



DATE: February 11, 2020  
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: 2020-1 Regular Cycle Comprehensive Plan Amendments  
Board of County Commissioners (BCC) Transmittal Public Hearing

These 2020-1 Regular Cycle Comprehensive Plan Amendments were heard by the Local Planning Agency (LPA) at a transmittal public hearing held on January 16, 2020. The amendments are scheduled for a BCC transmittal public hearing on February 11, 2020.

The Regular Cycle includes four privately-initiated map amendments (located in Districts 1, 3, and 4) and one staff-initiated map and text amendment. Each of the privately-initiated map amendments involves a change to the Future Land Use Map (FLUM) for property over ten acres. The staff-initiated amendment include map changes and/or changes to the Goals, Objectives, or Policies of the Comprehensive Plan.

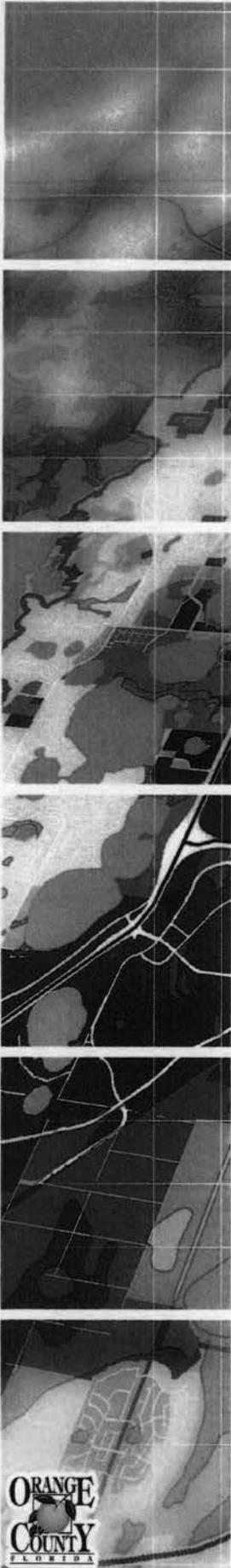
Following the BCC transmittal public hearing, the proposed amendments will be transmitted to the Florida Department of Economic Opportunity (DEO) and other State agencies for review and comment. Staff expects to receive comments from DEO and/or the other State agencies in March 2020. Pursuant to 163.3184, Florida Statutes, the proposed amendments must be adopted within 180 days of receipt of the comment letter. The adoption hearings are tentatively scheduled for the LPA on April 16, 2020 and the BCC on May 5, 2020.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch., Manager, Planning Division at (407) 836-55802 or [Alberto.Vargas@ocfl.net](mailto:Alberto.Vargas@ocfl.net); or Gregory Gologowski, AICP, Chief Planner, Comprehensive Planning Section, Planning Division, at (407) 836-5624 or [Gregory.Gologowski@ocfl.net](mailto:Gregory.Gologowski@ocfl.net).

AAV/sgw

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**ORANGE COUNTY**  
**PLANNING DIVISION**  
**2020-1 REGULAR**  
**CYCLE**  
**AMENDMENTS**

2010 - 2030 COMPREHENSIVE PLAN

**BOARD OF COUNTY**  
**COMMISSIONERS**

**February 11, 2020**  
**TRANSMITTAL PUBLIC HEARING**

**PREPARED BY:**  
ORANGE COUNTY PLANNING, ENVIRONMENTAL  
AND DEVELOPMENT SERVICES

PLANNING DIVISION  
COMPREHENSIVE PLANNING SECTION



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# **2020 FIRST REGULAR CYCLE AMENDMENTS TO THE 2010-2030 COMPREHENSIVE PLAN TRANSMITTAL PUBLIC HEARING**

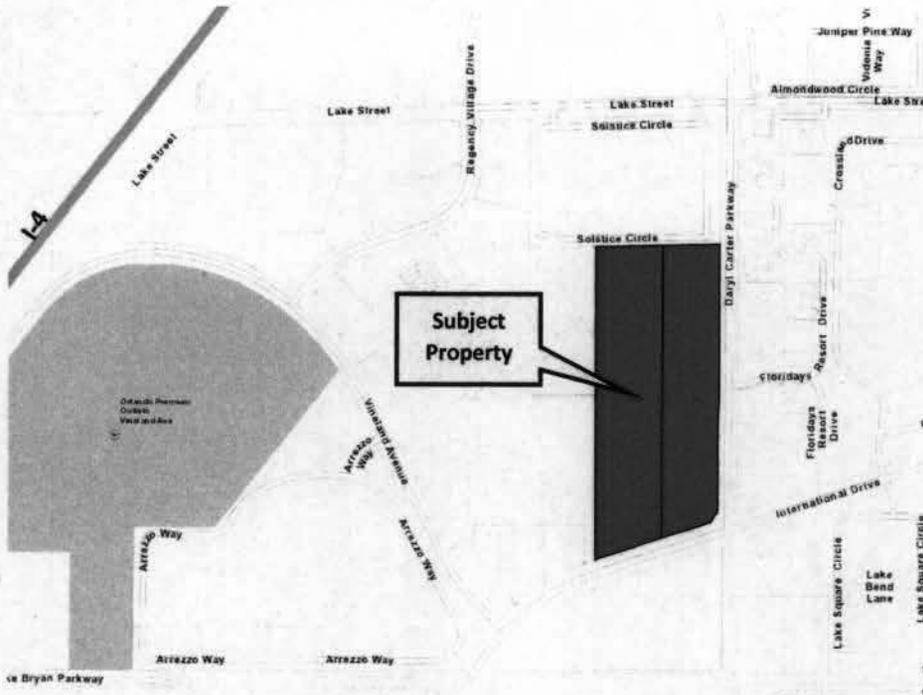
## **INTRODUCTION**

This is the Board of County Commissioners (BCC) transmittal public hearing book for the First Regular Cycle Amendments (2020-1) to the Future Land Use Map (FLUM) and Comprehensive Plan (CP). These amendments were heard by the Local Planning Agency (LPA) during a transmittal public hearing held on January 16, 2020 and will go to the Board of County Commissioners (BCC) for a transmittal public hearing on February 11, 2020.

The 2020-1 Regular Cycle includes four privately-initiated map amendments (located in Districts 1, 3, and 4) and one staff-initiated map and text amendment. Since this is the transmittal stage for these amendments, there will be a second round of public hearings for adoption after the Florida Department of Economic Opportunity (DEO) and other State agencies complete their review of the proposed amendments and provide comments, which are expected in March 2020. Adoption public hearings are tentatively scheduled for the LPA on April 16, 2020 and the BCC on May 5, 2020.

Once the Regular Cycle amendments have been adopted by the BCC, the amendments will become effective 31 days after DEO notifies the County that the plan amendment package is complete. These amendments are expected to become effective in June 2020, so long as no challenges are brought forth for any of the amendments.

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](mailto:Alberto.Vargas@ocfl.net), or Gregory Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or [Gregory.Golgowski@ocfl.net](mailto:Gregory.Golgowski@ocfl.net).



**Applicant/Owner:**  
 Jeff Robbins of Related Development, Inc./Vitrु Florida, Inc.

**Location:**  
 Generally located north of International Dr., east of Vineland Ave., south of Lake St., and west of Daryl Carter Pkwy.

**Existing Use:** Undeveloped land

**Parcel ID Numbers:**  
 23-24-28-5844-00-240 and 23-24-28-5844-00-230

**Tract Size:** 20.84 gross acres

The following meetings and hearings have been held for this proposal:	
Report/Public Hearing	Outcome
✓ Community Meeting	November 5, 2019 Neutral
✓ Staff Report	Recommend Transmittal
✓ LPA Transmittal January 16, 2020	Recommend Transmittal (6-0)
BCC Transmittal	February 11, 2020
State Agency Comments	March 2020
LPA Adoption	April 16, 2020
BCC Adoption	May 5, 2020

Project Information
<b>Request:</b> Activity Center Mixed Use (ACMU) to Planned Development-Activity Center Residential (PD-ACR)
<b>Proposed Development Program:</b> 420 multi-family dwelling units
<b>Division Comments:</b> <b>Environmental, Public Facilities and Services:</b> Please see the see Public Facilities Analysis Appendix for specific analysis of each public facility. <b>Environmental:</b> Class III wetlands are located onsite. A Conservation Area Determination application, CAD-19-10-162, was submitted for this project and is in progress. <b>Schools:</b> The applicant submitted a formal school capacity determination to OCPS (OC-19-069). A Capacity Enhancement Agreement (CEA) is required. <b>Transportation:</b> A revised study must be provided by the applicant.
<b>Concurrent PD/LUP Substantial Change:</b> A proposed substantial change to the current IDI PD Land Use Plan, Case CDR-19-10-356, has been submitted and will be considered with the proposed Future Land Use Map Amendment at adoption.

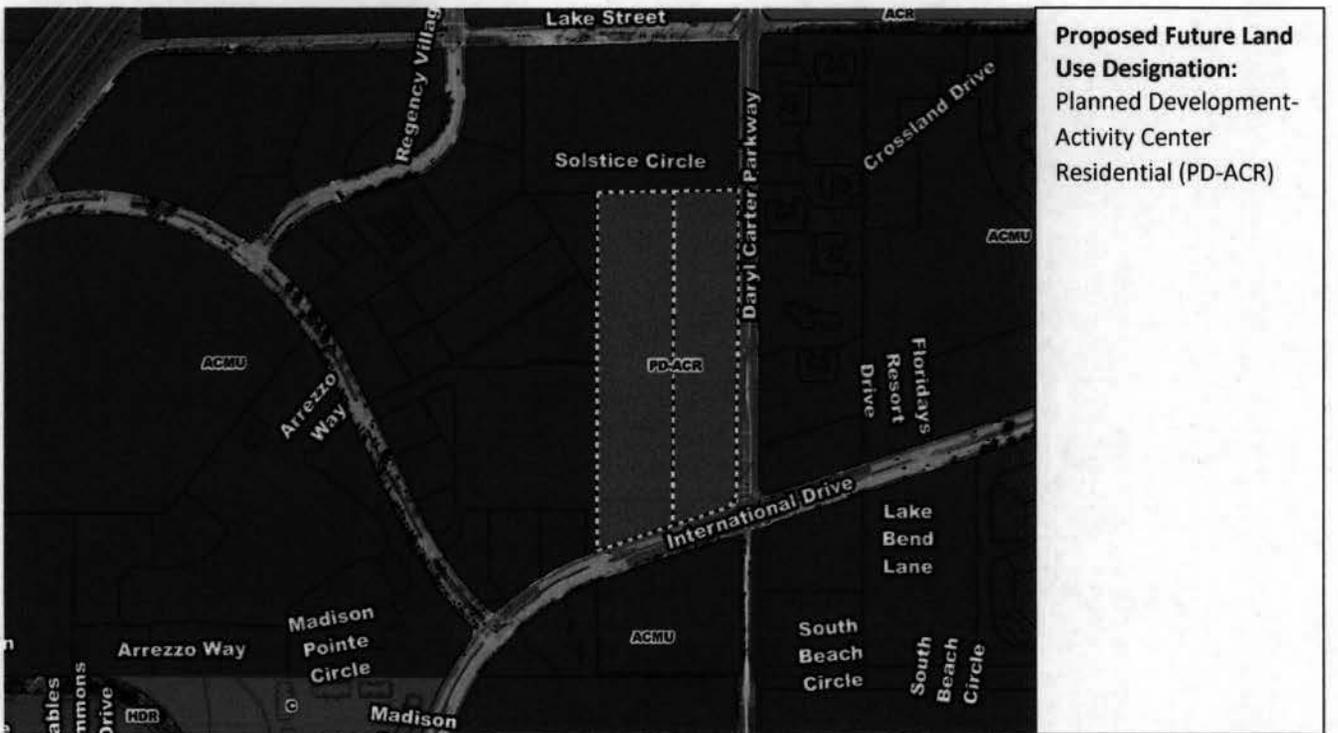
**AERIAL**



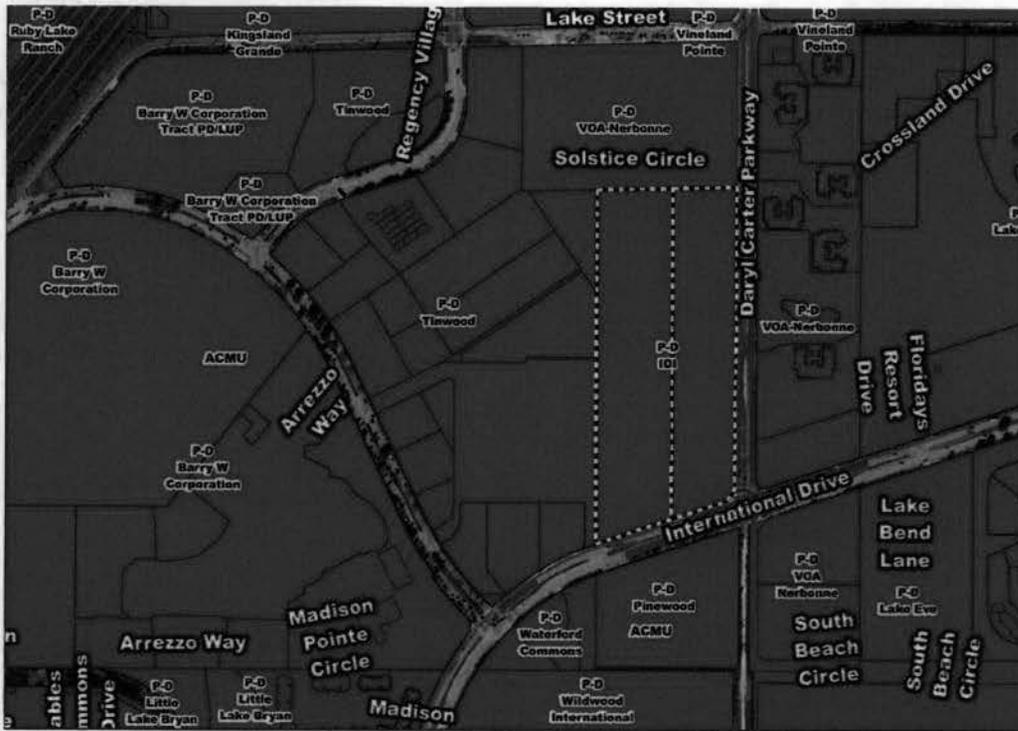
**FUTURE LAND USE - CURRENT**



**FUTURE LAND USE - PROPOSED**



**ZONING - CURRENT**



**Current Zoning District:** PD (Planned Development District) (IDI PD)

**Existing Uses:**

- North:** Multi-family residential
- South:** Undeveloped land
- East:** Timeshare resort
- West:** Retail commercial

## Staff Recommendation

**Future Land Use Map Amendment 2020-1-A-1-1:** 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 Amendment 2020-1-A-1-1 be **TRANSMITTED** to the reviewing agencies.

