundwater contamination, any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through FDEP and such approval has been provided to the Orange County EPD. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.

Submit a Phase I and/or Phase II Environmental Site Assessment if available. This property may be the location of petroleum spills, agricultural or industrial related contamination, and fertilizer, pesticide or herbicide spillage or residue. Since it will be needed prior to site development or platting, submit a completed Phase I Environmental Site Assessment (ESA) as soon as possible to avoid future delays to the Orange County Development Engineering Division (ATTN: Platting Office) and to the Environmental Protection Division (Attention: Development Review Committee Representative). Depending upon the results of the Phase I analysis, either limited soil and groundwater sampling will be required, or a full Phase II ESA will be required in which case the Phase II shall also be submitted to the FDEP Central District office. Per Comprehensive Plan Policy C1.5.7, Orange County shall require development in/on or near contaminated soils to properly address the contamination prior to any approvals allowing disturbance of the contaminated soils with land clearing, mass grading and/or construction.

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. . This shall be provided to Orange County Environmental Protection Division and Development Engineering Division by submittal of either an FDEP No Further Action letter or Site Rehabilitation Completion Order (SRCO) with or without conditions or controls, or documentation of specific permissions from FDEP.

If the Environmental Site Assessment indicates site contamination of soil, groundwater, surface water, or if the FDEP is currently conducting contamination remediation, then the covenants, conditions, and restrictions (CC&Rs) and lease agreements shall include notification that portions of this property have been identified with soil, groundwater, or surface water contamination.

Any waste material found on site during clearing and grading shall be properly disposed of according to the solid waste and hazardous waste regulations.

Depending upon the contamination site review, there may be a need to prohibit the operation and installation of potable and irrigation water wells.

**15) Amendment #2019-1-A-6-1 (FKA 2017-1-A-6-1)**
**LUP-17-04-135 Westgate Seasons**
**FLU from:** Low-Medium Density Residential (LMDR) to Medium Density Residential (MDR)
**Rezoning from:** R-3 (Multiple-Family Dwelling District) to PD (Planned Development District)
**Proposed Development:** 358 multi-family dwelling units
**Owner:** Central Florida Investments, Inc.
**Agent:** VHB
**Parcels:** 21-23-29-5361-00-170, 171, 172
**Address:** 5736 S Texas Ave
**District:** 6
**Area:** 19.40 gross / 17.70 net developable acres

**EPD Comments:**
The project site is partially built but wetlands and surface waters are located on site, including a portion of the Wakulla Canal on the north boundary. An Orange County Conservation Area Determination (CAD) must be completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD) prior to submitting subdivision, development plans or permit applications. 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 buildable area is the net developable acreage less protective buffer areas 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.

A portion of the project site is vacant and vegetated. Development 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).

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.

This site is located adjacent to existing residential neighborhoods, therefore dust control during all site preparation and construction will be necessary. Fugitive dust emissions shall not be allowed from any activity including: vehicular movement, transportation of materials, construction, alteration, loading, unloading, storing or handling, without taking reasonable precautions to prevent such emissions. Reasonable precautions include application of water, dust suppressants, and other measures defined in Orange County Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 2 Rules, Section 15-89.1 Air Pollution Prohibited.

This site is adjacent to existing residential neighborhoods, therefore noise control during all site preparation and construction will be necessary. Construction noise is limited by Orange County Code Chapter 15 Environmental Control, Article V Noise Pollution Control. Section 15-185 Exemptions allows for construction or demolition activities between 7:00 am and 10:00 pm. Any construction after 10:00 pm and prior to 7:00 am needs to comply with the requirements of the ordinance. In addition, dewatering pumps shall be shielded from exposure to the adjacent residential units and located as far away as possible to minimize adverse noise level impacts.

**16) Amendment #2019-1-P-FLUE-1**
**Arnold Groves**
**FLU from:** 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
**Proposed Development:**
**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

**AMENDMENT 2019-1-A-1-2 (AVALON PARK)**

**PROJECT SPECIFICS**

| | |
|---|---|
| Parcel ID: | 31-24-27-0000-00-020 |
| Location: | 14544 Avalon Road; Generally located north of Bali Blvd., east of Orange/Lake County Line, south of Grove Blossom Way., and west of Avalon Rd. |
| Acreage Gross: | 17.9 |
| Acreage Developable: | 11.3 |
| Request FLUM: | From: Commercial (C)<br>To: Medium-High Density Residential (MHDR) |
| Request Zoning: | From: A-1 (Citrus Rural District)<br>To: PD (Planned Development) |
| Existing Development: | Undeveloped Land |
| Development Permitted Under Current FLUM: | 738,342 sq. ft. Commercial uses (based on 11.3 net developable acres with a FAR of 1.5) |
| Proposed Density/Intensity: | 395 Multi-family Dwelling Units |

**Trip Generation (ITE 10th Edition)**

| Land Use Scenario | PM Pk. Hr. Trips | % New Trips | New PM Pk. Hr. Trips |
|---|---|---|---|
| Maximum use of current FLUM: 738,342 SF commercial uses | 2385 | 81% | 1932 |
| Existing Use: Undeveloped Land | N/A | N/A | N/A |
| Proposed Use: 395 Multi-family Dwelling Units | 166 | 100% | 166 |
| Net New Trips (Proposed Development less Allowable Development): 166-1932 = (1766) | | | |

**Future Roadway Network**

| | |
|---|---|
| Road Agreements: | None |

**Planned and Programmed Roadway Improvements:**

There is a planned roadway improvement to widen Avalon Road (CR 545) from the Orange County Line to Flamingo Crossings Blvd. to 4 lanes. This project is included in the County's Ten Year Roadway Program.

**Right of Way Requirements:** Right of way is required for the widening of Avalon Road from the Orange County Line to Flamingo Crossings Blvd.

**Summary**

The applicant is requesting a land use and rezoning change for 11.30 net developable acres from Commercial to Medium-High Density Residential, and request approval to develop 395 multi-family dwelling units. The proposed multifamily development will generate 166 pm peak hour trips which represents a net reduction in the number of pm peak hour trips within the project impact area.

- 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 1932 pm peak hour trips.
- The proposed use will generate 166 pm peak hour trips resulting in a net reduction of 1766 pm peak hour trips.
- The subject property is located adjacent to Avalon Road, a two lane collector road from US 192 to Seidel Road within the project impact area. Based on the concurrency management system database dated 01-07-19, all segments within the study area are currently operating within the adopted maximum service volumes and there are no deficiencies.
- Based on the project trip distribution patterns in the area, Avalon Road is projected to accommodate approximately 100% of the project trips with 80% of the trips assigned to the south, and 20% to the northeast.
- Background Daily traffic for the Short-Term (2020) horizon was developed for each segment by reviewing the output from three growth methods and extracting the maximum volume within a 5% annual growth rate cap.
- Analysis of short term conditions (Year 2020) indicates a deficient segment along Avalon Road from the project's entrance at 14544 Avalon Road to Hartzog Road however, this deficiency is based on existing and background traffic volumes.
- Analysis of long term conditions (Year 2030) also indicates deficiencies on Hartzog Road /Flamingo Crossings Blvd. from Avalon Road to Western Way and US 192 from the Lake County Line to the Osceola County Line.
- Although the analysis of short term and long term conditions indicates deficient level of service conditions on roadways within the project impact area, these impacts are the result of background and build-out conditions in the area.
- The trip generation calculations for this proposed future land use change will result in an overall trip reduction of the maximum trip generation potential when compared to the maximum allowable intensity of the existing future land use and therefore the impacts to the area roadways will not cause projected deficiencies.
- 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.

**AMENDMENT 2019-1-A-1-3 (RUBY LAKE PD)**

**PROJECT SPECIFICS**

| | |
|---|---|
| Parcel ID: | 15-24-28-7774-00-020 et al. |
| Location: | 7701 Palm Parkway; Generally located north of Citrus Peak Dr., east of Citron Oaks Dr., south of Daryl Carter Pkwy., and west of Palm Pkwy. |
| Acreage Gross: | 16.72 |
| Request FLUM: | From: Planned Development-Low-Medium Density Residential (PD-LMDR)<br>To: Planned Development-Low-Medium Density Residential/Commercial (PD-LMDR/C) |
| Request Zoning: | From: PD (Planned Development District - Ruby Lake)<br>To: PD (Planned Development - Ruby Lake) |
| Existing Development: | Undeveloped Land |
| Development Permitted Under Current FLUM: | 167 Single Family Dwelling Units |
| Proposed Density/Intensity: | 156 townhomes and 200,000 SF office uses |

**Trip Generation (ITE 10th Edition)**

| Land Use Scenario | PM Pk. Hr. Trips | % New Trips | New PM Pk. Hr. Trips |
|---|---|---|---|
| Maximum use of current FLUM: 167 single family dwelling units | 166 | 100% | 166 |
| Existing Use: Undeveloped Land | n/a | n/a | n/a |
| Proposed Use: | | | |
| 156 townhomes | 87 | 100% | 87 |
| 200,000 SF office uses | 302 | 92% | 278 |
| Total Trips | 389 | | 365 |
| Net New Trips (Proposed Development less Allowable Development): | 365 - 166 = 199 | | |

**Future Roadway Network**

**Road Agreements:**

**Fenton Street:** The Palm Parkway to Apopka-Vineland Connector Road Agreement was approved by the BCC on 12/06/2005 and recorded at OR Book 8387 Page 3416. The agreement is between three Developers, BVC Partners I, LLC, Kerina, Inc. and Sand Lake Investments, LTD and Orange County for the realignment of Fenton Street from Apopka-Vineland Road to Palm Parkway. The Developers will provide Right-of-Way for the road project and pay for the Design, Engineering, Permitting and Mitigation costs. Orange County will be responsible for constructing the four-lane roadway within its 10-year Capital Improvement Program.

**Planned and Programmed Roadway Improvements:**

**Wildwood Extension (Darryl Carter Blvd.)** - There are two programmed roadway improvements to construct a new 4 lane roadway from International Drive to Lake Street and from Lake Street to Palm Parkway. The segment from I-Drive to Lake Street is currently in the design phase and Right of Way

acquisition is currently underway for the segment from Lake Street to Palm Parkway. A construction schedule for these projects has not yet been determined.

**Fenton Road –** There is a programmed roadway improvement to construct a connector road from Palm Parkway to Apopka Vineland Road. The segment from Apopka Vineland Road to Hilton Driveway is currently in design and construction is scheduled for April, 2019. The segment from Hilton Driveway to Palm Parkway is under construction and is scheduled to be completed March 2019.

Right of Way Requirements: None

**Summary**

The applicant is requesting a land use change for 16.72 acres from Planned Development-Low-Medium Density Residential (PD-LMDR) to Planned Development-Low-Medium Density Residential/Commercial (PD-LMDR/C) and request approval to develop156 townhomes and 200,000 square feet of office uses. 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 166 pm peak hour trips.
- The proposed use will generate 365 pm peak hour trips resulting in a net increase of 199 pm peak hour trips.
- The subject property is located adjacent to Lake Street, a 2 lane local roadway from Apopka Vineland Road to Palm Parkway. Based on the concurrency management system database dated 01-78-2019, there are no failing roadway segment within the project impact area. This information is dated and is subject to change.
- This parcel is also part of the County's International Drive Activity Center. Per Policies ID1.2.15 and ID2.2.2, right of way is required for a 15-foot transit easement and a separate 20-foot landscape, pedestrian and utility easement for future roadway improvements. The applicant shall coordinate conveyance of right of way with the County's Road Agreement Committee prior to development plan approval
- Based on the information provided in the justification statement for the proposed amendment, the applicant indicated that the subject parcels are vested from transportation concurrency under a 2008 vesting agreement for 1,136 trips however, additional documentation must be provided to ascertain this vesting agreement.
- There is also a vested rights certificate in file for this project. Transportation vested rights certificate #98-104 is on file for this project which exempts this development from transportation concurrency for up to 45,217 External Average Daily Trips (ADT. Any development above and beyond this trip threshold will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System.
- As indicated, the trip generation calculations for this proposed future land use change will result in an overall trip reduction of the maximum trip generation potential when compared to the allowable intensity of the existing future land use and therefore the impacts to the area roadways will not cause projected deficiencies.
- 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.

**AMENDMENT 2019-1-A-1-4-(BERING 1 - LAKE STREET)**

**PROJECT SPECIFICS**

| | |
|---|---|
| Parcel ID: | 15-24-28-6211-17-010 et al. |
| Location: | 11910 Oak Street; Generally located north of Lake St., east of Oak St., south of 10th St., and west of Ruby Lake Rd |
| Acreage Gross: | 17.67 |
| Request FLUM: | From: Activity Center Mixed-Use (ACMU)<br>To: Planned Development-Medium-High Density Residential/Commercial (PD-MHDR/C) |
| Request Zoning: | From: PD (Planned Development District -Sunterra)<br>To: PD (Planned Development District -Sunterra) |
| Existing Development Yield: | Undeveloped land |
| Development Permitted Under Current FLUM: | 420 timeshare units and 30,000 SF of commercial uses |
| Proposed Density/Intensity: | 400 multi-family dwelling units and 15,000 SF commercial |

**Trip Generation (ITE 10th Edition)**

| Land Use Scenario | PM Pk. Hr. Trips | % New Trips | New PM Pk. Hr. Trips |
|---|---|---|---|
| Maximum use of current FLUM: | | | |
| 420 Timeshare Units | 239 | 100% | 239 |
| 30,000 SF Commercial Use | 223 | 56% | 125 |
| Total | 462 | | 364 |
| Existing Use: Vacant | n/a | n/a | n/a |
| Proposed Use: | | | |
| 400 Multi-family dwelling units | 203 | 100% | 203 |
| 15,000 SF Commercial uses | 133 | 56% | 74 |
| Total | 336 | | 277 |
| Net New Trips (Proposed Development less Allowable Development): 277-364 = (87) | | | |

**Future Roadway Network**

| | |
|---|---|
| Road Agreements: | None |

**Planned and Programmed Roadway Improvements:**

Lake Street – There is a planned partnership project to widen Lake Street to 4 lanes from Apopka Vineland Road to Palm Parkway. This project is included in the County's 2030 Long Range Transportation Plan and a schedule for construction is yet to be determined.

**Right of Way Requirements:** Right of Way for the planned improvement for Lake Street is to be determined.

**Summary**

The applicant is requesting a land use change for 17.67 acres from Activity Center Mixed-Use to Planned Development-Medium-High Density Residential/Commercial and request approval to develop 400 multi-family dwelling units and 15,000 square feet of commercial uses. The proposed development will generate 277 pm peak hour trips which represents a reduction of the maximum trip generation potential when compared to the allowable intensity of the existing future land use. Therefore the impacts to the area roadways will not cause projected deficiencies.

- 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 336 pm peak hour trips.
- The proposed use will generate 277 pm peak hour trips resulting in a net decrease of 87 pm peak hour trips.
- The subject property is located adjacent to Lake Street, a 2 lane local roadway from Apopka Vineland Road to Palm Parkway. Based on the concurrency management system database dated 01-07-2019, there are no failing roadway segments within the project impact area. This information is dated and is subject to change.
- This parcel is also part of the County's International Drive Activity Center. Per Policies ID1.2.15 and ID2.2.2, right of way is required for a 15-foot transit easement and a separate 20-foot landscape, pedestrian and utility easement for future roadway improvements. The applicant shall coordinate conveyance of right of way with the County's Road Agreement Committee prior to development plan approval
- Based on the information provided in the justification statement for the proposed amendment, the applicant indicated that the subject parcels are vested from transportation concurrency under a 2008 vesting agreement for 1,136 trips however, additional documentation must be provided to ascertain this vesting information.
- As indicated, the trip generation calculations for this proposed future land use change will result in an overall trip reduction of the maximum trip generation potential when compared to the allowable intensity of the existing future land use and therefore the impacts to the area roadways will not cause projected deficiencies.
- 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.

**AMENDMENT 2019-1-A-1-6 (AVALON GROVES)**

**PROJECT SPECIFICS**

| | |
|---|---|
| Parcel ID: | 31-24-27-0000-00-016; 31-24-27-0000-00-039; 31-24-27-0000-00-040; and 31-24-27-0000-00-044 |
| Location: | Hartzog Road/Avalon Road; Generally located north of Arrowhead Blvd., east of Avalon Rd., south of Hartzog Rd., and west of Vista Del Lago Blvd. |
| Acreage Gross: | 37.83 |
| Developable: | 36.36 |
| Request FLUM: | From: Growth Center/Planned Development- Commercial/Low-Medium Density Residential (GC-PD-C/LMDR) |
| Request Zoning: | To: Growth Center-Commercial (GC-C)<br>From: PD (Planned Development District) (Island Reef PD) (Groves of West Orange PD)<br>To: PD (Planned Development District) |
| Existing Development Yield: | Undeveloped land |
| Development Permitted Under Current FLUM: | 220 single-family dwelling units and/or townhomes and up to 20,000 SF of C-1 (Retail Commercial District) uses 139 single-family dwelling units |
| Proposed Density/Intensity: | 328 short-term rental units and 20,000 SF commercial |

**Trip Generation (ITE 10th Edition)**

| Land Use Scenario | PM Pk. Hr. Trips | % New Trips | New PM Pk. Hr. Trips |
|---|---|---|---|
| Maximum use of current FLUM: | | | |
| 318 Time share units | 186 | 100% | 186 |
| 108 Single family units | 109 | 100% | 109 |
| 20,000 SF Commercial | 165 | 56% | 92 |
| Total Trips | 460 | | 387 |
| Existing Use: Vacant | | | |
| Proposed Use: 328 Short Term Rental Units | 192 | 100% | 192 |
| 20,000 SF Commercial Uses | 165 | 56% | 92 |
| Total Trips | 357 | | 284 |
| Net New Trips (Proposed Development less Allowable Development): 284-387 (103) | | | |

**Future Roadway Network**

Road Agreements: None

**Planned and Programmed Roadway Improvements:**

Avalon Road - There is a planned roadway improvement to widen Avalon Road (CR 545) from the

Orange County Line to Flamingo Crossings Blvd. to 4 lanes. This project is included in the County's Ten Year Roadway Program.

