



## Interoffice Memorandum

DATE: January 29, 2019

TO: Mayor Jerry L. Demings  
-AND-  
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director  
Planning, Environmental and Development  
Services Department

CONTACT PERSON: Eric Raasch, Interim DRC Chairman  
Development Review Committee  
Planning Division  
(407) 836-5523

SUBJECT: February 26, 2019 – Public Hearing  
Applicant: Eric Warren, Poulos & Bennett, LLC  
San Lorenzo Townhomes Planned Development / San Lorenzo  
Preliminary Subdivision Plan  
Case # PSP-18-05-168

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of December 19, 2018, to approve the San Lorenzo Townhomes Planned Development (PD) / San Lorenzo Preliminary Subdivision Plan (PSP) to subdivide 13.49 acres in order to construct 72 single-family detached residential dwelling units.

The required Specific Project Expenditure Report and Relationship Disclosure Forms have been completed in accordance with the requirements of Article X, Chapter 2, Orange County Code, as may be amended from time to time, and copies of these and the PSP may be found in the Planning Division for further reference.

**ACTION REQUESTED:** Make a finding of consistency with the Comprehensive Plan (CP) and approve the San Lorenzo Townhomes Planned Development / San Lorenzo Preliminary Subdivision Plan dated "Received November 9, 2018", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 3

JVW/EPR/lme  
Attachments

**CASE # PSP-18-05-168**

Commission District # 3

**1. REQUEST**

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of December 19, 2018, to approve the San Lorenzo Townhomes Planned Development (PD) / San Lorenzo Preliminary Subdivision Plan (PSP) to subdivide 13.49 acres in order to construct 72 single-family detached residential dwelling units.

**2. PROJECT ANALYSIS**

- A. Location: South of Pershing Avenue / West of Goldenrod Road
- B. Parcel ID: 10-23-30-3032-00-640, 10-23-30-3032-00-661
- C. Total Acres: 13.49 gross acres
- D. Water Supply: Orange County Utilities
- E. Sewer System: Orange County Utilities
- F. Schools: Three Points ES Capacity: 758 / Enrolled: 510  
Liberty MS Capacity: 1,498 / Enrolled: 1,115  
Colonial HS Capacity: 3,733 / Enrolled: 3,411
- G. School Population: 31
- H. Parks: Barber Park – 2 Miles
- I. Proposed Use: 74 Single-Family Residential Dwelling Units
- J. Site Data: Maximum Building Height: 35' (2-stories)  
Minimum Living Area: 1,200 Square Feet  
Building Setbacks:
  - 10' Front
  - 20' Front Garage
  - 5' Side
  - 15' Corner
  - 20' Rear
  - 25' PD Perimeter
  - 50' Major Roadway
- K. Fire Station: 71 – 4405 Saint Florian Way
- L. Transportation: Based on the CMS dated June, 6, 2018 there is one failing segment (Goldenrod Road from Pershing Avenue to Curry

Ford Road) within the impact area. A traffic study may be required prior to obtaining an approved capacity encumbrance letter and building permit.

### **3. COMPREHENSIVE PLAN**

The subject property has an underlying Future Land Use Map (FLUM) designation of Low-Medium Density Residential (LMDR). The subject property is designated PD (Planned Development District) on the zoning map, which is consistent with the FLUM designation. This request is consistent with the Comprehensive Plan.

### **4. ZONING**

PD (Planned Development District) (San Lorenzo Townhomes PD)

### **5. REQUESTED ACTION:**

Approval subject to the following conditions:

1. Development shall conform to the San Lorenzo Townhomes Planned Development (PD); Orange County Board of County Commissioners (BCC) approvals; San Lorenzo Preliminary Subdivision Plan dated "Received November 9, 2018," and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the preliminary subdivision plan dated "Received November 9, 2018," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board

by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this preliminary subdivision plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement. Unless the property is otherwise vested or exempt, the applicant shall be subject to school concurrency and required to go through the review process prior to platting.
7. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal

and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or capacity reservation certificate.

