

ORANGE COUNTY

PLANNING DIVISION

2021-1 REGULAR TAB D7 2021-1-A-3-1

2010 - 2030 COMPREHENSIVE PLAN



BOARD OF COUNTY COMMISSIONERS

FEBRUARY 9, 2021
TRANSMITTAL PUBLIC HEARING



PREPARED BY:

ORANGE COUNTY COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES

PLANNING DIVISION
COMPREHENSIVE PLANNING SECTION

Interoffice Memorandum



February 9, 2021

TO:

Mayor Jerry L. Demings

-AND-

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:

2021-1 Regular Cycle Comprehensive Plan Amendment 2021-1-A-3-1 (Valencia ATS)

Board of County Commissioners (BCC) Transmittal Public Hearing

2021-1 Regular Cycle Comprehensive Plan Amendment 2021-1-A-3-1 is scheduled for a BCC transmittal public hearing on February 9, 2021. However, it was continued by the LPA and was rescheduled for a LPA transmittal public hearing on February 18, 2021. This amendment will be scheduled for a BCC transmittal public hearing on February 23, 2021.

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

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

The above-referenced 2021-1 Regular Cycle Amendment scheduled for consideration on February 9 entails a privately-initiated Future Land Use Map Amendment located in District 3. The privately-initiated map amendment involves a change to the Future Land Use Map (FLUM) for a property over 10 acres in size.

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 2021. 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 before the LPA on April 15, 2021, and before the BCC on May 11, 2021.

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

2021-1 Regular Cycle Amendment 2021-1-A-3-1 BCC Transmittal Public Hearing February 9, 2021 Page 2

AAV/sw

Read File

Enc: 2021-1 Regular Cycle Amendment 2021-1-A-3-1

BCC Transmittal Staff Report

c: Christopher R. Testerman, AICP, Deputy County Administrator Joel Prinsell, Deputy County Attorney Whitney Evers, Assistant County Attorney Roberta Alfonso, Assistant County Attorney Gregory Golgowski, AICP, Chief Planner, Planning Division Olan D. Hill, AICP, Assistant Manager, Planning Division Eric P. Raasch, AICP, Planning Administrator, Planning Division

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2021-1 Regular Cycle State Expedited Review Comprehensive Plan Amendments

Privately Initiated Future Land Use Map Amendment

Amendment Number	Concurrent Rezoning or Substantial Change	Owner	Agent	Tax ID Number(s)	General Location / Comments	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:	Zoning Map Designation FROM:	Zoning Map Designation TO:	Acreage	Project Planner	Staff Rec	LPA Rec
District 1					Generally located on the north								
2021-1-A-3-1 (Valencia ATS)	CDR-20-10-304	Asbury Theological Seminary Bryan P. Blankenship	Steven Grigg Republic ATS, LLC	24-22-30-8856-00-010/020/030 24-22-30-0000-00-130	side of Valencia College Ln., south of E. Colonial Dr., east of John Wesley Wy., and west of the Central Florida Greeneway	Planned Development - Commercial/Office (PD-C/O) and Commercial (C)	Medium Density Residential (MDR)	PD (Planned Development District)	PD (Planned Development District)	24.01 gross ac.	Chris DeManche	Transmit	Continued to 2/18/2021 PZC/LPA (6-0)

2021-1 Regular Cycle Comprehensive Plan Amendments Staff Initiated Comprehensive Plan Text Amendment

Amendment Number	Sponsor	Description of Proposed Changes to the 2010-2030 Comprehensive Plan (CP)	r Staff Rec	LPA Rec
3023)1-B-FLUE-6 (EES). H3	Planning Division	oxt americanic in futige land Use Elementaria (Tital International Use Elementaria (T	Transmit	

ABBREVIATIONS INDEX:

ABBREVIATIONS INDEX: IND-Industrial; C-Commercial; O-Office; LDR-Low Density Residential; LMDR-Low-Medium Density Residential; MDR-Medium-High Density Residential; HDR-High Density Residential; DRR-High Density Residential; DRR-High Density Residential; D-Planned Development; V-Village; COMS-Mediand/Conservation; PRIOS-parks/Recreation/open Space; 05-Open Space; 0