Hartzog Road - There is a planned roadway improvement to construct a new 2 lane roadway from the Lake County Line to CR 545 and from CR 545 to Flamingo Crossing Blvd. This project is included in the County's Ten Year Roadway Program.

**Right of Way Requirements:** Right of Way will be required for the widening of Avalon Road (CR 545), and for the new alignment of Hartzog Road from the Lake County Line to Flamingo Crossing Blvd. The applicant shall coordinate with the Transportation Planning Division (407-836-8076) to start this process.

**Summary**

The applicant is requesting a land use change of 37.83 acres from Growth Center/Planned Development-Commercial/Low-Medium Density Residential to Growth Center-Commercial and approval to develop 328 short term rental units and 20,000 sf of commercial uses. The proposed change will result in a net reduction in pm peak hour trips on the area roadways and will not adversely impact the transportation network.

- 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 387 pm peak hour trips.
- The proposed use will generate 284 pm peak hour trips resulting in a net decrease of 103 pm peak hour trips.
- The subject property is located adjacent to Avalon Road, a 2 lane collector roadway from US 192 to Flamingo Crossings Blvd. within the project impact area. Based on the concurrency management system database dated 01-07-19, all roadways in the impact area is operating at acceptable levels of service and capacity is available to be encumbered. This information is dated and subject to change.
- Analyses of projected conditions in the year 2023 and 2030 indicate that the following roadway segments are projected to be deficient:
    - Avalon Road from US 192 to Flamingo Crossings (2023); and
    - US 192 from Lake County Line to Osceola County Line (2030).
- The proposed amendment will reduce the trip generation intensity of the site and will not adversely impact the projected transportation network.
- 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.

**AMENDMENT 2019-1-A-3-1 (KURTYKA)**

**PROJECT SPECIFICS**

| | |
|---|---|
| Parcel ID: | 06-23-31-0000-00-008 |
| Location: | 2004 Gregory Road; Generally located north of Curry Ford Rd., east of Central Florida Greeneway; south of Berry Dease Rd., and west of S. Dean Rd. |
| Acreage Gross: | 17 |
| Request FLUM: | From: Berry Dease Rural Enclave<br>To: Low Density Residential (LDR) |
| request Zoning: | From: A-2 (Farmland District)<br>To: PD (Planned Development District) |
| Existing Development Yield: | Undeveloped land |
| Development Permitted Under Current FLUM: | 8 single family dwelling units |
| Proposed Density/Intensity: | 43 single-family dwelling units |

**Trip Generation (ITE 10th Edition)**

| Land Use Scenario | PM Pk. Hr. Trips | % New Trips | New PM Pk. Hr. Trips |
|---|---|---|---|
| Maximum use of current FLUM: 8 single family dwelling units | 9 | 100% | 9 |
| Existing Use: Vacant | | | |
| Proposed Use: 43 single family dwelling units | 45 | 100% | 45 |
| Net New Trips (Proposed Development less Allowable Development): 45-9 = 36 | | | |

**Future Roadway Network**

| | |
|---|---|
| Road Agreements: | None |

Planned and Programmed Roadway Improvements:

**Dean Road** - There is a planned roadway improvement to widen Dean Road from Curry Ford to Lake Underhill Road to 4 lanes. This improvement is listed in the County's Ten Year Roadway Program and a construction schedule has not been determined.

**Econolockhatchee Trail** – There is a programmed roadway improvement to widen Econ. Tail to 4 lanes from Lake Under hill Road to SR408. This improvement is currently in the design phase and construction is scheduled for July, 2019.

| | |
|---|---|
| Right of Way Requirements: | None required |

**Summary**

The applicant is requesting a land use change for 17 acres from Berry Dease Rural Enclave to Low Density Residential and approval to develop 43 single family dwelling units. The subject property is adjacent to Gregory Road, a two lane local road and there is no traffic data available for this facility.

- 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 9 pm peak hour trips.
- The proposed use will generate 45 pm peak hour trips resulting in a net increase of 36 pm peak hour trips.
- The subject property is located adjacent to Gregory Road, a 2 lane local roadway which is not a functionally classified facility and as a result, there is no traffic data available to determine the level of service conditions.
- Based on the concurrency database dated 11-08-2018, there is one failing roadway within the project impact area: Dean Road from Curry Ford Road to Lake Underhill Road is operating at a level of service F and there is no available capacity. 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.

**AMENDMENT 2019-1-A-3-2 (ALTA UNDERHILL)**

**PROJECT SPECIFICS**

| | |
|---|---|
| Parcel ID: | 25-22-30-0000-00-028 |
| Location: | Generally located north of Lake Underhill Rd., east of S Palermo Ave., south of Troxler Dr., and west of S Chickasaw Trail. |
| Acreage Gross: | 37.3 |
| Developable: | 18.21 |
| Request FLUM: | From: Low Density Residential (LDR)<br>To: Medium Density Residential (MDR) |
| Request Zoning: | From: R-1A (Single-Family Dwelling District)<br>To: PD (Planned Development District) |
| Existing Development Yield: | Undeveloped land |
| Development Permitted Under Current FLUM: | Up to 72 single-family dwelling units |
| Proposed Density/Intensity: | Up to 364 multi-family dwelling units |

**Trip Generation (ITE 10th Edition)**

| Land Use Scenario | PM Pk. Hr. Trips | % New Trips | New PM Pk. Hr. Trips |
|---|---|---|---|
| Maximum use of current FLUM: 72 Single family dwelling units | 74 | 100% | 74 |
| Existing Use: Vacant | n/a | n/a | n/a |
| Proposed Use: 364 multi-family dwelling units | 153 | 100% | 153 |
| Net New Trips (Proposed Development less Allowable Development): 153 - 74 = 79 | | | |

**Future Roadway Network**

Road Agreements: None

Planned and Programmed Roadway Improvements:

There is a programmed roadway improvement to widen Lake Underhill Road to 4 lanes from East of Econlockhatchee Trail to W. of Rouse Road. Construction is scheduled for August 2021.

**Right of Way Requirements:**

Based on the Roadway Conceptual Study completed for the widening of Lake Underhill Road, right of way is required for the siting of a retention pond and fill slope easement. The applicant is required to coordinate conveyance of right of way with the Public Works Engineering Department at 407-836-8665.

**Summary**

The applicant is requesting a land use change for 18.21 developable acres from Low Density Residential to Medium Density Residential approval to develop 364 multi-family dwelling units.

- The subject property is located within the County's Alternative Mobility Area
- The allowable development based on the approved future land use will generate 74 pm peak hour trips.
- The proposed use will generate 153 pm peak hour trips resulting in a net increase of 79 pm peak hour trips.
- The subject property is located adjacent to Lake Underhill Road, a 2 lane minor arterial that is currently operating at a level of service F and there is no available capacity. The subject parcel is however in the Alternative Mobility Area and is exempt from transportation concurrency.
- Based on the LYNX System map, transit service is available with a half mile walk distance along Chickasaw Trail.
- The sidewalks adjacent to the southern boundary of the property is complete and continuous to the Lake Underhill Road/Chickasaw Trail intersection.
- There are no signed bicycle routes within the project impact area.
- Final permitting of any development on this site will be subject to review and approval by the county's development review committee. 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.

**AMENDMENT 2019-1-A-4-1 (INNOVATION POINTE)**

**PROJECT SPECIFICS**

| | |
|---|---|
| Parcel ID: | 12-23-31-0000-00-002 |
| Location: | S. Alafaya Trail. Generally located north of 528, east of Innovation Way., south of S. Avalon Park Blvd., and west of S Alafaya Trail. (434). |
| Acreage Gross: | 33.85 |
| Request FLUM: | From: Planned Development-Industrial/Commercial/Conservation (PD-IND/C/CON) |
| Request Zoning: | To: Planned Development-Medium Density Residential/Industrial (PD-MDR/I)<br>From: PD (Planned Development District) (Redditt Property)<br>To: PD (Planned Development District) |
| Existing Development Yield: | Undeveloped land |
| Development Permitted Under Current FLUM: | 247,378 SF of Industrial Uses |
| Proposed Density/Intensity: | 350 Multi-family Residential Units<br>284,229 SF of Industrial uses |

**Trip Generation (ITE 10th Edition)**

| Land Use Scenario | PM Pk. Hr. Trips | % New Trips | New PM Pk. Hr. Trips |
|---|---|---|---|
| Maximum use of current FLUM: 247,378 SF of industrial uses | 47 | 100% | 47 |
| Existing Use: vacant | | | |
| Proposed Use: 350 multi-family dwelling units | 147 | 100% | 147 |
| 284,229 SF commercial uses | 54 | 100% | 54 |
| Total trips | 201 | | 201 |
| Net New Trips (Proposed Development less Allowable Development): 201-47 = 154 | | | |

**Future Roadway Network**

| | |
|---|---|
| Road Agreements: | Yes – Completed |
| Planned and Programmed Roadway Improvements: | None |
| Right of Way Requirements: | None |

**Summary**

The applicant is requesting a land use change and rezoning change for 33.85 acres from Planned Development-Industrial to Planned Development-Medium Density Residential/Industrial and approval to develop 350 multi-family residential units and 284,229 SF of industrial uses.

- 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 47 pm peak hour trips.
- The proposed use will generate 201 pm peak hour trips resulting in a net increase of 154 pm peak hour trips.
- The subject property is located adjacent to Innovation Way, a 4 lane minor arterial from Avalon Park Blvd. to the Beachline. Based on the concurrency management system database dated 01-07-19, all segments within the study area are currently operating within the adopted maximum service volumes and there are no deficiencies within the project impact area.
- Based on the project trip distribution patterns in the area, Innovation Way is projected to accommodate approximately 100% of the project trips with 91% of the trips assigned to the north, and 9% to the south. Of the 91 % trips northbound, 65% of the project trips is projected to use Alafaya Trail and 22% Avalon Park Blvd.
- Background Daily traffic for the Short-Term (2020) horizon was developed for each segment by reviewing the output from three growth methods and extracting the maximum volume within a 5% annual growth rate cap.
- Analysis of short term conditions (Year 2020) indicates a deficient segment along Avalon Road from the Avalon Park Blvd. to Alafaya Trail however, this deficiency is based on existing and background traffic volumes.
- Analysis of long term conditions (Year 2030) also indicates deficiencies on Alafaya Trail from Curry Ford Road to Avalon Park Blvd. and Avalon Park Blvd. to Alafaya Trail.
- Although the analysis of short term and long term conditions indicates deficient level of service conditions on roadways within the project impact area, these impacts are the result of background and build-out conditions in the area.
- 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.

## AMENDMENT 2019-1-A-4-2 (ALAFAYA APARTMENTS)

### PROJECT SPECIFICS

| | |
|---|---|
| Parcel ID: | 01-23-31-0000-00-001 |
| Location: | 2900 Northampton Ave., Generally located north of S Alafaya Trail, east of Northampton Ave., south of Stoneybrook Blvd. |
| Acreage Gross: | 12.5 |
| Request FLUM: | From: Parks and Recreation (PR)<br>To: Medium Density Residential (MDR) |
| Request Zoning: | From: PD (Planned Development District) (Stoneybrook)<br>To: PD (Planned Development District) |
| Existing Development Yield: | Golf course and maintenance |
| Development Permitted Under Current FLUM: | N/A |
| Proposed Density/Intensity: | 250 multi-family dwelling units |

### Trip Generation (ITE 10th Edition)

| Land Use Scenario | PM Pk. Hr. Trips | % New Trips | New PM Pk. Hr. Trips |
|---|---|---|---|
| Maximum use of current FLUM: Park | n/a | n/a | n/a |
| Existing Use: Golf course | 6 | 100% | 6 |
| Proposed Use: 250 multi family dwelling units | 108 | 100% | 108 |
| Net New Trips (Proposed Development less Allowable Development): 108-6 -= 102 | | | |

### Future Roadway Network

| | |
|---|---|
| Road Agreements: | None |
| Planned and Programmed Roadway Improvements: | None |
| Right of Way Requirements: | None |

### Summary

The applicant is requesting a land use change and rezoning change for 12.5 acres from Parks and Recreation to Medium Density Residential and approval to develop 250 multi-family dwelling units.

- 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 6 pm peak hour trips.
- The proposed use will generate 108 pm peak hour trips resulting in a net increase of 102 pm peak

hour trips.

- The subject property is located adjacent to Alafaya Trail, a 4-lane minor arterial from Lake Underhill Road to Avalon Park Blvd, and 2 lanes from Avalon Park Blvd. to the Curtis Stanton Energy Center. This facility currently has one deficient roadway segment from Lake Underhill Road to Curry Ford Road. Road within the project impact area. This information is dated and subject to change.
- Based on the traffic study provided, the following needs to be addressed:
- The short term and long term analysis are based on using K and D factors. The existing PM peak hour volumes from the CMS should be used and the growth rate applied.
- The committed trips were converted to AADT and then K and D factors were applied. This is a complicated approach and not considered standard practice. Please use the PM peak hour committed trips and add it to the grown background traffic.
- Growth rates for the Horizon year conditions are less than 2%. At a minimum, 2% should be used. It is also recommended to do a trend analysis for the roadway segments.
- There are several model plots provided. Please clarify the purpose of providing existing and future model runs?
- The 2023 and 2040 model plots for the proposed conditions should be used. Also, the project distribution shows high percentage (total of 18%) within the vicinity of the project area which is not accurate (going to South Alafaya Trial, centroid connectors in Avalon Park and near Innovation Way). Please check and update.
- A revised study is required.
- 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.

**AMENDMENT 2019-1-A-4-3 (BOGGY CREEK CROSSINGS)**

**PROJECT SPECIFICS**

| | |
|---|---|
| Parcel ID: | 33-24-30-0000-00-015 |
| Location: | 5757 Simpson Rd., Generally located north of Simpson Rd., east of Boggy Creek Rd., south of Lake Nona Blvd., and west of Ward Rd., |
| Acreage Gross: | 16.76 |
| Request FLUM: | From: Planned Development-Commercial (PD-C) |
| Request Zoning: | To: Planned Development Medium Density Residential/Commercial (PD-MDR/C)<br>From: PD (Planned Development District) (Boggy Creek Crossing)<br>To: PD (Planned Development District) (Boggy Creek Crossing) |
| Existing Development Yield: | Undeveloped Land |
| Development Permitted Under Current FLUM: | 170,000 sq. ft. commercial uses |
| Proposed Density/Intensity: | 336 multi-family dwelling units and 45,750 sq. ft. of commercial uses |

**Trip Generation (ITE 10th Edition)**

| Land Use Scenario | | PM Pk. Hr. Trips | % New Trips | New PM Pk. Hr. Trips |
|---|---|---|---|---|
| Maximum use of current FLUM: 170,000 SF Shopping center | | 805 | 67% | 539 |
| Existing Use: vacant | | n/a | n/a | n/a |
| Proposed Use: | 45,750 SF Shopping Center | 305 | 56% | 171 |
| | 336 multi family dwelling units | 141 | 100% | 141 |
| | | 446 | | 312 |
| Net New Trips (Proposed Development less Allowable Development): 312-539 = (227) | | | | |

**Future Roadway Network**

| | |
|---|---|
| Road Agreements: | None |

**Planned and Programmed Roadway Improvements:**

Boggy Creek Road – There is a programmed roadway improvement to widen Boggy Creek Road to 4 lanes from the Osceola County Line to SR417. Construction is scheduled for June 2019.

| | |
|---|---|
| Right of Way Requirements: | None |

**Summary**

The applicant is requesting a land use change and rezoning change for 16.76 acres from Planned Development-Commercial to Planned Development Medium Density Residential/Commercial and request approval to develop 336 multi-family dwelling units and 45,750 sq. ft. of commercial uses.

- 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 539 pm peak hour trips.
- The proposed use will generate 312 pm peak hour trips resulting in a net decrease of 227 pm peak hour trips.
- The subject property is located adjacent to Boggy Creek Road, 4 lane minor arterial from the Osceola County Line to the Central Florida Greeneway. Based on the County's concurrency management system database dated 01-09-19, the segment is operating near capacity with less than 50 trips available to be encumbered. This information is dated and subject to change
- A traffic study was provided in support of the proposed land use amendment however, the trip generation calculations were incorrect and a revised study is requested.

