(10)

ORANGE COUNTY GOVERNMENT
FLORIDA

DATE: July 2, 2019

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

FROM: Alberto A. Vargas, MArch., Manager, Planning Division

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

SUBJECT: 2019-1 Small Scale Development Comprehensive Plan Amendment
Adoption Public Hearings Continued from May 21, 2019

Please find attached the staff report and associated back-up materials for the 2019-1 Small Scale Development Comprehensive Plan Amendment that was continued at the May 21, 2019 public hearing to July 2, 2019. This amendment was heard by the Planning and Zoning Commission/Local Planning Agency at an adoption hearing held on April 18, 2019.

The report is also available under the **Amendment Cycle** section of the County's Comprehensive Planning webpage:

http://www.orangecountyfl.net/PlanningDevelopment/ComprehensivePlanning.aspx

The 2019-1 Continued Small Scale Development Amendment includes one privately-initiated Future Land Use Map Amendment (located in District 5).

If the BCC adopts the proposed amendment, it will become effective 31 days after the public hearing. The amendment is expected to become effective in August 2019, provided no challenges are brought forth for the amendment.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division at (407) 836-5802 or Alberto.Vargas@ocfl.net; or Gregory Golgowski, AICP, Chief Planner, Comprehensive Planning Section, Planning Division, at (407) 836-5624 or Gregory.Golgowski@ocfl.net.

AAV/sgw

Enc: 2019-1 Small Scale Development Amendment Cont. Item BCC Adoption Binder

c: Christopher R. Testerman, AICP, Assistant County Administrator
Jon V. Weiss, P.E., Director, Planning, Environmental, and Development Services Department
Eric P. Raasch, AICP, Planning Administrator, Planning Division
Gregory Golgowski, AICP, Chief Planner, Planning Division

PLANNING DIVISION
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ORANGE COUNTY

PLANNING DIVISION

2019-1 SMALL SCALE CYCLE AMENDMENT 2019-1-S-5-5

2010 - 2030 COMPREHENSIVE PLAN

BOARD OF COUNTY COMMISSIONERS

JULY 2, 2019
ADOPTION PUBLIC HEARING

PREPARED BY:
ORANGE COUNTY PLANNING, ENVIRONMENTAL AND DEVELOPMENT SERVICES

PLANNING DIVISION
COMPREHENSIVE PLANNING SECTION

2019 CONTINUED FIRST SMALL-SCALE DEVELOPMENT

AMENDMENTS TO THE 2010-2030 COMPREHENSIVE PLAN BOARD OF COUNTY COMMISSIONERS ADOPTION BOOK

INTRODUCTION

This is the Board of County Commissioners (BCC) adoption public hearing book for the First Small-Scale Development Amendment (2019-1) to the Future Land Use Map (FLUM) that was continued by the BCC from May 21, 2019, to July 2, 2019. The Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) adoption public hearing was held on April 18, 2019.

The 2019-1 Continued Small-Scale Development Amendment includes one privately-initiated Future Land Use Map Amendment (located in District 5).

If the BCC adopts the proposed amendment, it will become effective 31 days after the public hearing. The amendment is expected to become effective in August 2019, provided no challenges are brought forth for the amendment.

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Community Meeting Summary.....Tab 3

Owner/Agent:
Florida Housing Affordability, Inc./Bryan Potts, P.E.

Location:
2460 Rouse Rd.; Generally located north of E. Colonial Dr., east of N. Dean Rd., south of J. Blanchard Trl., and west of Rouse Rd.

Existing Use:
Undeveloped

Parcel ID Number(s):
16-22-31-8972-00-080

Tract Size:
4.994 gross acres

The following meetings/hearings have been held for this proposal:		
Report/Public Hearing		**Outcome**
✓	Community Meeting held February 6, 2019,	Negative
✓	Staff Report	Recommend Adoption
✓	LPA Adoption April 18, 2019	Recommend Adoption (8-0)
✓	BCC Adoption May 21, 2019	Continued to July 2, 2019
	BCC Adoption July 2, 2019	

Project Information

Future Land Use Map Amendment Request:
Low Density Residential (LDR) to Low-Medium Density Residential (LMDR)

Proposed Development Program:
54 single-family homes (townhomes)

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

Environmental: Orange County Conservation Area Determination CAD 08-032 delineated a Class I wetland of 1.6 acres and a Class III ditch of 0.015 acre on this site that extend offsite and are connected to the Little Econ River. A new wetland delineation application will need to be completed prior to submitting subdivision, development plan or construction permit applications.

