



## Interoffice Memorandum

DATE: August 31, 2021

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

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

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

SUBJECT: September 14, 2021 – Public Hearing  
Applicant: Jay Jackson, Kimley-Horn & Associates  
Wildwood International Planned Development  
Case # CDR-20-12-355 / District 1

The Wildwood International Planned Development (PD) is located on the east side of International Drive, west of Wildwood Avenue, approximately 650 feet south of the Daryl Carter Parkway and International Drive intersection. The existing PD development program allows for 390,000 square feet of tourist commercial uses and 532 residential units.

Through this PD substantial change, the applicant is seeking to increase and exchange entitlements from 390,000 square feet of tourist commercial uses to 380,000 square feet of retail and 2,120 hotel rooms. The proposal also includes the addition of access points and waivers related to decreased setbacks, an increase in impervious coverage, an increase in maximum building coverage, increased height, and the elimination of landscape buffers. A multi-family residential development was already built at the southern portion of the PD, so there is no change to the residential entitlements.

On July 14, 2021, the Development Review Committee (DRC) recommended approval of the request, subject to conditions. A virtual community meeting was held on February 17, 2021 and it was attended by five residents. A brief summary of that meeting is included within the staff report.

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

**ACTION REQUESTED:    Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the Wildwood International Planned Development / Land Use Plan (PD/LUP) dated “Received July 15, 2021”, subject to the conditions listed under the DRC Recommendation in the Staff Report. District 1**

JVW/EPR/JAH  
Attachment

**CASE # CDR-20-12-355**

Commission District: # 1

**GENERAL INFORMATION**

<b>APPLICANT</b>	Jay Jackson, Kimley-Horn & Associates
<b>OWNER</b>	PRN Real Estate Land Investments Ltd.
<b>PROJECT NAME</b>	Wildwood International Planned Development / Land Use Plan (PD/LUP)
<b>PARCEL ID NUMBER</b>	23-24-28-9283-00-010, 23-24-28-9283-00-011 23-24-28-9283-00-012, 23-24-28-9283-00-013 23-24-28-9283-00-014
<b>TRACT SIZE</b>	57.8 gross acres (overall PD)
<b>LOCATION</b>	Generally located on the east side of International Drive, west of Wildwood Avenue, approximately 650 feet south of the Daryl Carter Parkway and International Drive intersection.
<b>REQUEST</b>	<p>A PD Substantial Change to increase and exchange entitlements from 390,000 square feet of tourist commercial uses and 532 dwelling units to 380,000 square feet of retail, 2,120 hotel rooms, and 532 dwelling units, and to request the following waivers from Orange County Code:</p> <ol style="list-style-type: none"><li>1. A waiver from Orange County code section 38-1234 for Parcel A to remove the performance standards found in section 38-1234(6)(a) and allow Category B open space to account for up to seventy-five (75) percent of the total open space required in lieu of fifty (50) percent.</li></ol> <p><b><i>Applicant Justification:</i></b> This property is part of the Tourist Commercial district and will provide users with a pedestrian friendly experience including pedestrian only streets and parks surrounded by clusters of smaller retail shops and restaurants in lieu big box buildings. Unique hardscape areas will be designed to integrate the shopping and hospitality areas providing a more intimate village type atmosphere. The stormwater management areas will be amenitized and integrated in the hospitality areas.</p> <ol style="list-style-type: none"><li>2. A waiver from Orange County code section 38-1272 (a)(1) for Parcel A is requested to allow ninety (90) percent lot impervious coverage in lieu of seventy (70) percent of the net land area.</li></ol>

***Applicant Justification:*** This property is part of the Tourist Commercial district and will provide users with a pedestrian friendly experience including pedestrian only streets and parks surrounded by clusters of smaller retail shops and restaurants in lieu of big box buildings. Unique hardscape areas will be designed to integrate the shopping and hospitality areas providing a more intimate village type atmosphere. The development will have impervious areas enhanced with features that are more in line with the type of development. The additional impervious area will be accounted for in the onsite stormwater management areas and no offsite adverse impacts are anticipated.

