## Interoffice Memorandum



DATE:

April 23, 2019

TO:

Mayor Jerry L. Demings

-AND-

**Board of County Commissioners** 

FROM:

Jon V. Weiss, P.E., Directo

Planning, Environmental and Development

Services Department

**CONTACT PERSON:** 

Eric Raasch, Interim DRC Chairman

**Development Review Committee** 

Planning Division (407) 836-5523

SUBJECT:

May 21, 2019 - Public Hearing

Applicant: Tony Reddeck, GAI Consultants, Inc.

Bishop Planned Development / Bishop Landing Phase 3 Preliminary

Subdivision Plan

Case # PSP-18-10-325

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of February 27, 2019, to approve the Bishop Planned Development (PD) / Bishop Landing Phase 3 Preliminary Subdivision Plan (PSP) to subdivide 14.83 acres in order to construct 53 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 Bishop Planned Development / Bishop Landing Phase 3 Preliminary Subdivision Plan dated "Received April 4, 2019", subject to the conditions listed under the DRC Recommendation in the Staff Report. District

JVW/EPR/Ime Attachments

## **CASE # PSP-18-10-325**

Commission District # 4

## 1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of February 27, 2019, to approve the Bishop Planned Development (PD) / Bishop Landing Phase 3 Preliminary Subdivision Plan (PSP) to subdivide 14.83 acres in order to construct 53 single-family detached residential dwelling units.

## 2. PROJECT ANALYSIS

A. Location: North of Simpson Road / West of Ward Road

B. Parcel ID: 33-24-30-0000-00-046, 33-24-30-0000-00-023

C. Total Acres: 14.83 gross acres

D. Water Supply: Orange County Utilities

E. Sewer System: Orange County Utilities

F. Schools: Wyndham Lakes ES Capacity: 828 / Enrolled: 995

South Creek MS Capacity: 1,125 / Enrolled: 1,098 Cypress Creek HS Capacity: 2,762 / Enrolled: 3,372

G. School Population: 20

H. Parks: Meadow Woods Park – 3.78 Miles

I. Proposed Use: 53 Single-Family Detached Residential Dwelling Units

J. Site Data: Maximum Building Height: 35' (2-stories)

Minimum Living Area: 1,200 Square Feet

**Building Setbacks:** 

20' Front 5' Side

15' Side Street

20' Rear 50' NHWE

K. Fire Station: 55 – 801 Greenway Professional Center

L. Transportation: Based on the concurrency management system database

dated October 29, 2018, Boggy Creek Road from Tradeport Drive to Wetherbee Road and from the Central Florida Greeneway to the Osceola County Line is currently operating at level of service F and there is no available capacity. There is a valid Capacity Encumbrance Letter onfile for 53 single-family units which will expire on August 31, 2019.

## 3. COMPREHENSIVE PLAN

The Future Land Use designation of the subject parcel is Planned Development – Low Density Residential within the Urban Service Area (PD-LDR-USA). This is consistent with the Comprehensive Plan and the associated Bishop Planned Development (PD).

## 4. ZONING

PD (Planned Development District) (Bishop PD)

## 5. REQUESTED ACTION:

Approval subject to the following conditions:

- 1. Development shall conform to the Bishop Planned Development; Orange County Board of County Commissioners (BCC) approvals; Bishop Landing Phase 3 Preliminary Subdivision Plan dated "Received April 4, 2019," 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 April 4, 2019," 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 at the public hearing where this development was approved, 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. 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 or 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.