## Analysis

### 1. Background and Development Program

The applicant, Jeff Robbins of Related Development, LLC, has requested to change the Future Land Use Map (FLUM) designation of the two 20.84 total acre subject parcels from Activity Center Mixed Use (ACMU) to Planned Development-Activity Center Residential (PD-ACR). The site is located north of International Drive, east of Vineland Avenue, south of Lake Street, and west of Daryl Carter Parkway. The subject site is currently undeveloped.

The subject currently has a FLUM designation of Activity Center Mixed Use (ACMU), which is intended to provide for a combination of tourist-oriented development and supporting residential activity. The Orange County Comprehensive Plan stipulates that no more than 30 percent of a site designated ACMU shall be utilized for residential purposes. The subject site is within the IDI Orange Planned Development, and currently has entitlements for 12,500 square feet of restaurant uses, 480 timeshare units, and 225 hotel rooms.

The request is to amend the FLUM designation from Activity Center Mixed Use (ACMU) to Planned Development-Activity Center Residential (PD-ACR). The applicant is requesting the PD-ACR FLUM designation to allow for the development of up to 420 multi-family dwelling units.

The abutting properties to the north and east of the subject site have a future land use designation of Activity Center Mixed Use (ACMU), and a zoning classification of Planned Development. The Planned Development is known as VOA-Nerbonne and has existing development entitlements consisting of commercial uses, hotel rooms, timeshares, and multi-family residential units. The abutting property to the west of the subject site has a future land use designation of Activity Center Mixed Use (ACMU) and a zoning classification of Planned Development. The Planned Development is known as Tinwood and has existing development entitlements that allow for hotel and retail commercial uses. The property to the south of the subject site has a future land use designation of Activity Center Mixed Use (ACMU) and a zoning classification of Planned Development. The Planned Development is known as Pinewood and has existing development entitlements that allow for commercial, hotel/motel, office, and timeshare uses.

Statutes codified in Section 163.3184 – Process for adopting of comprehensive plan or plan amendment – establish the requirements for the review and adoption of comprehensive plan amendments. Orange County processes Future Land Use Map Amendments twice a year for both small-scale (requests involving ten acres or less) and large-scale amendments (requests involving more than ten acres). Section 163.3184(11)(b), Florida Statutes, requires two advertised public hearings on the amendment: one at the transmittal stage and the second at the adoption stage. At the first public hearing, the County will vote to transmit the requested Future Land Use Map amendment to the State of Florida Department of Economic Opportunity (DEO) for State review. State reviewing agencies then return comments to the County Staff. Following the review period, the amendment moves into the second part of the amendment process, the adoption stage. It is during the adoption hearings the County will vote to either adopt or deny the request.

A community meeting was held for this proposed amendment on November 5, 2020. Three (3) area residents were in attendance and expressed a neutral tone to the request. No questions were asked, and no concerns or comments were raised.

Table 1 Existing and Proposed Development

	Existing	Proposed
<b>Future Land Use</b>	Activity Center Mixed Use	Planned Development-Activity Center Residential (PD-ACR)
<b>Zoning</b>	Planned Development	Planned Development
<b>Density/Intensity</b>	Hotel/motel lodging 60 rooms/acre; Up to 30 DU/AC with a maximum of 30% of the site in residential use	Up to 30 DU/AC, minimum 12 DU/AC; Non-residential 10,000 SF per 125 units with a maximum of 50,000 square feet total of non-residential per development

## 2. Future Land Use Map Amendment Analysis

### Consistency

The requested Future Land Use Map amendment appears to be consistent with the applicable Comprehensive Plan Goals, Objectives, and Policies, which are specifically discussed in the paragraphs below.

**Future Land Use Element Goal FLU1, Objective FLU1.1, and Policy 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. As required by **OBJ FLU1.1**, the proposed amendment is within the Urban Service Area, and the proposed FLUM designation of Planned Development-Activity Center Residential 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**.

**Future Land Use Element Policy FLU1.1.4D** lists criteria for the International Drive Activity Center. The proposed FLUM designation of Activity Center Residential (ACR) is described in **FLU1.1.4D**, which is intended to promote workforce housing for tourist-oriented employment and to minimize travel distances between uses. The ACR FLUM designation calls for up to 30 du/acre and allows for 10,000 square feet of non-residential uses per 125 units, with a maximum of 50,000 square feet of non-residential per development.

The proposed FLUM amendment is consistent with **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. **Policy FLU8.2.2** states that continuous stretches of similar housing types and density of units shall be avoided. The addition of 420 multi-family dwelling units will provide housing in an area that predominantly has a FLUM designation of Activity Center Mixed Use.

Neighborhood Element Objective **OBJ N1.1** states that Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing neighborhoods. The proposed amendment is compatible with the existing development pattern of multi-family residential and commercial in the surrounding area.

**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 addition of multi-family dwelling units in the International Drive Activity Center would be compatible with existing tourist-related development and supportive residential activity.

**International Drive Element Goal 3** states that Orange County shall facilitate residential development in proximity to employment areas of the Activity Center in order to minimize travel distance and time between the uses. The subject property is located in close proximity to major employers in the area, including Walt Disney World, Sea World, hotels, resorts, and Orlando Vineland Premium Outlets mall. The proposed amendment will allow for a mix of housing options near the large employers in the Activity Center, and shorten commuting times for workers.

**Staff-Initiated Text Amendment**

**Future Land Use Element Policy FLU8.1.4** establishes the development programs for Planned Development (PD) and Lake Pickett (LP) FLUM designations adopted subsequent to January 1, 2007. The development program for this requested amendment is proposed for incorporation into Policy FLU8.1.4 via a corresponding staff-initiated text amendment, Amendment 2020-1-B-FLUE-1. The maximum development program for Amendment 2020-1-A-1-1, if adopted, will be as follows:

Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
<u>2020-1-A-1-1</u> <u>IDI PD</u>	<u>Planned Development-Activity Center Residential (PD-ACR)</u>	<u>Up to 420 multi-family dwelling units</u>	<u>2020-</u>

**Compatibility**

The petitioned site is located in a portion of Orange County characterized by tourist-related activity. As previously mentioned, the subject property is situated in close proximity to tourist destinations that are also major employers. Walt Disney World, Sea World, and the Orlando Vineland Premium Outlets mall lie in the general vicinity of the site, along with supporting resorts, hotels, and restaurants. Existing Future Land Use Map designations include Activity Center Mixed Use, Activity Center Residential, Commercial, and High Density Residential.

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 Activity Center Mixed Use (ACMU) to Planned Development-Activity Center Residential (PD-ACR) would provide residential units that would support the surrounding commercial uses. The proposal is consistent with the existing development along International Drive and Daryl Carter Parkway.

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

**Environmental:** Class III wetlands are located onsite. A Conservation Area Determination application, CAD-19-10-162, was submitted for this project and is in progress. The CAD must be completed, with a certified wetland boundary survey approved by the Environmental Protection Division (EPD), in accordance with Orange County Code Chapter 15, Article X, Wetland Conservation Areas, prior to approval of this request.

The net developable area is the gross parcel area less the wetlands and surface waters areas. 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. Please refer to Comprehensive Plan Policy FLU1.1.2 C. Approval of this request does not authorize any direct or indirect conservation area impacts.

Conservation Area Determination CAD 06-219 and impact permit CAI 07-024 were approved in 2007 to delineate and remove a 0.5-acre wetland located on the southeastern corner stormwater pond 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 treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Please refer to the Orange County Code, Sections 30-277 and 30-278.

**Schools:** The applicant submitted a formal school capacity determination (OC-19-069) to Orange County Public Schools (OCPS). Per OCPS, a Capacity Enhancement Agreement (CEA) s required. To ensure compliance with Orange County Comprehensive Plan Policy FLU8.7.11, a copy of the fully-executed agreement must be submitted to the Planning Division no later than two weeks prior to the adoption public hearing before the Board of County Commissioners.

**Transportation.** A revised study must be provided by the applicant.

### 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.

**FLU1.1.4 D. INTERNATIONAL DRIVE ACTIVITY CENTER –** The following two Future Land Use designations are located only within the International Drive Activity Center. More information about the ACR and ACMU Future Land Use designations are found in the International Drive Activity Center Element, which is a separate and optional element in the Comprehensive Plan.

FLUM Designation	General Description	Density/Intensity
<b>I – Drive – Refer to International Drive Activity Center Element</b>		
Activity Center Residential (ACR)	As described in the I-Drive element, ACR facilitates residential development in proximity to employment areas to minimize travel distances between uses. Intended to promote workforce housing for tourist-oriented employment. Establishes 50,000 square feet of non-residential neighborhood support per development. A PD is required.	Up to 30 DU/AC, minimum 12 DU/AC Non-residential 10,000 SF per 125 units with a maximum of 50,000 square feet total of non-residential per development*
Activity Center Mixed Use (ACMU)	As described in the I-Drive element, ACMU is a mixture of tourist-related development and supportive residential activity. No more than 30% of a site designated ACMU shall be for residential purposes. A PD is required.	Non-residential FAR 3.0* Hotel/motel lodging 60 rooms/acre (see note) Up to 30 DU/AC with a maximum of 30% of the site in residential use (see note)
* The maximum FAR or square footage does not include floor area within a parking structure associated with the parking requirements for the principal use.  Note: More than 60 hotel/motel rooms per acre or more than 30 DU/AC may be permitted if it can be demonstrated: an increase in traffic impact on the adjoining road network does not occur; and, the developable land area required for the residential portion of the development does not exceed a maximum of 30 percent of the total developable land area of the subject property.		

**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.

**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.

**FLU8.2.2**– Continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

**International Drive Element**

**GOAL ID 3** – It is Orange County's goal to facilitate the development of residential development in proximity to employment areas of the Activity Center in order to minimize travel distance and time between the uses.

**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

**Subject Site**



**North**

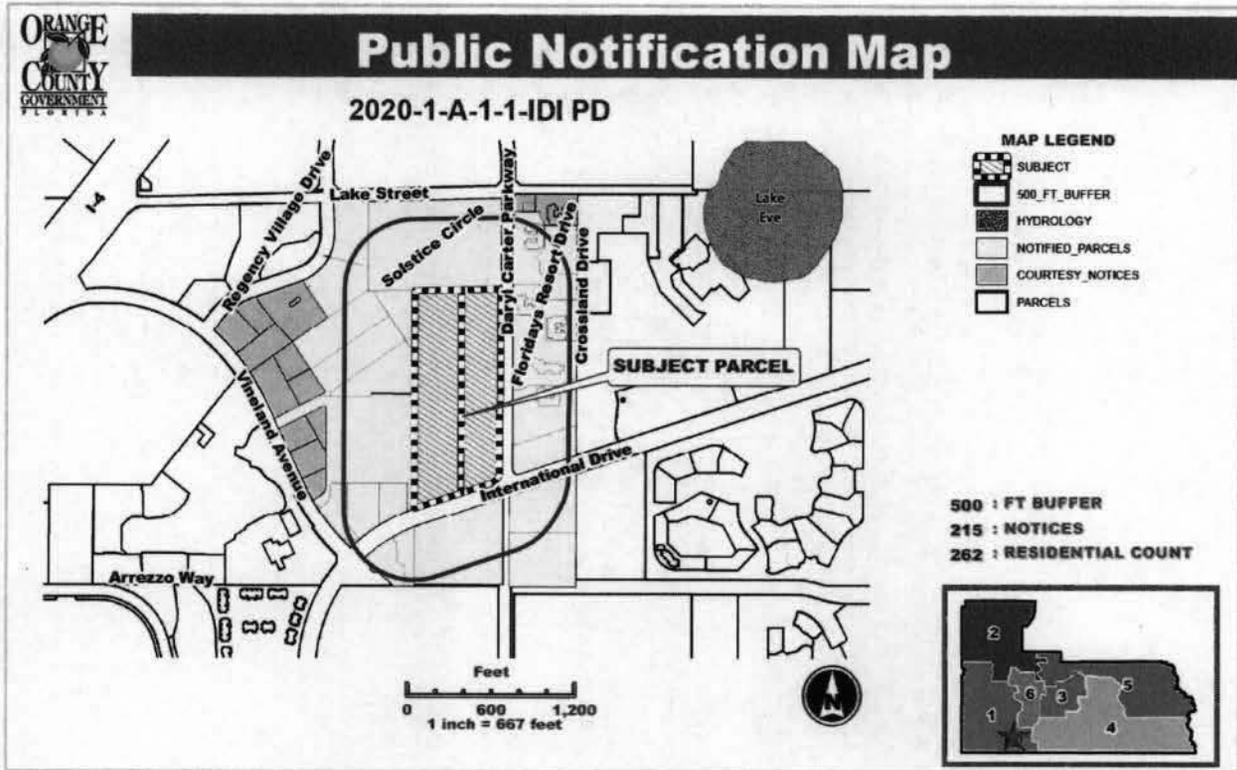
**East**



**South**

**West**





**Notification Area:**

500-foot buffer, plus community and neighborhood organizations within a one-mile radius of the site

215 notices sent





**Applicant/Owner:**  
Hugh Jacobs of The Partnership, Inc./Orlando Leased Housing Associates XIII, LLLP

**Location:**  
Generally located north of Millinockett Lane, east of State Road 417, south of Donnybrook Drive, and west of Constantine Street

**Existing Use:** Undeveloped land

**Parcel ID Numbers:**  
24-22-30-0000-00-029/-035/-051/-084

**Tract Size:** 10.60 gross acres

Report/Public Hearing		Outcome
✓	Community Meeting	November 18, 2019 Negative
✓	Staff Report	Recommend Transmittal
✓	LPA Transmittal January 16, 2020	Recommend Transmittal (6-0)
	BCC Transmittal	February 11, 2020
	State Agency Comments	March 2020
	LPA Adoption	April 16, 2020
	BCC Adoption	May 5, 2020

Project Information
<b>Request:</b> Commercial (C) to Medium-High Density Residential (MHDR) (Senior Housing)
<b>Proposed Development Program:</b> Up to 371 multi-family dwelling units
<b>Division Comments:</b> <b>Environmental, Public Facilities and Services:</b> Please see the Public Facilities Analysis Appendix for specific analysis of each public facility. <b>Environmental:</b> Development of the subject property shall comply with all state and federal regulations regarding wildlife or plants listed as endangered, threatened, or species of special concern. <b>Schools:</b> No permanent residency by school-aged children shall result from any development within the subject parcel. <b>Transportation:</b> The subject property is located within the County's Alternative Mobility Area (AMA), but not along a backlogged/constrained facility.
<b>Concurrent Rezoning:</b> A Planned Development rezoning application, Case LUP-20-01-004, to create the Colonial Greens PD has been submitted and is proceeding through the Development Review Committee (DRC) review process. This request is expected to be considered in conjunction with the proposed Future Land Use Map Amendment during the adoption public hearing stage.