3. A waiver from Orange County code section 38-1272 (a)(3) for Parcel A is requested to reduce the PD perimeter setback on the east side (Daryl Carter Parkway) to fifteen (15) feet in lieu of twenty-five (25).

***Applicant Justification:*** Based on discussions with staff, Orange County does not have plans to extend Daryl Carter Parkway beyond Westwood Boulevard. Therefore, the portion of Daryl Carter Parkway south of Westwood Blvd will primarily provide access to Parcel A and function, for the time being, as a private road rather than a collector road. In addition, placing the proposed garages closer to the Daryl Carter Parkway right-of-way allows for more open space within the retail and hospitality areas.

4. A waiver from Orange County code section 38-1287 (1)(c) for Parcel A is requested to reduce the minimum setback from Daryl Carter Parkway to fifteen (15) feet in lieu of the required forty (40) feet.

***Applicant Justification:*** Based on discussions with staff, Orange County does not have plans to extend Daryl Carter Parkway beyond Westwood Boulevard. Therefore, the portion of Daryl Carter Parkway south of Westwood Blvd will primarily provide access to Parcel A and function as a private road rather than a collector road. In addition, placing the proposed garages closer to the Daryl Carter Parkway right-of-way allows for more open space within the retail and hospitality areas.

5. A waiver from Orange County code section 38-1287 (4) for Parcel A is requested to reduce the paving setback to fifteen (15) feet in lieu of the required twenty (20) feet for a Collector designated road.

***Applicant Justification:*** Based on discussions with staff, Orange County does not have plans to extend Daryl Carter

*Parkway beyond Westwood Boulevard. Therefore, the portion of Daryl Carter Parkway south of Westwood Blvd will primarily provide access to Parcel A and function as a private road rather than a collector road. In addition placing the proposed garages closer to the Daryl Carter Parkway right-of-way allows for more open space within the retail and hospitality areas.*

6. A waiver from A waiver from Orange County code section 38-1484(b) for Parcel A to allow developments that require ten (10) or more vehicular spaces, to provide two (2) bicycle parking spaces, plus one (1) additional bicycle parking space for each (20) vehicular parking spaces above ten (10) with a portion of those spaces provided as a minimum of 16 bike lockers or other long term bicycle parking alternative provided primarily within the hotel. in lieu of the required one (1) additional bicycle parking space for each ten (10) vehicular parking spaces above ten (10).

***Applicant Justification:*** *This property is in the Tourist Commercial district and the majority of users will travel to and from the development by means of ridesharing, rental cars and buses. Based on a parking program of 3,250 parking spaces, 67 bicycle parking spaces would be provided in lieu of 326.*

**PUBLIC NOTIFICATION** A notification area extending beyond nine hundred (900) feet was used for this application [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Three hundred and two (302) notices were mailed to those property owners in the notification buffer area.

## **IMPACT ANALYSIS**

### **Overview**

The Wildwood International PD was originally approved April 5, 1994 and currently includes entitlement for 390,000 square feet of tourist commercial uses and 532 residential units.

Through this PD substantial change, the applicant is requesting to increase and exchange entitlements from 390,000 square feet of tourist commercial uses to 380,000 square feet of retail and 2,120 hotel rooms. The proposal also includes the addition of access points and waivers related to decreased setbacks, an increase in impervious coverage, an increase in maximum building coverage, increased height, and the elimination of landscape buffers. The 2,120 hotel rooms are derived from a conversion of 10,000 square feet of existing tourist commercial entitlements to 63.5 hotel rooms, plus the addition of 2057.5 hotel rooms as new entitlements. A multi-family residential development has already been constructed on the southern portion of the PD, so there is no change to the residential entitlements.

The proposal is to eventually develop a mixed-use project with a pedestrian scale retail village and four large hotel towers along the east side of the site.

**Land Use Compatibility**

The PD substantial change would not adversely impact any adjacent properties.