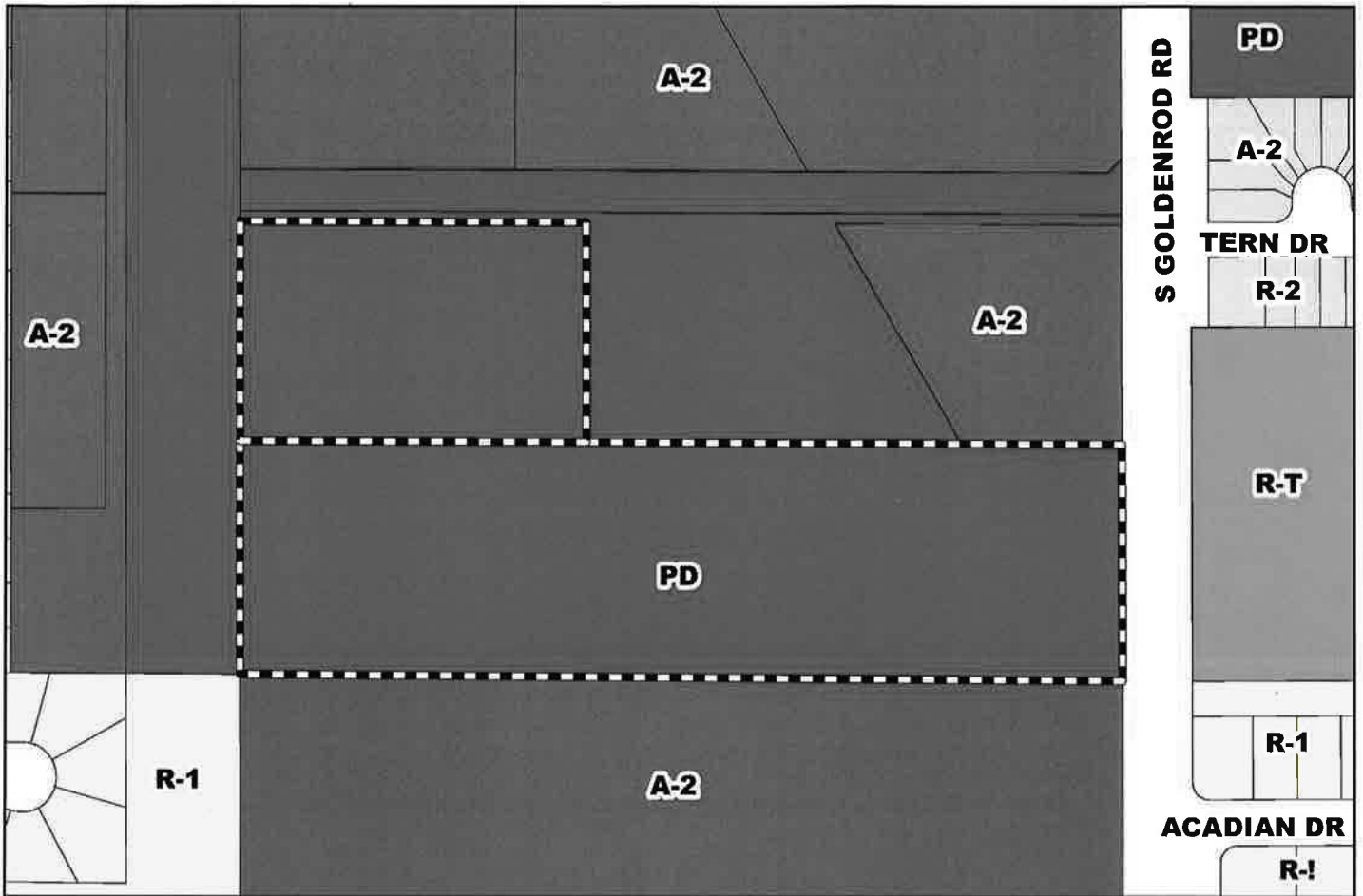
8. Prior to issuance of any certificate of completion, all storm drain inlets shall have metal medallion inlet markers installed. Text on the marker shall read "No Dumping, Only Rain in the Drain." Specification detail will be provided within all plan sets. Contact the National Pollutant Discharge Elimination System (NPDES) Supervisor at the Orange County Environmental Protection Division for details.
9. Unless a Conservation Area Impact (CAI) permit is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland Conservation Areas", prior to Construction Plan approval, no conservation area or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect conservation area impacts.
10. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
11. Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.
12. The site shall be stabilized following grubbing, clearing, earth work or mass grading to establish a dense stand of grass, or shall incorporate other approved Best Management Practices, on all disturbed areas if development does not begin within 7 days. Final stabilization shall achieve a minimum of seventy percent (70%) coverage of the disturbed land area and shall include a maintenance program to ensure minimum coverage survival and overall site stabilization until site development. Prior to clearing or grubbing, or approval of mass grading or constructions plans a letter of credit or cash escrow acceptable to the County shall be submitted to guarantee the required site stabilization and maintenance of all disturbed areas. The County Engineer shall establish the amount of the letter of credit or cash escrow.
13. Construction plans within this PD shall be consistent with an approved and up-to-date Master Utility Plan. The MUP and amendments to the approved MUP shall be submitted to Orange County Utilities at least thirty (30) days prior to