AERIAL



**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)  
(Senior Housing)

**ZONING - CURRENT**



**Current Zoning District:** C-1 (Retail Commercial District) and A-2 (Farmland Rural District)

**Existing Uses:**

**North:** Water body

**South:** Single-family residential

**East:** Single-family residential

**West:** State Road 417

**ZONING-PROPOSED**



**Proposed Zoning District:** PD (Planned Development) (Colonial Greens PD/LUP)

## Staff Recommendation

**Future Land Use Map Amendment 2020-1-A-3-1:** 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 Amendment 2020-1-A-3-1 be **TRANSMITTED** to the reviewing agencies.

## Analysis

### 1. Background and Development Program

The applicant, Hugh Jacobs of The Partnership, Inc., has requested to change the Future Land Use Map (FLUM) designation of four parcels totaling 10.60 acres from Commercial (C) to Medium-High Density Residential (MHDR) (Senior Housing). In conjunction with this proposed FLUM Amendment, the applicant has submitted an application to rezone the parcels from C-1 (Retail Commercial District) and A-2 (Farmland Rural District) to PD (Planned Development District) to allow for the creation of the Colonial Greens PD, featuring up to 371 age-restricted multi-family units. This request, Rezoning Case LUP-20-01-004, is currently proceeding through the Orange County Development Review Committee (DRC) review process. Staff expects that if the proposed FLUM Amendment is transmitted to the Florida Department of Economic Opportunity (DEO) for review and comment, it will be considered concurrently with the PD rezoning petition during the adoption public hearing stage.

The currently-undeveloped subject site is located north of Millinockett Lane, east of State Road 417, south of Donnybrook Drive, and west of Constantine Street. The abutting property to the north of the site is an Orange County canal and has a future land use designation of Commercial and a zoning classification of C-1. The abutting properties to the east and south of the subject site have a future land use designation of Low Density Residential (LDR), possess zoning classifications of R-1 and R-1A (Single-Family Dwelling District), and are developed with single-family homes. The abutting property to the southwest of the subject site, also developed with single-family homes, has a future land use designation of Low-Medium Density Residential (LMDR) and a zoning classification of R-3 (Multiple-Family Dwelling District). State Road 417 is located west of the subject property.

A community meeting for the proposed age-restricted multi-family project was held on November 18, 2019. 25 area residents were in attendance and expressed objections to the request. The meeting attendees voiced concern about the compatibility of apartments with the surrounding single-family residences, the proposed height and design of the development, the number of residents in each unit, and the increased traffic the proposed project would generate.

Statutes codified in Section 163.3184 – Process for adopting of comprehensive plan or plan amendment -- establish the requirements for the review and adoption of comprehensive plan amendments. Orange County processes Future Land Use Map Amendments twice a year for both small-scale (requests involving ten acres or less) and large-scale amendments (requests involving more than ten acres). Section 163.3184(11)(b), Florida Statutes, requires two advertised public hearings on the amendment: one at the transmittal stage and the second at the adoption stage. At the first public hearing, the County will vote to transmit the requested Future Land Use Map Amendment to DEO for State review. State reviewing agencies then return comments to the County Staff. Following the review period, the amendment moves into the second part of the amendment process, the adoption stage. It is during the adoption hearings the County will vote to either adopt or deny the request.

## 2. Future Land Use Map Amendment Analysis

### *Consistency*

The requested Future Land Use Map amendment appears to be consistent with the applicable Comprehensive Plan Goals, Objectives, and Policies, which are specifically discussed in the paragraphs below.

**Future Land Use Element Goal FLU1, Objective FLU1.1, and Policy 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. As required by **OBJ FLU1.1**, the proposed amendment is within the Urban Service Area, and the development of up to 371 age-restricted multi-family units in accordance with the requested Medium-High Density Residential (MHDR) (Senior Housing) future land use designation would 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 MHDR future land use category permits residential development at a maximum density of thirty-five (35) dwelling units per net acre. As described in **Policy FLU1.1.2 B**, this designation is intended to recognize 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. The proposed development is in close proximity to a LYNX bus stop along E. Colonial Drive located less than one-quarter mile north of the subject property and is thus supported by public transit within a reasonable pedestrian walkshed. The area bus route, LYNX 104, has six main stops (LYNX Central Station, Orlando Fashion Square, Semoran Boulevard/Colonial Drive, Valencia College East, Alafaya Trail/Colonial Drive and the University of Central Florida, with multiple stops between these major points) and has headways of about fifteen minutes. The property also lies in the immediate vicinity of a small County park, Donnybrook Park, featuring such amenities as a paved multi-purpose path, basketball courts, and picnic areas. Additionally, the intensely-developed E. Colonial Drive commercial corridor offers multiple shopping, dining, and personal service options within a short vehicular travel distance to meet the daily needs of area residents.

The proposed FLUM amendment is consistent with **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. As the population of seniors continues to grow, the availability of a variety of housing options of various prices will be becoming increasingly in demand. The proposed project seeks to build up to 371 affordable multifamily units, which will serve low-income seniors who qualify for affordable housing. **Policy FLU8.2.2** states that continuous stretches of similar housing types and density of units shall be avoided. The addition of up to 371 multi-family dwelling units will provide a diverse housing type in an area characterized by Low Density Residential (4 dwelling units/acre) and Low-Medium Density Residential (10 dwelling units/acre) single-family residences. The proposed amendment will provide a diverse housing type in an area of the County which is appropriate for urban uses. The subject site is positioned in a location

**Future Land Use Element Policy FLU1.4.1** calls for Orange County to promote a range of living environments to achieve a stable and diversified population and community. **Housing Element Policies H1.3.11 and H1.3.15** state that Orange County shall encourage the development of affordable housing projects in the Urban Service area and that affordable housing is allowed within all residential zoning categories. As discussed above, the subject property is located within the Urban Service Area, and the construction of up to 371 age-restricted multi-family units in accordance with the design and

development standards established via the PD rezoning process would provide an affordable housing option for seniors in the area.

Along with being consistent with the goals, objectives, and policies of the Future Land Use and Housing elements of the Comprehensive Plan, the proposed FLUM amendment is consistent with the **Housing for All 10-Year Action Plan**. The Housing for All 10-Year Action plan was developed to address the growing housing crisis and expand housing options for Orange County residents, and was accepted by the Orange County Board of County Commissioners in December 2019. As a result of implementing the Plan's recommendations, it is projected that 30,300 new affordable and attainable housing units will be produced in Orange County between the years 2020-2030. Of the 30,300 affordable and attainable housing units expected to be produced in the next 10 years, 11,000 are expected to be affordable, serving households with incomes between \$26,000 and \$83,000 (based on 2019 Area Median Income of 30-120% AMI). To meet the goal of 11,000 affordable units produced by 2030, 1,100 affordable units will need to be produced per year for the next 10 years. The proposed FLUM amendment is proposing to build up to 371 senior affordable multifamily units, which will make up one-third (1/3) of the affordable housing units goal for the year 2020.

### ***Compatibility***

**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, and **Policy FLU1.4.2** states that Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods. The development trend in this area is Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Commercial (C). The proposed age-restricted multi-family project would serve as a transitional use from the major roadway to the west (State Road 417) and the existing single family residential development to the south and east of the subject site.

**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 multi-family community proposed for the subject property is not identical to the existing development in the surrounding area, but is compatible with the adjacent major roadways to the west (State Road 417), and north (E. Colonial Drive)—the latter providing access to public transit and offering multiple shopping, dining, and personal service options to meet the needs of area residents, as noted previously. Therefore, staff recommends transmittal of this requested amendment.

### ***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 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 treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Please refer to Orange County Code Sections 30-277 and 30-278.

**Schools:** No permanent residency by school-aged children shall result from any development within the subject parcel. In conjunction with the proposed FLUM Amendment, the applicant has submitted a Planned Development (PD) rezoning application, Case LUP-20-01-004 (Colonial Greens PD/LUP). If the two requests are ultimately approved by the BCC, the age restriction issue will be addressed via

the imposition of the Senior Housing qualifier on the MHDR future land use designation and as a Condition of Approval for the associated PD rezoning. Any proposed conversion of senior housing to market rate housing will necessitate the submittal and approval of a new FLUM Amendment application to remove the Senior Housing qualifier and a concurrent Change Determination Review (CDR) petition to eliminate the PD Condition of Approval.

**Transportation:**

The applicant is requesting a land use change and rezoning change for 10.6 acres from C to MHDR and approval to develop 371 senior multi-family dwelling units.

The subject property is located within the County's Alternative Mobility Area (AMA), but not along a backlogged/constrained facility.

There is a complete link of sidewalk on the south side of E Colonial Drive that extends east and west beyond the one-quarter-mile study radius. On the north side of E Colonial Drive, there is a link of sidewalk that begins west of the study radius and ends at the SR 417 southbound off-ramp. The sidewalk begins again at Constantine Street and extends east beyond the study radius. Within the study radius, there are five marked crosswalks along and across E Colonial Drive. The sidewalks along E Colonial Drive are in fair condition. Starting at E Colonial Drive, there is a sidewalk along Constantine Street that leads southwest towards the proposed project driveway. There are no marked crosswalks on Constantine Street south of E Colonial Drive. The sidewalks along Constantine Street are in fair condition.

The nearest existing trail is the Little Econ Greenway, which runs along the Little Econlockhatchee River, located approximately one-third mile north of the project site.

The nearest LYNX bus route (LYNX 104) is located on E Colonial Drive, just north of the proposed project site. There are no other LYNX routes within the one-quarter-mile study radius. LYNX 104 services LYNX Central Station, Orlando Fashion Square, Valencia College East, and the University of Central Florida. This route has six main stops and has headways of about fifteen minutes. The nearest bus stop is located less than one-quarter mile north of the project site.

The allowable development based on the approved Commercial future land use designation will generate 1,846 new pm peak hour trips. The proposed age-restricted multi-family development under the requested Medium-High Density Residential (Senior Housing) designation will generate 163 new pm peak hour trips, resulting in a net decrease of 1,683 new pm peak hour trips.

The subject property is located adjacent to SR 417 and Colonial Dr. The following summarizes the deficient segments for existing (2019), short-term (2020), and long-term (2030):

- Central Florida Greenway
  - East-West Expressway to Northern Extension (Long-Term Daily and PM)
  - Northern Extension to Colonial Drive (Existing PM, Short-Term PM, and Long-Term Daily and PM)
  - Colonial Drive to University Boulevard (Long-Term Daily and PM)
- Colonial Drive
  - Goldenrod Road to Central Florida Greenway (Existing, Short-Term, and Long-Term Daily and PM)
  - Central Florida Greenway to Dean Road (Existing, Short-Term, and Long-Term Daily and PM)
- Econlockhatchee Trail
  - Colonial Drive to Trevarthon Road (Long-Term Daily and PM)

- Trevarthon Road to Central Florida Greenway (Long-Term Daily and PM)
- Valencia College Lane
  - Econlockhatchee Trail to Central Florida Greenway (Long-Term Daily and PM)

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.

### 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.

**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.

**FLU1.1.2** 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
<b>Urban Residential – Urban Service Area</b>		
Low Density Residential (LDR)	Intended for new residential projects within the USA where urban services such as water and wastewater facilities are present or planned. This category generally includes suburban single family to small lot single family development.	0 to 4 du/ac
Low Medium Density Residential (LMDR)	Recognizes low- to medium-density residential development within the USA, including single family and multi-family residential development.	0 to 10 du/ac
Medium Density Residential (MDR)	Recognizes urban-style multifamily residential densities within the USA.	0 to 20 du/ac

FLUM Designation	General Description	Density
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
High Density Residential (HDR)	Recognizes high-intensity urban-style development within the USA.	0 to 50 du/ac

- 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.
- FLU1.4.2** Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.
- 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.
- FLU8.2.2** Continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

**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 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.
- H1.3.11** Affordable housing is allowed within all residential zoning categories.
- H1.3.15** Orange County shall encourage the development of affordable housing projects in the Urban Service Area, Activity Centers, Rural Settlements consistent with Future Land Use Policy 2.1.10, by establishing and continuing to seek innovative incentives such as incentives to include density bonuses and transfer of development rights.