Transportation: The allowable development based on the approved future land use will generate 36 pm peak hour trips. The proposed use will generate 31 pm peak hour trips resulting in a decrease of 8 pm peak hour trips.

FUTURE LAND USE - CURRENT

Current Future Land Use Designation:
Low Density Residential (LDR)

Special Area Information:
N/A

FUTURE LAND USE - PROPOSED

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

Staff Recommendations

Make a finding of **consistency** with the Comprehensive Plan (see FLU 1, FLU 1.1, FLU 1.1.1, FLU 1.2, FLU 1.4.1, FLU 1.4.2, FLU 2.3.1, FLU 8.2.1, FLU 8.2.11, H1, H1.1, T2.6.3, R1, UD 5.2), determine that the amendment is in compliance, and recommend **ADOPTION** of Amendment 2019-1-S-5-5, Low Density Residential (LDR) to Low-Medium Density Residential (LMDR).

Analysis

1. Background Development Program

The applicant, Bryan Potts, has requested to change the Future Land Use Map (FLUM) designation of the 4.99-acre subject parcel from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR). The property has been zoned R-1 (Single-Family Dwelling District) since 2009, and the applicant has additionally requested to rezone the property from R-1 to P-D (Planned Development). After receiving negative feedback for a previous request at the community meeting on February 5, 2019, the applicant revised the request to its current form.The original request included two parcels: the current subject parcel, and the adjacent parcel to the south (parcel 31-22-16-8972-00-090). The original request was to change the future land use designation from Low Density Residential (LDR) and Low-Medium Density Residential (LMDR) to Planned Development-Medium Density Residential (PD-MDR), for the development of up to 70 multi-family dwelling units.

The subject property is currently undeveloped, and the applicant is proposing to build 54 townhomes.

A community meeting was held for the proposed amendment on February 5, 2019. Twenty-three (23) area residents were in attendence and expressed a negative tone to the original request to change the future land use designation to PD-MDR. One of the greatest concerns of residents in attendance was the compatibility of the proposed multi-family development with the surrounding low-density single-family surroundings, and that the proposed multi-family development would set a precedent for the future. Concerns over multi-family developments included the potential for increased crime, noise, and traffic. Residents in attendance raised questions about how the proposed project would be accessed and questions about drainage.

Notices of public hearing dates were mailed to residents who attended the community meeting, as well as those within the original community meeting notice buffer. The notices of public hearing dates also included the updated future land use desgination request and development program.

This request was continued by the Board of County Commissioners on May 21, 2019 to the July 2, 2019 Board of County Commissioners meeting.

2. Future Land Use Map Amendment Analysis

Consistency

Future Land Use Element Goal **FLU1, OBJ FLU1.1, and Policies FLU1.1.1** describe Orange County's urban planning framework, including the requirement that urban land uses shall be concentrated within the Urban Service Area (USA). As consistent with **FLU 1.1**, the proposed amendment is within the Urban Service Area, and the proposed FLUM designation of Low-Medium Density Residential for the development of up to 54 townhomes 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.** The Low-Medium Density Residential (LMDR) Future Land Use designation is intended to recognize urban-

future land use designation residential developments to the north and the LMDR designations to the south.

Policy FLU1.4.2 Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods. The location of the site fronting Rouse Road is compatible with the existing LMDR future land use designations to the south and east of the subject property. All access is proposed from Rouse Road. **Policy FLU2.3.1** The design function of roads shall be maintained by coordinating land use, Level of Service standards, and the functional classification of roads. The subject property is proposed to be accessed by Rouse Road, a 4-lane collector roadway which is operating at an acceptable level of service, as of January 2019. There are also no deficient roadway segments within the project impact area.