construction plan submittal and must be approved prior to construction plan approval.

14. This property is located within Airport Noise Zones D and E. Development shall comply with Article XV, Chapter 9, Orange County Code (Airport Noise Impact Areas), as may be amended from time to time.
15. New streets which are an extension of or in alignment with existing streets shall bear the same name as that borne by such existing streets.
16. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
17. Unless otherwise specified to the County's satisfaction in the PSP, a Development Plan, in conformance with the requirements of Section 34-131(b) (20), including the appropriate group type, is required for the park / recreation tract(s) within this Preliminary Subdivision Plan (PSP), or phase thereof, as appropriate. Regardless of whether the park / recreation tract is included in the PSP or approved via a separate Development Plan, the park / recreation area tract(s) shall be constructed in conjunction with the subdivision infrastructure and completed prior to issuance of the Certificate of Completion (C of C) for the infrastructure for the phase in which the park / recreation tract(s) is located.
18. Unless otherwise allowed by County Code, the property shall be re-platted prior to the issuance of any vertical building permits.
19. A mandatory pre-application/sufficiency review meeting for the re-plat shall be required prior to plat submittal and concurrent with construction plan submittal. The applicant shall resolve, to the County's satisfaction, all items identified in the pre-application/ sufficiency review meeting prior to formal submittal of the plat to the County.
20. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Construction Plan submittal and must be approved prior to Construction Plan approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.
21. Roads and drainage system(s), including any retention pond(s), will be owned and maintained by Orange County with a Municipal Service Benefit Unit (MSBU) established for stormwater system functionality. Routine maintenance, if not provided by the Property Association, shall be the responsibility of the County.
22. A Municipal Service Benefit Unit (MSBU) shall be established for the standard operation and maintenance of street lighting inventory including leasing, fuel and energy costs for this project. Street lighting fixtures, poles, and luminaries used in this project shall be selected from the approved inventory list supplied

by the Orange County Comptroller. Street lighting fixtures, poles, and luminaries used in this project shall be supplied and installed by the utility company that services the area of the project, as authorized by law or agreement, and thereafter maintains the street lighting inventory. The developer shall obtain approval of the street lighting fixtures, poles, and luminaries from the Orange County Comptroller Special Assessments Section via a "Letter of Commitment" prior to the installation of the street lighting fixtures, poles, and luminaries and prior to the plat being recorded by Orange County Comptroller Official Records Department. All installation costs and street lighting operational costs prior to the effective date of the MSBU approval by the Orange County Board of County Commissioners shall be the sole responsibility of the developer.

23. The stormwater management system shall be designed to retain the 100-year/24-hour storm event onsite, unless documentation with supporting calculations is submitted, which demonstrates that a positive outfall is available. If the applicant can show the existence of a positive outfall for the subject basin, then the developer shall comply with all applicable state and local stormwater requirements and regulations. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas.