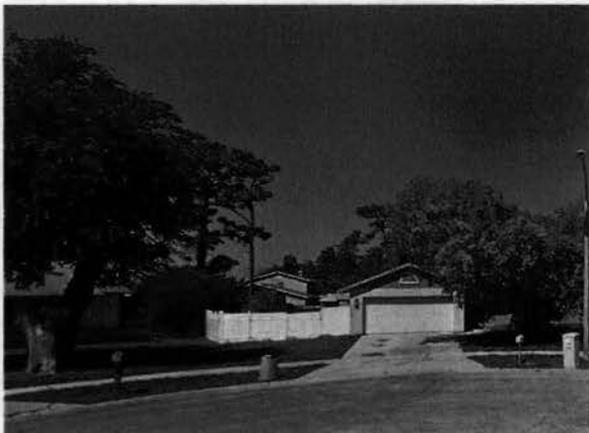
Site Visit Photos

Subject Site



South

West

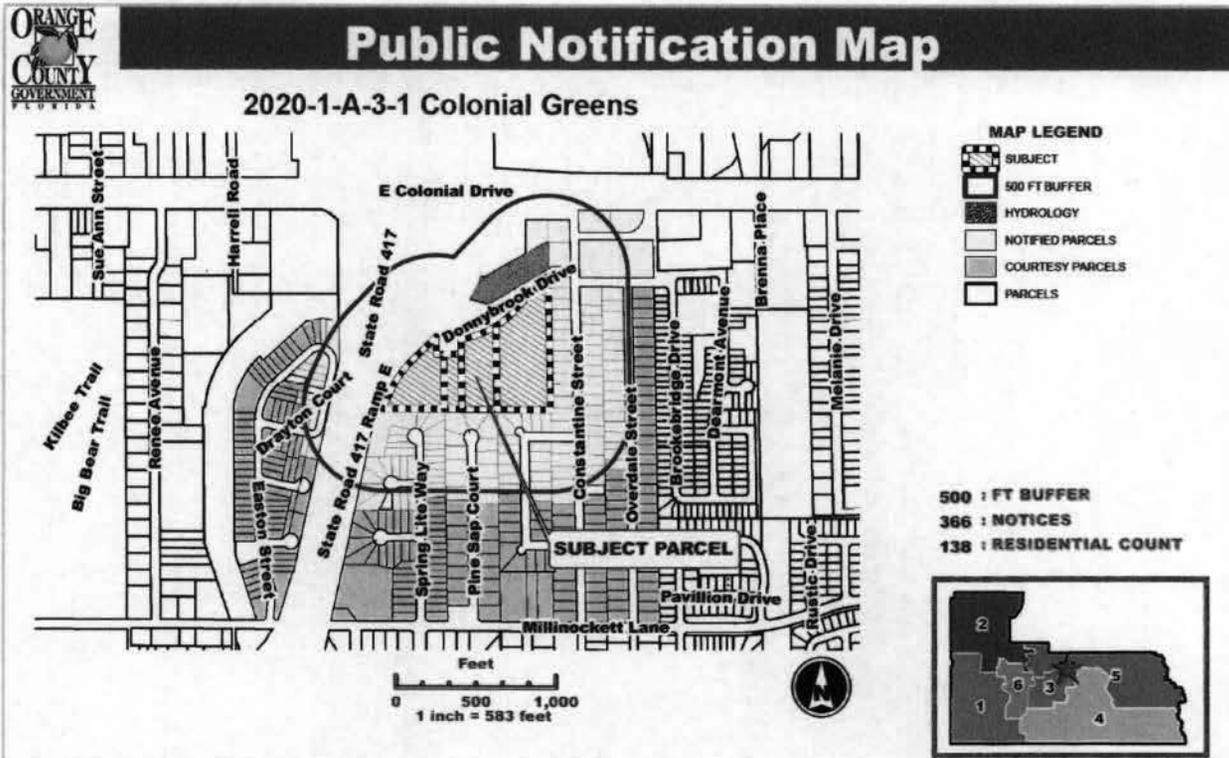


North



East

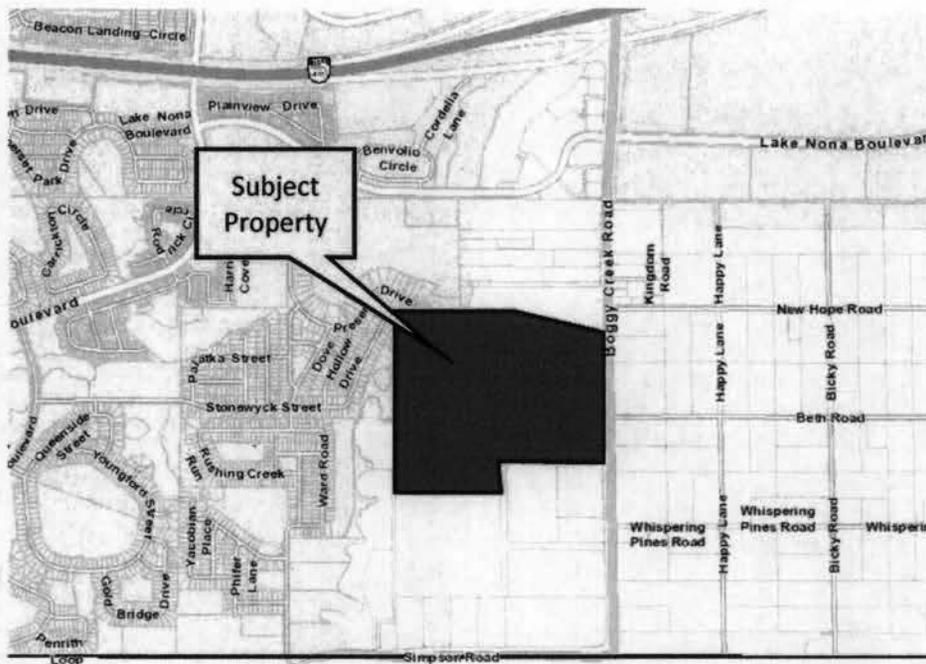




**Notification Area:**

500-foot buffer, plus community and neighborhood organizations within a one-mile radius

366 notices sent



**Applicant/Owner:**  
Jonathan P. Huels /  
AdventHealth  
System/Sunbelt Inc.

**Location:** 14314 Buggy Creek Road  
Generally located north of Simpson Road, east of Ward Road, south of Lake Nona Boulevard, and west of Buggy Creek Road

**Existing Use:** Undeveloped Land

**Parcel ID Numbers:**  
33-24-30-0000-00-021

**Tract Size:** 114 gross acres  
~94 net developable

+The following meetings and hearings have been held for this proposal:		Project Information
Report/Public Hearing	Outcome	
✓	Community Meeting	January 21, 2020
✓	Staff Report	Recommend Transmittal
✓	LPA Transmittal January 16, 2020	Recommend Transmittal (5-0)
	BCC Transmittal	February 11, 2020
	State Agency Comments	March 2020
	LPA Adoption	April 16, 2020
	BCC Adoption	May 5, 2020
		<p><b>Request:</b> Planned Development – Institutional/Conservation (PD-INST/CONS) to Planned Development-Commercial/Office/Medium-Density Residential/Low-Medium Density Residential/Conservation (PD-C/O/MDR/LMDR/CONS)</p> <p><b>Proposed Development Program:</b> Up to 150,000 sq. ft. of retail commercial uses, 150,000 sq. ft. of office uses, 900 multi-family residential units, 200 townhome units, 200 single-family dwelling units, and 200-bed assisted living facility</p> <p><b>Division Comments:</b>  <b>Environmental, Public Facilities and Services:</b> Please see the Public Facilities Analysis Appendix for specific analysis on each public facility.  <b>Environmental:</b> <u>CAD-19-12-201 is under review.</u> CAD 05-231a delineated 19.62 acres of Class I and Class III wetland and surface waters on site, including a portion of Buggy Creek. This determination expired in 2013. The expired CAD can be used for a comprehensive plan amendment application  <b>Transportation:</b> Comments are pending.  <b>Schools:</b> Comments are pending.</p>
		<b>Concurrent Rezoning:</b> Not at this time.

**AERIAL**



**FUTURE LAND USE - CURRENT**

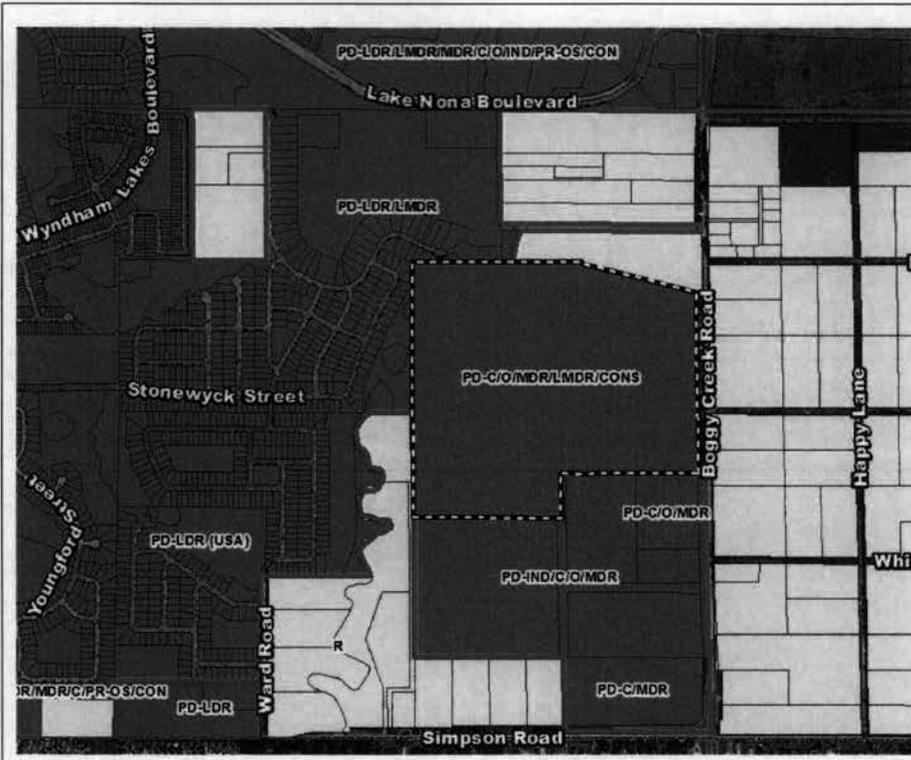


**Current Future Land Use Designation:**

Planned Development – Institutional/Conservation (PD-INST/CONS)

The entire site is currently within the Urban Service Area

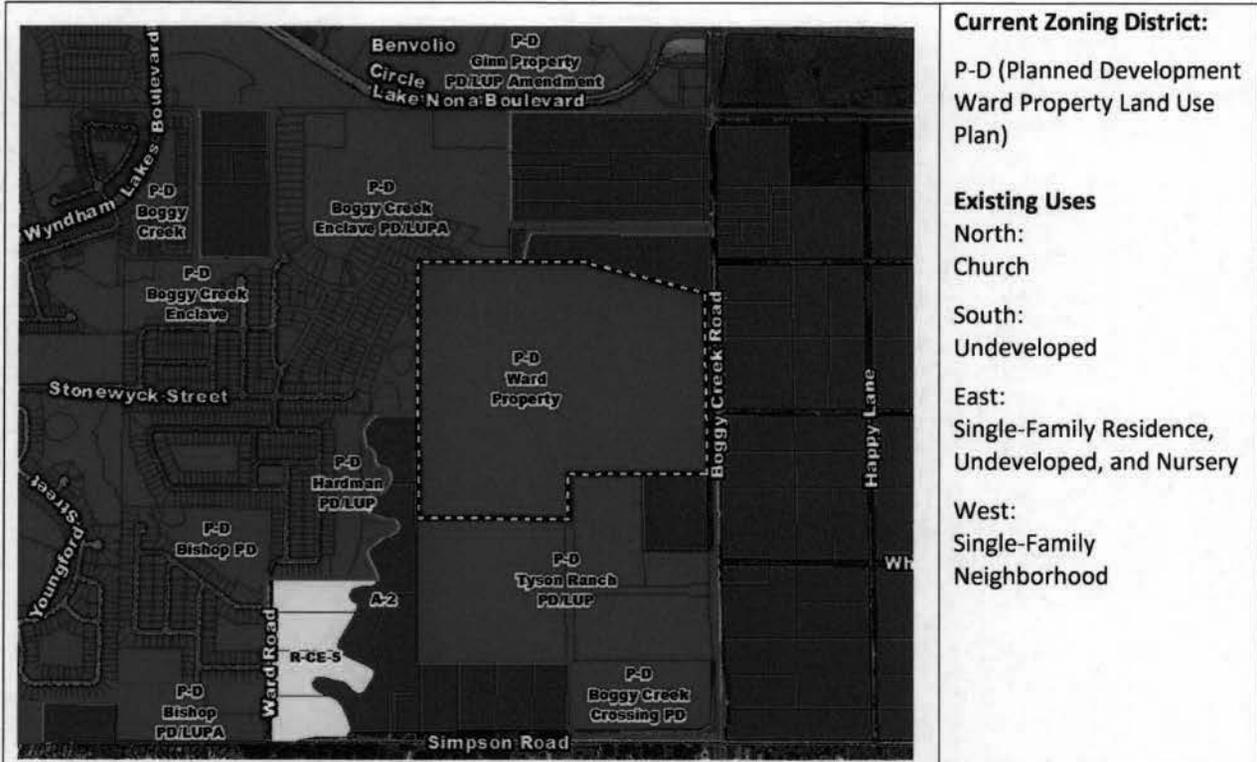
**FUTURE LAND USE - PROPOSED**



**Proposed Future Land Use Designation:**

Planned Development – Commercial/Office/ Medium Density Residential/Low-Medium Density Residential/ Conservation (PD-C/O/MDR/LMDR/CONS)

**ZONING - CURRENT**



## Staff Recommendation

**Future Land Use Map Amendment 2020-1-A-4-1:** 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 Amendment 2020-1-A-4-1 be **TRANSMITTED** to the reviewing agencies.

## Analysis

### 1. Background and Development Program

The applicant, Jonathan Huels., representing AdventHealth System/Sunbelt, Inc., seeks to amend the adopted future land use designation and development program on the Ward Property/West Nona Planned Development. The subject site consists of 114 acres located at 14314 Boggy Creek Road. The existing Future Land Use Map (FLUM) designation is Planned Development-Institutional/Conservation (PD-INST/CONS). The requested FLUM designation is Planned Development-Commercial/Office/Medium Density Residential/Low-Medium Density Residential/Conservation (PD-C/O/MDR/LMDR/CONS). The subject site is undeveloped and is used as a pasture.

Future Land Use Map amendments requesting the Planned Development future land use designation must include maximum densities and intensities for the development scenario that are adopted as part of the Comprehensive Plan under Future Land Use Element Policy **FLU8.1.4**. The approved development program allows up to 1,000,000 sq. ft. of hospital or support uses, 450 multi-family residential units, 250 hotel rooms, 100,000 sq. ft. of commercial retail uses, 299,000 sq. ft. of office uses, heliport, and cell tower/related facilities.

The site is part of the Boggy Creek Enclave Study and was subject to a Comprehensive Plan amendment in 2005 (**2005-2-A-4-2**). The study involved an area located west of Boggy Creek and north of the Osceola County line that included 622 acres. At that time, the request was consistent with the Enclave Study Conceptual Master Plan (See Figure 1 under the Existing Planned Developments heading). The petitioned site was brought into the Urban Service Area (USA) with a designation of Planned Development – Commercial/Medium Density Residential/Low-Medium Density Residential (PD-C/MDR/LMDR).

The Ward Property Land Use Plan was approved by the Board of County Commissioners August 21, 2007. The land use plan is approved for 184 townhomes on 23 acres, 865 multi-family dwelling units on 65.1 acres, 36,000 square feet of commercial uses on 4.0 acres (the FAR at the time of approval was 3.0).

The Board of County Commissioners approved Future Land Use Map Amendment **2008-1-A-4-3** at the June 10, 2008, hearing. This amendment approved the change from Planned Development – Commercial/Medium Density Residential/Low-Medium Density Residential (PD-C/MDR/LMDR) Planned Development-Institutional/Conservation (PD-INST/CONS).

The applicant is requesting Planned Development-Commercial/Office/Medium Density Residential/Low-Medium Density Residential/Conservation (PD-C/O/MDR/LMDR/CONS) to allow for 150,000 sq. ft. of retail commercial uses, 150,000 sq. ft. of office uses, 900 multi-family residential units, 200 townhome units, 200 single-family dwelling units, and a 200-bed assisted living facility. The following are two tables comparing the approved development on the site. The first table compares the existing future land use development program to the proposed development program. The

second table compares the approved land use plan development program (PD zoning) and the proposed Future Land Use Map Amendment development program.

Table 2 Existing and Proposed Development

	Existing Future Land Use	Proposed Future Land Use
<b>Service Area</b>	Urban Service Area (USA)	Urban Service Area (USA)
<b>Future Land Use</b>	Planned Development-Institutional/Conservation (PD-INST/CONS)	Planned Development-Commercial/Office/Medium Density Residential/Low-Medium Density Residential/Conservation (PD-C/O/MDR/LMDR/CONS)
<b>Zoning</b>	PD (Planned Development District) (Ward Property)	PD (Planned Development District) (Ward Property)
<b>Development Program</b>	1,000,000 sq. ft. of hospital or support uses	N/A
	100,000 sq. ft. of retail commercial uses	150,000 sq. ft. of retail commercial uses
	299,000 sq. ft. of office uses	150,000 sq. ft. of office uses
	250-room hotel	N/A
	450 multi-family units	900 multi-family units
	Heliport and cell tower-related facilities	N/A
	N/A	200 townhomes and 200 single-family residences
	N/A	200-bed assisted living facility

Table 2 Existing PD Zoning Land Use Plan and Proposed Future Land Use

	Ward Property PD Land Use Plan	Proposed Future Land Use
<b>Commercial</b>	4.0 acres 3.0 FAR 36,000 sq. ft. gross floor area	2.3 acres 1.5 FAR 150,000 sq. ft.
<b>Office</b>	N/A	2.75 acres 1.25 FAR 150,000 sq. ft. office uses
<b>Multi-Family</b>	65.1 acres 865 dwelling units 16 units per acre	45 acres 20 du/acre 900 multi-family units
<b>Townhomes</b>	23.0 acres 184 units 8 units per acre	20 acres 10 du/acre 200 townhomes
<b>Single-Family</b>		20 acres 10 du/acre 200 single-family residences
<b>ALF</b>		1.5 acres 200-bed assisted living facility
<b>Conservation</b>	22.8 acres	22.8 acres

**Future Land Use Element FLU8.1.2** describes the Planned Development (PD) Future Land Use 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 request will require an amendment to the Comprehensive Plan **Future Land Use Element Policy FLU8.1.4**.