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. The proposed development for the subject property is not identical to the existing developments in the surrounding area, but is consistent with the future land use designations adjacent to the south. **Policy FLU8.2.11** also notes that other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of the project and the proposal's contribution to the goals and objectives of the Comprehensive Plan. The applicant's request involves the use of a site within the Urban Service Area, which is consistent with the overall goal of the Comprehensive Plan to direct development to the Urban Service Area. Therefore, staff recommends adoption of this requested amendment.

Division Comments: Environmental, Public Facilities and Services

Environmental Protection Division

Orange County Conservation Area Determination CAD 08-032 delineated a Class I wetland of 1.6 acres and a Class III ditch of 0.015 acre on this site that extend offsite and are connected to the Little Econ River. This determination expired in 2013. A new wetland delineation application will need to be completed prior to submitting subdivision, development plan or construction permit applications.

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

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

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.

3. Policy References

Future Land Use Element

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.

OBJ FLU 1.2 - URBAN SERVICE AREA (USA) CONCEPT; USA SIZE AND MONITORING. Orange County shall use the Urban Service Area concept as an effective fiscal and land use technique for managing growth. The Urban Service Area shall be used to identify the area where Orange County has the primary responsibility for providing infrastructure and services to support urban development.

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 FLU2.3.1 - The design function of roads shall be maintained by coordinating land use, Level of Service standards, and the functional classification of roads.

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.

Housing Element

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

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

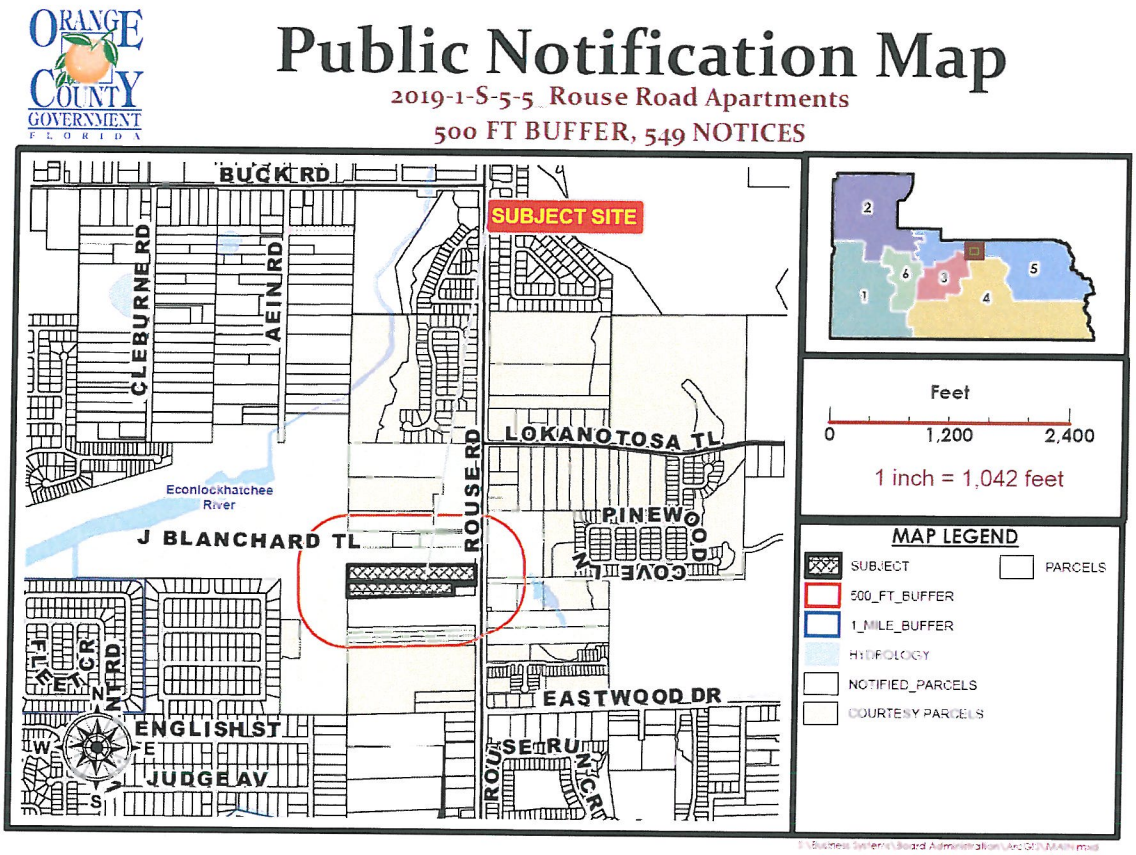
Site Visit Photos

Subject Site – Undeveloped

North – Undeveloped/Blanchard Park

South – Single Family Residential/Undeveloped

PUBLIC NOTIFICATION MAP



Notification Area

500+ feet plus neighborhood and homeowners' association within a one-mile radius of the subject site.