**Comprehensive Plan (CP) Amendment**

The subject property has an underlying Future Land Use Map (FLUM) designation of Activity Center Mixed Use (ACMU). The Wildwood International PD was approved in 1994 and includes commercial and multi-family residential uses. The proposed PD substantial change is consistent with the designation and all applicable CP provisions; therefore, a CP amendment is not necessary.

**Community Meeting Summary**

A virtual community meeting was held on February 17, 2021, and was attended by five residents. The overall sentiment was neutral, with questions arising regarding future traffic impacts and drainage due to lack of green space.

**Rural Settlement**

The subject property is not located within a Rural Settlement.

**Joint Planning Area (JPA)**

The subject property is not located within a JPA.

**Overlay District Ordinance**

The subject property is located within the Tourist Commercial Signage Overlay District.

**Environmental**

Conservation Area Impact Permit CAI-21-02-008 was issued on May 12, 2021 and that permit expires on May 12, 2026. The permit authorizes impacts to 0.57 acre of Class III wetlands. These impacts were previously authorized under CAI Permit No. 06-044, which authorized a total of two acres of Class III impacts. Of the original authorized impacts, 1.43 acres of Class III wetland impacts were completed and the construction phase of that permit expired. The applicant is now authorized to complete the remaining 0.57 acre of Class III wetland impact on the northern portion of the site. The approved mitigation plan for the total of two acres of Class III impacts includes the purchase of 0.2 forested and 2.8 herbaceous freshwater mitigation credits from Florida Mitigation Bank, which was completed in December 2006.

**Transportation / Concurrency**

Based on the Concurrency Management System (CMS) database dated January 6, 2021, there is a failing roadway segment within the project's impact area; which is Vineland Avenue from Winter Garden Vineland to Little Lake Bryan Parkway. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in the decision to approve this land use plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

**Schools**

Orange County Public Schools staff reviewed the PD substantial change but did not identify any issues or concerns.

**Parks**

Orange County Parks and Recreation staff reviewed the PD substantial change but did not identify any issues or concerns.

**Specific Project Expenditure Report and Relationship Disclosure Forms**

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

**ACTION REQUESTED**

**Development Review Committee (DRC) Recommendation – (July 14, 2021)**

**Make a finding of consistency with the Comprehensive Plan (CP) and approve the PD Substantial Change to the Wildwood International Planned Development / Land Use Plan (PD/LUP) dated "Received July 15, 2021", subject to the following conditions, including six waivers from Orange County Code:**

1. Development shall conform to the Wildwood International Planned Development (PD) dated "Received July 15, 2021" and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received July 15, 2021," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or



refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
7. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.



8. This project shall comply with the County's International Drive Activity Center Comprehensive Plan requirement for a 15-foot transit easement and a separate 20-foot landscape, pedestrian and utility easement needed for future roadway improvements. The easement areas required shall be shown on the plan as a revised plan and conveyed concurrently at time of platting or dedicated to the County via separate instrument prior to Development Plan Approval.
9. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
10. The developer shall obtain water, wastewater, and reclaimed water service from Orange County Utilities subject to County rate resolutions and ordinances.
11. The proposed development is adjacent to the existing and permitted Orange County Western Effluent Disposal site (WEDS). The design and permitting (stormwater, etc.) for the proposed development shall take into account the groundwater mounding produced by the adjacent WEDs when loaded at full permitted capacity and during wet weather conditions. At the time of construction plan submittal, provide calculations and documentation certifying that the design complies with this condition.
12. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water, wastewater, and reclaimed water systems have been designed to support all development within the PD.
13. The following waivers are granted from Orange County Code
  - a. A waiver from Orange County code section 38-1234 for Parcel A to remove the performance standards found in section 38-1234(6)(a) and allow Category B open space to account for up to seventy-five (75) percent of the total open space required in lieu of fifty (50) percent.
  - b. A waiver from Orange County code section 38-1272 (a)(1) for Parcel A is requested to allow ninety (90) percent lot impervious coverage in lieu of seventy (70) percent of the net land area.
  - c. A waiver from Orange County code section 38-1272 (a)(3) for Parcel A is requested to reduce the PD perimeter setback on the east side (Daryl Cater Parkway) to fifteen (15) feet in lieu of twenty-five (25).
  - d. A waiver from Orange County code section 38-1287 (1)(c) for Parcel A is requested to reduce the minimum setback from Daryl Carter Parkway to fifteen (15) feet in lieu of the required forty (40) feet.