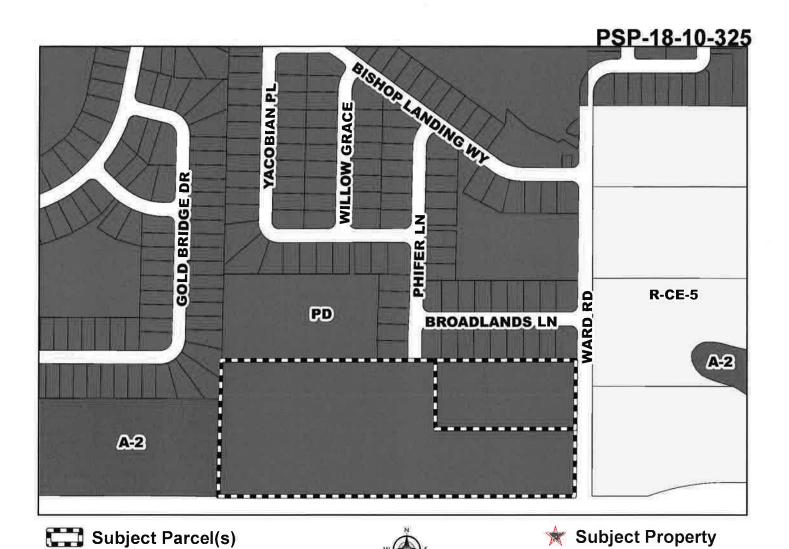
- 4. Developer/Applicant has a continuing obligation and responsibility from the date of approval of this preliminary subdivision plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve 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 land use plan / preliminary subdivision plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

- 8. 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.
- 9. 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.
- 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. Construction plans within this PD shall be consistent with an approved and upto-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The updated MUP must be approved prior to construction plan approval.
- 12. 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.
- 13. 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.
- 14. This property lies within Airport Noise Zone "E". This will require plat notification and Waiver of Claim.

- 15. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
- 16. The plat numbering of lots and tracts shall be consistent with the approved PSP as originally approved by the Board of County Commissioners.
- 17. A mandatory pre-application/sufficiency review meeting for the plat shall be required prior to plat submittal, but after approval of the site construction plans. 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.
- 18. 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.
- 19. 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. developer shall obtain approval of the street lighting fixtures, poles, and luminaries from the Orange County Comptroller Special Assessments Department 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 section. 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.
- 20. 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, including mowing, beyond that provided by the County, shall be the responsibility of the Homeowners' Association.
- 21. 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 in lieu of designing for the 100-year/24-hour storm event, 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.

- 22. If fire department access cannot be reached within 50' of an exterior door, an approved automatic fire sprinkler system shall be required.
- 23. Any tree mitigation dues shall be paid prior to plat approval.



**Zoning Map** 

ZONING:

**PD (Planned Development District)** 

APPLICANT: Tony Reddeck, GAI Consultants, Inc.

LOCATION: North of Simpson Road / West of

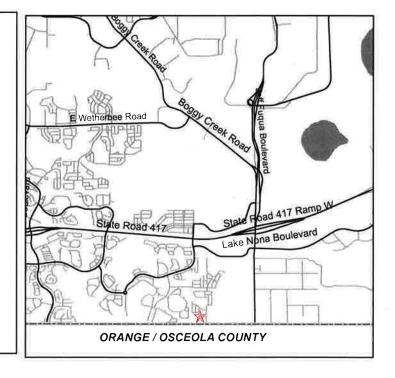
Ward Road

TRACT SIZE: 14.83 gross acres

DISTRICT:

S/T/R:

33/24/30



#### SITE DATA:

- 1. PARCEL ID: 33-24-30-0000-00-046, 33-24-30-0000-00-023 (PH 3): 33-24-30-0345-00-010 thru 33-24-30-0345-00-01-0140 (PH 1 & 2)
- TOTAL LAND AREA: 48.47 ACRES (PHASE  $1 \pm 2$ ) + 14.83 ACRES (PHASE 3) = 61.30 ACRES (ALL PHASES GROSS) PD AMENDMENT LAND AREA: 14.83 ACRES (PHASE 3)
- FUTURE LAND USE: PO\_LOR (USA)

LAND LISE ACREACE SFR-PROPOSED (PH 3) 14.83 ACREAGE

UNITS 53

BUILDING SETBACKS REQUIRED FRONT: - 20 FT REAR: - 20FT SIDE: - 5 FT SIDE STREETS: - 15 FT PD PERMETER: - 25 FT WARD RD. R/W: - 25 FT WETLANDS/JURISDICTIONAL AREAS: - 25 FT WARD ROAD RIGHT OF WAY: - WASES