2021 FIRST REGULAR CYCLE AMENDMENT TO THE 2010-2030 COMPREHENSIVE PLAN TRANSMITTAL PUBLIC HEARING

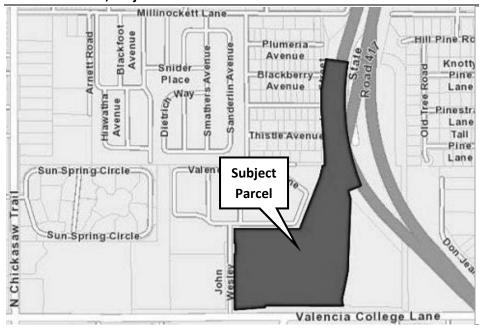
INTRODUCTION

This is the Board of County Commissioners (BCC) transmittal staff report for the First Regular Cycle Amendment 2021-1-A-3-1 to the Future Land Use Map (FLUM) and Comprehensive Plan (CP). However, it was continued by the LPA and was rescheduled for the LPA transmittal public hearing on February 18, 2021. This amendment will be scheduled for a BCC transmittal public hearing on February 23, 2021.

The above-referenced 2021-1 Regular Cycle Amendment entails a privately-initiated map amendment located in District 3. Since this is the transmittal stage for this amendment, 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, expected in March 2021. Adoption public hearings are tentatively scheduled before the LPA on April 15, 2021 and the BCC on May 11, 2021.

Once the Regular Cycle amendments have been adopted by the BCC, they 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 2021, provided 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 <u>Alberto.Vargas@ocfl.net</u>, or Gregory Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or Gregory.Golgowski@ocfl.net.



Applicant/Owner:

Steven Grigg; Republic ATS, LLC/Asbury Theological Seminary

Location:

Generally located north of Valencia College Ln., south of E. Colonial Dr., east of John Wesley Wy., and west of the State Road 417

Existing Use: Undeveloped

land

Parcel ID Numbers:

24-22-30-8856-00-010/ 020/ 030 and 24-22-30-0000-00-

Tract Size: 24.00 gross acres

+The following meetings and hearings have been held for this proposal:					
Repo	ort/Public Hearing	Outcome			
√	Community Meeting	November 12, 2020 Neutral			
✓	Staff Report	Recommend Transmittal			
	LPA Transmittal	Continued to February 18, 2021			
	BCC Transmittal	February 23, 2021			
	State Agency Comments	March 2021			
	LPA Adoption	April 15, 2021			
	BCC Adoption	May 11, 2021			

Project Information

Request: Planned Development-Commercial/Office & Commercial (PD-C/O & C) to Medium Density Residential (MDR).

Proposed Development Program: Up to 440 multi-family dwelling units

Division Comments:

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

Environmental: This site includes a Class III wetland of 1.15 acres and a non-a jurisdictional reservoir (drainage easement) of 0.59 acres. CAD 00-109 was completed with a certified survey of the conservation area boundary approved on September 8, 2000. This determination is still binding.

Schools: Capacity Available, Expires March 27, 2021.

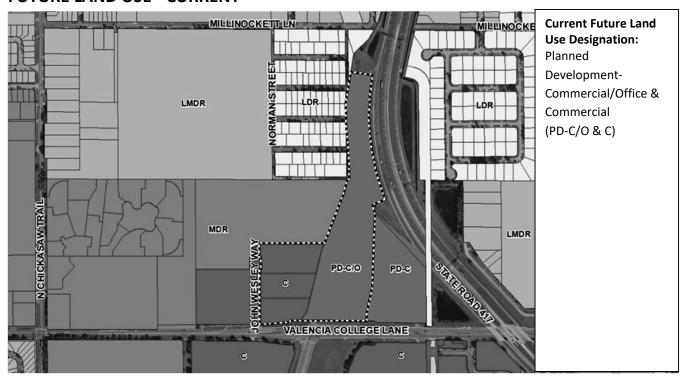
Transportation: The subject property is located within the County's Alternative Mobility Area (AMA). Required to provide for alternative mobility strategies related to the development. Please note that the County is presently considering deleting the AMA. Should this happen prior to adoption of this amendment, the project will comply with other transportation concurrency requirements.

Concurrent Rezoning: CDR-20-10-304 has been submitted and will be considered with the proposed future land use map amendment at Adoption.