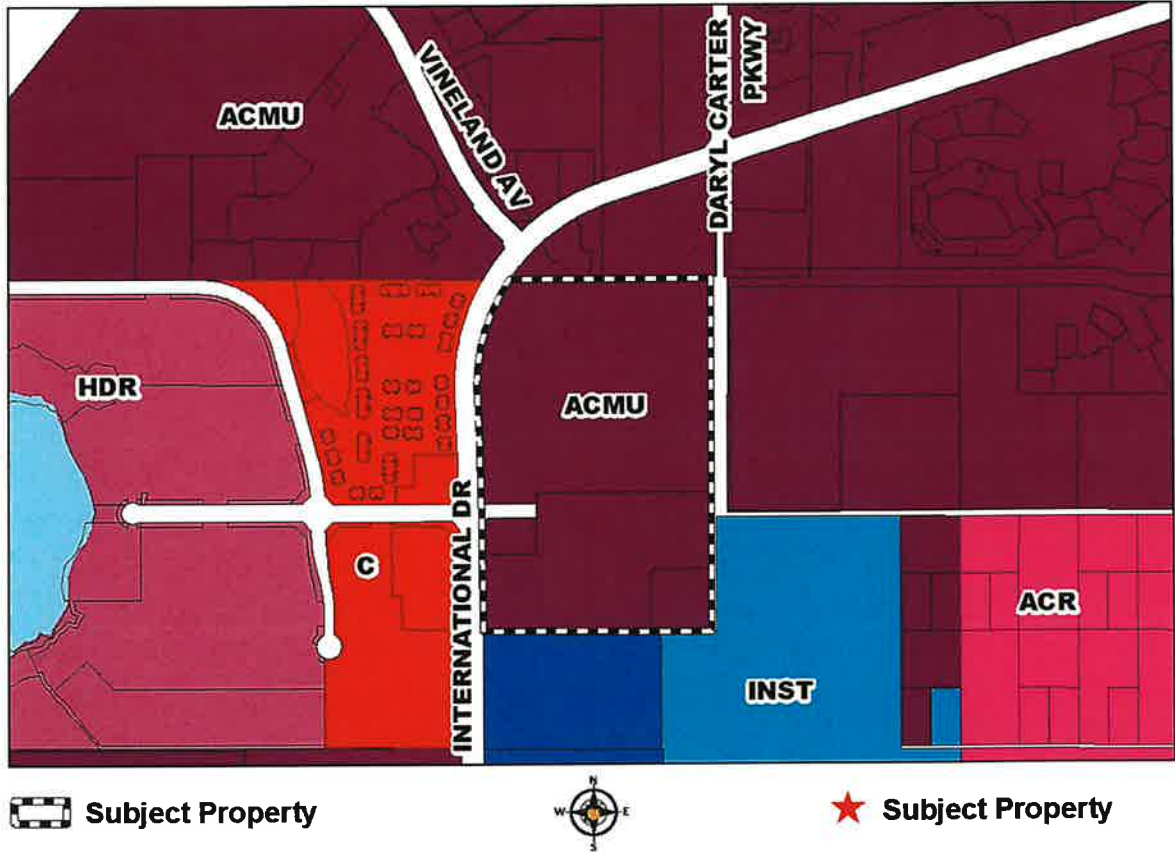
- e. A waiver from Orange County code section 38-1287 (4) for Parcel A is requested to reduce the paving setback to fifteen (15) feet in lieu of the required twenty (20) feet for a Collector designated road.
  - f. A waiver from A waiver from Orange County code section 38-1484(b) for Parcel A to allow developments that require ten (10) or more vehicular spaces, to provide two (2) bicycle parking spaces, plus one (1) additional bicycle parking space for each (20) vehicular parking spaces above ten (10) with a portion of those spaces provided as a minimum of 16 bike lockers or other long term bicycle parking alternative provided primarily within the hotel, in lieu of the required one (1) additional bicycle parking space for each ten (10) vehicular parking spaces above ten (10).
14. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated April 5, 1994 shall apply:
- a. Full access will be provided at the median openings adjacent to the property. The location of the right-in/right-out access will be determined with the development plan.
  - b. The need for Intersection improvements shall be determined at development plan submittal.
  - c. To the extent required to comply with the consistency provisions of the Growth Management Act, the following additional conditions shall be added to the conditions of approval:
    - i. Land uses shall be limited to those stated in Policy 1.1.3 of the International Drive Activity Center Plan. Furthermore, Policy 1.1.6 of the International Drive Activity Center Plan dealing with prohibited uses shall apply to development approvals.
    - ii. If the housing linkage program is in place prior to development plan approval, development of nonresidential development shall be conditioned upon the development of residential units within the area designated as Activity Center Residential on the Future Land Use Map. Past affordable housing efforts by the developer shall be recognized in any housing linkage program.
    - iii. The development guidelines of the International Drive Activity Center shall apply to the subject property if they are established prior to building permit submittal, including but not limited to, lighting standards, sign regulations, open space regulations, trip reduction program, access management controls, transit access design standards, building orientation, and location of parking lots.
    - iv. The property owner shall be required to participate in a property owners' association upon its erection.