549 notices sent

DRAFT
06-10-19

ORDINANCE NO. 2019-_____

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

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

Section 1. Legislative Findings, Purpose, and Intent.

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

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

c. On April 18, 2019, the Orange County Local Planning Agency ("LPA") held a public hearing at which it reviewed and made recommendations regarding the adoption of the proposed amendment to the Comprehensive Plan, as described in this ordinance; and

d. On May 21, 2019, the Orange County Board of County Commissioners ("Board") opened a public hearing on the adoption of the proposed amendment to the Comprehensive Plan, as described in this ordinance, and decided to continue the hearing on the adoption to July 2, 2019; and

ADOPTED THIS 2nd DAY OF JULY, 2019.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By:_____
Jerry L. Demings
Orange County Mayor

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

By:_____
Deputy Clerk

Community Meeting Memorandum

DATE: February 6, 2019

TO: Greg Golgowski, Chief Planner, Planning Division

FROM: Alyssa Henriquez, Planner

SUBJECT: Amendment 2019-1-S-5-5 – Community Meeting Notes

C: Project file

Location of Project: 2460 and 2484 Rouse Road; Generally located north of E. Colonial Dr., east of N. Dean Rd., south of J. Blanchard Trail, and west of Rouse Road

Meeting Date and Location: February 5, 2019 at Riverdale Elementary School

Attendance:

District Commissioner:	Commissioner Emily Bonilla, Aide Janette Martinez
Orange County staff:	Nicolas Thalmueller, Planner
	Diana Almodovar, County Engineer
Applicant team:	Bryan Potts
Residents:	549 notices sent; 23 residents in attendance

Overview of Project: The applicant's request is to amend the Future Land Use designation of the 8.58-acre subject property, presently undeveloped site, from **Low Density Residential (LDR) and Low-Medium Density Residential (LMDR)** to **Planned Development-Medium Density Residential (PD-MDR)**. The applicant has proposed a development of 70 multi-family dwelling units.

Meeting Summary:

Ms. Alyssa Henriquez provided an overview of the future land use and zoning of the subject parcel, an overview of the planning process, and presented the request. She noted the two upcoming public hearing dates- the Local Planning Agency (LPA) adoption hearing on April 18, 2019 and the Board of County Commissioners adoption hearing on a date to be decided in May 2019.

The applicant, Mr. Bryan Potts, explained that the developer intended to develop the site with 70 multi-family dwelling units.

23 residents were in attendance. One of the greatest concerns of residents in attendance was the compatibility of the proposed multi-family development with the surrounding low-density single-family surroundings. Many residents were concerned that if the proposed project were to be approved, a precedent would be set for future multi-family project proposals. Residents pointed out that there were no other multi-family complexes in the area (off of Rouse Road, north of State Road 50). Concerns over multi-family developments included the potential for

Orange County Public Schools
School Capacity Report

DATE ISSUED	January 4, 2019
JURISDICTION	ORANGE COUNTY
CASE	ROUSE ROAD APARTMENTS
PROPERTY ID	16-22-31-8972-00-080, 16-22-31-8972-00-090
ACREAGE	+/- 8.58
LAND USE CHANGE	LDR TO LMDR
PROPOSED USE	Single Family Units: 0 Multi Family Units: 70
	Mobile Homes Units: 0 Town Homes Units: 0

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

School Information	RIVERDALE ES	UNION PARK MS	UNIVERSITY HS
Capacity (2018-2019)	607	1,478	2,674
rollment (2018-2019)	623	782	2,848
Utilization (2018-2019)	103.0%	53.0%	107.0%
Adopted LOS Standard	110.0%	100.0%	100.0%
Students Generated	10	4	5