The subject property is located west of Boggy Creek Road and south of Simpson Road, near the Osceola County line. 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.

Development in the area is rural in character. Abutting properties to the north of the subject site have a future land use designation of Rural/Agricultural (R). The site is developed with a church. 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. The properties located south of the petitioned site have a future land use of Planned Development-Industrial/Commercial/Office/Medium Density Residential (PD-IND/C/O/MDR) and Planned Development-Commercial/Office/Medium Density Residential (PD-C/O/MDR). The property to the west of the petitioned site is part of the Wyndham Lakes Planned Development and has a future land use of Planned Development-Low Density Residential/Medium Density Residential (PD-LDR/MDR).

The proposed mix of uses on the subject site could be complimentary to the proposed uses to the south, which are part of the Boggy Creek Study Area. If the mix of uses on the surrounding sites are well-designed and coordinated, they could potentially create an activity center where people can live and work, thus reducing the need for additional automobile trips on Boggy Creek Road.

A community meeting is scheduled for Tuesday, January 21, 2020.

### ***Boggy Creek Area Amendment History***

The subject site is located within the Boggy Creek Area. To provide a comprehensive understanding of the overall development pattern in the area, previous amendments are detailed below. The subject property is shown on Map 1 as Letter "D".

#### ***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 be 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) 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

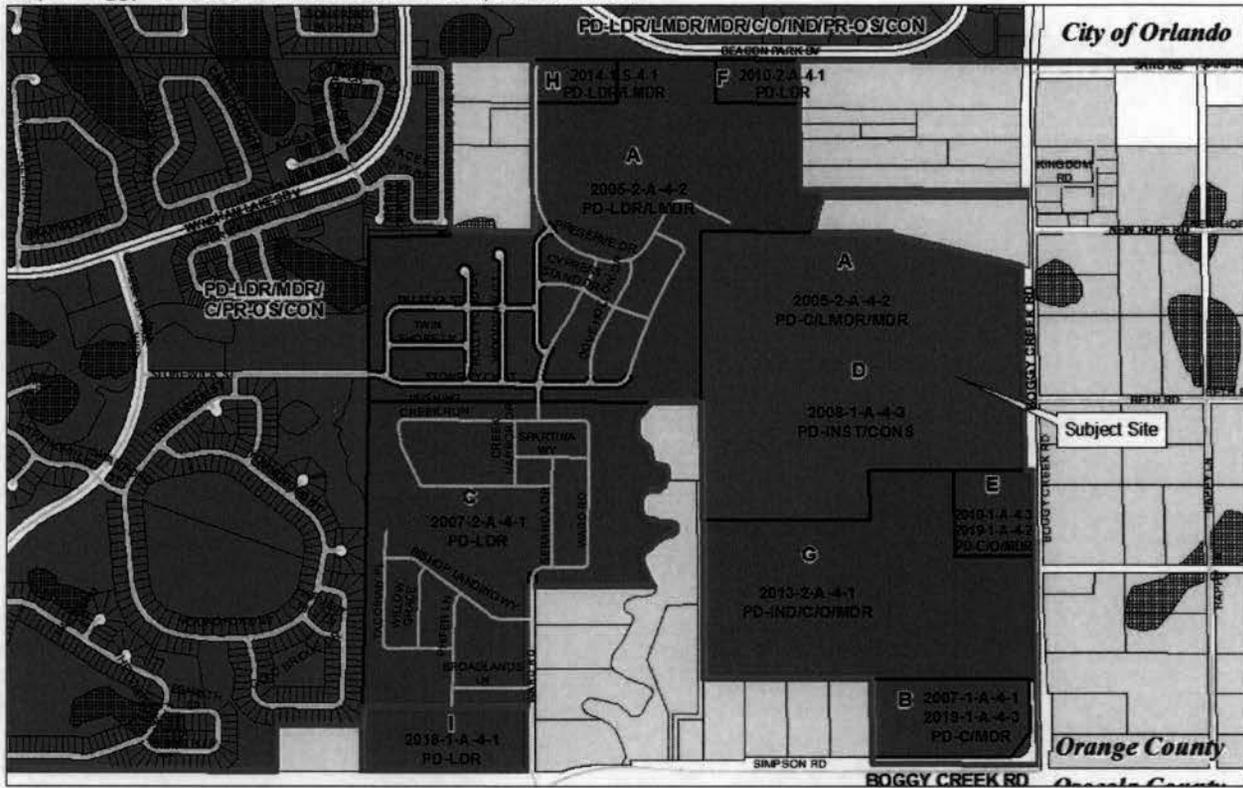


Table 3 Previous Amendments in the Boggy Creek Area

Map Letter	FLUM Amendment	Parcel 33-24-30-0000-00	From/To	Gross Acreage	PD Rezoning
A	2005-2-A-4-2	-021 -005	R to PD-C/LMDR/MDR R to PD-LDR/LMDR	116.84 135.11	Ward Property Boggy Creek Enclave
B	2007-1-A-4-1 2019-1-A-4-3	-015	R to PD-C to PD-C/MDR	19.58	Boggy Creek Crossing
C	2007-2-A-4-1	-010 -044 -034 -011 -009	R to PD-LDR	100.22	Hardman 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 2019-1-A-4-2	-035	LMDR to PD-C/O/MDR to PD-C/O/MDR	8.5	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	2014-1-5-4-1	-012	R to PD-LDR/LMDR	5.0	Boggy Creek Enclave
I	2018-1-A-4-1	-023 -046	R to PD-LDR	14.8	Bishop Landing
Total Acres				597.21	

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 FLUM amendment for 622 acres west of Boggy Creek Road and 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 being 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” includes 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 sq. ft. 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.

- **Amendment 2019-1-A-4-3 (Boggy Creek Retail):**
- Amended the future land use from Planned Development-Commercial (PD-C) to Planned Development-Commercial/Medium Density Residential (PD-C/MDR). It was approved by the Board of County Commissioners June 4, 2019.

Parcel	From	To	Acreage	Uses
33-24-30-0000-00-015	PD-C	PD-C/MDR	16.76	45,750 sq. ft. retail commercial and up to 336 multi-family residences

- Associated Change Determination Request CDR-18-12-412.

**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 33-24-30-0000-00-044 33-24-30-0000-00-034 33-24-30-0000-00-011 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 Bishops (LUP-13-10-264).
- *This Future Land Use Amendment is abuts the subject site along the north property line.*

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

- 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 60 ft. wide right-of-way 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* 8.5	50,000 sq. ft. commercial; 100,000 sq. ft. office; and 86 dwelling units

- At the time of the request the parcel was 9.54 acres, 1.04 acres was given to the County for future roadway improvements along Boggy Creek Road.
- 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 for 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) to a PD Land Use Plan Amendment to reflect the PD-INST/CONS future land use designation.
- **Amendment 2019-1-A-4-2**
- Amended the future land use entitlements on the property. The future land use map designations were retained.

Parcel	From	To	Acreage	Uses
33-24-30-0000-00-035	LMDR	PD-C/O/MDR	7.5	50,000 sq. ft. commercial; 100,000 sq. ft. office; and 170 dwelling units

- The amendment was approved by the Board of County Commissioners June 4, 2019.

**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 was approved LUPA-13-05-112 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 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. 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 for 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 4 lanes.
- Staff recommended 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.
- Land Use Plan Rezoning LUP-18-02-056, if approved, would permit up to 350 multi-family dwelling units, 330 single-family residences, 187,389 sq. ft. commercial and office uses, and 250 hotel rooms.

**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 33-24-30-0000-00-046	R	PD-LDR	14.8	Residential – 52 single-family dwelling units – Bishop Landing, Phase III – part of the Bishop Landing PD

- 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.

**2. Amendment Analysis**

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

Staff finds the proposed amendment is consistent with **Future Land Use Element Policies FLU8.1.2, FLU8.1.3, and FLU8.1.4**, which address Planned Developments (PDs). Planned Developments are intended to incorporate a broad mixture of uses under specific design standards, provided that the PD land uses are consistent with the cumulative densities or intensities identified on the Future Land Use Map. Additionally these policies address showing the designation on the Future Land Use Map and adopt the site specific development plan.

In considering the current request staff finds, **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 **Low-Medium Density Residential (LMDR)** future land use

designation is intended for residential development within the Urban Service Area, including single-family and multi-family residential development up to ten (10) dwelling unit per acre. 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 acre. The **Office (O)** future land use designation includes professional office and office park-style development with a 1.25 FAR. The **Commercial (C)** future land use designation includes neighborhood- and community-scale commercial and office development that serves neighborhood or community needs. Urban mixed-use options allow for a mix of uses with a 1.50 FAR. This is achieved through the Planned Development (PD) future land use designation which ensures that adjacent land use compatibility and physical integration and design. The proposal to amend the existing Planned Development designation would be in keeping with the intent of the Planned Development designation which allows for a mix of uses by including a residential component on the petitioned site. The increased number of residential units could create a support for the office and commercial uses.

**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. **FLU1.4.2** ensures that land use changes are compatible with and serve existing neighborhoods. The existing development program, which incorporates residential development into the existing commercial land use designation, meets the aforementioned policies by promoting a range of living environment and employment opportunities. The proposal provides a balance of residential units to support the office and commercial uses that are a part of the overall development program.

**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 approximately 2 miles from Lake Nona/Medical City. Lake Nona/Medical City has created a significant employment center for this area of the County, home to Nemours Children Hospital, Veterans Administration Hospital, UCF Medical School, Sanford Burnham Prebys Medical Discovery Institute and other medical-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 zoning Change Determination Review 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 subject site is located in an area that is transitioning from a rural to a suburban character. The request would provide housing and commercial uses in an area with development that is primarily single-family residential.

**Future Land Use Element Policy FLU8.1.4** lists the development program for Planned Development (PD) and Lake Pickett (LP) 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 2020-1-B-FLUE-1). The maximum development program for Amendment 2020-1-A-4-1 would be as listed:.

Amendment Number	Adopted FLUM Designation	Maximum Density/ Intensity	Ordinance Number
2008-1-A-4-3 Boggy Creek Road	PD-Institutional/ Conservation	1,000,000 square feet of hospital and internalized or physically connected support uses; 450 dwelling units of multi-family residential; 250 rooms of hotel; 100,000 square feet of retail; 299,000 square feet of office; heliport; cell tower and related facilities. A maximum of 1,399,000 square feet of hospital, hospital support, office and retail uses; 450 dwelling units of multi-family uses and 250 hotel rooms or their equivalent shall be allowed without a further amendment to the CP. Land uses may be converted from one use to another based on equivalent trips, provided that the revised development program continues to comply with adopted County standards and does not exceed any development of regional impact threshold.	2008-09

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Amendment Number	Adopted FLUM Designation	Maximum Density/ Intensity	Ordinance Number
<u>2020-1-A-4-1</u> <u>West Nona</u>	<u>Planned Development- Commercial/Office/Low- Medium Density Residential/Medium Density Residential/Conservation (PD- C/O/LMDR/MDR/CONS)</u>	<u>900 multi-family residential units</u> <u>200 townhome units</u> <u>200 single-family residential units</u> <u>200-bed assisted living facility</u> <u>150,000 sq. ft. of retail commercial uses</u> <u>150,000 sq. ft. of office uses</u>	<u>2020-</u>

**Compatibility**

The subject site is part of the Boggy Creek Enclave. As detailed above, previous Future Land Use Map Amendments and Planned Developments have been approved surrounding the site. The approved future land use on the subject site is 1,000,000 square feet of hospital and internalized or physically connected support uses; 450 dwelling units of multi-family residential; 250 rooms of hotel; 100,000 square feet of retail; 299,000 square feet of office; heliport; cell tower and related facilities. The proposed amendment removes the proposed hospital, hotel, and cell tower, increases the commercial square footage and decreases the office square footage while increasing the residential development as follows: 900 multi-family residential units, 200 townhome units, 200 single-family residential units, 200-bed assisted living facility, 150,000 sq. ft. of retail commercial uses, and 150,000 sq. ft. of office uses.

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 proposed amendment would allow land uses that are compatible with other permitted uses in the area, such as residential and commercial uses. The proposal is consistent with the existing suburban style development along Ward Road, Narcoossee Road, and within the Lake Nona neighborhood. The existing rural development to the east and west of the subject site consists of single-family residential development on larger parcels of approximately one to thirteen (1-13) acres in size.

The table below includes the development programs for the adjacent properties that are part of the Boggy Creek Enclave that were approved by the Board of County Commissioners within the last two years. This provides an overview of the development that is expected to occur in the immediate area.

The proposed future land use map amendment is compatible with these previously approved amendments.

Parcel and FLUMA#	Acreage	Residential	Commercial and Office
33-24-30-0000-00-015 2019-1-A-4-3	16.76	336 multi-family	45,750 sq. ft. commercial
33-24-30-0000-00-035 2019-1-A-4-2	8.5	86 dwelling units	50,000 sq. ft. commercial 100,000 sq. ft. office
33-24-30-0000-00-036 33-24-30-0000-00-038 2013-2-A-4-1	75.32	450 multi-family 300 single-family	820,000 sq. ft. airport and medical support 250 hotel room 100,000 sq. ft. commercial 275,000 sq. ft. office
Subject Site 2020-1-A-4-2	114	900 multi-family 200 townhomes 200 single-family 200 bed ALF	150,000 sq. ft. commercial 150,000 sq. ft. office
<b>TOTAL</b>	<b>214.58 acres</b>	<b>1,686 multi-family 200 townhomes 586 single-family 200 bed ALF</b>	<b>345,750 sq. ft. commercial 525,000 sq. ft. office 820,000 sq. ft. airport and medical support</b>

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

**Environmental:**

The subject property was previously reviewed as the Ward Property PD. Orange County Conservation Area Determination CAD 05-231a delineated 19.62 acres of Class I and Class III wetland and surface waters onsite, including a portion of Boggy Creek. This determination expired in 2013. The expired CAD can be used for a comprehensive plan or planned development amendment application, but a new CAD application will need to be completed, with a certified wetland boundary survey approved by the Environmental Protection Division (EPD), prior to approval of a Preliminary Subdivision Plan, Development Plan or permit application, in accordance with Orange County Code Chapter 15, Article X, Wetland Conservation Areas. CAD-19-12-201 application was submitted for this project and is in progress.