- PROPOSED BUILDING HEIGHT: 35 FT TWO STORY MAX
- TOTAL BUILDING AREA: 1,200 MIN. (UNDER A/C & Hegt)
- PROPOSED LOT SIZES 50' MINIMUM LOT WIDTH 5,000 SQ FT MINIMUM LOT AREA.
- OPEN SPACE 10% MANAGE WILL BE PROVIDED. SHALL COMPLY WITH SEC. 38-1234 OF GRANGE COUNTY CODE.
- ACCESS WARD ROAD VIA PHIFER LANE VIA INTERNAL STREET NETWORK

TRANSPORTATION

- 12. PHASING THE 14.8 AC. (PHASE 3) AMENDMENT WILL BE CONSTRUCTED IN ONE (1) PHASE.
- 13. C.E.L. IN PROCESS WILL BE OBTAINED PRIOR TO PSP APPROVAL.
- 14. SCHOOL AGE POPULATION SCHOOL AGE POPULATION (PHASE 3): 22 (BASED ON 0.417 STUDENTS PER SFR).
- Stormmater management the Stormmater management system will be designed to meet orange county code and the requirements of the south florida water management district.
- PARK AND RECREATION AREA PARK AND COMMUNITY RECREATION AREA WILL BE PRIMITE AND FOR THE RESIDENTS OF BISHOP LANDING ONLY AND WILL BE MARTANED BY THE H.O.A. BOTH ACTINE AND PASSAVE RECREATION WILL BE PROMOED, RECREATION TYPES AND LOCATION WILL BE DETERMINED AT THE REVIEW OF THE PSP/DP PLAN. RECREATIONAL AREA SHALL COMPLY WITH SECTION 38—1253 OF THE ORNAGE COUNTY LDC.
- LANDSCAPING ALL LANDSCAPING SHALL MIEET OR EXCEED THE REQUIREMENTS OF CHAPTER 24 OF THE GRANGE COUNTY LAND DEVELOPMENT CODE.
- FIRE PROTECTION: NEEDED FIRE FLOW FOR SINGLE FAMILY DWELLINGS SHALL BE AS FOLLOWS: HOMES 5,000 SQUARE FEET OR LESS 1,000 GPM; HOMES EXCEEDING 5,000 SQUARE FEET SHALL PROVIDE FIRE FLOW IN ACCORDANCE WITH TABLE 18.4.5.2.1 OF NFPA 1 (FFPC 6TH EDTION), REDUCTION OF FIRE FLOW MAY BE PERMITTED IF OWELLING IS EQUIPPED WITH AN AUTOMATIC SPRINGLES SYSTEM OR BUILDING SEPHRATIONS IN ACCORDANCE WITH TABLE 14.4.5.1.4 (FFPC 6TH EDTION), PER GRANGE COUNTY SUBDINSON REDULATIONS, A MANNAM OF 1,000 GPMS IS REQUIRED FOR MULTI-FAMILY. PER CURRENT EDITION OF THE CODE FFPC 6TH (NFPA 1 AND 101 2015 EDITION).
- LAW ENFORCEMENT: PROVIDED BY GRANGE COUNTY SHERIFF'S OFFICE.
- VEGETATION/MUDLIFE: THE UPLAND LAND USES TYPES/VEGETATIVE COMMUNITIES ARE CLASSIFED AS RESIDENTIAL, LOW DENSITY (110) AND IMPROVED PASTURES (211). NO WETLAND/VEGETATIVE COMMUNITIES WERE IDENTIFIED ON THE SITE AT THE TIME OF THE ASSESSMENT. A TREE SURVEY AND INTRACTION PLAN SHALL, BE PROVIDED WITH A PSP/DP SUBMITTAL. NO TREE CLEARING SHALL BE PERMITTED UNTIL APPROVED BY ORANGE COUNTY. DEVELOPMENT OF THE SUBJECT PROPERTY SHALL COUNTY, WITH ALL STATE AND FEDERAL REGULATIONS REGARDING ENDANGEROD, THREATENED OR SPECIES OF SPECIAL CONCERN.
- 21. NIMERS: NONE REQUESTED.
- 100 YEAR FLOOD PLAIN: BASED ON FIRM MAPS §12095C0850F AND §12097C0080G, NO PART OF THE SITE IS LOCATED WITHIN A FLOOD PLAIN. THE SITE IS NOT IMPACTED BY THE BOGGY CREEK FLOODWAY.
- 23. Utility service notes 23.1 Potnble water and wastemater services to be provided by orange county UTILITIES
  23.2 RECLAMED WITER SERVICE TO BE PROVIDED BY ORANGE COUNTY UTILITIES
- Signage: All Billiboards and Pole Signs Shall be prohibited, ground and fascia. Signs Shall comply with orange county code Section 31.5.