COMMENTS/CONDITIONS OF APPROVAL:

2019-1-S-5-5
A CEA IS REQUIRED FOR THIS PROJECT. CEA #OC-18-069

For more information on this analysis, please contact:

Julie Salvo, AICP at 407.317.3700 x2022139

AMENDMENT 2019-1-S-5-5 (Rouse Road Apartments)

PROJECT SPECIFICS

Parcel ID:	16-22-31-8972-00-080; 090
Location:	2460 and 2484 Rouse Road; Generally located north of E. Colonial Dr., east of N Dean Rd, south of J. Blanchard Trail, and west of Rouse Rd.
Acreage:	8.58
Request FLUM:	From: Low Density Residential (LDR) To: Low-Medium Density Residential (LMDR)
Request Zoning:	From: R-1 (Single-Family Dwelling District) To: PD (Planned Development District)
Existing Development:	Undeveloped
Development Permitted Under Current FLUM:	Up to 34 single-family dwelling units
Proposed Density/Intensity:	54 Townhome 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: 34 SFR	36	100%	36
Existing Use: Undeveloped	-	-	-
Proposed Use: 54 Townhome units	28	100%	28

Net New Trips (Proposed Development less Allowable Development): 28 – 36 = -8 PM Pk. Hr. Trips (decrease)

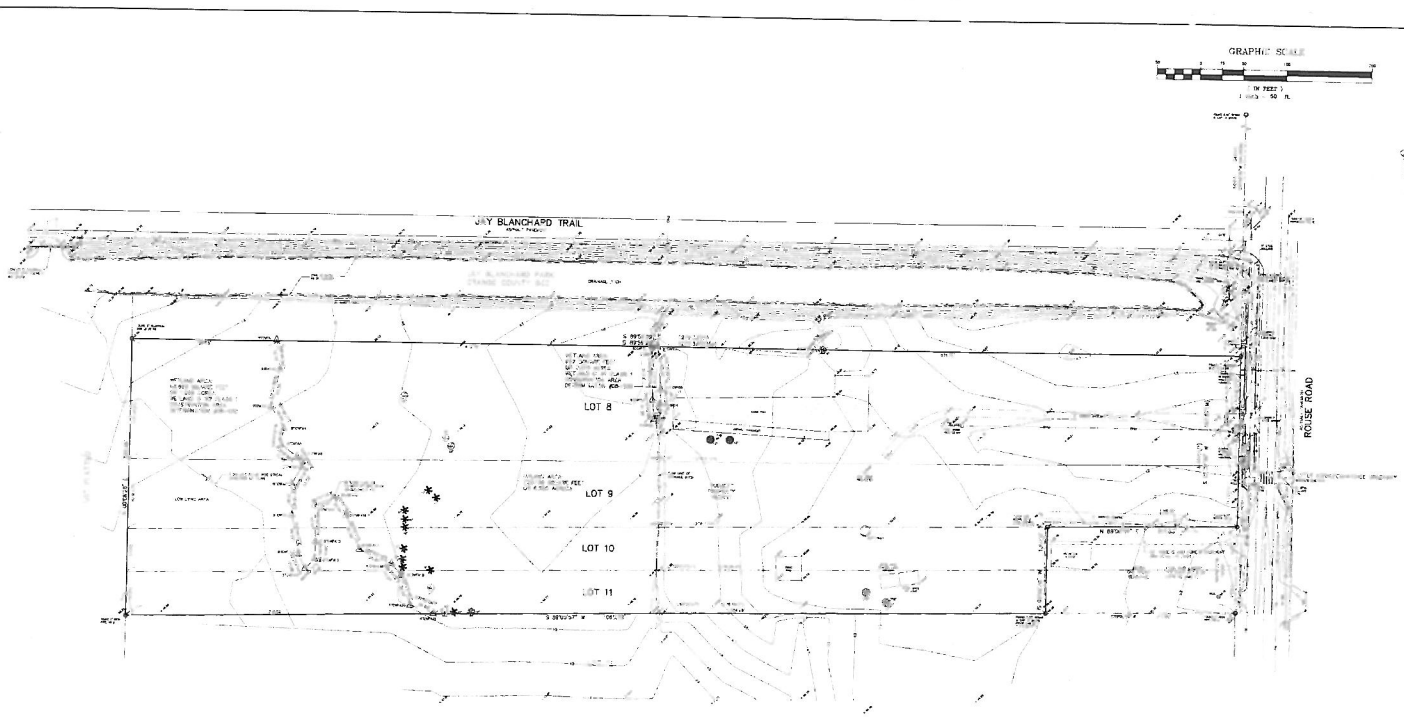
Future Roadway Network

Road Agreements:	None
Planned and Programmed Roadway Improvements:	None
Right of Way Requirements:	None