AERIAL



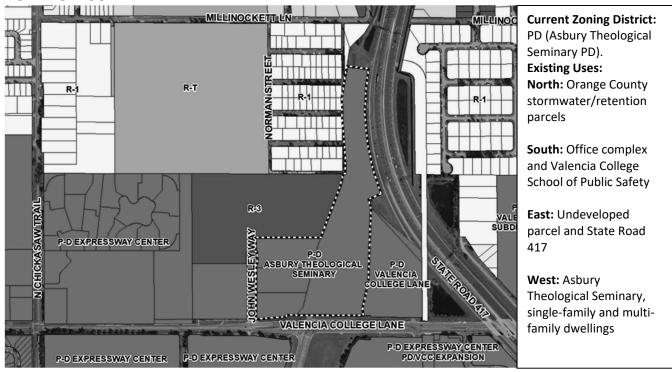
FUTURE LAND USE - CURRENT



FUTURE LAND USE - PROPOSED



ZONING - CURRENT



Staff Recommendation

Future Land Use Map Amendment 2021-1-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 Local Planning Agency that the amendment, 2021-1-A-3-1, be **TRANSMITTED** to the state reviewing agencies.

Analysis

1. Background Development Program

The applicant, Steven Grigg, Republic ATS, LLC, has requested to change the Future Land Use Map (FLUM) designation of the 24.00 gross acre parcel from Planned Development-Commercial/Office & Commercial (PD-C/O & C) to Medium Density Residential (MDR). The subject property consists of 22.27 acres of developable land and approximately 1.15 acres of wetlands and a non-a jurisdictional reservoir (drainage easement) totaling 0.59 acres. The subject property consists of four undeveloped parcels located on the north side of Valencia College Lane, south of E. Colonial Drive, east of John Wesley Way, and west of State Road 417. The subject property includes former right-of-way of SR 417. The area was mass graded for the construction of a ramp section to Valencia College Lane, but was later redesigned and the property released as surplus.

The subject property is located in an area consisting of office, institutional, single-family detached dwellings units and multi-family dwelling units. The site is bounded to the north by Orange County stormwater/retention parcels; to the east by an undeveloped parcel and State Road 417; to the south by an office complex and the Valencia College School of Public Safety; and to the west by the Asbury Theological Seminary, single-family dwelling units and multi-family dwelling units.

In 2015, the Orange County Board of County Commissioners (BCC) approved FLUM amendment 2015-2-A-3-1, changing the property's future land use designation to Planned Development-Commercial/Office & Commercial (PD-C/O & C). Under the current entitlements, the site can be developed with up to 750,000 square feet of office and commercial uses (to be split evenly between uses). The site also received concurrent approval by the BCC to change the zoning classification to PD (Planned Development District - Asbury Theological Seminary PD).

The proposed Medium Density Residential future land use designation allows for the consideration of urban-style multi-family residential densities of up to 20 dwelling units per acre. The applicant is proposing to construct up to 440 multi-family dwelling units.

Community Meeting

A virtual community meeting was held on Thursday, December 12, 2021. A total of six persons attended, which included Commissioner Uribe, two Orange County Planning Division staff and three members from the applicant's team. No members of the public participated despite 138 notices being mailed to surrounding properties within 500 feet of the subject property. The event was recorded and has been made available for members of the public to watch online and provide written feedback on the request.

2. Future Land Use Map Amendment Analysis

Consistency

The requested FLUM amendment 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 dwellings to multi-family dwelling units, along with a mix of institutional and office uses. As mentioned above, the applicant is seeking the MDR Future Land Use Map designation to allow for up to 440 multi-family dwelling units.

Future Land Use Element Goal FLU1, OBJ FLU1.1, and Policy FLU1.1.1 describe Orange County's urban planning framework, including the requirement that urban uses shall be concentrated within the Urban Service Area. As required by **OBJ FLU 1.1**, the proposed amendment is located within the Urban Service Area, and the proposed FLUM designation of Medium Density 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.**

Staff finds the request consistent with **Future Land Use Element Goal FLU1.2**, which states Orange County shall use the Urban Service Area concept as an effective fiscal and land use technique for managing growth.

Staff finds the request consistent with **Future Land Use Element OBJ FLU1.4**, which set fourths location and development criteria used to guide the distribution, extent, and location of urban land uses, and encourage compatibility with existing neighborhoods as well as the goals of the 2030 Comprehensive Plan.

Staffs finds the request consistent with **Future Land Use Element Policy FLU1.4**, which states Orange County shall promote a range of living environments and employment opportunities, and shall ensure that land use changes are compatible with and serve existing neighborhoods.

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.

Staff finds the request consistent with **Future Land Use Element Policy FLU8.2.2**, which states that continuous stretches of similar housing types and density of units shall be avoided. The proposed amendment will contribute to the mix of available housing options in an area of the County deemed appropriate for urban uses, as set forth in **Policy FLU1.1.1**. The addition of 440 multi-family dwelling units will further diversify housing options to current and future residents in Orange County.