- 25. GENERAL MOTES:

  25.1 IN ACCORDANCE WITH SECTION 38-1227, ANY WARMTIONS FROM COUNTY CODE MINIMUM STANDARDS REPRESENTED ON THIS PLAN THAY HAVE NOT BEEN DEPRESENT APPROVED BY BCC ARE RANALD.

  25.2 ALL DOSTING STRUCTURES IN PINAS 3 SHALL BE DEMOLISHED PRIOR TO PAT APPROVAL.

  25.3 ALL AREAS NOT IDENTIFIED AS PARRING ZONES SHALL BE POSTED TWO PARRING. NO PARRING. SIGNAGE SHALL BE LOCATED ON ALL STREET POSTS OUTSIDE OF THE SPECIFED PARRING ZONES.
- ACCESS: ALL ROADS SHOWN HERON SHALL BE DEDICATED TO THE PUBLIC, ALL LOCAL ROADWAYS ARE AT LEAST 24 FEET WIDE AND SHALL BE LIMITED TO PARGING ON ONE SOE OF THE ROADWAY, DURING FINAL ENGINEERING APPROVAL, IT WILL BE DETERMINED WHICH SIDE OF THE ROADWAY WILL BE POSTED WITH "NO PARGING" SIGNAGE. 26.
- 31. LIGHTING: EXTERIOR LIGHTING SHALL COMPLY WITH CHAPTER 9 ARTICLE XM OF THE ORANGE COUNTY CODE.
- Construction details: All construction details are preliminary and subject t to review and modification during the approval of construction plans.
- EASEMENTS: PROPOSED UTILITY AND DRAWAGE EASEMENTS ARE SHOWN ON THE PUAL. MINIMUM EASEMENT WIDTHS SHALL BE DETERMINED DURING FINAL ENGINEERING DESIGN BISED ON GRAWING COUNTY STRANGER, BASEDIATIS SHALL BE DEDICATED TO GRAWGE COUNTY OFER ALL PUBLIC DRAWAGE AND UTILITY FACILITIES, INCLIDING PPES, STRUCTURES, AND APPURTENANCES THAT ARE LOCATED ON PRIVATE LOTS AND/OR
- right-of-way wications: There are no right of way vications associated with this PSP.
- screen wall / Buffers: screen walls and/or landscape Buffers May Be Constructed within tracts designated open space and shall be owned and Mantanged by the Hoa.
- finish grades: Finished floor elevations shall be consistent with the critera of orange county and the appropriate water management district. Finish grade adjacent to permieter boundary of this PSP May vary more than one FOOT (1") ABOVE OR BELOW EXISTING GRADE.

#### LAND USE CALCULATIONS

TRACT	UŞE	ACERAGE	% CREDIT	ACREAGE TOWARD REQUIRED OPEN SPACE	OWNERSHIP/MAINTENANCE RESPONSIBILITY
Α	STORMWATER	2,5	SEE NOTE 1 BELOW	1.11	SEE NOTE 2 BELOW
В	STORMWATER	1,97	SEE NOTE 1 BELOW	0	SEE NOTE 2 BELOW
С	OPEN SPACE/RECREATION	0.44	100%	0.44	НОА
0	OPEN SPACE/RECREATION	0.33	100%	0 33	НОА
E	FUTURE RIGHT-OF-WAY	0,02	SEE NOTE 3	0	ORANGE COUNTY
TOTAL OPEN SPACE PROVIDED				1.88	