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 (BCC).

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 treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

This project site has a prior agricultural land use that may have resulted in soil and/or groundwater contamination due to a cattle vat, 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 ensure 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. If an Environmental Site Assessment (ESA) has been completed, please submit a copy with this application.

**Fire Rescue:**

The distance of the petitioned site from the nearest fire station is 4.6 miles. The emergency response time is estimated to be nine (9) minutes. Fire Rescue owns property for planned Fire Station 78, although no capital funding has been dedicated to this project. If this station were operational, the response for the West Nona site would improve to 5 minutes (2.4 miles).

**Schools:**

Comments are pending.

**Transportation.**

Comments are pending.

**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
<b>Urban Residential – Urban Service Area</b>		
Low-Medium Density Residential (LMDR)	Recognizes low- to medium-density residential development within the USA, including single family and multi-family residential development.	0 to 10 du/ac
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
<b>Urban Non-Residential – Predominantly urban in use</b>		
Office (O)	Office uses include professional office and office park-style development. Office uses can be considered as a transitional use between two different types of land use or land use intensities.	1.25 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
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
<b>Urban Mixed Use— Urban Service Area</b>		
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 FLU2.2.17** Throughout the planning horizon, the County shall provide policy and program mechanisms that further the principles of sustainability, including limiting urban sprawl, protecting wildlife and environmentally sensitive natural areas, promoting efficient use of land and water, and creating an environment conducive to quality building and promoting sustainable economic development.

**Policy FLU2.3.7** Access management controls, including but not limited to joint driveways, frontage roads and cross-access agreements along collector and arterial roadways, shall be applied to all development and redevelopment proposals consistent with the Land Development Code.

**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 FLU8.1.3** As part of Orange County’s Future Land Use correlation, specific land use designations (e.g., hotel and/or restaurants) may be approved on a site-specific basis. Such designation shall be conditioned on the development proposal being reviewed under the PD Zoning District. PD review shall ensure adjacent land use compatibility and

efficient physical integration with existing infrastructure. Such specific land use designation shall be established by a comprehensive plan amendment that identifies the specific land use type and density/intensity. The Future Land Use designation shown on the Future Land Use Map shall indicate the approved use and the PD designation. A use other than that approved shall require a comprehensive plan amendment. This policy shall apply only to parcels located in the Urban Service Area (USA), Rural Settlements and Growth Centers, excluding the International Drive Activity Center.

**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 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.

**Policy FLU8.2.2** Continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted. (Policy 3.1.1)

**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 - Church



East -Single-Family Residence



East-Undeveloped



East-Nursery



South – Undeveloped



West – Single-Family Residences

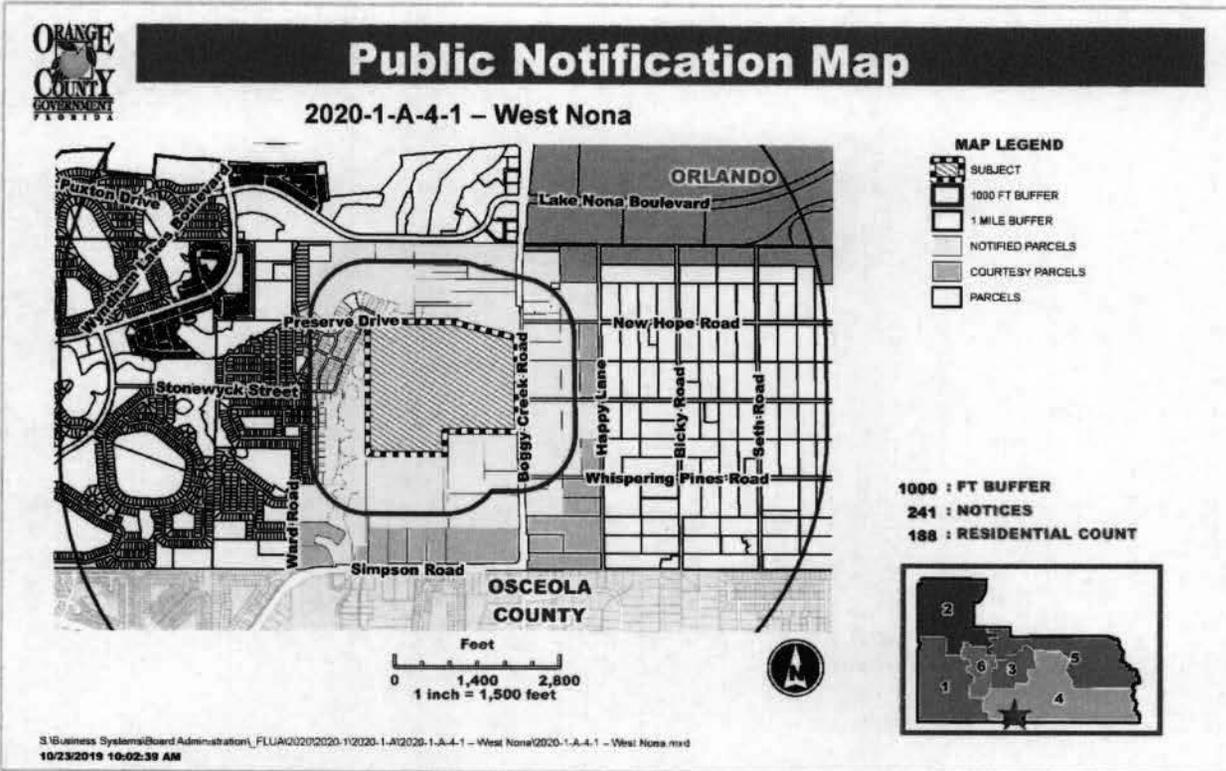


West – Tot Lot



West - Undeveloped



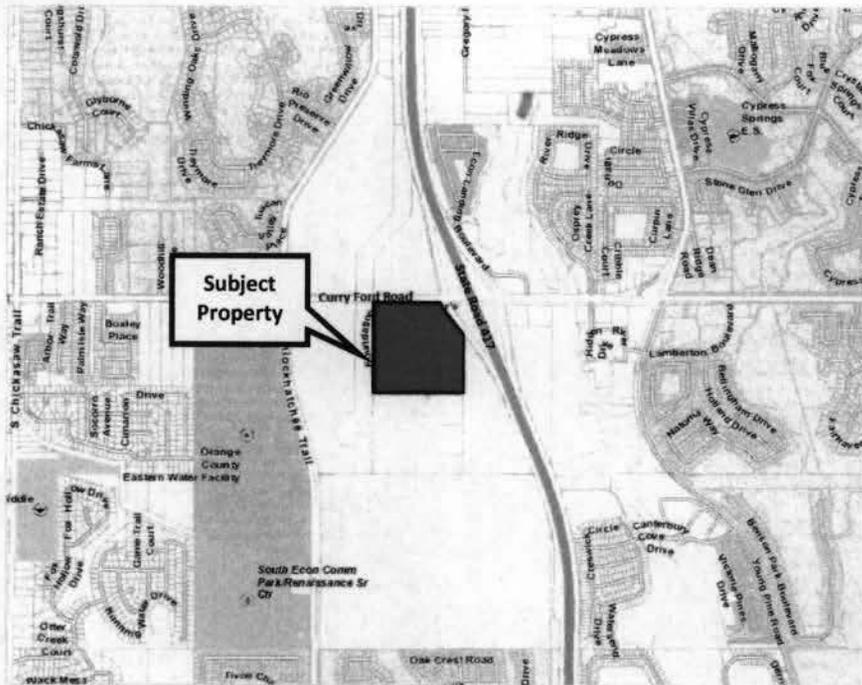


**Notification Area:**

1,000-foot buffer, plus community and neighborhood organizations within a one-mile radius

241 notices sent





**Applicant/Owner:** Brian Denham, P.E., Denham Engineering, LLC, for Center Pointe Community Church of the Nazarene, Inc.

**Location:** 9580 Curry Ford Road; Generally located south of Curry Ford Road, east of S. Econlockhatchee Trail and west of SR 417.

**Existing Use:** Church and modular office building

**Parcel ID Number:**  
07-23-31-0000-00-002

**Tract Size:** 39.55 gross acres/29.35 net developable acres

The following meetings and hearings have been held for this proposal:		Project Information
Report/Public Hearing	Outcome	
✓ Community Meeting (261 notices sent; 10 people in attendance)	November 11, 2019 Positive	<b>Request:</b> Low Density Residential (LDR) to Low-Medium Density Residential (LMDR)
✓ Staff Report	Recommend Transmittal	<b>Proposed Development Program:</b> Up to 60 townhome units
✓ LPA Transmittal January 16, 2020	Recommend Transmittal (5-0)	<b>Division Comments:</b> <b>Public Facilities and Services:</b> Please see the Public Facilities Analysis Appendix for specific analysis of each public facility. <b>Transportation:</b> The proposed use will generate 37 new p.m. peak hour trips. <b>Environmental:</b> Conservation Area Determination CAD-02-014 delineated Class I wetlands within the Central Church of the Nazarene PD boundary. The CAD is still binding. <b>Schools:</b> Per School Capacity Determination OC-19-062, issued September 16, 2019, there is presently sufficient capacity at the affected schools to support the proposed development. No Capacity Enhancement Agreement (CEA) will be required at this time. This determination expires March 11, 2020.
BCC Transmittal	February 11, 2020	<b>Concurrent Rezoning:</b> If this amendment is transmitted to DEO, the submittal of a proposed substantial change to the current Central Church of the Nazarene PD Land Use Plan to allow the 60 townhome units is expected during the adoption public hearing stage.
State Agency Comments	March 2020	
LPA Adoption	April 16, 2020	
BCC Adoption	May 5, 2020	

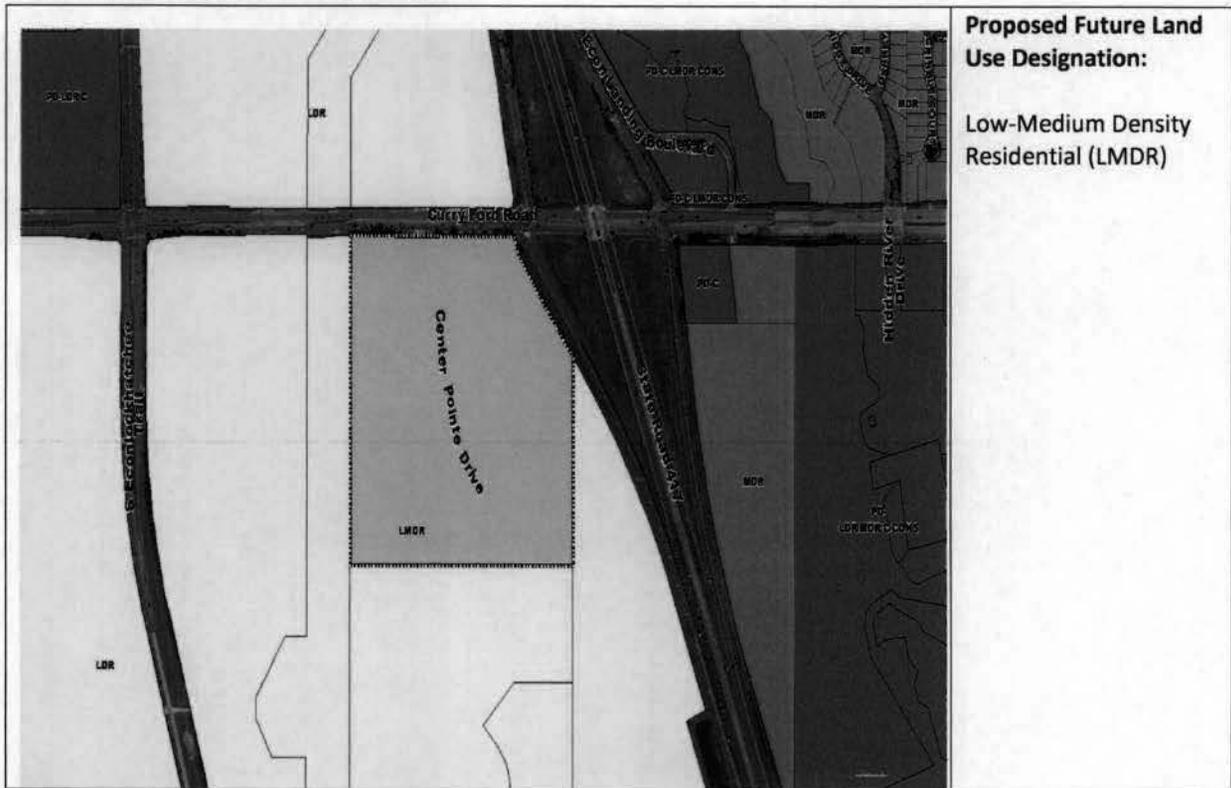
**AERIAL**



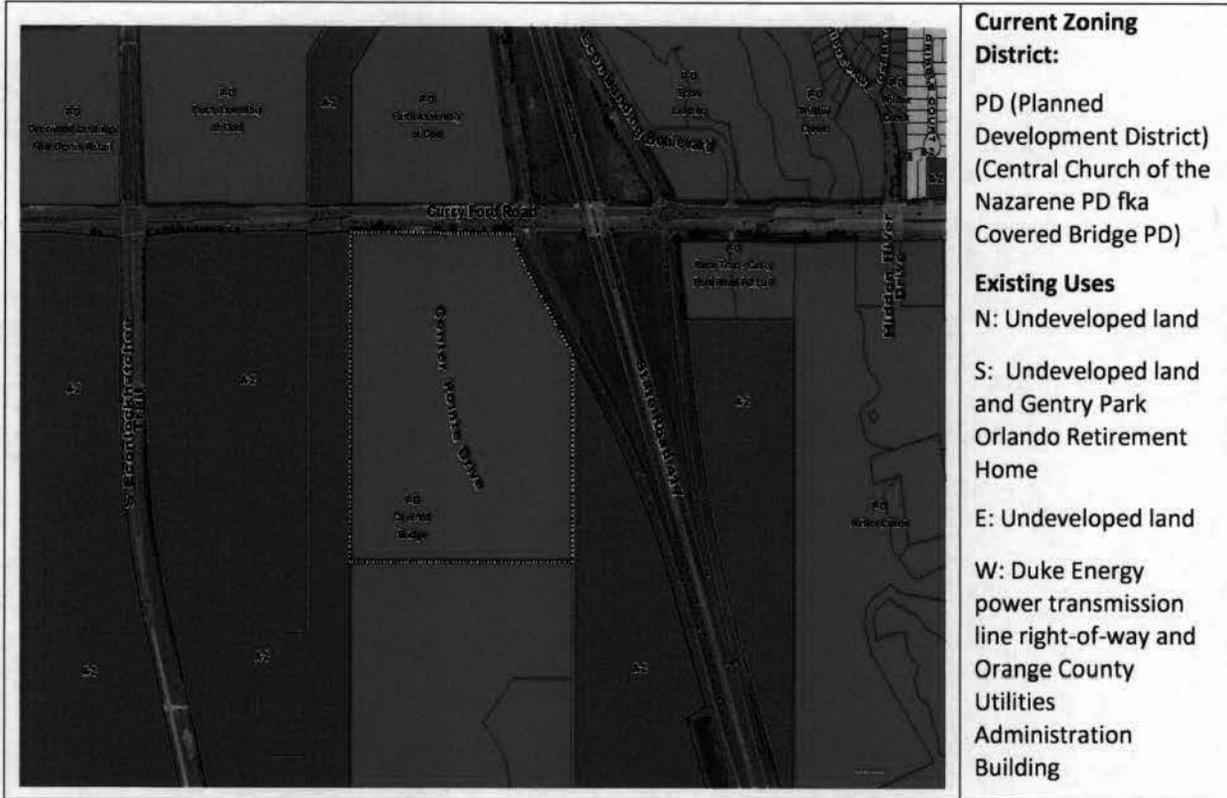
**FUTURE LAND USE - CURRENT**



**FUTURE LAND USE - PROPOSED**



**ZONING – CURRENT**



## Staff Recommendation

**FUTURE LAND USE MAP AMENDMENT 2020-1-A-4-2:** 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 Amendment 2020-1-A-4-2 be **TRANSMITTED** to the reviewing agencies.