Compatibility

The proposed Future Land Use Map amendment appears to be compatible with existing development of the surrounding area.

Future Land Use Element Policy FLU1.4.2, states Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods, while **Neighborhood Element Objective N1.1**, states Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing or proposed neighborhoods. The proposed Future Land Use Map amendment does not appear to be incompatible with existing neighborhoods consisting of single-family and multi-family dwellings. The proposed change to the Medium Density Residential FLUM designation would not adversely impact existing neighborhoods, as an adjacent parcel along a portion of the subject property's western boundary is developed with a multi-family development and has a

FLUM designation of Medium Density Residential. Developed parcels along the north side of Valencia College Lane within general proximity of the subject property are developed with residential uses, with the exception of the Asbury Theological Seminary site.

Future Land Use Element Objective FLU8.2 states that compatibility will be the fundamental consideration in all land use and zoning decisions, while **Policy FLU8.2.1** states land use changes shall be compatible with existing development and the development trend in the area. As stated above, the subject property is located in an area characterized by a variety of housing types that include single-family detached and multi-family dwellings. Staff finds the proposed multi-family development compatible with the existing development pattern and development trends in the area.

3. Division Comments: Environmental, Public Facilities, and Services

Environmental: This site includes a Class III wetland of 1.15 acres and a non-jurisdictional reservoir (drainage easement) of 0.59 acres. Orange County Conservation Area Determination CAD 00-109 was completed with a certified survey of the conservation area boundary approved on September 8, 2000. This determination is still binding and it included the Valencia Square subdivision lots 1-3. The former SR 417 right-of-way was included in the environmental resource permit ERP 4-095-20358-11 issued for the construction of SR 417. The area was mass graded for the construction of the ramp section to Valencia College Lane, which was later redesigned.

Until any wetland permitting is complete, the net developable acreage is 22.27 acres, defined as the gross land area, less surface waters and wetlands. Per Orange County Comprehensive Plan Policy FLU1.1.2 C, the Density and Floor Area Ratio (FAR) calculation is determined by dividing the total number of units/square footage by the net developable land 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 Impact (CAI) permit from the Orange County EPD, in addition to an approved CAD. Approval of this request does not authorize any direct or indirect impacts to conservation areas or protective buffers.

Development of the subject properties shall comply with all state and federal regulations regarding wildlife or plants listed as imperiled (endangered, threatened, or species of special concern.) The applicant is responsible to determine the presence of imperiled species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/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.

Schools: Applicant submitted a formal school capacity determination to OCPS (OC-20-056). Capacity is available for the proposed 440 multi-family dwelling units.

Transportation:

Land Use Scenario	PM Pk.	% New Trips	New PM Pk.
	Hr. Trips	Trips	Hr. Trips
Existing Use: Undeveloped	1,983	56%	1,110
Proposed Use: Up to 440 MF d/u's	211	100%	211

Net New Trips (Proposed Development less Allowable Development): -899

Future Roadway Network

Road Agreements: Asbury Theological Seminary Transportation Impact Fee Agreement was approved by the BCC on 11/17/2015 and the Agreement Terms have been satisfied.

Planned and Programmed Roadway Improvements: Valencia College Ln. Valencia College Lane — William C. Coleman Drive to Econlockhatchee Trail- Installed median trees on Valencia College Ln from William C. Coleman Drive to Econlockhatchee Trail. It is estimated that the project is 93% complete.

Right of Way Requirements: None

Summary

The applicant is requesting to change 24.01 acres from PD-C/O to MDR and modify the existing PD and request approval to develop 440 multi-family dwelling units. Analysis of the project trips from the currently approved future land use versus the proposed use indicates that the proposed development will result in a decrease in the number of pm peak trips and therefore will not impact the area roadways.

- This project is located in the Alternative Mobility Area (AMA) and, therefore, shall be required to provide for alternative mobility strategies related to the development. The applicant must submit a Mobility Analysis to be reviewed and approved by the Transportation Planning Division prior to obtaining a building permit; provided, however, if the County removes the Alternative Mobility Area from the Comprehensive Plan and Land Development Code prior to approval of the first building permit, then this project shall comply with the County's then-current transportation concurrency requirements.
- The subject property is not located along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the approved future land use will generate 1,110 pm peak hour trips.
- The proposed use will generate 211 pm peak hour trips resulting in a net decrease of 899 pm peak hour trips.
- Final permitting of any development on this site may be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Plan.