- v. Stormwater management facilities shall be designed as an aesthetic feature, except where determined by the county engineer to be technically unfeasible.
- vi. A 20-foot wide pedestrian/landscape/utility easement plus a 15-foot wide transit easement along International Drive for a total of 35 feet, with the transit easement closest to International Drive, shall be included in the development plan.
- vii. The development plan shall provide for interconnection of adjacent developments either by cross access easements or public rights-of-way.
- viii. Sidewalks shall be a minimum of 10 feet wide along International Drive.

**PREVIOUS BOARD OF COUNTY COMMISSIONERS ACTION (April 5, 1994)**

Upon a motion by Commissioner Freeman, seconded by Commissioner Pignone, and carried by all present members voting AYE by voice vote, the Board approved the request by Busch Properties of Florida, Inc., "Wildwood International", for a change in zoning classification from R-CE to PD to establish a land use plan for Activity Center Mixed Use, subject to nine conditions.

CDR-20-12-355



**Future Land Use Map**

**FLUM:** Activity Center Mixed Use

**APPLICANT:** Jay Jackson, Kimley-Horn & Associates

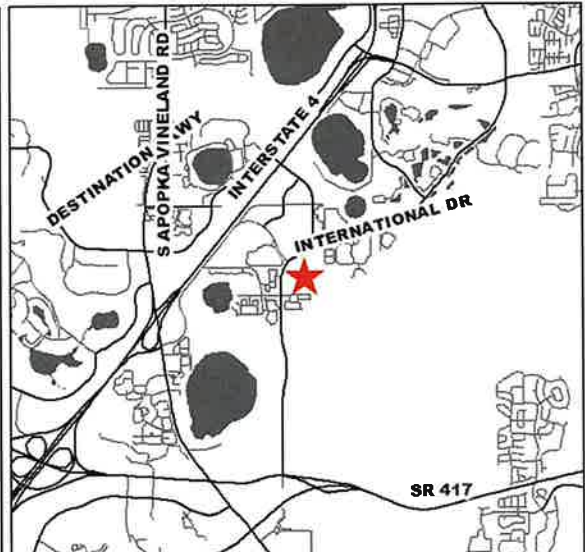
**LOCATION:** Generally located on the east side of International Dr. and west of Wildwood Ave, approximately 650 feet south of the Daryl Carter Pkwy and International Dr. intersection