- Based on staff's review, the trip generation calculations for this proposed future land use change will result in an overall trip reduction of the maximum trip generation potential when compared to the maximum allowable intensity of the existing future land use and therefore the impacts to the area roadways will not cause projected deficiencies.

- 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.

**AMENDMENT 2019-1-A-5-1 (12151 E COLONIAL DRIVE)**

**PROJECT SPECIFICS**

| | |
|---|---|
| Parcel ID: | 22-22-31-9461-00-010 and 22-22-31-9461-00-011 |
| Location: | 12151 E Colonial Dr., Generally located north of E. Colonial Dr., east of N. Alafaya Trl., south of Orpington St., and west of Woodbury Rd. |
| Acreage Gross: | 10.19 |
| Request FLUM: | From: Commercial (C)<br>To: Planned Development-Medium Density Residential (Student Housing)/Commercial (PD-MDR (Student Housing)/C) |
| request Zoning: | From: C-1 (Retail Commercial District)<br>To: PD (Planned Development District) |
| Existing Development Yield: | Retail Commercial 94,974 SF retail use |
| Development Permitted Under Current FLUM: | Up to 665,814 sq. ft. commercial development (94,974 sq. ft. existing) based on 10.19 gross ac site with 1.5 FAR |
| Proposed Density/Intensity: | 165 student housing units |

**Summary**

The applicant provided a traffic analysis in support of the proposed amendment however, based on staff's review, the following needs to be addressed in order to properly determine the impacts of the proposed amendment on the area roadways. A revised study is requested.

- The applicant mentioned that the reduced FAR of 1.5 only applies to the amended properties. However, OC planning division advised the applicant to use the new rate even for existing properties. Please use the new reduced FAR rate of 1.5 in both existing and proposed calculations and revise the analysis accordingly.
- Table 1: East-West Expressway from Alafaya Trail to SR 50 - This section is 4 lanes not 8 lanes. Please revise the number of lanes and capacity accordingly.
- Table 2 is showing the same 10 acres utilized 100% as commercial and at the same time 100% for the multifamily housing. Please modify the acreage with the appropriate amount between the 2 uses and revise the analysis accordingly.
- The project trip distribution is showing 20% of the traffic going across from the development which is too high. Also, it's not clear which road the 20% will travel on between Woodbury Rd and Alafaya Trail. Please redistribute the 20% to SR 50 (East and West direction).
- The transportation analysis provided by the applicant is not acceptable. Typically, if the comparison between the existing FLUM and the proposed LU yields net reduction in trips, short term and long term traffic analysis is not required. If the applicant wishes to conduct the traffic analysis, it should be based on the proposed Land use especially if the existing land is vacant. Conducting the analysis with negative number of trips is not acceptable.

**AMENDMENT 2019-1-A-5-2 (COLONIAL DRIVE MIXED USE)**

**PROJECT SPECIFICS**

| | |
|---|---|
| Parcel ID: | 22-22-30-0000-00-001 |
| Location: | 6575 E. Colonial Dr., Generally located north of Colonial Dr., east of N. Forsyth Rd., south of Hanging Mos Rd., and west of Commerce Blvd. |
| Acreage Gross: | 10.093 |
| Request FLUM: | From: Commercial (C)<br>To: Medium-High Density Residential (MHDR) |
| request Zoning: | From: C-3 (Wholesale Commercial District)<br>To: PD (Planned Development District) |
| Existing Development Yield: | Undeveloped land |
| Development Permitted Under Current FLUM: | Up to 659,476 sq. ft. commercial development (based on 10.093 gross ac. Site with 1.5 FAR) |
| Proposed Density/Intensity: | 350 multi-family residential units |

**Trip Generation (ITE 10th Edition)**

| Land Use Scenario | PM Pk. Hr. Trips | % New Trips | New PM Pk. Hr. Trips |
|---|---|---|---|
| Maximum use of current FLUM: 659,476 SF Commercial use | 2194 | 81% | 1777 |
| Existing Use: Vacant | | | |
| Proposed Use: 350 multi-family dwelling units | 149 | 100% | 149 |
| Net New Trips (Proposed Development less Allowable Development): 149-1777 = (1628) | | | |

**Future Roadway Network**

| | |
|---|---|
| Road Agreements: | None |
| Planned and Programmed Roadway Improvements: | None |
| Right of Way Requirements: | None |

**Summary**

The applicant is requesting a land use change and rezoning change for 10.093 acres from Commercial to Medium-High Density Residential and C-3 to PD to develop 350 multi-family dwelling units.

- The subject property **is** located within the County's **Alternative Mobility Area** and is therefore exempt from transportation concurrency.
- The allowable development based on the approved future land use will generate 1777 pm peak hour trips.

- The proposed use will generate 149 pm peak hour trips resulting in a net decrease of 1628 pm peak hour trips.
- Based on the LYNX System map, transit service is available with a quarter mile walk distance along East Colonial Drive along which Links 29 and 104 operate.
- There are currently no sidewalks around the subject parcel.
- There are no signed bicycle routes within the project impact area.
- Final permitting of any development on this site will be subject to review and approval by the county's development review committee. 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.

**AMENDMENT 2019-1-A-5-3 (SILVER CITY PROPERTIES; STUDENT HOUSING)**

**PROJECT SPECIFICS**

| | |
|---|---|
| Parcel ID: | 03-22-30-0000-00-029 |
| Location: | 3714 N. Forsyth Rd., Generally located north of University Blvd., east of N Semoran Blvd., south of Aloma Ave., and west of n. Forsyth Rd. |
| Acreage Gross: | 13.14 |
| Request FLUM: | From: Commercial (C) |
| request Zoning: | To: Planned Development-High Density Residential/Commercial (PD-HDR/C)<br>From: PD (Planned Development District)<br>To: PD (Planned Development District) |
| Existing Development Yield: | Undeveloped land |
| Development Permitted Under Current FLUM: | Check LUP - Up to 858,567 sq. ft. commercial development (based on 13.14 gross ac site with 1.5 FAR) |
| Proposed Density/Intensity: | 2,400 beds for student housing and up to 30,000 sq. ft. commercial development |

**Trip Generation (ITE 10th Edition)**

| Land Use Scenario | | PM Pk. Hr. Trips | % New Trips | New PM Pk. Hr. Trips |
|---|---|---|---|---|
| Maximum use of current FLUM: | 858,567 SF Commercial use | 2668 | 81% | 2161 |
| Existing Use: vacant | | | | |
| Proposed Use: | 600 student housing units/ 2,400 beds | 579 | 100% | 579 |
| | 30,000 SF Commercial uses | 223 | 56% | 125 |
| | Total trips | **802** | | **704** |
| Net New Trips (Proposed Development less Allowable Development): 704-2161 = (1457) | | | | |

**Future Roadway Network**

| | |
|---|---|
| Road Agreements: | None |

Planned and Programmed Roadway Improvements:

Richard Crotty Parkway – there is a programmed roadway improvement to construct a new 2 lane roadway from Semoran Blvd. to Dean Road. The segment from Semoran Blvd. to Goldenrod Road is

currently in the design phase and construction is scheduled for October 2019. The segments form Goldenrod Road to Harrell Road and Harrell Road to Dean Road is in design and a construction schedule has not been determined.

Right of Way Requirements:

Right of Way is required for segments 1B and 2 for Richard Crotty Parkway .

**Summary**

The applicant is requesting a land use change and rezoning change for 13.14 acres from Commercial to Planned Development-High Density Residential/Commercial approval to develop 2,400 beds for student housing and up to 300,000 SF of commercial development.

- 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 2161 pm peak hour trips.
- The proposed use will generate 704 pm peak hour trips resulting in a net decrease of 1457 pm peak hour trips.
- The subject property is located east of Semoran Blvd. a 6 lane principal arterial and is adjacent to Scarlett Road a 2 lane local roadway.
- Based on the concurrency management system database dated 01-07-19, there are two failing roadways within the project impact area. Aloma Avenue is currently operating below the adopted level of service standard from Lakemont Avenue to Semoran Blvd. and Semoran Blvd. to Tangerine Avenue. This information is dated and subject to change
- Analysis of the short term (interim year) 2023 long term (horizon year) 2030 conditions indicates that these capacity deficiencies will continue to occur on Aloma Avenue from Lakemont Avenue to the Seminole County Line in the short term and in the long term, Semoran Blvd. from Hanging Moss Road to University Blvd to Aloma Avenue will operate at a level of service F.
- The trip generation calculations for this proposed future land use change will result in an overall trip reduction of the maximum trip generation potential when compared to the maximum allowable intensity of the existing future land use and therefore the impacts to the area roadways will not cause projected deficiencies.
- The applicant submitted a traffic analysis in support of the proposed amendment however, an FAR of 3.0 was used to calculate the development density for the commercial use. The Planning division amended the commercial density to an FAR of 1.5 which was adopted in November 2017. The applicant was advised to use the 1.5 as the maximum FAR for the existing property. Also, the proposed FAR density is shown as 0.61. It should be noted that the applicant needs to get into an agreement that limits the commercial density to FAR of 0.61. Please use the new reduced FAR rate of 1.5 and revise the analysis accordingly.
- In addition, the applicant used ITE land use code 222 for apartments to calculate the trip generation for the student housing. The ITE 10$^{th}$ Edition has a land use code for student housing which should be used to calculate the daily and pm peak hour trip generation. A revised analysis using the corrected trip generation data is requested.
- 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.

**AMENDMENT 2019-1-A-6-1 (THE SEASONS)**

**PROJECT SPECIFICS**

| | |
|---|---|
| Parcel ID: | 21-23-29-5361-00-170, 21-23-29-5361-00-171 and 21-23-29-5361-00-172 |
| Location: | S. Texas Ave., Generally located north of W Oak Ridge Rd., east of S. John Young Pkwy., south of Wakulla Way., and west of S. Texas Ave. |
| Acreage Gross: | 19.4 |
| Acreage Net: | 17.7 |
| Request FLUM: | From: Low-Medium Density Residential (LMDR)<br>To: Planned Development-Medium Density Residential (PD-MDR) |
| Request Zoning: | From: R-3 (Multiple-Family Dwelling District)<br>To: PD (Planned Development District) |
| Existing Development Yield: | 44 multi-family dwelling units |
| Development Permitted Under Current FLUM: | Up to 179 multi-family dwelling units |
| Proposed Density/Intensity: | 358 multi-family dwelling units |

**Trip Generation (ITE 10th Edition)**

| Land Use Scenario | PM Pk. Hr. Trips | % New Trips | New PM Pk. Hr. Trips |
|---|---|---|---|
| Maximum use of current FLUM: 179 multi-family dwelling units | 99 | 100% | 99 |
| Existing Use: 44 multi-family dwelling units | 28 | 100% | 28 |
| Proposed Use: 358 multi-family dwelling units | 184 | 100% | 184 |
| Net New Trips (Proposed Development less Allowable Development): 184 - 99 = 85 | | | |

**Future Roadway Network**

| | |
|---|---|
| Road Agreements: | None |

Planned and Programmed Roadway Improvements:

Texas Avenue - There are two programmed roadway improvement to widen Texas Avenue to 4 lanes. The segment from Oakridge Road to S. of Americana Blvd. is currently in the design phase and a construction schedule is yet to be determined. The segment from Americana Blvd. to S. of Holden Road is in design and construction is scheduled for August 2019.

Right of Way Requirements:

ROW acquisition for the widening of Texas Avenue is to be determined.

**Summary**

The applicant is requesting a land use change and rezoning change for 17.70 developable from Low-Medium Density Residential to Planned Development-Medium Density Residential approval to develop up to 358 multi-family dwelling units. This project is located in the Alternative Mobility Area and is exempt from transportation concurrency. The applicant submitted a mobility analysis in support of the proposed change.

- The subject property is located within the County's Alternative Mobility Area, near the intersection of Texas Avenue, a two lane collector road from Oakridge Road to Americana Blvd. and Wakulla Way, a local roadway. Based on the concurrency management system database. All roadways within the project impact area operates at an acceptable level of service and there are no capacity deficiencies. This information is dated and subject to change.
- The allowable development based on the approved future land use will generate 99 pm peak hour trips.
- The proposed use will generate 184 pm peak hour trips resulting in a net increase of 85 pm peak hour trips.
- Analysis of short term conditions (5 Year) shows that all of the roadways within the study area are projected to operate within the acceptable Level of Service capacity. For long term conditions however, deficiencies occur on John Young Parkway between Oakridge Road and Americana Blvd. This deficiency occurs before the project trips area added therefore, this is a background deficiency that will be present with or without the proposed land use change. All other roadways within the study area are projected to operate within the acceptable Level of Service capacity standards in both the daily and PM peak hour conditions.
- A review of alternative transportation modes in the area indicates transit service availability within a quarter mile of this parcel. There are seven fixed routes serving the project area. The bus stops along Oak Ridge Road closest to the project site are equipped with concrete landing pads, benches and/or shelters.
- The area is also well served by public sidewalks and the proposed development will connect to the existing sidewalks along Texas Avenue.
- There are dedicated bike lanes available along John Young Parkway and Conroy Road but not along the roadways adjacent to the site.
- The applicant submitted a traffic study in support of this proposed change however, the trip generation calculations were based on development densities that are not consistent with the densities approved by the Planning department. The trip generation dada should be updated and a revised study submitted.
- Final permitting of any development on this site will be subject to review and approval by the County's Development Review Committee. 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.

Bio-Tech Consulting Inc.
Environmental and Permitting Services

info@bio-techconsulting.com
www.bio-techconsulting.com

December 21, 2017

Robert B. Reese, President & CEO
**Brossier Company, LLC**
P.O. Box 478
Winter Park, Florida 32790

**Proj: 14544 Avalon Road Site – Orange County, Florida**
**Section 31, Township 24 South, Range 27 East**
**(BTC File #1013-01)**
**Re: Environmental Assessment**

Dear Mr. Brossier:

In December of 2017, Bio-Tech Consulting, Inc. (BTC) conducted an environmental assessment of the approximately 17.9-acre 14544 Avalon Road site. This property site is located at the physical address of 14544 Avalon Road, on the west side of Avalon Road just north of US 192, within Section 31, Township 24 South, Range 27 East, Orange County, Florida, (Figures 1, 2, and 3). This environmental assessment included the following elements:

- **review of soil types mapped within the site boundaries;**
- **evaluation of land use types/vegetative communities present;**
- **field review for occurrence of protected flora and fauna; and,**
- **an overview of potential development constraints.**

## SOILS

According to the Soil Survey of Orange County, Florida, prepared by the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS), four (4) soil types occur within the subject property boundaries (Figure 4). These soil types include the following:

Orlando: Main Office
3025 East South Street
Orlando, FL 32803

Vero Beach Office
4445 N A1A
Suite 221
Vero Beach, FL 32963

Jacksonville Office
1157 Beach Boulevard
Jacksonville Beach, FL 32250

Tampa Office
6011 Benjamin Road
Suite 101 B
Tampa, FL 33634

Key West Office
1107 Key Plaza
Suite 259
Key West, FL 33040

Aquatic & Land
Management Operations
3825 Rouse Road
Orlando, FL 32817

407.894.5969
877.894.5969
407.894.5970 fax

- **Archbold fine sand, 0 to 5 percent slopes (#2)**
- **Immokalee fine sand (#20)**
- **Samsula muck (#40)**
- **Sanibel muck (#42)**

The following presents a brief description of the soil types mapped for the subject property:

**Archbold fine sand, 0 to 5 percent slopes (#2)** is a nearly level to gently sloping, moderately well drained soil found on low ridges and knolls on the flatwoods. The surface layer of this soil type generally consists of dark gray fine sand about 2 inches thick. In most years, the seasonal high water table for this soil type is at a depth of 42 to 60 inches for about 6 months and recedes to a depth of 60 to 80 inches for the rest of the year. It is at a depth of 24 to 40 inches for about 1 month to 4 months during wet periods. Permeability of this soil type is very rapid throughout.

**Immokalee fine sand (#20)** is a nearly level, poorly drained soil found on broad flatwoods. The surface layer of this soil type generally consists of black fine sand about 5 inches thick. In most years the seasonal high water table for this soil type is within 10 inches of the surface for 1 to 3 months. It recedes to a depth of 10 to 40 inches for more than 6 months. Permeability of this soil type is rapid in the surface and subsurface layers and in the substratum. It is moderate in the subsoil.

**Samsula muck (#40)** is a nearly level, very poorly drained soil found in freshwater marshes and swamps. Typically, the upper part of the organic surface layer of this soil type is black muck about 8 inches thick. In most years, undrained areas mapped with this soil type are ponded for 6 to 9 months or more each year except during extended dry periods. A seasonal high water table fluctuates between depths of about 10 inches and the surface. Permeability of this soil type is rapid throughout.

**Sanibel muck (#42)** is a nearly level, very poorly drained soil found in depressions, freshwater swamps and marshes and in poorly defined drainageways. Typically the surface layer of this soil type consists of black muck about 11 inches thick. In most years undrained areas mapped with this soil type are ponded for 6 to 9 months or more except during extended dry periods. Permeability of this soil type is rapid throughout.