Utilities

The subject site is located in the Orange County Utilities' (OCU's) potable water, wastewater and reclaimed water service areas. Per OCU, there is a 16" water main within the right-of-way of

Valencia College Lane. Reclaimed water service is currently unavailable for the site. Wastewater demands and connection points for the site will be addressed as the project proceeds through the Development Review Committee (DRC) and construction permitting processes.

4. Policy References

Future Land Use Element

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.

OBJ FLU1.2 Orange County shall use the Urban Service Area concept as an effective fiscal and land use technique for managing growth. The Urban Service Area shall be used to identify the area where Orange County has the primary responsibility for providing infrastructure and services to support urban development.

OBJ FLU1.4 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 Comprehensive Plan.

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.

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

OBJ FLU8.2 Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following polices shall guide regulatory decisions that involve differing land uses.

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

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

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

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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.

Neighborhood Element

OBJ N1.1 Orange County shall ensure that all future land use changes are compatible with

or do not adversely impact existing or proposed neighborhoods.

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



South of Subject Site – Office Complex

North of Subject Site – County Stormwater/Retention Parcels



South of Subject Site – Valencia College School of Public Safety





East of Subject Site – Undeveloped Parcel





West of Subject Site – Asbury Theological Seminary



West of Subject Site – Multi-Family Complex



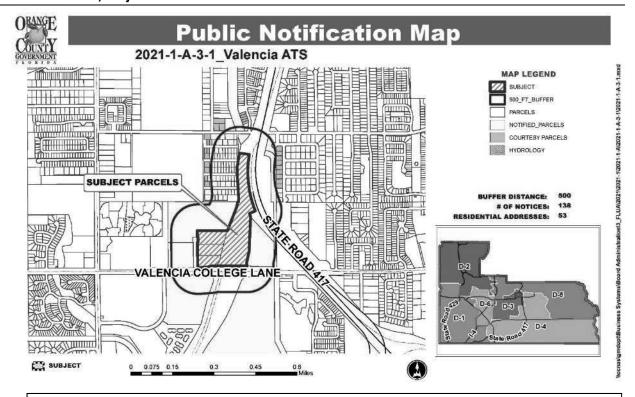
West of Subject Site – Single-Family Dwellings



West of Subject Site- Single-Family Dwellings







Notification Area:

500' buffer

138 notices sent



Community Meeting Memorandum

DATE: November 13, 2020

TO: Greg Golgowski, Chief Planner, Planning Division

FROM: Chris DeManche, Planner III

SUBJECT: Amendment 2021-1-A-3-1- Community Meeting Notes

C: Project file

Location of Project: North side of Valencia College Ln., south of E. Colonial Dr., east of John Wesley Wy., and west of the Central Florida Greeneway.

Meeting Date: November 12, 2020, at 6:00 pm (Virtual Webex Event)

Attendance:

District Commissioner Mayra Uribe

Orange County staff Chris DeManche and Greg Golgowski, Planning Division

Applicant team Steven Griff, Greg Lee, and Brent Lenzen

Property owner Asbury Theological Seminary Residents 0 residents in attendance

Overview of Project: The applicant's request is to amend the Future Land Use Map (FLUM) designation of the 24.00 gross acre parcel from Planned Development-Commercial/Office & Commercial (PD-C/O & C) to Medium Density Residential (MDR). The applicant is proposing to construct up to 440 multi-family dwelling units.

Meeting Summary: Mr. DeManche provided an overview of the request, noting the application included a change to the Future Land Use Map designation of the subject property. Mr. DeManche explained the purpose of the future land use designation, and how the request would change the use of the site to residential and allow for a density of up to 20 dwelling units per acre. Mr. DeManche explained the purpose of zoning. Maps of the subject property (aerial, FLUM – current, FLUM – proposed, Zoning - current) were shown with existing uses on adjoining parcels identified. Mr. DeManche informed the meeting attendees that two Transmittal public hearings would be held, along with two Adoption public hearings for this application – (Transmittal Hearings – January 21 and February 9/ Adoption Hearings – April 15 and May 11).

Although no members of the public attended the virtual community meeting, the event was recorded and has been made available for members of the public to watch online and provide written feedback on the request.

The meeting adjourned at 7:15 p.m. The overall tone of the meeting was **NEUTRAL**.