**Subject Parcel**



**Subject Property**

## Zoning Map

**ZONING:** PD (Planned Development District)

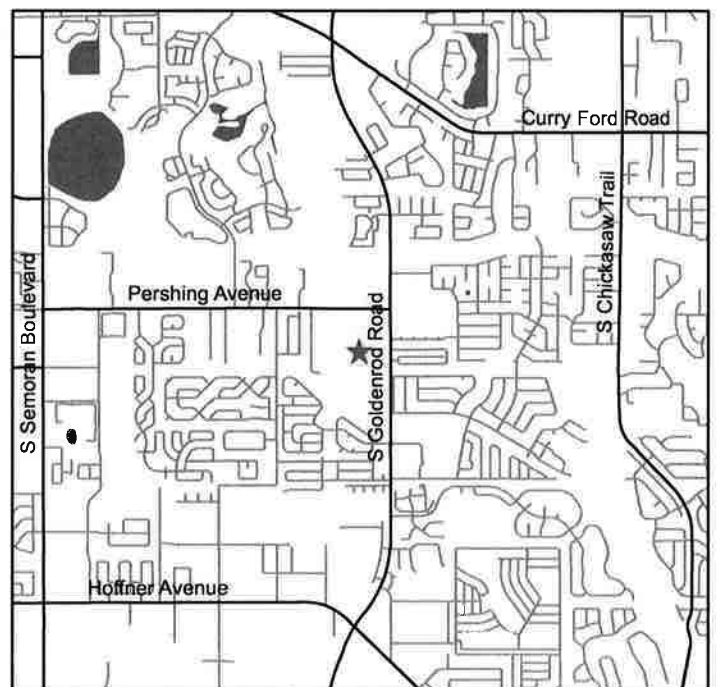
**APPLICANT:** Eric Warren, Poulos & Bennett, LLC

**LOCATION:** South of Pershing Avenue / West of Goldenrod Road

**TRACT SIZE:** 13.49 gross acres

**DISTRICT:** 3

**S/T/R:** 10/23/30





## Building & Lot Data

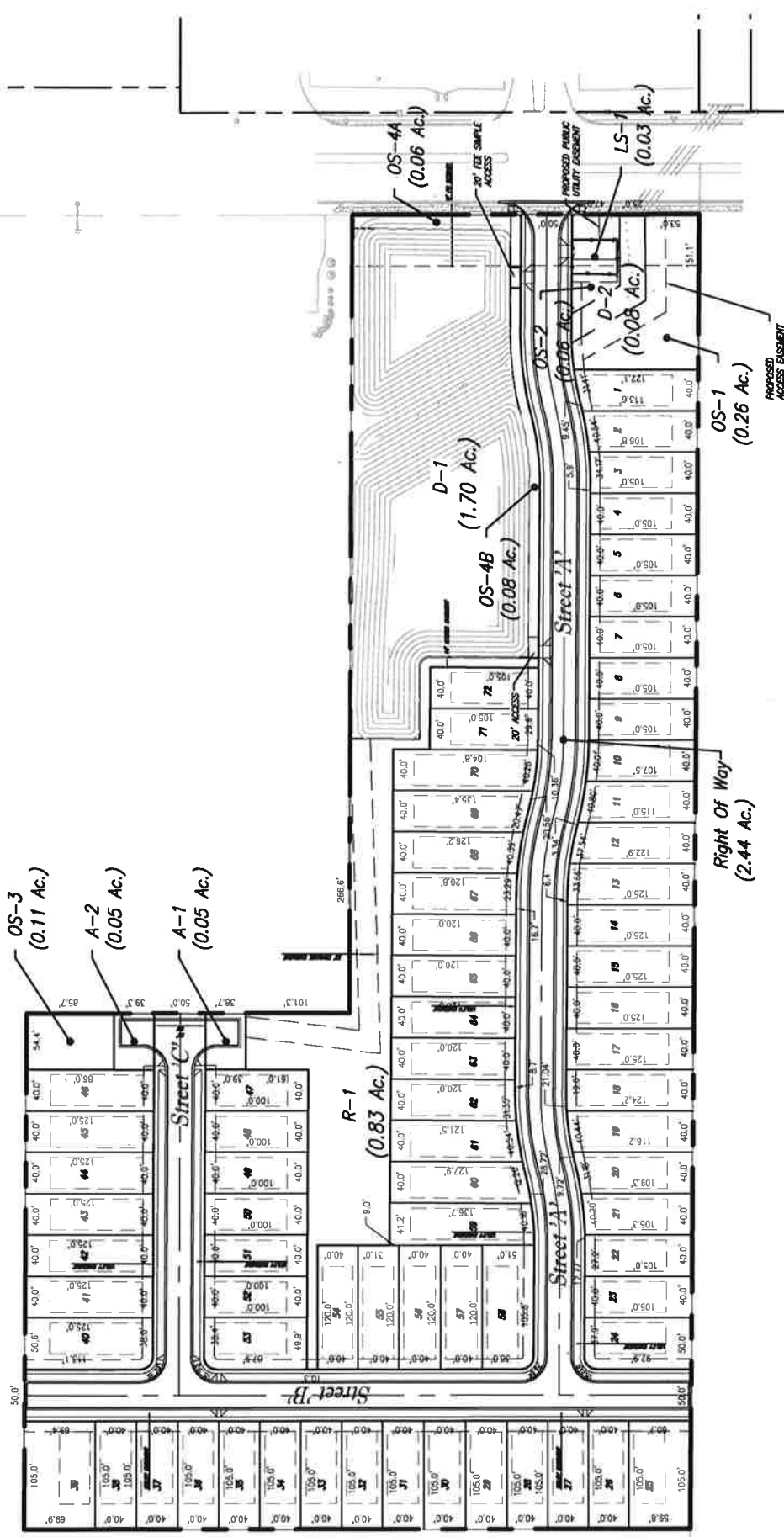
Project Site Area	13.49 Ac
Total Wetlands	1.24 Ac.
Total Wetland Impact	1.24 Ac.
Total Stormwater Provided	1.70 Ac.
Net Developable Acres (Total Less Preserved Wetland)	13.49 Ac.
Proposed Dwelling Units	72 Units
Density	5.88 DU/Ac.
Zoning	Planned Development (PD)
Existing Land Use	Low Medium Density Residential
Proposed Land Use	Low Medium Density Residential