## Analysis

### 1. Background and Development Program

The applicant, Brian Denham, P.E., Denham Engineering LLC, has requested to change the Future Land Use Map (FLUM) designation of the 39.55-acre subject site from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR). The subject property consists of 29.35 acres of developable land and 10.20 acres of wetlands. The entire subject property is designated LDR and is zoned Planned Development (PD). It is located within the north 39.55-acre portion of the existing Central Church of the Nazarene Planned Development (PD) (fka Covered Bridge PD). It is the applicant's intent to develop up to 60 townhome units.

Presently, a 51,751-square-foot church, constructed in 2005, and a 1,500-square-foot modular office building, constructed in 2000, exist on the subject site. The subject property is currently entitled for a 50,000-square-foot (2,500 seats) sanctuary/assembly building, 5,000 square-foot (50 seats) chapel, 50,000-square-foot (25 employees) administrative building, 50,000-square-foot (385 students) school/"sanctinaiism" and 10,000-square-foot maintenance buildings on the north 39.55-acre portion of the PD. The applicant proposes to add 60 townhome units to the mix of allowed religious and educational uses on this portion of the PD. Approved land uses on the southern 37.66-acre portion of the Central Church of the Nazarene PD include 78 assisted living facility units, 90 retirement housing units, 80 memory care units, and 41 elder housing units.

The subject property is located on the south side of Curry Ford Road, west of S.R. 417, and east of S. Econlockhatchee Trail, with approximately 980 feet of frontage along Curry Ford Road. The subject property is located in an area characterized by a variety of housing types—ranging from single family detached and attached homes and multi-family, River Ridge Apartments—and a mix of commercial and institutional uses. Two parcels, part of the southern 37.66-acre portion of the PD are located immediately south. One parcel is undeveloped and the other one is developed, a retirement home, Gentry Park Orlando - 100 Beds, built in 2015, are both zoned PD and have corresponding LDR FLUM designations. Duke Energy's power transmission line right-of-way and the Orange County Utilities Administration Building are located west of the subject site. Both properties possess LDR FLUM designations and are zoned A-2 (Farmland Rural District). An undeveloped parcel is located directly across the street on Curry Ford Road, north of the subject site. It has a LDR FLUM designation and is identified as Parcel #2 on the Faith Assembly of God Planned Development (PD)/Land Use Plan (LUP). Duke Energy's power transmission line right-of-way and a church, Faith Assembly of God of Orlando Church, are located northwesterly of the site along Curry Ford Road. Both properties have corresponding LDR FLUM designations. An undeveloped parcel, located immediately east of the subject site, has a LDR FLUM designation and is zoned A-2. Single-family residential subdivisions are located along Curry Ford Road, east and west of the site. A Wal-Mart retail grocery store is located on Curry Ford Road, west of the subject site. A carwash, E-Top Dog Carwash NC, is currently in the site work stage and is located further east of subject site. It has a PD

(RaceTrac-Curry Ford Road PD) zoning classification, and its corresponding FLUM designations are Planned Development-Commercial (PD-C) and Medium Density Residential (MDR).

### **Community Meeting**

A community meeting was held for this proposed amendment on November 11, 2019. Ten residents were in attendance. Mr. Jonathan Huels, representing the property owner, provided an overview of the project and stated the proposal is for up to 60 townhome units. The townhomes would be an additional use on the church's property. He stated that they originally considered a higher unit count but it would have required wetland impacts and a second access onto Curry Ford Road. Mr. Huels told the residents that they are not proposing any wetlands impacts; they are not proposing a second access onto Curry Ford Road; a private developer would build the townhomes if the request was approved; Orange County Public Schools have sufficient school capacity – a Capacity Enhancement Agreement (CEA) is not required; the proposed townhomes would generate 37 p.m. peak hour trips; and that a Change Determination Request (CDR) will be submitted if the Board of County Commissioners (BCC) recommends transmittal of the proposed amendment. Mr. Huels stated that the CDR would be considered concurrently with the Future Land Use Map Amendment at the BCC adoption public hearing stage. One resident commented that the applicant is no longer looking at a second entrance along Curry Ford Road, and she commented that Curry Ford Road is failing. Mr. Huels stated Curry Ford Road is already a failing roadway and the traffic study submitted for the proposed development determined that the 60 townhomes would generate 37 p.m. peak hour trips. He also stated the property is located in the Alternative Mobility Area (AMA) but they will still have to pay traffic impact fees.

If this proposed amendment is adopted by the Board of County Commissioners (BCC), a substantial change to the current Central Church of the Nazarene PD Land Use Plan will be required to allow for the 60 townhome units. The PD's existing religious, educational, assisted living, and retirement housing entitlements will not change.

## **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 located in an area characterized by a variety of housing types—ranging from single family detached and attached homes and multi-family, River Ridge Apartments—and a mix of commercial and institutional uses. As mentioned above, the applicant is seeking the LMDR Future Land Use Map designation to allow for the development of up to 60 townhome units.

Staff finds this proposal consistent with **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. The requested amendment is consistent with **Future Land Use Element Policy FLU1.1.5**, which 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 subject property is surrounded by institutional, commercial, and residential uses and is considered to be an infill development. With the proposal to develop 60 townhomes units, the proposed FLUM amendment is consistent with **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 amendment is consistent with **Policy FLU8.2.2**, which states that continuous stretches of similar housing types and density of units shall be avoided. **Policy 8.2.2** also states that a diverse mix of residential housing types shall be promoted. The proposed townhome 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**.

Lastly, **Conservation-related OBJ C1.4** and its supporting policies call for the protection of wetlands and existing native wildlife (flora and fauna). Per the Orange County Environmental Protection Division, Conservation Area Determination CAD 02-014 delineated the Class I wetlands located on the Central Church of the Nazarene PD. The CAD is still binding and can be used for Comprehensive Plan and PD Amendment applications. As stated above, the applicant stated at the community meeting that the number of residential units was reduced in order to not impact the Class I wetlands.

#### ***Compatibility***

The proposed FLUM amendment 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 area characterized by a variety of housing types—ranging from single family detached and attached homes and multi-family, River Ridge Apartments—and a mix of commercial and institutional uses. It is staff's belief that the proposed townhome project is compatible with the development pattern and development trends in the area.

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

**Environmental:** Orange County Conservation Area Determination CAD-02-014 delineated the Class I wetlands located within the Central Church of the Nazarene aka Covered Bridge PD. The CAD is still binding and can be used for Comprehensive Plan and Planned Development Amendment applications.

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. Please refer to 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 (BCC).

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 treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Please refer to the Orange County Code, Sections 30-277 and 30-278.

**Schools:** Per School Capacity Determination OC-19-062, issued September 16, 2019, there is presently sufficient capacity at the affected schools to support the proposed development. No Capacity Enhancement Agreement (CEA) will be required at this time. This determination expires March 11, 2020. Per Orange County Public Schools (OCPS), in the event this project does not receive Future Land Use Map Amendment approval by the expiration date, the applicant shall resubmit the application and application fee for reevaluation by OCPS. In addition, should the scope of the project change (e.g., modification of the proposed unit count and/or unit type), a new determination shall be required.

**Utilities:** The subject property is located in Orange County Utilities' (OCU's) potable water, wastewater, and reclaimed water service areas. Per OCU, there is a 36-inch water main located within Curry Ford's right-of-way, a 6-inch forcemain located within Curry Ford's right-of-way, and a 6-inch reclaimed water main located within Curry Ford's right-of-way.

**Transportation:** Based on trip generation estimates from the 10<sup>th</sup> Edition of the Institute of Transportation Engineers *Trip Generation Handbook*, it was determined that the current land uses p.m. peak hour trips were not applicable, while the proposal to develop up to 60 townhome units under the requested Low-Medium Density Residential FLUM designation would generate 37 p.m. peak hour trips, resulting in a net increase of 37 new p.m. peak hour trips.

**Future Roadway Network:**

**Road Agreements:** None

**Planned and Programmed Roadway Improvements:** None

**Right-of-Way Requirements:** None

**Summary:**

The applicant is requesting a Future Land Use Map and rezoning change for 39.55 gross and 29.35 net developable acres from LDR to LMDR and approval to develop the currently-adopted scenario, with the addition of 60 townhome units.

The subject property is not located within the County's Alternative Mobility Area, but is located along a constrained facility. Curry Ford Road, from Econlockhatchee Trail to Central Florida Parkway, is designated as a constrained facility.

The proposed use will generate 37 new p.m. peak hour trips, resulting in a net increase of 37 p.m. peak hour trips.

The subject property is located adjacent to Curry Ford Road. Based on existing conditions, this facility currently has two deficient roadway segments within the project's impact area: Curry Ford Road between Econlockhatchee Trail and SR 417 and Dean Road between Curry Ford Road and Lake Underhill Road. This information is dated and subject to change.

The short-term analysis (Year 2020) revealed that the same roadway segments, Curry Ford Road between Econlockhatchee Trail and SR 417 (15 development trips), and Dean Road between Curry Ford Road and Lake Underhill Road (1 development trip), are projected to be deficient.

The intersection for the site access at Curry Ford Road and Center Point Drive was also analyzed for delay, queuing, and signal warrants. 95th percentile queues can be accommodated by existing roadway width and striping. Furthermore, the intersection does not meet warrants for signalization, and in addition to the proximity to the SR 417 west ramp, signalization is not recommended.

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.

### 3. 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 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.

**FLU1.1.5** – 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)*.

**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.

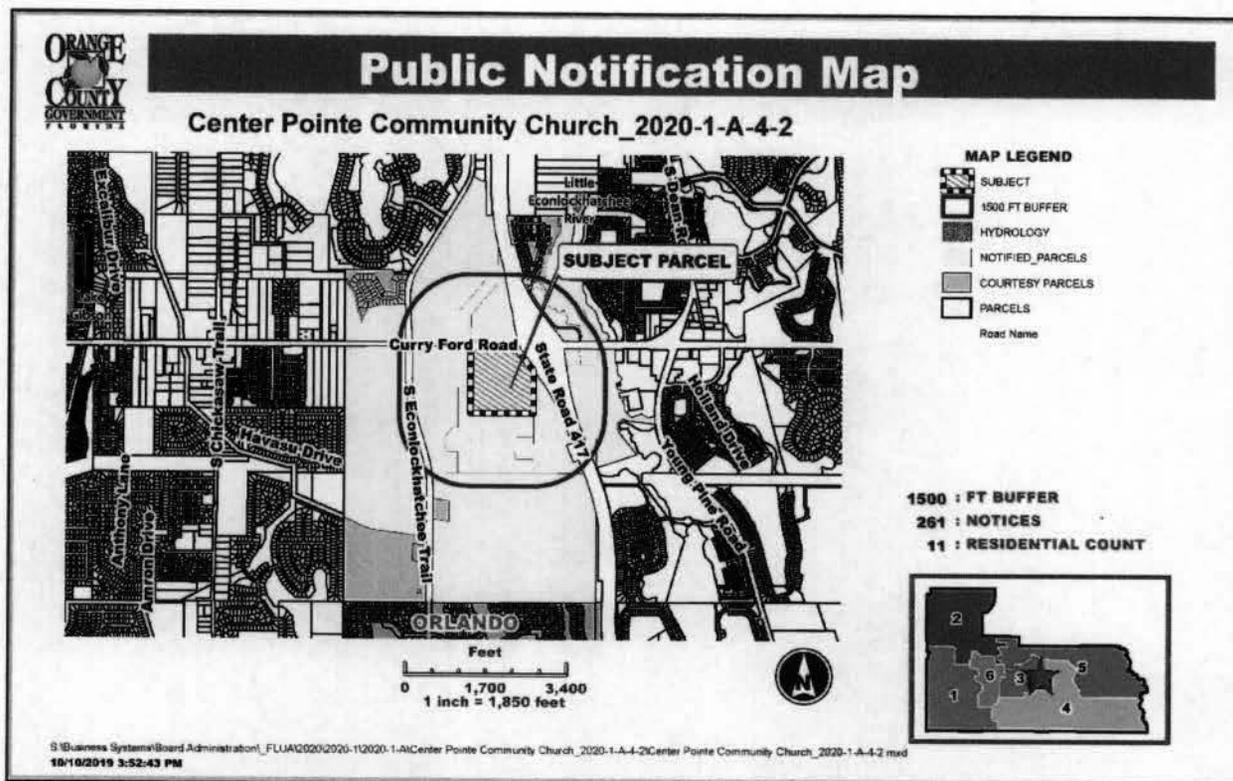
**FLU8.2.1** – Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

**FLU8.2.2** – Continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

**OBJ C1.4** – Orange County shall protect identified wetland areas and existing native wildlife (flora and fauna) habitats by implementing the following policies.