#### NOTES:

- LIETHER STORMMUTER TRACTS OR CONSERVATION TRACTS OPEN SPACE SHALL ACCOUNT INDIVIDUALLY FOR MORE THAN 50% OF THE TOTAL OPEN SPACE REQUIRED. THE COMBINED ACREAGE OF BOTH OPEN SPACES SHALL NOT ACCOUNT FOR MORE THAN 75% OF THE TOTAL OPEN SPACE REQUIRED.
- STORMWITER MANAGEMENT TO BE OWNED AND MANTAINED BY ORANGE COUNTY WITH USE AGREEMENT TO ALLOW HOA ABILITY TO MAINTAIN FOR AESTHETIC PURPOSES.
- 3. TRACT E FUTURE RIGHT-OF-WAY WILL BE DEDICATED TO ORANGE COUNTY WA PLAT.

OPEN SPACE / RECREATION AREA / PARKS

open space required: open space provided: 10% x 14.8 AC = 1.48 AC 1.80 AC

RECREATION/PARKS REDURED: 53 UNITS X 0.00775 = 0.41 ACRES (2.5 ACRES PER 1000 POPULATION AT 3.1 PERSONS PER UNIT)

ACTIVE RECREATION AREA PROVIDED - CROLE D: 0.205 ACRES

PASSIVE RECREATION AREA PROVIDED - GROUP C: 0.205 ACRES

PER LDC SEC 34-131(20)

TRACT E - FUTURE RIGHT-OF-WAY

SITE ADDRESS: 14950 Ward Road, Orlando, FL 32824

Case Number: PSP-18-10-325



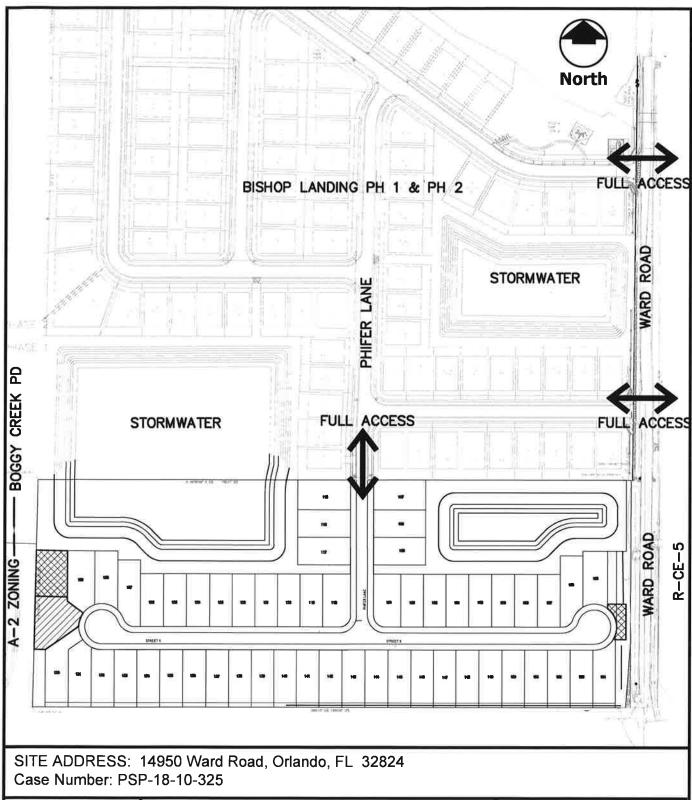
#### gai consultants

618 E. South Street Suite 700 Orlando, Florida 32801 Phone: 407.423.8398

## Site Data & Notes

**Preliminary Subdivision Plan (PSP)** For Bishop Landing Phase 3 Orlando, Florida

project no.: A170830.00 date: March 2019 scale: NTS sheet no.: **A-2** 





## gai consultants

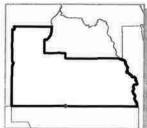
618 E. South Street
Suite 700
Orlando, Florida 32801
Phone: 407.423.8398

## **Site Plan**

Preliminary Subdivision Plan (PSP)
For Bishop Landing Phase 3
Orlando, Florida

project no.:	A170830.00
date:	March 2019
scale:	NTS
sheet no.:	Δ-3





# Bishop PD / Bishop Landing Phase 3 PSP



Parcels

1

Subject Property

Jurisdiction

1 : 2,400 1 in : 200 ft