The Florida Association of Environmental Soil Scientists (FAESS) considers the main component of Samsula muck (#40) and Sanibel muck (#42) to be hydric. The FAESS also considers inclusions present in Immokalee fine sand (#20) to be hydric. This information can be found in the Hydric Soils of Florida Handbook, Third Edition, March 2000.

## LAND USE TYPES/VEGETATIVE COMMUNITIES

The 14544 Avalon Road site currently supports three (3) distinct land use types/vegetative communities within its boundaries (Figure 5). These areas were identified utilizing the Florida Land Use, Cover Forms Classification System, Level III (FLUCFCS, FDOT, January 1999). The upland area consists of Sand Live Oak (432). The wetland land use types/vegetative communities consist of Lakes larger than 10 acres (523) and Titi Swamps (614). The following provides a brief description of these land use types/vegetative communities identified on the site:

**Uplands:**

***432 – Sand Live Oak***

The upland community within the site is most consistent with the Sand Live Oak (432) FLUCFCS classification. This native upland community contains sparse areas of open sand and dense strands of xeric oak and palmetto. Vegetative species identified within this community type include sand live oak (*Quercus geminata*), myrtle oak (*Quercus myrtifolia*), Chapman's oak (*Quercus chapmanii*), sand pine (*Pinus clausa*), slash pine (*Pinus elliottii*), rusty staggerbush (*Lyonia ferruginea*), saw palmetto (*Serenoa repens*), tarflower (*Bejaria racemosa*), common persimmon (*Diaspyros virginiana*), winged sumac (*Rhus copallinum*), gallberry (*Ilex glabra*), slender goldentop (*Solidago microcephala*), shiny blueberry (*Vaccinium myrsinites*), sensitive pea (*Chamaecrista nictitans*), pricklypear cactus (*Opuntia humifusa*), bracken fern (*Pteridium aquilinum* var. *pseudocaudatum*), reindeer lichen (*Cladonia rangiferina*), American beautyberry (*Callicarpa americana*), wiregrass (*Aristida stricta*), chalky bluestem (*Andropogon virginicus* var. *glaucus*), bigflower paw paw (*Asimina obovata*), muscadine grapevine (*Vitis rotundifolia*), greenbriar (*Smilax* spp.), and purple passionflower (*Passiflora incarnata*).

**Wetlands/Surface Waters:**

***523 – Lakes larger than 10 acres***

The southwestern portion of the site contains a surface water community most consistent with the Lakes larger than 10 acres (523) FLUCFCS classification. Vegetative species identified within this community type includes American white water lily (*Nymphaea odorata*), pickerelweed (*Pontederia cordata*), duck potato (*Sagittaria latifolia*), sedges (*Carex* and *Cyperus* spp.), blue maidencane (*Amphicarpum muehlenbergianum*), maidencane (*Panicum hemitomon*), torpedograss (*Panicum repens*), jointed spikerush (*Eleocharis equisetoides*), and Peruvian primrose willow (*Ludwigia peruviana*).

***614 – Titi Swamps***

The wetland community directly abutting the uplands is most consistent with the Titi Swamps (614) FLUCFCS classification. This community type is distinguished by its abundance and proliferation of titi (*Cyrilla racemiflora*). Other vegetative species identified includes dahoon holly (*Ilex cassine*), red maple (*Acer rubrum*), fetterbush (*Lyonia lucida*), wax myrtle (*Myrica cerifera*), muscadine grapevine (*Vitis rotundifolia*), and greenbriar (*Smilax* spp.).

The extent of all wetlands and surface waters on the project site were delineated by BTC in accordance with local, state, and federal guidelines utilizing pink "Bio-Tech Consulting" flagging tape (Figure 6). Wetland 1 is approximately 6.6 acres. The limits of any on-site wetlands/surface waters can only be determined and verified through field delineation and/or on-site review by the pertinent regulatory agencies. The on-site wetlands/surface waters are located within the Reedy Creek hydrologic drainage basin.

**PROTECTED SPECIES**

Using methodologies outlined in the Florida's Fragile Wildlife (Wood, 2001); Measuring and Monitoring Biological Diversity Standard Methods for Mammals (Wilson, et al., 1996); and Florida Fish and Wildlife Conservation Commission's Gopher Tortoise Permitting Guidelines (revised January 2017); an assessment for "listed" floral and faunal species was conducted at the site in December 2017. This assessment included both direct observations and indirect evidence, such as tracks, burrows, tree markings and vocalizations which indicated the presence of species observed. The assessment focused on species that are "listed" by the FFWCC's Official Lists - Florida's Endangered Species, Threatened Species and Species of Special Concern (updated May 2017) that have the potential to occur in Orange County.

**Reptiles and Amphibians**
black racer *(Coluber constrictor)*
brown anole *(Norops sagrei)*
Cuban tree frog *(Osteopilus septentrionalis)*
**gopher tortoise *(Gopherus polyphemus)***
six-lined racerunner *(Cnemidophorus sexlineatus sexlineatus)*

**Birds**
American Crow *(Corvus brachyrhynchos)*
Black Vulture *(Coragyps atratus)*
Carolina Wren *(Thyrothorus ludovicianus)*
Great Egret *(Ardea alba)*
Northern Cardinal *(Cardinalis cardinalis)*

Red Shouldered Hawk *(Buteo lineatus)*
Northern Mockingbird *(Mimus polyglottos)*
Wild Turkey *(Meleagris gallopavo)*

**Mammals**
armadillo *(Dasypus novemcinctus)*
eastern cottontail *(Sylvilagus floridanus)*
eastern gray squirrel *(Sciurus carolinensis)*
marsh rabbit *(Sylvilagus palustris)*
Virginia opossum *(Didelphis virginiana)*
raccoon *(Procyon lotor)*
wild pig *(Sus scrofa)*

One (1) of the above wildlife species, the gopher tortoise *(Gopherus polyphemus)*, is identified in the FFWCC's Official Lists - Florida's Endangered Species, Threatened Species and Species of Special Concern (updated May 2017). The following provides a brief description of applicable species as they relate to development of the property.

***Gopher Tortoise (Gopherus polyphemus)***
*State Listed as "Threatened" by FFWCC*

Currently the gopher tortoise *(Gopherus polyphemus)* is classified as a "Category 2 Candidate Species" by USFWS, and as of September 2007 is now classified as "Threatened" by FFWCC, and as "Threatened" by FCREPA. The basis of the "Threatened" classification by the FFWCC for the gopher tortoise is due to habitat loss and destruction of burrows. Gopher tortoises are commonly found in areas with well-drained soils associated with the pine flatwoods, pastures and abandoned orange groves. Several other protected species known to occur in Orange County have a possibility of occurring in this area, as they are gopher tortoise commensal species. These species include the eastern indigo snake *(Drymarchon corais couperi)*, Florida mouse *(Podomys floridanus)* and the gopher frog *(Rana capito)*.

The FFWCC provides three (3) options for developers that have gopher tortoises on their property. These options include: 1) avoidance (i.e., 25-foot buffer around burrow), 2) preservation of habitat, and 3) off-site relocation. As such, a formal survey will need to be conducted and a resolution of the gopher tortoise issue will need to be permitted through FFWCC prior to any construction activities.

***Bald Eagle (Haliaeetus leucocephalus)***
*State protected by F.A.C. 68A-16.002 and federally protected by both the Migratory Bird Treaty Act (1918) and the Bald and Golden Eagle Protection Act (1940)*

In August of 2007, the U.S. Fish and Wildlife Service (USFWS) removed the Bald Eagle from the list of federally endangered and threatened species. Additionally, the Bald Eagle was removed from FFWCC's imperiled species list in April of 2008. Although the Bald Eagle is no longer protected under the Endangered Species Act, it is still protected under the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act and FFWCC's Bald Eagle rule (Florida Administrative Code 68A-16.002 Bald Eagle (*Haliaeetus leuchocephalus*).

In May of 2007, the USFWS issued the National Bald Eagle Management Guidelines. In April of 2008, the FFWCC adopted a new Bald Eagle Management Plan that was written to closely follow the federal guidelines. Under FFWCC's new management plans, buffer zones are recommended based on the nature and magnitude of the project or activity. The recommended protective buffer zone is 660-feet or less from the nest tree, depending on what activities or structures are already near the nest. A FFWCC Eagle permit is not needed for any activity occurring outside of the 660-foot buffer zone. No activities are permitted within 330-feet of a nest during the nesting season, October 1 through May 15 or when Eagles are present at the nest.

In addition to the preliminary on-site review for "listed" species, BTC conducted a review for any FFWCC recorded Bald Eagle nests on or in the vicinity of the subject property (see attached). This review revealed no recorded Bald Eagle nests site within one (1.0) mile of the subject property through the 2015-2016 nesting season.

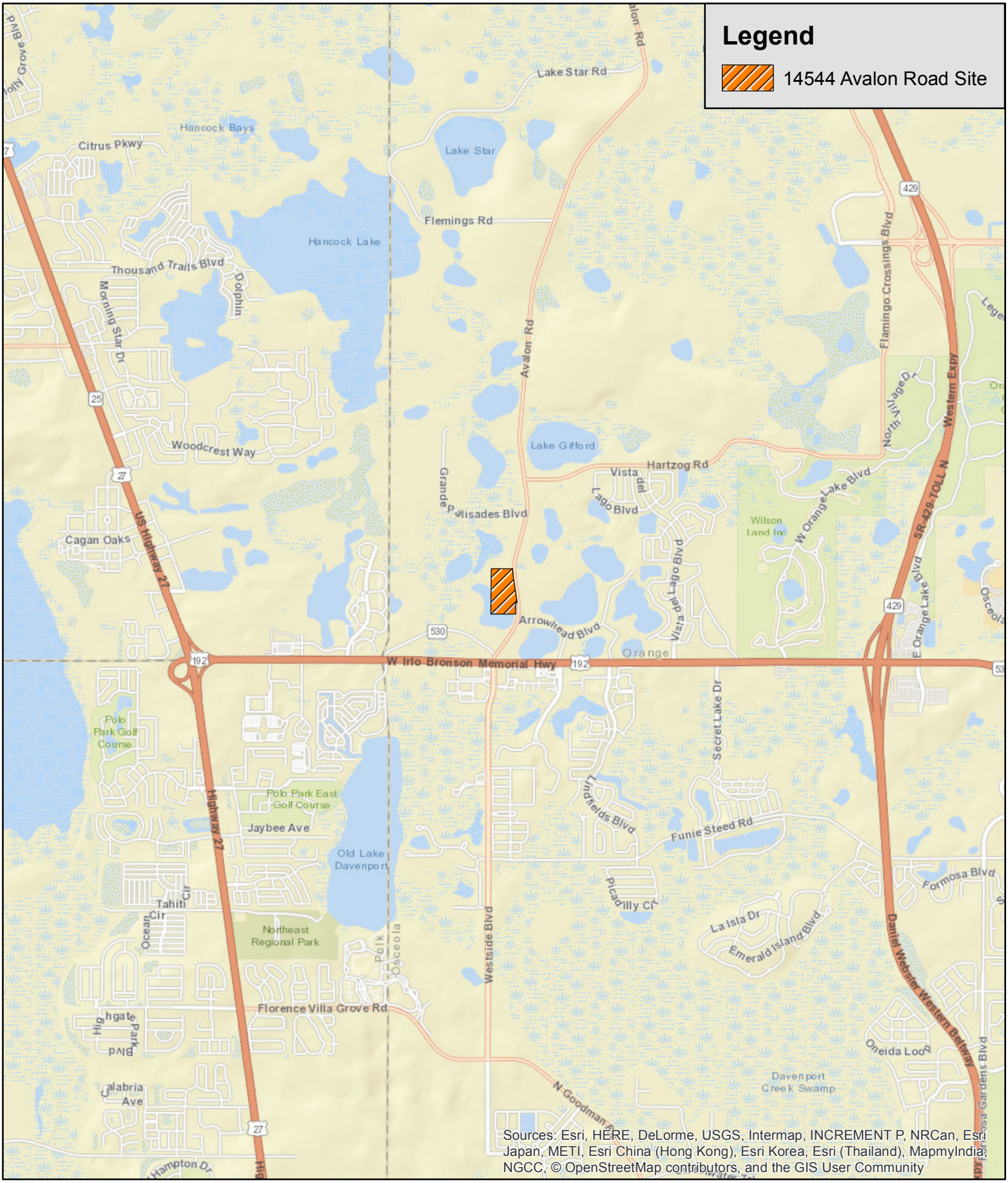
The environmental limitations described in this document are based on observations and technical information available on the date of the on-site evaluation. This report is for general planning purposes only. The limits of any on-site wetlands/surface waters can only be determined and verified through field delineation and/or on-site review by the pertinent regulatory agencies. The wildlife surveys conducted within the subject property boundaries do not preclude the potential for any listed species, as noted on Table 1 (attached), currently or in the future. Should you have any questions or require any additional information, please do not hesitate to contact our office at (407) 894-5969. Thank you.

Regards,

Spencer Clark
Field Biologist

John Miklos
President

Bio-Tech Consulting Inc.
Environmental and Permitting Services

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www.bio-techconsulting.com

14544 Avalon Road Site
Orange County, Florida
Figure 1
Location Map

1
Miles

N
W E
S

Project #: 1013-01
Produced By: STC
Date: 12/21/2017

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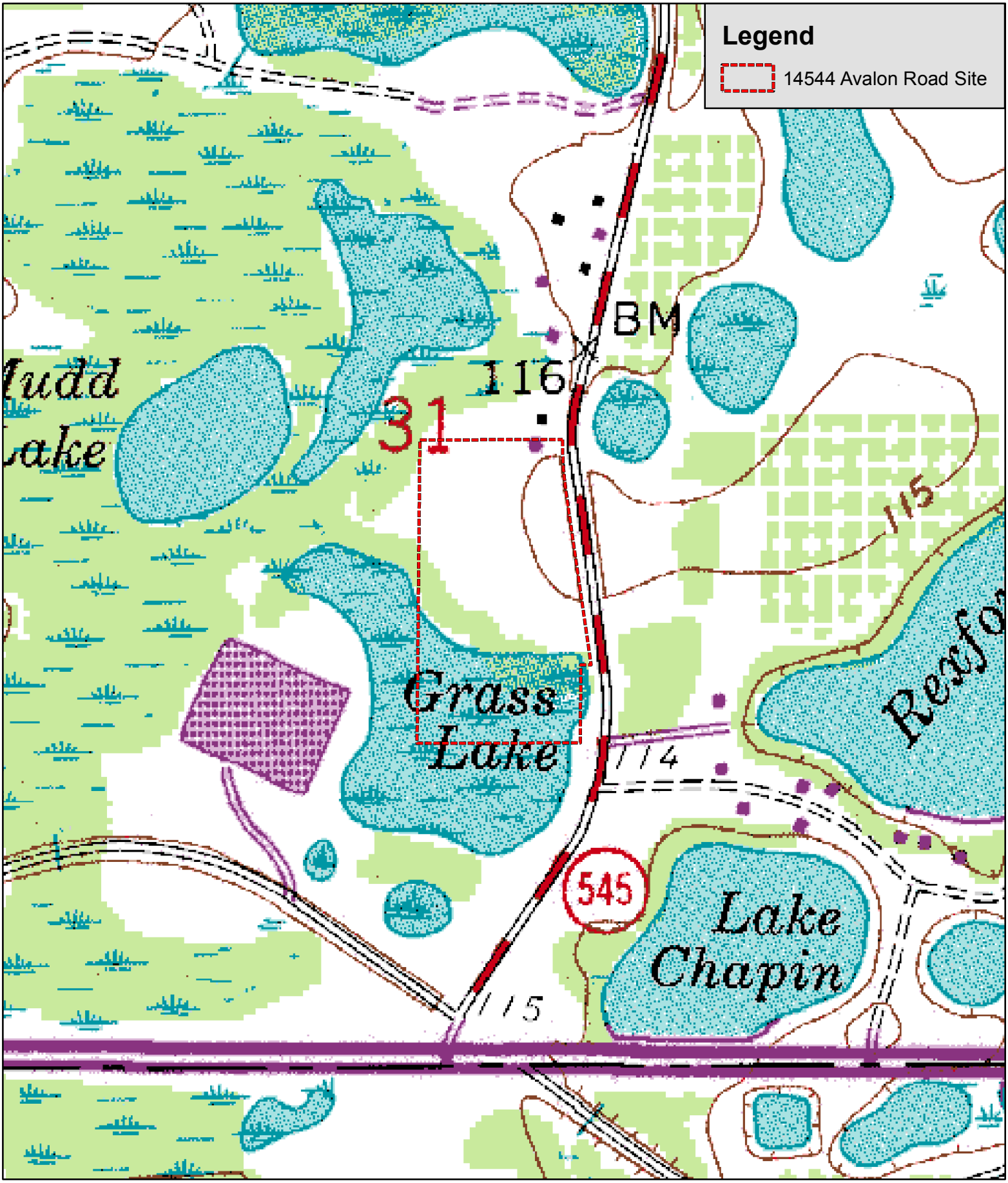
14544 Avalon Road Site
Orange County, Florida
Figure 2
2016 Aerial Photograph