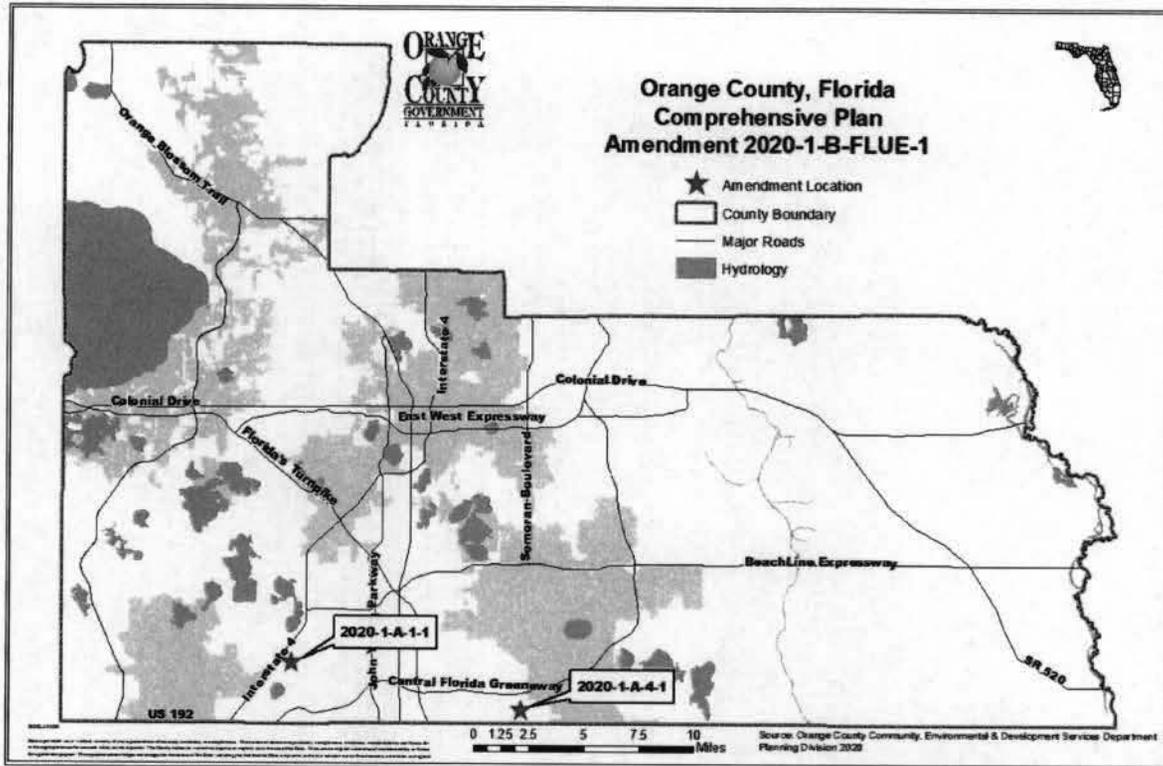
Site Visit Photos

Subject Site	
	
North of Subject Site	South of Subject Site
	
West of Subject Site	East of Subject Site
	



**Notification Area:**

1,500 feet, plus community and neighborhood organizations within a one-mile radius of the site  
 261 notices sent



The following meetings and hearings have been held for this proposal:			Project/Legal Notice Information	
Report/Public Hearing	Outcome		Title: Amendment 2020-1-B-FLUE-1	
✓ Staff Report	Recommend Transmittal		Division: Planning	
✓ LPA Transmittal January 16, 2020	Recommend Transmittal (5-0)		Request: Amendments to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County	
BCC Transmittal	February 11, 2020		Revision: FLU8.1.4	
State Agency Comments	March 2020			
LPA Adoption	April 16, 2020			
BCC Adoption	May 5, 2020			

### Staff Recommendation

Make a finding of consistency with the Comprehensive Plan, determine that the plan amendment is in compliance, and recommend **TRANSMITTAL** of Amendment 2020-1-B-FLUE-1 to include the development programs for Amendments 2020-1-A-1-1 and 2020-1-A-4-1 in Future Land Use Element Policy FLU8.1.4.

## A. 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 has received two applications for the 2020-1 Regular Cycle requesting the PD Future Land Use designation: proposed Amendment 2020-1-A-1-1 (IDI PD) and 2020-1-A-4-1 (West Nona). If adopted, the proposed mixed-use development program for Amendment 2020-1-A-4-1 will replace the previously-approved development program for Amendment 2008-1-A-4-3 (Boggy Creek Road), adopted by the Board of County Commissioners (BCC) June 10, 2008 (Ordinance No. 2008-09). Approval of Amendment 2020-1-A-4-1 will necessitate the removal of the Amendment 2008-1-A-4-3 development program from the table in Policy FLU8.1.4 establishing the maximum densities and intensities for the Planned Development (PD) and Lake Pickett (LP) designations adopted subsequent to January 1, 2007.

Staff is recommending the Local Planning Agency make a finding of **CONSISTENCY** with the Comprehensive Plan and recommend **TRANSMITTAL** of Amendments 2020-1-A-1-1 and 2020-1-A-4-1; therefore, the development programs for these amendments would be added to Policy FLU8.1.4. For specific references of consistency with the Comprehensive Plan, please refer to the staff report for each amendment.

## B. Policy Amendments

Following are the policy changes proposed by this amendment. The proposed changes are shown in underline/~~strikethrough~~ format. Staff recommends adoption 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
2008-1-A-4-3 Boggy Creek Road	PD-Institutional/ Conservation	1,000,000 square feet of hospital and internalized or physically connected support uses; 450 dwelling units of multi-family residential; 250 rooms of hotel; 100,000 square feet of retail; 299,000 square feet of office; heliport; cell tower and related facilities.  A maximum of 1,399,000 square feet of hospital, hospital support, office and retail uses; 450 dwelling units of multi-family uses and 250 hotel rooms or their equivalent shall be allowed without a further amendment to the CP.  Land uses may be converted from one use to another based on equivalent trips, provided that the revised development program continues to comply with adopted County standards and does not exceed any development of regional impact threshold.	2008-09

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Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
<u>2020-1-A-1-1</u> <u>IDI PD</u>	<u>Planned Development –</u> <u>Activity Center Residential</u> <u>(PD-ACR)</u>	<u>Up to 420 multi-family dwelling units</u>	<u>2020-</u>
<u>2020-1-A-4-1</u> <u>West Nona</u>	<u>Planned Development-</u> <u>Commercial/Office/Low-</u> <u>Medium Density</u> <u>Residential/Medium Density</u> <u>Residential/Conservation</u> <u>(PD-C/O/LMDR/MDR/CONS)</u>	<u>900 multi-family residential units</u> <u>200 townhome units</u> <u>200 single-family residential units</u> <u>200-bed assisted living facility</u> <u>150,000 sq. ft. of retail commercial uses</u> <u>150,000 sq. ft. of office uses</u>	<u>2020-</u>

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## Community Meeting Memorandum

**DATE:** December 4, 2019  
**TO:** Gregory Golgowski, Chief Planner, Comprehensive Planning  
**FROM:** Alyssa Henriquez, Planner  
**SUBJECT:** Amendment 2020-1-A-1-1 (IDI PD) - Community Meeting Notes  
**C:** Project File

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**Location of Project:** Generally located north of International Dr., east of Vineland Ave., south of Lake St., and west of Daryl Carter Pkwy.

**Property Identification:** 23-24-28-5844-00-240 and 23-24-28-5844-00-230

**Meeting Date and Location:** November 5, 2019 at Sand Lake Elementary School

### Attendance:

Planning Division staff: Alyssa Henriquez, Case Planner  
Nate Wicke, Planner

Applicant: Tom Sullivan

Residents: 3 residents in attendance;  
215 notices sent

### Overview of Project:

The proposed plan is to change the Future Land Use designation of the two (2) parcels, totaling 20.84 acres, from Activity Center Mixed-Use (ACMU) to Planned Development-Activity Center Residential (PD-ACR). The applicant is requesting to change the future land use designation for the development of up to 420 multi-family dwelling units.

### Meeting Summary:

Alyssa Henriquez opened the meeting at 6:15 p.m. and provided an overview of the proposed Future Land Use Map Amendment and the public hearing process, noting the upcoming transmittal public hearings before the Local Planning Agency (LPA) on January 16, 2020, and the Board of County Commissioners (BCC) on February 11, 2020. Ms. Henriquez then noted the upcoming adoption public hearings before the LPA on April 16, 2020 and the BCC on a date to be announced in May 2020.

The applicant, Mr. Tom Sullivan, gave a brief description of the project and asked the residents

in attendance if they had any questions. There were no questions or comments from the residents in attendance.

The meeting for the IDI PD Future Land Use Map Amendment concluded at 6:25 pm. The overall tone of the community meeting was **neutral**.



## Community Meeting Memorandum

**DATE:** November 20, 2019

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

**FROM:** Alyssa Henriquez, Planner

**SUBJECT:** Amendment 2020-1-A-3-1- Community Meeting Notes

**C:** Project File

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**Location of Project:** Generally located north of Millinockett Lane, east of State Road 417, south of Donnybrook Drive, and west of Constantine Street

**Property Identification:** 24-22-30-0000-00-029/-035/-051/-084

**Meeting Date and Location:** November 18, 2019 at Union Park Elementary School

### Attendance:

**Planning Division staff:** Alyssa Henriquez, Case Planner  
Nate Wicke, Planner

**Applicant:** Devon Quist, Dominionium  
Owen Metz, Dominionium  
Becky Wilson, Lowndes Law

**Residents:** 25 residents in attendance;  
366 notices sent

### Overview of Project:

The proposed plan is to change the Future Land Use Map designation on the four (4) parcels totaling 10.597 acres from Commercial (C) to Medium-High Density Residential (MHDR) and to rezone the property from C-1 (Retail Commercial District) and A-2 (Farmland Rural District) to Planned Development (P-D). The applicant is requesting to change the future land use designation for the development of up to 346 multifamily dwelling units. The applicant has indicated that the multifamily dwellings will be affordable and age-restricted to 62+.

**Meeting Summary:**

Alyssa Henriquez opened the meeting at 6:07 p.m. and provided an overview of the proposed Future Land Use Map Amendment and the public hearing process, noting the upcoming transmittal public hearings before the Local Planning Agency (LPA) on January 16, 2020; and the Board of County Commissioners (BCC) on February 11, 2020. Ms. Henriquez then noted the upcoming adoption public hearings before the LPA on April 16, 2020 and the BCC on a date to be announced in May 2020.

Mr. Devon Quist of Dominion gave a description of the proposed project. Mr. Quist gave some background information about the developer, Dominion, which has done multiple large-scale affordable senior housing developments elsewhere in the country. Mr. Quist noted that the property would be made affordable/income-restricted by the Low Income Housing Tax Credit program, and would be held as age restricted in perpetuity.

Several residents had questions about the design and layout of the building. Mr. Devon Quist and Mr. Owen Metz informed residents that the proposed building height was five-stories, and would be one building with several wings. Residents raised concerns about the height of the building, noting concerns that they would lose their privacy, and the height would be incompatible with the existing single-family residences in the area. Mr. Quist and Metz noted that they would work to address the residents' concerns through the Planned Development process.

Residents raised concerns about how many people would be living in each unit, citing concerns that multiple people (such as children and grandchildren) of residents would be living in the proposed development, and would add to the traffic count. Mr. Quist and Metz ensured that the proposed development would be deed-restricted.

Many residents raised concerns about the effect of the proposed development on traffic in the area. One resident noted that many people cut through the neighborhood via Constantine Ave from Valencia College, and that traffic backed up for vehicles accessing E. Colonial Dr. Residents were concerned that the added trips from emergency vehicles to the proposed development would generate more traffic. Concerns about the access points of the proposed development were also raised, and how close the parking lot would be to existing single-family homes.

The meeting for the Colonial Greens future land use map amendmened concluded at around 7:10 pm. The overall tone of the community meeting was **negative**.



## Community Meeting Memorandum

**DATE:** November 12, 2019  
**TO:** Alberto A. Vargas, MArch., Planning Manager  
**FROM:** Sue Watson, Planner  
**SUBJECT:** Amendment 2020-1-A-4-2 Community Meeting Synopsis  
**C:** Project File

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**Location of Project:** 9580 Curry Ford Rd.; Generally located south of Curry Ford Rd., east of S. Econlockhatchee Trl., and west of SR 417.

**Meeting Date and Location:** Monday, November 11, 2019 at 6:00 PM at Cypress Springs Elementary School, 10401 Cypress Springs Pkwy., Orlando, FL 32825

**Attendance:**

District Commissioner	District 4 Commissioner Maribel Gomez Cordero Mercedes Fonseca, Commissioner's Aide, District 4
Orange County Staff	Sue Watson, Jennifer DuBois, Nate Wicke, Irina Pashinina, Planning Division Carol Merkel, Senior Engineer, Development Engineering Division
Applicant/ Owner	Brian Denham, P.E., Denham Engineering, LLC Jonathan Huels, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., David Adams, Pastor, Center Pointe Community Church
Residents	261 notices sent; 10 residents in attendance

**Overview of Project:** The applicant, Brian Denham, P.E., Denham Engineering, LLC, is requesting to change the Future Land Use Map (FLUM) designation of the 39.55-acre subject property from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR) to allow for the development of up to 60 townhome units in addition to the approved religious and educational uses on the 39.55-acre north portion of the Central Church of the Nazarene PD.

**Meeting Summary:** Planner Sue Watson opened the meeting at 6:10 PM and introduced District 4 Commissioner Maribel Gomez Cordero, District 4 Commissioner's Aide, Mercedes Fonseca, Jennifer DuBois, Nate Wicke, and Irina Pashinina, Orange County Planning Division, Carol Merkel, Senior Engineer, Development Engineering Division, and the applicants, Brian Denham, Denham Engineering, LLC, and Jonathan Huels, Lowndes, Drosdick, Doster, Kantor & Reed, P.A. Commissioner Gomez Cordero thanked the residents for attending the meeting and she stated that she could not stay for the entire meeting because she had another meeting to attend. 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 LDR to

LMDR to allow for the development of up to 60 townhome units in addition to the approved religious and educational uses (sanctuary, chapel, administration building, school, and sanctimnasium) on the 39.55-acre north portion of the Central Church of the Nazarene PD. The south portion of the PD is approved for senior living, assisted living, and memory care and is not included in the proposed Future Land Use Map Amendment (FLUMA) request.

Staff summarized the Large-Scale FLUMA 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, Mr. Huels.

Mr. Huels provided an overview of the project and he stated the proposal is for the development of a maximum of 60 townhome units and the townhomes would be an additional use on the church's property. He stated that they originally considered a higher unit count but it would have required wetland impacts and a second entrance. Also, Mr. Huels told the residents the following:

- 1) They are not proposing any wetlands impacts;
- 2) They are not proposing a second entrance along Curry Ford Road;
- 3) A private developer would build the townhomes (no developer has been secured to date);
- 4) Orange County Public Schools (OCPS) have sufficient school capacity - a capacity enhancement agreement (CEA) will not be required;
- 5) Property is located in the Alternative Mobility Area (AMA) but impact fee payments are still required. Mr. Huels stated that Curry Ford Road is already a failing roadway. A traffic study was prepared and it indicated that the proposed 60 townhome units would generate 37 p.m. peak hour trips. He asked if there were any questions; and
- 6) A Change Determination Request (CDR) application will be submitted if the Board of County Commissioners (BCC) recommends transmittal of the proposed amendment. The CDR would be considered concurrently with the FLUMA at the BCC Adoption public hearing.

He asked if anyone had any questions. One resident commented that the applicant was not proposing a second entrance and that Curry Ford Road is failing. Mr. Huels stated that the property is located within the AMA but impact fee payments are still required. He also stated that Curry Ford Road is already failing and the proposed townhome units would add 37 p.m. peak hour trips.

There were no more questions and Mr. Huels turned the meeting back over to Ms. Watson. Ms. Watson provided the contact information for the Mayor and the County Commissioners. She thanked the residents for their participation. The meeting was adjourned at 6:25 P.M. The overall tone of the meeting was **POSITIVE**.