Summary

The applicant is requesting to change 8.58 acres from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR) and R-1 (Single-Family Dwelling District) to PD (Planned Development District) approval to develop 54 townhouse 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 36 pm peak hour trips.
- The proposed use will generate 31 pm peak hour trips resulting in a decrease of 8 pm peak hour trips.
- The subject property is located adjacent to Rouse Road, a 4-lane collector roadway which based on the concurrency management system database dated 01/03/2019, is operating at an acceptable level of service. There are also no deficient roadway segments within the project impact area. This information is dated and subject to change.
- The project trip distribution and assignment assumes direct access onto Rouse Road, however, the applicant is advised to consult with the County's Development Engineering Division to determine if this is feasible.



GENERAL NOTES:

LEGEND:

BOUNDARY & TOPOGRAPHIC SURVEY

PREPARED FOR:

LOVE GOSPEL WORSHIP CENTER OF ORLANDO, INC.

DRAWN BY: JB

DATE OF FIELD SURVEY: 1/11/08

ORANGE COUNTY, FLORIDA

DATE: 1/11/08

SCALE: 1" = 60'

PROJECT No. ROUSE

SHEET 1 OF 1

2019-1 Continued Small Scale Development Comprehensive Plan Amendment

Privately-Initiated Future Land Use Map Amendment

Amendment Number	Concurrent Rezoning or Substantial Change	Owner	Agent	Tax ID Number(s)	General Location / Comments	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:	Zoning Map Designation FROM:	Zoning Map Designation TO:	Acreage	Project Planner	Rezoner	Staff Rec	LPA Rec	BCC Rec
District 5															
2019-1-S-5-5 ...se Road Townhomes FKA Rouse Road Apartments)	LUP-18-11-386	Florida Housing Affordability, Inc.	Bryan Potts, P.E.	16-22-31-8972-00-080	2460 Rouse Rd.; Generally located north of E. Colonial Dr., east of N. Dean Rd., south of J. Blanchard Trl., and west of Rouse Rd.	Low Density Residential (LDR)	Low-Medium Density Residential (LMDR)	R-1 (Single-Family Dwelling District)	PD (Planned Development District) (Rouse Road Townhomes PD)	4.994 gross ac.	Alyssa Henriquez	Nik Thalmueller	Adopt	Adopt (8-0)	

ABBREVIATIONS INDEX:

ABBREVIATIONS INDEX: IND-Industrial; C-Commercial; O-Office; LDR-Low Density Residential; LMDR-Low-Medium Density Residential; MDR-Medium Density Residential; MHDR-Medium-High Density Residential; HDR-High Density Residential; PD-Planned Development; Rural Settlement 1/2-RS 1/2; EDU-Educational; CONS-Wetland/Conservation; PR/OS-Parks/Recreation/Open Space; OS-Open Space; R-Rural/Agricultural; RS-Rural Settlement; ACMU-Activity Center Mixed Use; RCID-Reedy Creek Improvement District; GC-Growth Center; USA-Urban Service Area; WB-Water Body; CP-Comprehensive Plan; FLUM-Future Land Use Map; FLUE-Future Land Use Element; TRAN-Transportation Element; GOPS-Goals, Objectives, and Policies; OBJ-Objective; RZ-Rezoning; LUP-Land Use Plan; A-1-Citrus Rural District; A-2-Farmland Rural District; PD-Planned Development District; C-1-Retail Commercial District; NC-Neighborhood Center; P-O-Professional Office District; R-1-Single-Family Dwelling District; R-1A-Single-Family Dwelling District; R-3-Multiple-Family Dwelling District; SR-State Road; AC-Acres