350 Feet

N
W E
S

Project #: 1013-01
Produced By: STC
Date: 12/21/2017

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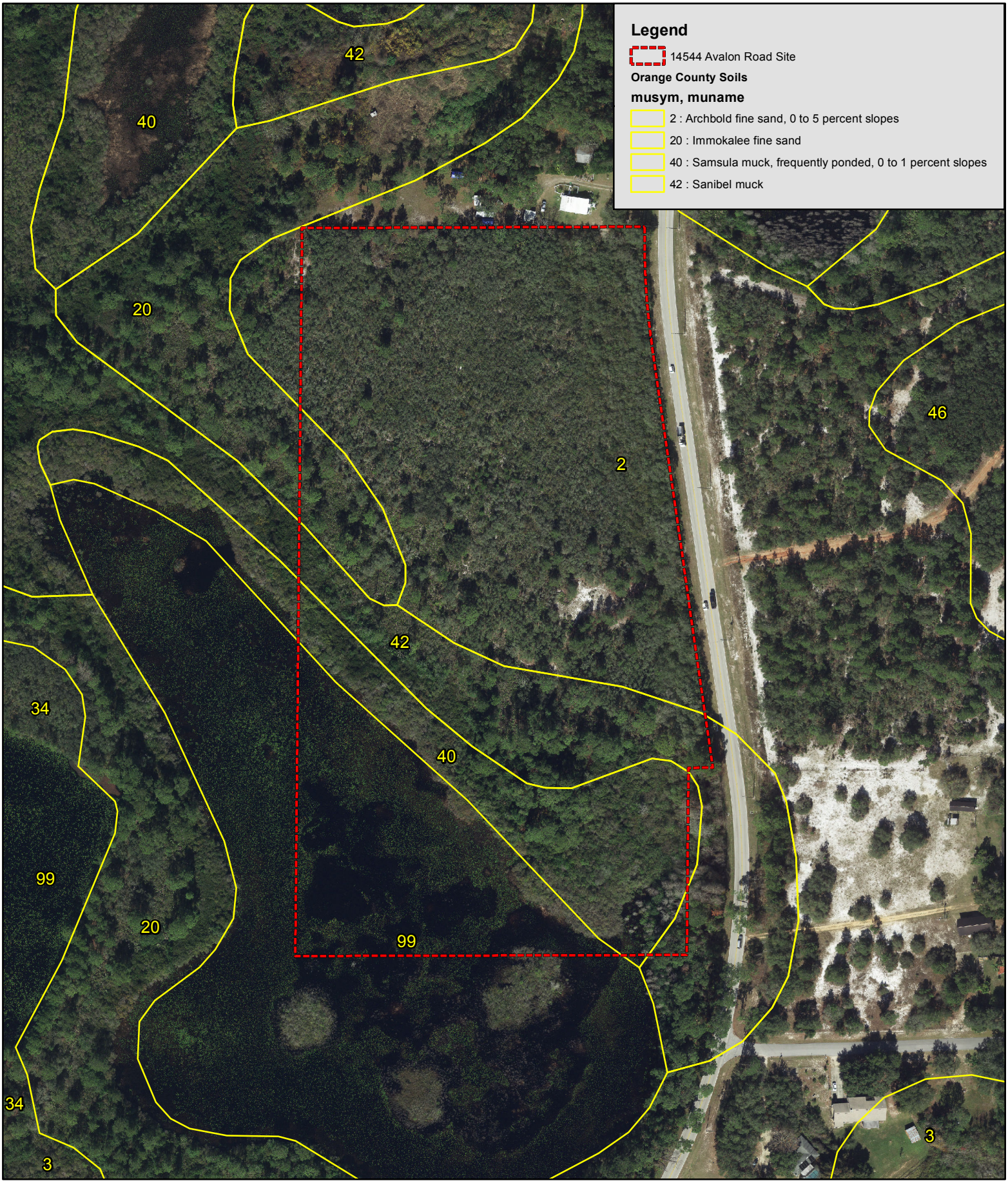
14544 Avalon Road Site
Orange County, Florida
Figure 3
USGS Topographic Map

800 Feet

Project #: 1013-01
Produced By: STC
Date: 12/21/2017

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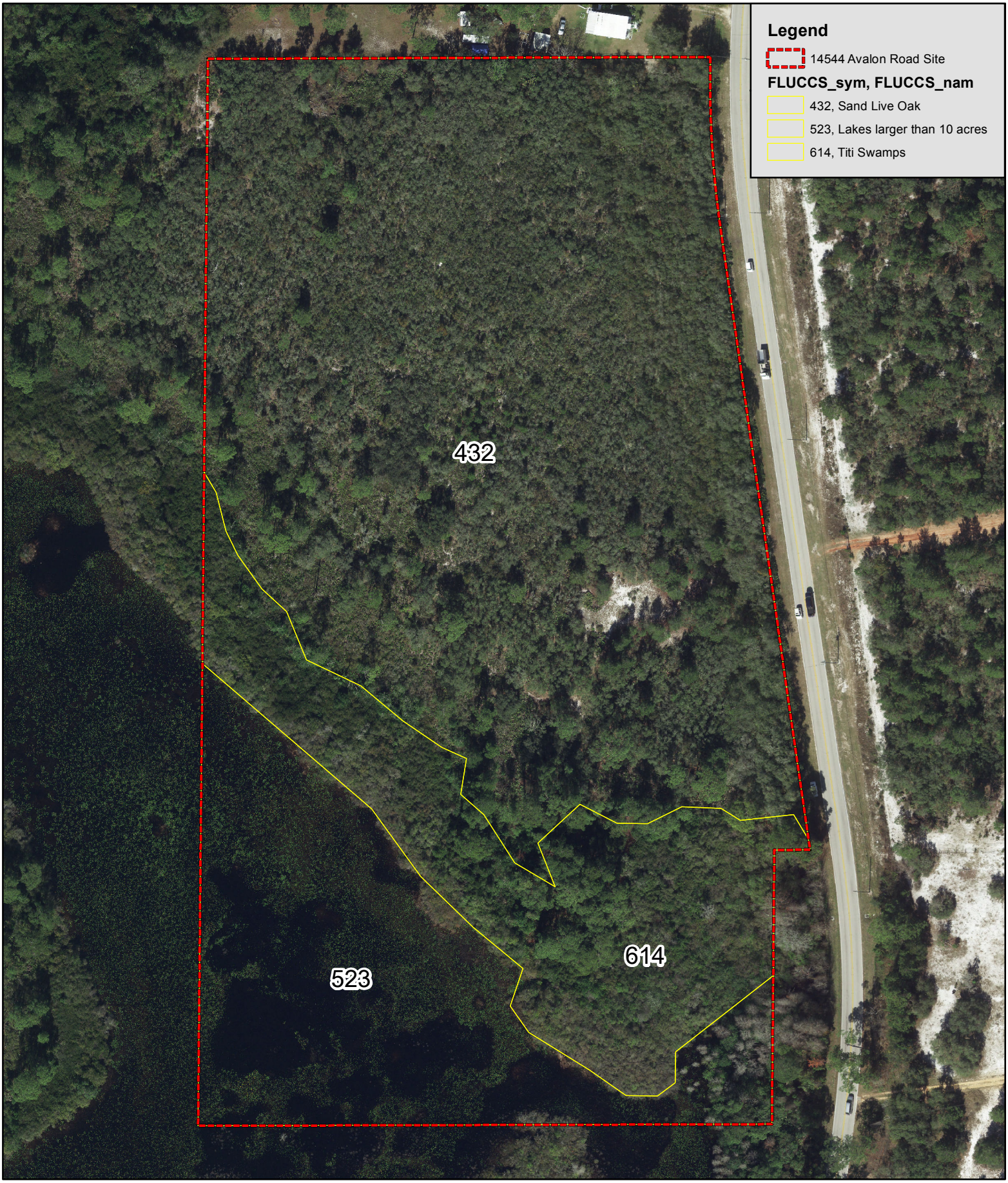
# 14544 Avalon Road Site
Orange County, Florida
Figure 4
SSURGO Soils Map

N
W E
S

300
Feet

Project #: 1013-01
Produced By: STC
Date: 12/21/2017

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14544 Avalon Road Site
Orange County, Florida
Figure 5
FLUCFCS Map

N
W E
S

200
Feet

Project #: 1013-01
Produced By: STC
Date: 12/21/2017

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14544 Avalon Road Site
Orange County, Florida
Figure 6
Wetland Delineation Map

N
W E
S

200
Feet

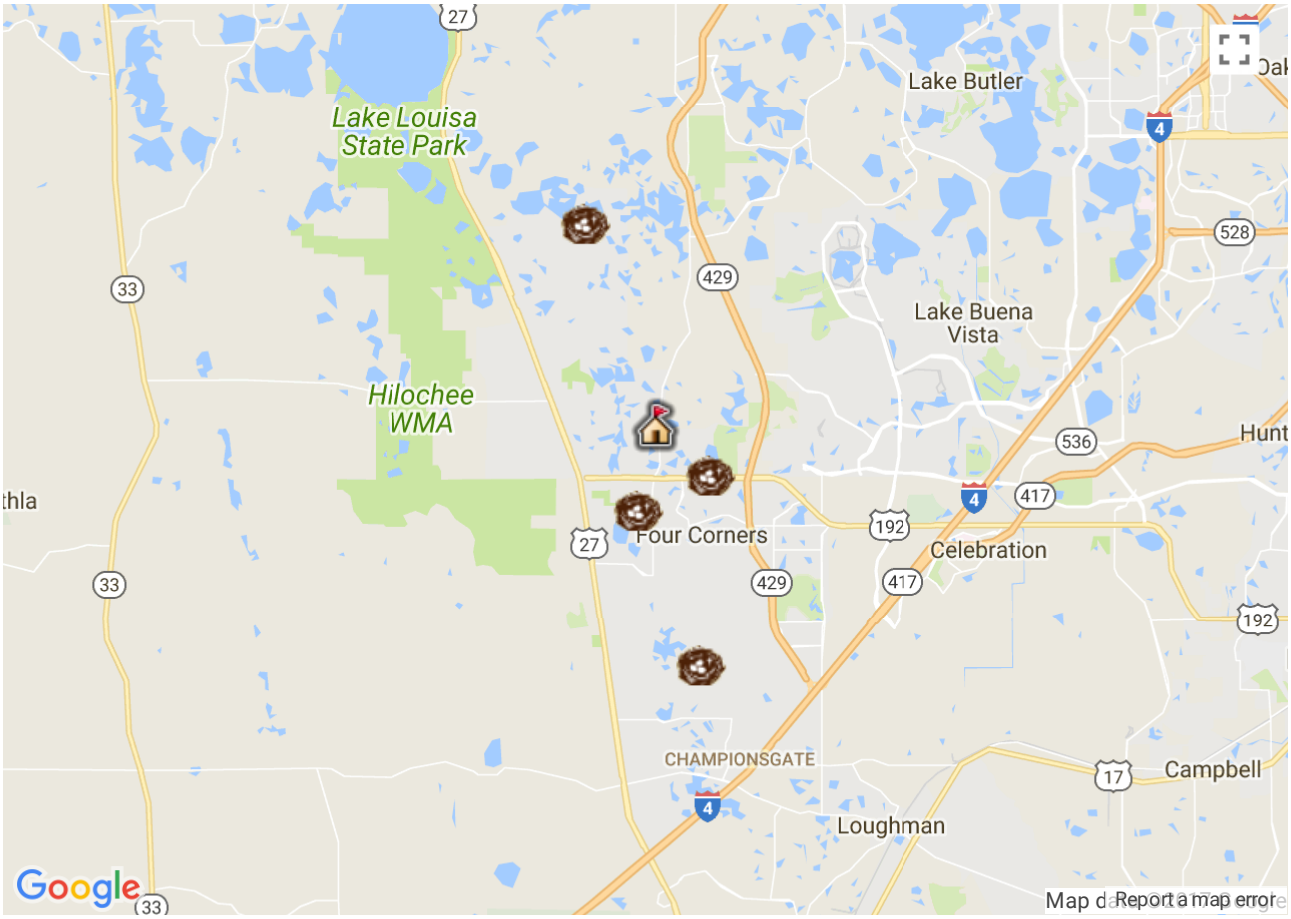
Project #:
Produced By: STC
Date: 12/19/2017

**This report was generated using the bald eagle nest locator at https://public.myfwc.com/FWRI/EagleNests/nestlocator.aspx on 12/21/2017 11:44:06 AM.**

**Search Entered:** Within 5 miles of latitude 28.3522222222222 and longitude -81.6475; All Search Results

4 record(s) were found; 4 record(s) are shown

## Bald Eagle Nest Map:




## Bald Eagle Nest Data Search Results:

Results per page: All

| Nest ID | County | Latitude | Longitude | Township | Range | Section | Gaz Page | Last Known Active | Last Surveyed | Act 12 | Act 13 | Act 14 | Act 15 | Act 16 | Dist. (Mi) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| LA182 | Lake | 28 25.06 | 81 40.30 | 24S | 26E | 12 | 85 | 2014 | 2014 | * | * | Y | * | * | 4.75 |
| OS104 | Osceola | 28 19.85 | 81 39.21 | 25S | 27E | 07 | 85 | 2005 | 2012 | - | * | * | * | * | 1.52 |
| OS151 | Osceola | 28 17.05 | 81 37.95 | 25S | 27E | 29 | 85 | 2004 | 2012 | - | * | * | * | * | 4.79 |
| OS193 | Osceola | 28 20.50 | 81 37.73 | 25S | 27E | 05 | 85 | 2012 | 2012 | Y | * | * | * | * | 1.35 |

"Y" denotes an active nest
"N" denotes an inactive nest
"-" denotes an unobserved nest
"U" denotes a nest that was visited but status was undetermined
"*" denotes a nest that was not surveyed

| Table 1: | Potentially Occuring Listed Wildlife and Plant Species in Orange County, Florida | | |
|---|---|---|---|
| **Scientific Name** | **Common Name** | **Federal Status** | **State Status** |
| **REPTILES** | | | |
| *Alligator mississippiensis* | American alligator | SAT | FT(S/A) |
| *Drymarchon corais couperi* | eastern indigo snake | LT | FT |
| *Gopherus polyphemus* | gopher tortoise | C | ST |
| *Lampropeltis extenuata* | short-tailed snake | N | ST |
| *Pituophis melanoleucus mugitus* | Florida pine snake | N | ST |
| *Plestiodon reynoldsi* | sand skink | LT | FT |
| **BIRDS** | | | |
| *Aphelocoma coerulescens* | Florida scrub-jay | LT | FT |
| *Athene cunicularia floridana* | Florida burrowing owl | N | ST |
| *Caracara cheriway* | Crested Caracara | LT | FT |
| *Egretta caerulea* | little blue heron | N | ST |
| *Egretta tricolor* | tricolored heron | N | ST |
| *Falco sparverius paulus* | southeastern American kestrel | N | ST |
| *Grus canadensis pratensis* | Florida sandhill crane | N | ST |
| *Haliaeetus leucocephalus* | bald eagle | N | ** |
| *Mycteria americana* | wood stork | LT | FT |
| *Pandion haliaetus* | osprey | N | SSC* |
| *Picoides borealis* | red-cockaded woodpecker | LE | FE |
| *Platalea ajaja* | roseate spoonbill | N | ST |
| *Sterna antillarum* | least tern | N | ST |
| **MAMMALS** | | | |
| *Sciurus niger shermani* | Sherman's fox squirrel | N | SSC |
| **VASCULAR PLANTS** | | | |
| *Bonamia grandiflora* | Florida bonamia | LT | E |
| *Calopogon multiflorus* | Many-flowered Grass-pink | N | T |
| *Centrosema arenicola* | Sand Butterfly Pea | N | E |
| *Chionanthus pygmaeus* | Pygmy Fringe Tree | LE | E |
| *Centrosema arenicola* | sand butterfly pea | N | N |
| *Coelorachis tuberculosa* | piedmont jointgrass | N | N |
| *Deeringothamnus pulchellus* | beautiful pawpaw | LE | E |
| *Eriogonum longifolium* var *gnaphalifolium* | scrub buckwheat | LT | E |
| *Helianthus debilis* ssp *tardiflorus* | beach sunflower | N | N |
| *Ilex opaca var arenicola* | scrub holly | N | N |
| *Illicium parviflorum* | star anise | N | E |
| *Lechea cernua* | nodding pinweed | N | T |
| *Lupinus aridorum* | scrub lupine | LE | E |
| *Matelea floridana* | Florida spiny-pod | N | E |
| *Monotropa hypopithys* | pinesap | N | E |
| *Najas filifolia* | Narrowleaf Naiad | N | T |
| *Nemastylis floridana* | Celestial Lily | N | E |
| *Nolina atopocarpa* | Florida beargrass | N | T |
| *Nolina brittoniana* | Britton's beargrass | LE | E |
| *Ophioglossum palmatum* | hand fern | N | E |
| *Panicum abscissum* | cutthroat grass | N | E |
| *Paronychia chartacea* ssp *chartacea* | paper-like nailwort | LT | E |
| *Persea humilis* | scrub bay | N | N |
| *Pecluma plumula* | Plume Polypody | N | E |
| *Polygonella myriophylla* | Small's jointweed | LE | E |
| *Prunus geniculata* | scrub plum | LE | E |
| *Pteroglossaspis ecristata* | Giant Orchid | N | T |
| *Stylisma abdita* | scrub stylisma | N | E |
| *Warea amplexifolia* | clasping warea | LE | E |
| *Zephyranthes simpsonii* | redmargin lily | N | T |

**FEDERAL LEGAL STATUS**

**LE-**Endangered: species in danger of extinction throughout all or a significant portion of its range.
**LT-**Threatened: species likely to become Endangered within the foreseeable future throughout all or a significant portion of its range.
**SAT-**Endangered due to similarity of appearance to a species which is federally listed such that enforcement personnel have difficulty in attempting to differentiate between the listed and unlisted species.
**C-**Candidate species for which federal listing agencies have sufficient information on biological vulnerability and threats to support proposing to list the species as Endangered or Threatened.
**XN-**Non-essential experimental population.
**N-**Not currently listed, nor currently being considered for listing as Endangered or Threatened.