**TRACT SIZE:** 57.8 gross acres (overall PD)

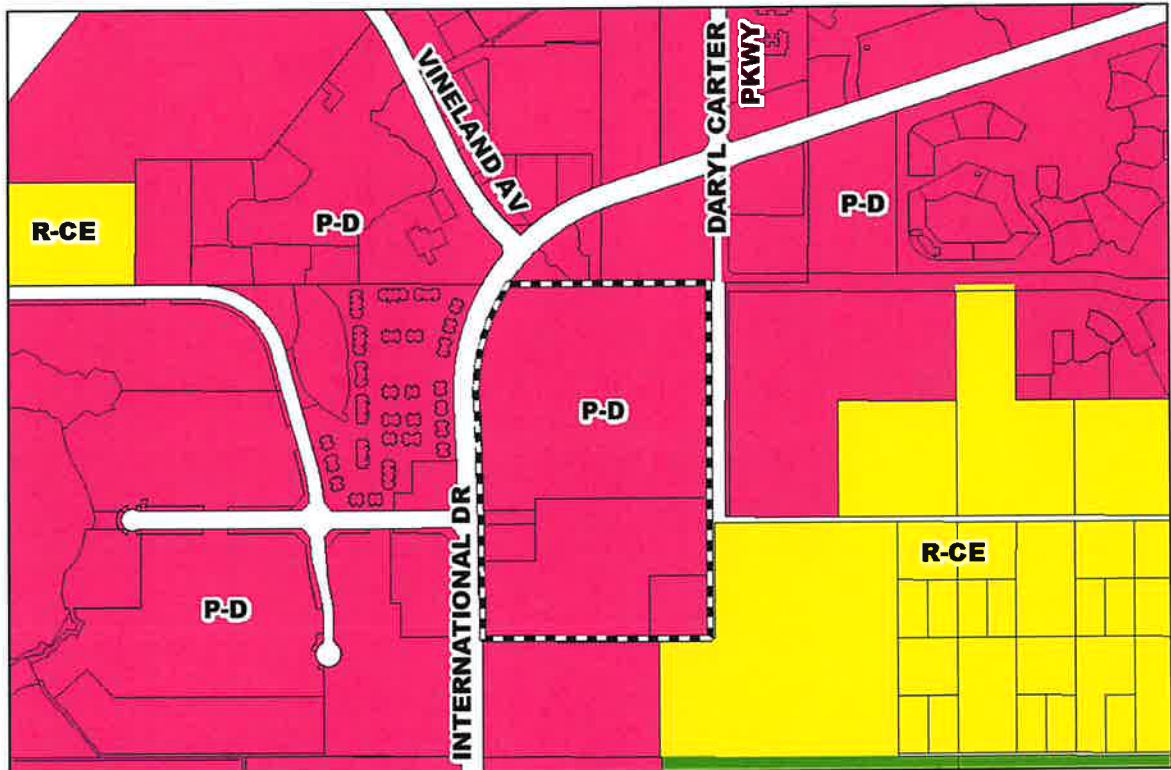
**DISTRICT:** # 4

**S/T/R:** 23/24/28

1 inch = 833 feet



CDR-20-12-355



Subject Property



Subject Property

### Zoning Map

**ZONING:** Planned Development

**APPLICANT:** Jay Jackson, Kimley-Horn & Associates

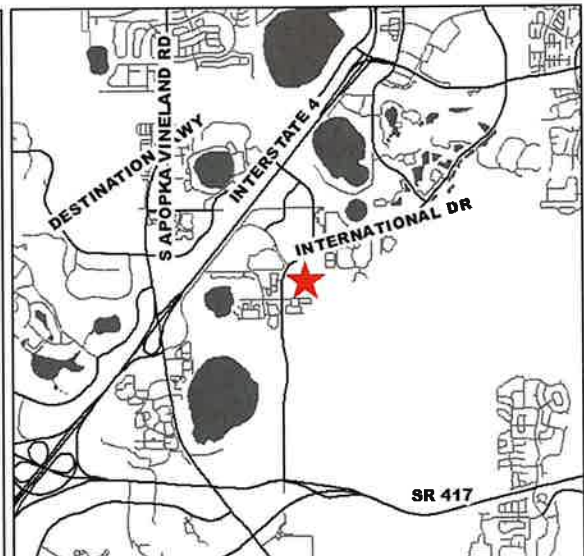
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**S/T/R:** 23/24/28