## Building & Lot Data

Building Setbacks:	
Front Elevation of Home	10'
Front Garage	20'
Side	5'
Corner	15'
Rear	20'
PD Perimeter	25'
Major Roadway (Goldenrod Road ROW)	50'
Max. Building Height (2 Stories)	35'
Min. Lot Width	40'
Min. Lot Depth	90' / 110'
Min. Living Area	1,200 S.F.
Min. Lot Area	3,600 S.F.

## NOTES:

1. RECREATION SPACE REQUIRED IS 2.5 AC PER 1,000 RESIDENTS. ASSUME 3.1 RESIDENTS/UNIT. AT 72 UNITS, MINIMUM RECREATIONAL AREA IS 0.56 ACRES.
2. MINIMUM OPEN SPACE REQUIRED = 10% PER ORANGE COUNTY MUNICIPAL CODE SEC. 38-1234 (3)(g)(1).
3. A UTILITY AND ACCESS EASEMENT TO LIFT STATION SHALL BE PROVIDED WITH PHASE 1 CONSTRUCTION.
4. ACREAGES SUBJECT TO CHANGE AT FINAL ENGINEERING AND FINAL PLAT APPROVAL.



# SITE PLAN

## San Lorenzo PSP

POULOS & BENNETT

2602 E. Livingston St.  
Orlando, Florida 32803-407/487.2594

December 11, 2018  
P & B Job No.: 17-162

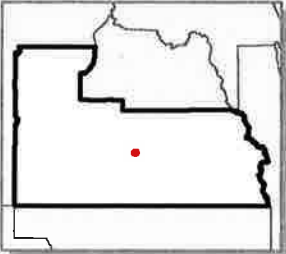
EXHIBIT 3 - SEE LOTS 10000 - 1. COUNCILS OF REGULATION & REGISTRATION BOARD OF ENGINEERS



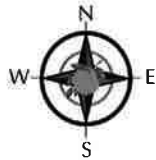
75 0 75 150  
SCALE IN FEET

Exhibit 3

www.poulosandbennett.com  
Certificate of Authorization No. 28567



**San Lorenzo Townhomes  
PD / San Lorenzo PSP**



Parcels		Subject Property	Jurisdiction		Hydrology
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1 : 2,400  
1 in : 200 ft