**STATE LEGAL STATUS - ANIMALS**

**FE-** Listed as Endangered Species at the Federal level by the U. S. Fish and Wildlife Service
**FT-** Listed as Threatened Species at the Federal level by the U. S. Fish and Wildlife Service
**FXN-** Federal listed as an experimental population in Florida
**FT(S/A)-** Federal Threatened due to similarity of appearance
**ST-** State population listed as Threatened by the FFWCC. Defined as a species, subspecies, or isolated population which is acutely vulnerable to environmental alteration, declining in number at a rapid rate, or whose range or habitat is decreasing in area at a rapid rate and as a consequence is destined or very likely to become an endangered species within the foreseeable future.

**SSC-**Listed as Species of Special Concern by the FFWCC. Defined as a population which warrants special protection, recognition, or consideration because it has an inherent significant vulnerability to habitat modification, environmental alteration, human disturbance, or substantial human exploitation which, in the foreseeable future, may result in its becoming a threatened species. (SSC* for Pandion haliaetus (Osprey) indicates that this status applies in Monroe county only.)

**N-**Not currently listed, nor currently being considered for listing.

*** State protected by F.A.C. 68A-16.002 and federally protected by both the Migratory Bird Treaty Act (1918) and the Bald and Golden Eagle Protection Act (1940)*

**STATE LEGAL STATUS - PLANTS**

**E-**Endangered: species of plants native to Florida that are in imminent danger of extinction within the state, the survival of which is unlikely if the causes of a decline in the number of plants continue; includes all species determined to be endangered or threatened pursuant to the U.S. Endangered Species Act.

**T**-Threatened: species native to the state that are in rapid decline in the number of plants within the state, but which have not so decreased in number as to cause them to be Endangered.
**N-**Not currently listed, nor currently being considered for listing.

**Appendix B: Environmental Conditions**

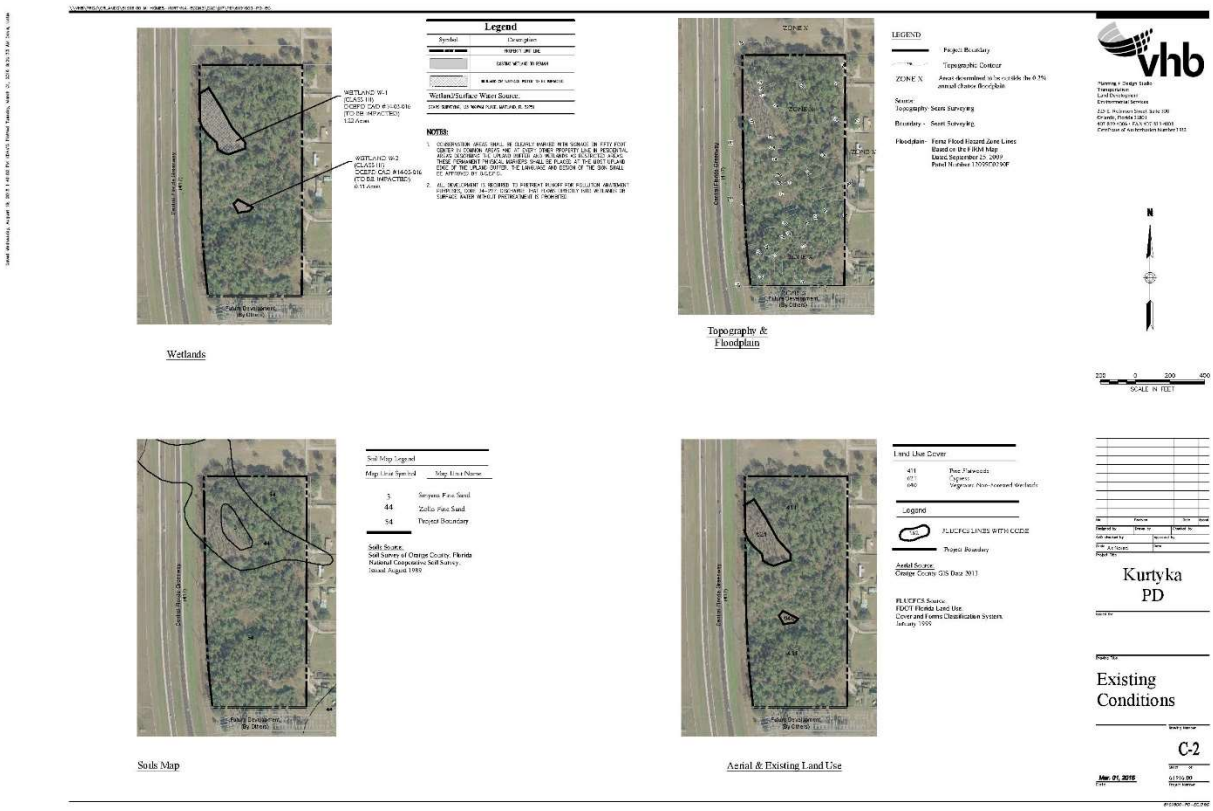
There are no wetland impacts associated with the development of the Subject Property. Site engineering and stormwater permitting shall meet SFWMD and Orange County stormwater criteria.

**Appendix B: Environmental Conditions**

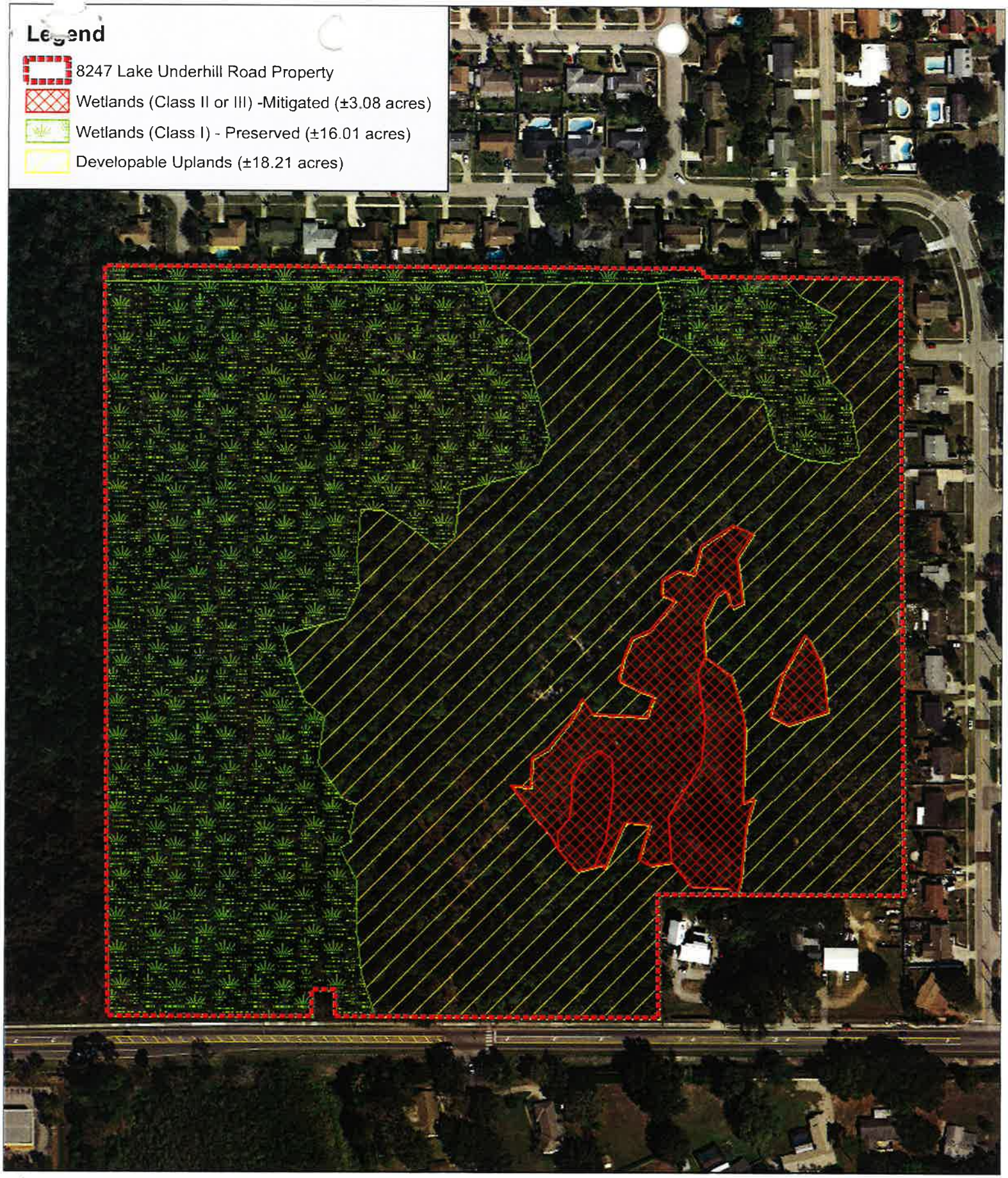
There is a small 1.7 acre wetland on the southwest boundary of the property that will not be impacted by the proposed development. Site engineering and stormwater permitting shall meet SFWMD and Orange County stormwater criteria.

## Environmental Assessment

The Kurtyka property is primarily uplands covered in mature slash pine as a pine flatwood habitat. There are two small wetlands; neither is considered Class 1 by orange County EPD staff in CAD # 14-03-16 which does not expire until December 2019.




The remainder of environmental issues are unremarkable with no flood plain within a FLUCS of the most ubiquitous ecotype in central Florida.




**Bio-Tech Consulting Inc.**
Environmental and Permitting Services
3025 E. South Street Orlando, FL 32803
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www.bio-techconsulting.com

# 8247 Lake Underhill Road Property
Orange County, Florida
Exhibit 1
Impact Map

N
W E
S

210
Feet

Project #: 642-11
Produced By: SEB
Date: 7/16/2018

**Appendix B: Environmental Conditions**

There are no wetland impacts associated with the development of the Subject Property. Site engineering and stormwater permitting shall meet SFWMD and Orange County stormwater criteria.

**Appendix B: Environmental Conditions**

There is a small 1.7 acre wetland on the southwest boundary of the property that will not be impacted by the proposed development. Site engineering and stormwater permitting shall meet SFWMD and Orange County stormwater criteria.

# TECHNICAL MEMORANDUM

***CONFIDENTIAL***

Project: **WPS Off-Campus Residential Village**
**Parcel ID#: 32-23-28-0000-00-003 (5.30 acres)**
**Parcel ID#: 32-23-28-0000-00-006 (1.04 acres)**
**Parcel ID#: 32-23-28-0000-00-005 (2.19 acres)**
**Parcel ID#: 32-23-28-0000-00-001 (2.08 acres)**

Subject: **Environmental Summary of Findings**

Prepared for: Craig Ditman
Pierce Goodwin Alexander & Linville, Inc.

Prepared by: _____
Kathleen Hale, PWS
Environmental Management & Design, Inc.

Date: July 18, 2014

EMD No: 186.01

Environmental Management & Design, Inc. (EMD) conducted a site review to determine if environmentally sensitive resources (wetlands and protected/listed species) occur within the proposed WPS Off-Campus Residential Village project site. This review consisted of flagging the approximate extent of jurisdictional wetlands, conducting a qualitative review of presence/ absence of protected species, and determining habitat suitability (ecological communities). This environmental summary provides the results of the review. The site is approximately 10.6 acres and contained within Section 32, Township 23 South, Range 28 East in Orange County, Florida.

## METHODOLOGY

EMD conducted a review of existing databases and literature using the U.S. Fish and Wildlife Service (USFWS) and Florida Fish and Wildlife Conservation Commission (FFWCC) online databases for protected species, Florida Natural Areas Inventory (FNAI), and a variety of other sources based on suitable habitat available onsite compared to species whose geographic range overlap Orange County. Published lists of state and federal protected species documented to occur in Orange County were reviewed to evaluate the potential of species occurrences within the project area. Additional FFWCC databases were queried to determine occurrences of bald eagles (*Haliaeetus leucocephalus*), breeding birds, and wading bird colonies. The following resources were utilized as part of this study:

Environmental Management & Design, Inc.
1615 Edgewater Drive, Suite 100 ☼ Orlando, FL 32804
Phone: (407) 843-0615 ☼ Fax: (407) 843-0616
E-mail: emd@emd-inc.net ☼ Web Site: emd-inc.net

- Atlas of Florida Vascular Plants (http://www.florida.plantatlas.usf.edu), accessed July 14, 2014;
- Florida Department of Transportation, Florida Land Use, Cover and Forms Classification System (FLUCFCS), 1999;
- FFWCC, Florida's Endangered and Threatened Species, January 2013;
- FFWCC, Rules Relating to Endangered or Threatened Species, Chapter 68A-27, FAC, November 14, 2011;
- Florida Game and Fresh Water Fish Commission, Closing the Gaps in Florida's Wildlife Habitat Conservation System, 1994;
- FNAI, Element Tracking Lists, Vertebrate and Plants & Lichens, last updated March 2014, accessed July 14, 2014;
- FNAI, Field Guide to the Rare Animals of Florida, Tallahassee, Florida, 2001;
- FNAI, Field Guide to the Rare Plants of Florida, Tallahassee, Florida, 2000;
- U.S. Department of Agriculture, Natural Resources Conservation Service Web Soil Survey, (http://websoilsurvey.nrcs.usdg.gov), accessed July 14, 2014;
- USFWS, Department of the Interior, Endangered and Threatened Plants and Wildlife List, 50 CFR 17 (sourced: http://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=50:2.0.1.1.1, updated July 10, 2014, accessed July 14, 2014);
- USFWS, Endangered and Threatened Species of the Southeast United States, Region 4, accessed July 14, 2014;
- review of agency internet databases for threatened and endangered species information; and
- results of the field review.

Available literature was reviewed prior to the field review to evaluate the probability of species occurrence within the project area based on known geographic range and the presence of suitable habitat. EMD biologists conducted a pedestrian ecological and wildlife survey and flagged the approximate extent of wetlands within the proposed project site on July 11, 2014.

## ENVIRONMENTAL SUMMARY

The proposed project is located within an active citrus grove and adjacent to a developing sector area of Orange County in which much of the quality of wildlife habitat has been greatly reduced. The site is located directly south of Tibet-Butler Preserve, owned by South Florida Water Management District and managed by Orange County through a lease. Unlike the Tibet-Butler Preserve that contains high quality uplands and wetlands, the proposed project site has been heavily disturbed by decades of agricultural and residential utilization. The site includes a citrus grove, residences, and wetlands. Immediately south of the site is a large conservation/wetland area that is contiguous to Lake Mabel. The recent field survey revealed occurrences of small passerine birds with the potential for reptile, amphibians, and small mammals such as rabbits and raccoons within and adjacent to the site. Limited suitable habitat for protected endangered, threatened, or special concern species was identified within the property.

### Habitats

Land uses and vegetation cover types within the site were classified using the FLUCFCS classification developed by the Florida Department of Transportation. Land use types found within

the site during the field review are as follows: low density residential, citrus groves, and wetland forested mixed.

**Residential, Low Density (FLUCFCS 110)**
The southwestern portion of the site contains three single-family homes. This land use is vegetated by bahiagrass (*Paspalum notatum*), St. Augustine (*Stenotaphrum secundatum*), and ornamental landscaping plants and is well maintained.

**Citrus Groves (FLUCFCS 221)**
The majority of the site contains active citrus groves. The grove contains mature citrus trees (*Citrus* spp.) with a maintained groundcover dominated by bahiagrass. There are two building structures located within this area that are used for the grove operations.