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CDR-20-12-355



 Subject Property

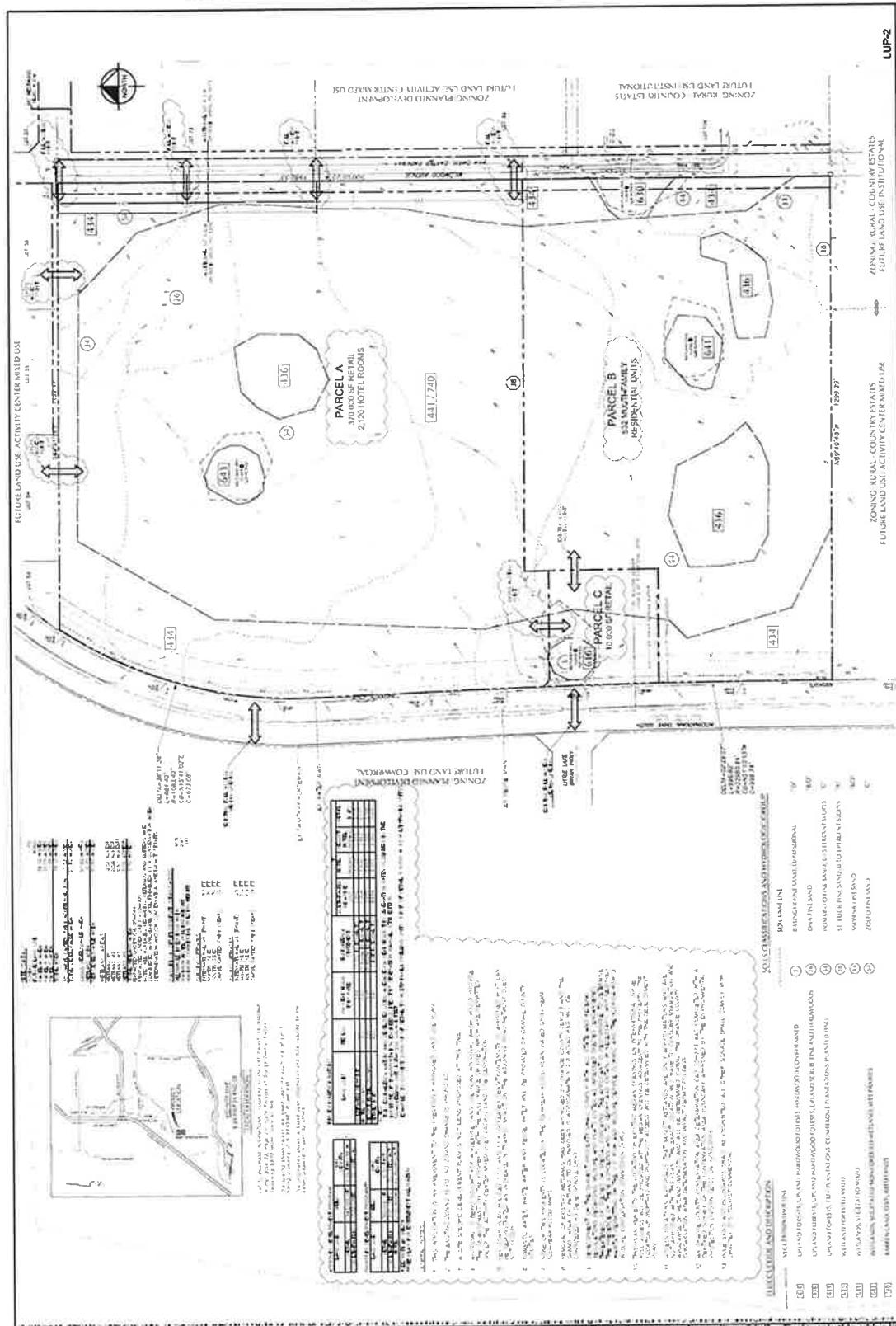


1 inch = 833 feet





**Wildwood International PD / LUP**



## Wildwood International PD CDR-20-12-355