**Wetland Forested Mixed (630)**
A mixed forested wetland is located along the southern boundary of the site. The canopy and subcanopy strata contain slash pine (*Pinus elliottii*), loblolly pine (*P. taeda*), sweetbay (*Magnolia virginiana*), dahoon holly (*Ilex cassine*), and red maple (*Acer rubrum*) with wax myrtle (*Myrica cerifera*), Brazilian pepper (*Schinus terebinthifolia*), Chinese tallow (*Sapium sebiferum*), elderberry (*Sambucus nigra* ssp. *canadensis*), Carolina willow (*Salix caroliniana*), and Peruvian primrosewillow (*Ludwigia peruviana*) in the shrub stratum. Herbaceous species observed include cinnamon fern (*Osmunda cinnamomea*), royal fern (*O. regalis* var. *spectabilis*), caesarweed (*Urena lobata*), common ragweed (*Ambrosia artemisiifolia*), pokeweed (*Phytolocca americana*), swamp fern (*Blechnum serrulatum*), guineagrass (*Panicum maximum*), muscadine (*Vitis rotundifolia*), and poison ivy (*Toxicodendron radicans*).

**Wetlands**
One wetland, a mixed forested wetland system, was located along the southern boundary of the site. The approximate jurisdictional extent of the wetland was identified and flagged at the time of the field review using agency wetland parameters. A total of 34 flag points were set and labeled in the field. The beginning flag (W1-1) was located in the southeast corner of the property and the end flag (W1-34) was located in the southwest corner of the property. All flag points were surveyed by Leading Edge Land Services. As surveyed, there are approximately 1.7 acres of wetlands on site. The jurisdictional extent of the wetlands should be considered as approximate and be verified by federal, state, and local permitting agencies prior to development.

**Protected Species**
The field assessment of the ecological communities was conducted to determine the presence/absence of threatened and endangered species within and adjacent to the site and to determine if significant natural habitats exist within the site. Protected wildlife and plant species that occur or have a potential to occur within the project area have been identified and shown on Tables 1 and 2, respectively.

The FFWCC eagle nest database (http://myfwc.com/ eagle /eaglenests/) was accessed for the project area. One inactive eagle nest (OR006) was identified within 2 miles of the project. This nest, previously located within the Tibet-Butler Preserve, was last active in 2003 and no longer exists.

No active nests were identified within 2 miles of the project. There are no known records of occurrences of wading bird colonies within or adjacent to the project area. The site does not occur within wood stork (*Mycteria americana*) core foraging areas. The potential for wading birds to utilize the onsite forested wetland for nesting is low, and no foraging habitat exists on the project.

There is limited potential for the occurrence of protected plant species in the project area. Two protected species, cinnamon fern and royal fern, were observed during the site review. Both vegetative species are state-designated commercially exploited species. The potential for the occurrence of additional endangered or threatened vegetative species is considered to be low.

No observations of protected wildlife or plant species were made within the proposed project area with the exception of two protected species of fern. Due to the level and intensity of the land disturbance and development within and adjacent to the site, the potential for wildlife utilization is limited. The potential for wildlife utilization within the adjacent ruderal upland habitats is low and is greatest within the adjacent contiguous wetland systems.

These findings demonstrate the on-site conditions at the time of the site evaluation. Subsequently, existing conditions may change or new conditions may develop within the site. Since the ecological conditions of undeveloped areas are dynamic, data evaluated in this document may not reflect forthcoming conditions. The environmental review of the site is cursory and limited in time and scope. Statements regarding protected species are based on limited field observations and existing data records. These statements and conclusions do not exclude the possibility that protected species may occasionally forage onsite or may immigrate into the site subsequent to this review.

**Table 1.** Protected Wildlife Species, Habitat Descriptions, and Potential for Occurrence within the WPS Off-Campus Residential Village Site.

| Scientific name | Common name | Listing Status[1, 2, 3, 4] | Habitat Preference[5] | Potential for Occurence[6] |
|---|---|---|---|---|
| **Birds** | | | | |
| *Aramus guarauna* | limpkin | SSC | Slow moving freshwater river and stream systems; bottomland swamps | low |
| *Egretta caerulea* | little blue heron | SSC | Freshwater, brackish and estuarine wetlands | low |
| *Egretta thula* | snowy egret | SSC | Freshwater, brackish and estuarine wetlands | low |
| *Egretta tricolor* | tricolored heron | SSC | Freshwater, brackish and estuarine wetlands | low |
| *Eudocimus albus* | white ibis | SSC | Typically found in marshy sloughs, mud flats, lagoons, wet pastures and forested wetlands | low |
| *Haliaeetus leucocephalus* | bald eagle | P[7] | Nests in mature pine or cypress near permanent waterbodies | low |
| *Mycteria americana* | wood stork | FT | Freshwater and brackish wetlands | low |
| *Pandion haliaetus* | osprey | P[8] | open bodies of water, nesting nearby | low |
| **Reptiles and Amphibians** | | | | |
| *Drymarchon corais couperi* | Eastern indigo snake | FT | Hydric hammock, palustrine habitats, sandhill, scrub, upland pine forest; frequently observed in gopher tortoise burrows | low |
| *Gopherus polyphemus* | gopher tortoise | ST | Old field, sandhill, scrub, xeric hammock, ruderal, dry prairie, and pine flatwoods | low |

[1] On November 8, 2010 new threatened species rules approved by the Florida Fish and Wildlife Conservation Commission (FFWCC) went into effect. All Federally listed species that occur in Florida are included on Florida's list as Federally-designated Endangered (FE), Federally-threatened (FT) species. In addition, the State has a listing process to identify species that are not Federally listed but at risk of extinction. These species are called State-designated Threatened.

[2] Listing Status: FE - federally designated endangered, FT - federally designated threatened, FT (S/A) - federally designated threatened due to similarity in appearance, ST - state designated threatened, SSC - State Species of Special Concern, or P - protected by federal and/or state law.

[3] FFWCC - *Florida's Endangered and Threatened Species*, January 2013.

[4] U.S. Fish and Wildlife Service, Orange County Federally-Listed Species (available on the web), last modified May 1, 2013.

[5] Habitat descriptions: **http://www.fnai.org/bioticssearch.cfm.**

[6] Probability of occurrence: None, low, moderate, high, or present based on best available data and selective field observations.

[7] Migratory Bird Treaty Act (16 USC 703-712), Golden and Bald Eagle Protection Act (16 USC 668-668d), Lacey Act (16 USC 3371-3378), and the Florida Eagle Rule (FAC 68-16.002).

[8] Migratory Bird Treaty Act and Florida Osprey Protection Rules (Chapter 68A-4.001 FAC).

**Table 2.** Protected Plant Species, Habitat Descriptions, and Potential for Occurrence within the WPS Off-Campus Residential Village Site.

| Scientific name | Common name | Status | Habitat[3] | Potential for Occurrence[4] |
|---|---|---|---|---|
| | | FDA/USFWS[1&2] | | |
| *Carex chapmanii* | Chapman's sedge | T/- | Hammocks, woodlands, slope forests, hydric hammocks, floodplain forests | Low |
| *Epidendrum conopseum* | greenfly orchid | CE/- | Grows primarily on live oak in oak hammocks, but also found on juniper, magnolia, sweet gum, tupelo, and red maple. Usually associated with resurrection fern. | Low |
| *Lythrum flagellare* | lowland loosestrife, Florida loosestrife | E/- | Low open ground, swamps, thickets, wet flatwoods, sloughs, dome swamps, depression marshes, hydric hammocks, ditch banks | Low |
| *Nemastylis floridana* | celestia lily, fallflowering ixia | E/- | Clearings in swamps, marshes, wet pine flatwoods, prairies, and edges of cabbage | Low |
| *Osmunda cinnamomea* | cinnamon fern | CE/- | Swamps and wetlands | Present |
| *Osmunda regalis* var. *spectabilis* | royal fern | CE/- | Swamps and wetlands | Present |
| *Platanthera ciliaris* | yellow-fringed orchid | T/- | Bogs, swamps, open wet meadows and marshes, pine savannahs and flatwoods, floodplain forests, roadside ditches | Low |
| *Platanthera cristata* | crested fringed orchid, crested yellow orchid | T/- | Spaghnum and sedge bogs, meadows, pine savannahs, flatwoods, wet prairies, swamps, and seepage slopes, ditches | Low |
| *Spiranthes laciniata* | lacelip ladies' tresses | T/- | Shores of swamps, wet prairies, marshes, flatwoods, ditches, grassy roadsides, wet | Low |
| *Tillandsia utriculata* | giant wild pine, giant airplant | E/- | Hammocks, cypress swamps, pinelands, scrub | Low |

[1] Florida Department of Agriculture & Consumer Services: "Notes on Florida's Endangered and Threatened Plants", Nancy C. Coile, Florida Department of Agriculture and Consumer Services, 2003; Rules of the Department of Agriculture and Consumer Services, Division of Plant Industry, Chapter 5B-40, Preservation of Native Flora of Florida Section 5B-40.0055: Regulated Plant Index, 2007. Status: E=Endangered, T=Threatened, CE=Commercially Exploited

[2] U.S. Fish & Wildlife Service: 50 CFR Chapter 1, Section 17.12, "Endangered and threatened plants", 2013

[3] Habitat descriptions: http://www.fnai.org/bioticssearch.cfm

[4] Probability of occurrence: Low, moderate, high, or present, based on best available data and selective field observations.

**Preliminary Subsurface Soil Exploration and**
**Geotechnical Engineering Evaluation**
**Proposed WPS Off-Campus Residential Village**
**Winter Garden Vineland Road**
**Orange County, Florida**

Ardaman & Associates, Inc.

OFFICES

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Ardaman & Associates, Inc.

Geotechnical, Environmental and
Materials Consultants

July 18, 2014
File No. 14-6402

PGAL
791 Park of Commerce Boulevard
Suite 400
Boca Raton, Florida 33487

Attention: Mr. Craig Ditman, Senior Associate

Subject: Preliminary Subsurface Soil Exploration and
Geotechnical Engineering Evaluation
Proposed WPS Off-Campus Residential Village
Winter Garden Vineland Road
Orange County, Florida

Dear Mr. Ditman:

As requested and authorized, we have completed a preliminary shallow subsurface soil exploration for the subject project. The purposes of performing this exploration were to evaluate the soil stratigraphy and groundwater levels at selected locations within the subject property and to preliminarily evaluate the compatibility of the conditions encountered as they relate to the proposed development. In addition, we have preliminary estimated the normal seasonal high groundwater level at the boring locations. This report documents our findings.

## SITE LOCATION AND SITE DESCRIPTION

The site for the proposed residential village is located west of the intersection of Winter Garden Vineland Road and Sunset Boulevard in Orlando, Orange County, Florida (Section 32, Township 23 South, Range 28 East). The general site location is shown superimposed on the Windermere, Florida U.S.G.S. quadrangle map presented on Figure 1.

The site is currently partially developed with a citrus grove and its associated maintenance out-buildings. Three residential structures are located on the southwest portion of the property. The site slopes downward to the southeast to a low lying, wetland-type undeveloped area which is several feet lower in elevation than the rest of the property. This low lying, wetland-type area contained standing (i.e.; ponded) water at the time of our exploration.

## REVIEW OF SOIL SURVEY MAPS

Based on the 1989 Soil Survey for Orange County, Florida, as prepared by the U.S. Department of Agriculture Soil Conservation Service, the site is located in an area mapped mainly as the "Zolfo fine sand" soil series and “Smyrna fine sand” soil series.

The "Zolfo fine sand" soil series consists of nearly level and poorly drained soil located in broad, slightly higher positions, adjacent to the flatwoods. The soil permeability of the "Zolfo fine sand" is rapid in the surface and subsurface layers, and moderate in the subsoil. According to the Soil Survey, the seasonal high water table for the “Zolfo fine sand" soil series is typically within 24 to 40 inches of the natural ground surface.

The "Smyrna fine sand" soil series consists of nearly level soil on broad flatwoods. The internal drainage of the "Smyrna fine sand" is poor and the soil permeability is rapid in the surface and subsurface layers and in the substratum, and it is moderate to moderately rapid in the subsoil. According to the Soil Survey, the seasonal high water table for the "Smyrna fine sand" soil series is typically within 10 inches of the natural ground surface.

Located along the eastern boundary of the site is a relatively small area mapped as the “Pomello fine sand, 0 to 5 percent slopes” soil series. The "Pomello fine sand, 0 to 5 percent slopes" soil series consists of nearly level to gently sloping soil on low ridges and knolls on the flatwoods. The "Pomello fine sand, 0 to 5 percent slopes" is moderately well drained and the soil permeability is rapid in the surface and subsurface layers moderately rapid in the subsoil, and rapid in the substratum. According to the Soil Survey, the seasonal high water table for the "Pomello fine sand, 0 to 5 percent slopes" soil series is typically within 24 inches of the natural ground surface.

The undeveloped, southeast portion of the site is located in an area mapped as the “Sanibel muck” soil series. The "Sanibel muck" soil series consists of nearly level soil with an organic surface layer of black muck. The internal drainage of the "Sanibel muck" is very poor and the soil permeability is rapid throughout. According to the Soil Survey, undrained areas of the "Sanibel muck" soil series are typically ponded for 6 to 9 months.

Please refer to Figure 2 for the type and location of the individual soil series as shown on the Soil Survey Map.

## FIELD EXPLORATION PROGRAM

### SPT and Auger Borings

The field exploration program included performing two Standard Penetration Test (SPT) borings and three auger borings. The SPT borings were advanced to a depth of 20 feet below the ground surface using the methodology outlined in ASTM D-1586. A summary of this field procedure is included in the Appendix. Split-spoon soil samples recovered during performance of the borings were visually classified in the field and representative portions of the samples were transported to our laboratory in sealed sample jars.

The auger borings were drilled using a truck-mounted, 4-inch diameter, continuous flight auger to depths ranging from 5 to 20 feet below the ground surface. A summary of this field procedure is included in the Appendix. Representative soil samples were recovered from the auger borings and transported to our laboratory for further analysis.

The groundwater level at each of the boring locations was measured during drilling. The borings were backfilled with soil cuttings.

**Field Permeability Test**

A field permeability test was performed at the location of the proposed northwest stormwater pond. The field permeability test was performed by installing a solid-walled PVC casing snugly fit into a 4-inch diameter 6-foot deep auger borehole. The bottom of the pipe was open and raised 1 foot above the bottom of the borehole. The bottom 1 foot of the borehole was gravel-packed. The pipe was then filled to the top with water. Since relatively high permeability soils are present, the test was performed as a "falling head" test in which the rate of water drop within the pipe was measured.

Due to the inaccessibility to truck-mounted drilling equipment of the proposed boring location at the proposed southeastern retention pond, a field permeability test was performed at nearby boring location TH-2. The field permeability test was performed by installing a solid-walled PVC casing snugly fit into a 4-inch diameter 3-foot deep auger borehole. The bottom of the pipe was open and raised 1 foot above the bottom of the borehole. The bottom 1 foot of the borehole was gravel-packed. The pipe was then filled to the top with water. Since relatively high permeability soils are present, the test was performed as a "falling head" test in which the rate of water drop within the pipe was measured.

**Test Locations**

The approximate locations of the borings are schematically illustrated on a site plan shown on Figure 3. The permeability tests were conducted adjacent to Borings AB-1 and TH-2. These locations were determined in the field by tape measuring/estimating distances from existing site features and should be considered accurate only to the degree implied by the method of measurement used.

We note that the location of an auger boring planned in the proposed southeastern retention pond was not accessible due to thick vegetation and standing water. An SPT boring (Boring TH-2), located outside of the wetland-type area, was performed instead in order to explore the soil conditions near the wetland-type areas.

## LABORATORY PROGRAM

Representative soil samples obtained during our field sampling operation were packaged and transferred to our laboratory for further visual examination and classification. The soil samples were visually classified in general accordance with the Unified Soil Classification System (ASTM D-2488). The resulting soil descriptions are shown on the soil boring profiles presented on Figure 4.

In addition, we conducted a percent fines analysis (ASTM D1140) on a selected soil sample obtained from the borings. The result of this test is presented adjacent to the sample depth on the boring profile on Figure 4.

## GENERAL SUBSURFACE CONDITIONS

### General Soil Profile

The results of the field exploration and laboratory programs are graphically summarized on the soil boring profiles presented on Figure 4. The stratification of the boring profiles represents our interpretation of the field boring logs and the results of laboratory examinations of the recovered samples. The stratification lines represent the approximate boundary between soil types. The actual transitions may be more gradual than implied.

The results of the borings indicate the following general soil profile:

| Depth Below Ground Surface (feet) | Description |
|---|---|
| 0 - 3½ | Very loose to loose fine sand with varying amounts of silt and clay (SP, SP-SM, SP-SC) |
| 3½ - 10 | Loose to medium dense fine sand with varying amounts of silt and clay (SP, SP-SM, SM, SP-SC) |
| 10 - 20 | Medium dense to dense fine sand with varying amounts of silt and clay (SP, SP-SM, SP-SC). |

The above soil profile is outlined in general terms only. Please refer to Figure 4 for soil profile details.

**Groundwater Level**

The groundwater level was measured in the boreholes on the day drilled after stabilization of the downhole water level. As shown on Figure 4, groundwater was encountered at depths that ranged from 2.7 to 5 feet below the existing ground surface on the dates indicated. Fluctuations in groundwater levels should be anticipated throughout the year primarily due to seasonal variations in rainfall and other factors that may vary from the time the borings were conducted.

The absence of groundwater data at some of the boring locations indicates that groundwater was not encountered within the vertical reach of the borings on the date drilled. However, this does not necessarily mean that groundwater would not be encountered within the vertical reach of the borings at some other time.

## PRELIMINARY ESTIMATE OF NORMAL SEASONAL HIGH GROUNDWATER LEVEL

The normal seasonal high groundwater level each year is the level in the August-September period at the end of the rainy season during a year of normal (average) rainfall. The water table elevations associated with a higher than normal rainfall and in the extreme case, flood, would be higher to much higher than the normal seasonal high groundwater level. The normal high water levels would more approximate the normal seasonal high groundwater levels.

The seasonal high groundwater level is affected by a number of factors. The drainage characteristics of the soils, the land surface elevation, relief points such as drainage ditches, lakes, rivers, swamp areas, etc., and distance to relief points are some of the more important factors influencing the seasonal high groundwater level.

Based on our interpretation of the site conditions using our boring logs, we preliminarily estimate the normal seasonal high groundwater level at the boring locations to be approximately 1½ feet above the groundwater levels measured at the time of our field exploration.

## PRELIMINARY ENGINEERING EVALUATION

It is our opinion that with typical site preparation procedures, the soils as encountered during this preliminary exploration are compatible with the proposed development of lightly loaded residential buildings and paved parking/drive areas. Due to the high groundwater level encountered at the selected boring locations, filling may be required to accommodate development in the southeast portion of the site. Based on review of the Soil Survey, the wetland-type area in the southeast portion of the property likely contains deleterious organic muck that is not suitable to serve as foundation soil or as fill. Consideration of site hydrology will be important to verify that development is not planned in areas of flooding or where permitting may not be feasible.

The following are discussions relative to specific anticipated construction.

Structures

The results of our preliminary exploration indicate that, with proper site preparation (i.e.; stripping, grubbing, filling, compacting, etc.), the existing soils as encountered in the borings are suitable for supporting lightly loaded residential structures on a conventional shallow foundation system. Spread footings should provide an adequate foundation system for the structures.

The soils beneath the proposed structures should be further evaluated prior to final design when the foundation loads are available. At that time, foundation design and site preparation recommendations can be prepared.

Pavement

With typical site preparation (i.e.; stripping, grubbing, filling, compacting, etc.), the soils as encountered in the borings should be suitable foundation soils for the proposed pavements.

In designing the site grades in pavement areas, a minimum clearance of 18 inches should be maintained between the bottom of the limerock base and the seasonal high groundwater table. A minimum separation of 12 inches should be maintained if soil cement or crushed concrete base is utilized.

Suitability of On-Site Soils for Fill

The fine sand and fine sand with silt (Strata 1 and 2 on Figure 4) should be suitable to serve as fill soils in structure and pavement areas and, with proper moisture control, should densify using conventional compaction equipment. The fine sand with clay (Stratum 4 on Figure 4) will be more difficult to moisture condition and compact and is therefore generally considered to be poor quality fill soil.

Stormwater Ponds

The fine sand and fine sand with silt (Strata 1 and 2 on Figure 4) are generally considered to be relatively permeable. The fine sand with clay (Stratum 4 on Figure 4) is likely less permeable than the fine sand with silt.

The results of the falling head field permeability tests are presented in the following table:

| **Test Location** | **Test Depth (feet)** | **Measured Permeability (feet/day)** |
|---|---|---|
| AB-1 | 5 - 6 | 3.8 |
| TH-2 | 2 - 3 | 0.3 |

It is noted that a suitable factor of safety should be used with these values. In addition, for the type of soils tested, a transformation ratio of 1 horizontal to 1 vertical is appropriate (i.e; the estimated ratio of horizontal to vertical permeability).

Based on the relatively high groundwater levels encountered in our borings, wet detention may be most feasible for stormwater ponds.

## CLOSURE

The preliminary geotechnical evaluation submitted herein is based on the data obtained from the soil borings presented on Figure 4. This report does not reflect any variations which may occur adjacent to or between the borings. The nature and extent of the variations between the borings may not become evident until during further exploration and/or construction. Additional geotechnical engineering evaluation should be performed after the finalized development plan is available. Site preparation and foundation recommendations can be provided once the finalized development plan is available, and foundation and traffic loads are known.

This preliminary study is based on a relatively shallow surface exploration and is not intended to be an evaluation for sinkhole potential. This report does not include an evaluation of the environmental (ecological or hazardous/toxic material related) condition of the site and subsurface.

This report has been prepared in accordance with generally accepted geotechnical engineering practices for the exclusive use of PGAL for the subject project. No other warranty, expressed or implied, is made.

We are pleased to be of assistance to you on this phase of the project. When we may be of further service to you or should you have any questions, please contact us.

Very truly yours,
ARDAMAN & ASSOCIATES, INC.
*Certificate of Authorization No. 5950*

Virginia A. Golf, E.I.
Assistant Project Engineer

Charles H. Cunningham, P.E.
Orlando Branch Manager
Florida License No. 38189

11-18-14

CHARLES H. CUNNINGHAM ★ LICENSE ★ No 38189 ★ STATE OF FLORIDA ★ PROFESSIONAL ENGINEER

VAG/CHC/ksb/nfm
14-6402 WPS Off-Campus Residential Village (2014 Geo)

**SECTION 32**
**TOWNSHIP 23 SOUTH**
**RANGE 28 EAST**

**OBTAINED FROM U.S.G.S. QUAD MAP: WINDERMERE, FLORIDA 1980**

N

0 1000 2000

**APPROXIMATE SCALE: 1"=2000'**

QUADRANGLE LOCATION

# SITE LOCATION MAP

Ardaman & Associates, Inc.
Geotechnical, Environmental and Materials Consultants

**PRELIMINARY SUBSURFACE SOIL EXPLORATION**
**PROPOSED WPS OFF-CAMPUS**
**RESIDENTIAL VILLAGE**
**WINTER GARDEN VINELAND ROAD**
**ORANGE COUNTY, FLORIDA**

| DRAWN BY: CD | CHECKED BY: | DATE: 07/15/14 |
|---|---|---|
| FILE NO. 14-6402 | APPROVED BY: | FIGURE: 1 |

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OBTAINED FROM: SOIL SURVEY OF ORANGE COUNTY, FLORIDA
ISSUED DATE: AUGUST 1989

**LEGEND**

34 - POMELLO FINE SAND, 0 TO 5 PERCENT SLOPES
42 - SANIBEL MUCK
44 - SMYRNA FINE SAND
54 - ZOLFO FINE SAND

N

0 1000 2000

APPROXIMATE SCALE: 1"=2000'

# SOIL SURVEY MAP

Ardaman & Associates, Inc.
Geotechnical, Environmental and Materials Consultants

PRELIMINARY SUBSURFACE SOIL EXPLORATION
PROPOSED WPS OFF-CAMPUS
RESIDENTIAL VILLAGE
WINTER GARDEN VINELAND ROAD
ORANGE COUNTY, FLORIDA

| DRAWN BY: CD | CHECKED BY: | DATE: 07/15/14 |
|---|---|---|
| FILE NO. 14-6402 | APPROVED BY: | FIGURE: 2 |

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## LEGEND

| | |
|---|---|
| TH | STANDARD PENETRATION TEST (SPT) BORING LOCATION |
| AB | AUGER BORING LOCATION |

NOTE: THE BASE MAP FOR THE BORING LOCATION PLAN IS A PRELIMINARY SITE PLAN BY PGAL.

N

0 50 100

APPROXIMATE SCALE: 1"=100'

# BORING LOCATION PLAN

Ardaman & Associates, Inc.
Geotechnical, Environmental and Materials Consultants

**PRELIMINARY SUBSURFACE SOIL EXPLORATION**
**PROPOSED WPS OFF-CAMPUS RESIDENTIAL VILLAGE**
**WINTER GARDEN VINELAND ROAD**
**ORANGE COUNTY, FLORIDA**

| | | | |
|---|---|---|---|
| DRAWN BY: CD | CHECKED BY: | DATE: 07/15/14 | |
| FILE NO. 14-6402 | APPROVED BY: | FIGURE: 3 | |

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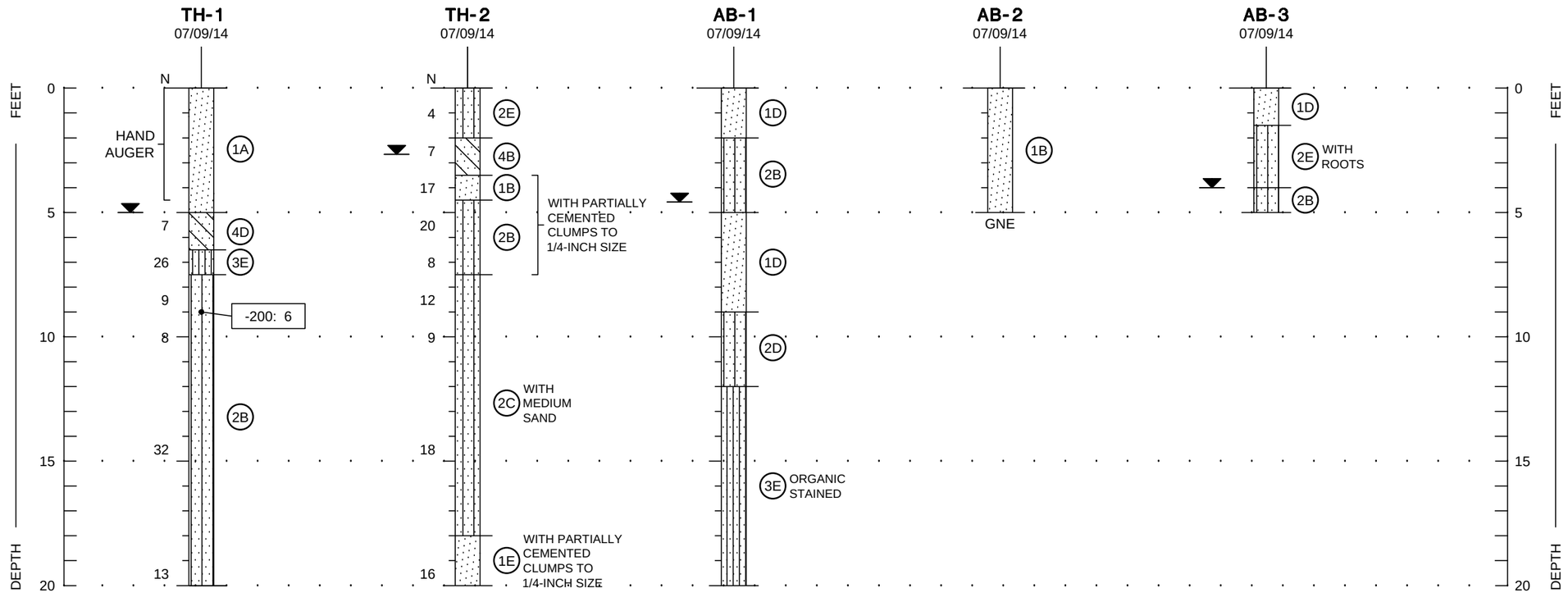


## LEGEND

### SOIL DESCRIPTIONS

- (1) FINE SAND (SP)
- (2) FINE SAND WITH SILT (SP-SM)
- (3) SILTY FINE SAND (SM)
- (4) FINE SAND WITH CLAY (SP-SC)

### COLORS

- (A) GRAYISH BROWN
- (B) LIGHT BROWN TO BROWN
- (C) REDDISH BROWN
- (D) GRAY
- (E) VERY DARK BROWN

| | |
|---|---|
| **TH** | STANDARD PENETRATION TEST (SPT) BORING |
| **AB** | AUGER BORING |
| N | STANDARD PENETRATION RESISTANCE IN BLOWS PER FOOT |
| ▼ | GROUNDWATER LEVEL MEASURED ON DATE DRILLED |
| GNE | GROUNDWATER NOT ENCOUNTERED ON DATE DRILLED |
| SP,SP-SM SM,SC,CH | UNIFIED SOIL CLASSIFICATION SYSTEM (ASTM D-2487) |

## ENGINEERING CLASSIFICATION

I COHESIONLESS SOILS

| DESCRIPTION | BLOW COUNT "N" |
|---|---|
| VERY LOOSE | <4 |
| LOOSE | 4 TO 10 |
| MEDIUM DENSE | 10 TO 30 |
| DENSE | 30 TO 50 |
| VERY DENSE | >50 |

II COHESIVE SOILS

| DESCRIPTION | UNCONFINED COMPRESSIVE STRENGTH, QU, TSF | BLOW COUNT "N" |
|---|---|---|
| VERY SOFT | <1/4 | <2 |
| SOFT | 1/4 TO 1/2 | 2 TO 4 |
| MEDIUM STIFF | 1/2 TO 1 | 4 TO 8 |
| STIFF | 1 TO 2 | 8 TO 15 |
| VERY STIFF | 2 TO 4 | 15 TO 30 |
| HARD | >4 | >30 |

WHILE THE BORINGS ARE REPRESENTATIVE OF SUBSURFACE CONDITIONS AT THEIR RESPECTIVE LOCATIONS AND FOR THEIR RESPECTIVE VERTICAL REACHES, LOCAL VARIATIONS CHARACTERISTIC OF THE SUBSURFACE MATERIALS OF THE REGION ARE ANTICIPATED AND MAY BE ENCOUNTERED. THE BORING LOGS AND RELATED INFORMATION ARE BASED ON THE DRILLER'S LOGS AND VISUAL EXAMINATION OF SELECTED SAMPLES IN THE LABORATORY. THE DELINEATION BETWEEN SOIL TYPES SHOWN ON THE LOGS IS APPROXIMATE AND THE DESCRIPTION REPRESENTS OUR INTERPRETATION OF SUBSURFACE CONDITIONS AT THE DESIGNATED BORING LOCATIONS ON THE PARTICULAR DATE DRILLED.

GROUNDWATER ELEVATIONS SHOWN ON THE BORING LOGS REPRESENT GROUNDWATER SURFACES ENCOUNTERED ON THE DATES SHOWN. FLUCTUATIONS IN WATER TABLE LEVELS SHOULD BE ANTICIPATED THROUGHOUT THE YEAR. ABSENCE OF WATER SURFACE DATA IN THE BORING IMPLIES THAT NO GROUNDWATER DATA IS AVAILABLE, BUT DOES NOT NECESSARILY MEAN THAT GROUNDWATER WILL NOT BE ENCOUNTERED AT THIS LOCATION OR WITHIN THE VERTICAL REACHES OF THIS BORING IN THE FUTURE.

# SOIL BORING PROFILES

Ardaman & Associates, Inc.
Geotechnical, Environmental and Materials Consultants

**PRELIMINARY SUBSURFACE SOIL EXPLORATION**
**PROPOSED WPS OFF-CAMPUS RESIDENTIAL VILLAGE**
**WINTER GARDEN VINELAND ROAD**
**ORANGE COUNTY, FLORIDA**

| DRAWN BY: CD | CHECKED BY: | DATE: 07/15/14 |
|---|---|---|
| FILE NO. 14-6402 | APPROVED BY: | FIGURE: 4 |

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# APPENDIX

Standard Penetration Test
and
Auger Boring Procedures

## STANDARD PENETRATION TEST

The standard penetration test is a widely accepted test method of *in situ* testing of foundation soils (ASTM D 1586). A 2-foot long, 2-inch O.D. split-barrel sampler attached to the end of a string of drilling rods is driven 18 inches into the ground by successive blows of a 140-pound hammer freely dropping 30 inches. The number of blows needed for each 6 inches of penetration is recorded. The sum of the blows required for penetration of the second and third 6-inch increments of penetration constitutes the test result or N-value. After the test, the sampler is extracted from the ground and opened to allow visual examination and classification of the retained soil sample. The N-value has been empirically correlated with various soil properties allowing a conservative estimate of the behavior of soils under load.

The tests are usually performed at 5-foot intervals. The test holes are advanced to the test elevations by rotary drilling with a cutting bit, using circulating fluid to remove the cuttings and hold the fine grains in suspension. The circulating fluid, which is a bentonitic drilling mud, is also used to keep the hole open below the water table by maintaining an excess hydrostatic pressure inside the hole. In some soil deposits, particularly highly pervious ones, NX-size flush-coupled casing must be driven to just above the testing depth to keep the hole open and/or prevent the loss of circulating fluid.

Representative split-spoon samples from the soils at every 5 feet of drilled depth and from every different stratum are brought to our laboratory in air-tight jars for further evaluation and testing, if necessary. Samples not used in testing are stored for 30 days prior to being discarded.

## AUGER BORINGS

Auger borings are used when continuous sampling of soil strata close to ground surface is desired. A 4-inch diameter, continuous flite, helical auger with a cutting head at its end is screwed into the ground in 5-foot sections. It is powered by the rotating action of the Kelly bar of a rotary drill rig. The sample is recovered by withdrawing the auger out of the ground without rotating it. The soil sample so obtained, is classified and representative samples put in bags or jars and brought back to the laboratory for classification testing.