

# **ORANGE COUNTY**

## **PLANNING DIVISION**

# **2018-2 REGULAR**

# **CYCLE**

# **AMENDMENTS**

2010 - 2030 COMPREHENSIVE PLAN

## **BOARD OF COUNTY**

## **COMMISSIONERS**

**DECEMBER 15, 2020**  
**ADOPTION PUBLIC HEARING**

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

PLANNING DIVISION  
COMPREHENSIVE PLANNING SECTION





Interoffice Memorandum

December 15, 2020

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: Adoption Public Hearings – 2018-2 Regular Cycle Comprehensive Plan  
Amendment Requests – Continued Session IV

The 2018-2 Continued Session IV Regular Cycle Comprehensive Plan Amendments are scheduled for BCC adoption public hearings on December 15, 2020. These amendments were remanded by the BCC on July 7, 2020 to return to the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) for further review, as the applicant's requested changes to the original proposal were considered substantial. The requested amendments' prior PZC/LPA adoption public hearings were held on October 18, 2018, and both amendments were recommended for adoption. The new PZC/LPA adoption public hearings were held on November 19, 2020. The reports are also available under the Amendment Cycle section of the County's Comprehensive Planning webpage. See:

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

The **2018-2 Continued Session IV Regular Cycle – State-Expedited Review** Amendments scheduled for consideration on December 15 include one privately-initiated Future Land Use Map Amendment located in District 1 and one staff-initiated text amendment. The proposed Future Land Use Map Amendment entails a change to the Future Land Use Map for a property greater than ten acres in size. The text amendment includes changes to the Goals, Objectives, and/or Policies of the Comprehensive Plan.

The **2018-2 Continued Session IV Regular Cycle – State-Expedited Review** Amendments were heard by the PZC/LPA at a transmittal public hearing on June 21, 2018, and by the BCC at a transmittal public hearing on July 10, 2018. The amendments were reviewed by the Department of Economic Opportunity (DEO), as well as other state and regional agencies. On August 28, 2018, DEO issued a comment letter, which did not contain any concerns about the amendments undergoing the State-Expedited Review process. Pursuant to 163.3184, F.S., the proposed amendments must be adopted within 180 days of the comment letter. The Regular Cycle Amendments undergoing the State-Expedited Review process 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 January 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 [Alberto.Vargas@ocfl.net](mailto:Alberto.Vargas@ocfl.net) or Greg Gologowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or [Gregory.Gologowski@ocfl.net](mailto:Gregory.Gologowski@ocfl.net).

AAV/sw

Enc: 2018-2 Regular Cycle Amendments – BCC Adoption Binder – Continued Session IV

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

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**2018-2 Session IV Continued Regular Cycle State Expedited Review Comprehensive Plan Amendments  
Privately Initiated Future Land Use Map Amendment**

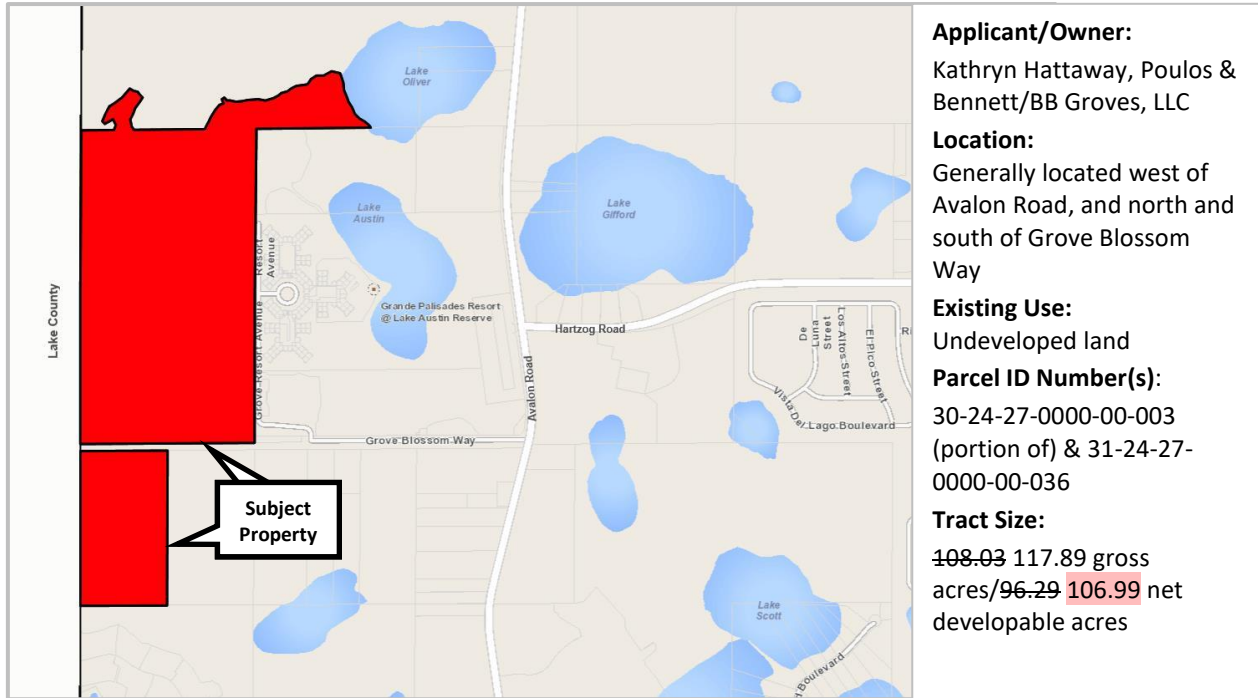
Amendment Number	Concurrent Rezoning or Substantial Change	Owner	Agent	Tax ID Number(s)	General Location / Comments	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:	Zoning Map Designation FROM:	Zoning Map Designation TO:	Acreage	Project Planner	Staff Rec	LPA Rec
District 1													
2018-2-A-1-2 (BB Groves)	N/A	BB Groves, LLC	Kathy Hattaway, Poulos & Bennett, LLC	30-24-27-0000-00-003 (portion of) and 31-24-27-0000-00-036	Generally located west of Avalon Rd., and north and south of Grove Blossom Wy.	Growth Center/ Resort/Planned Development (GC/R/PD) and Village (V)	Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR)	N/A	N/A	117.89 gross ac./ 106.99 developable ac.	Sue Watson	Adopt	Adopt (7-0)

**2018-2 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)	Project Planner	Staff Rec	LPA Rec
2018-2-B-FLUE-3	Planning Division	Text amendments to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County	Misty Mills	Adopt	Adopt (8-0)

ABBREVIATIONS INDEX:

ABBREVIATIONS INDEX: IND-Industrial; C-Commercial; O-Office; LDR-Low Density Residential; LMDR-Low-Medium Density Residential; MDR-Medium Density Residential; MHDR-Medium-High Density Residential; HDR-High Density Residential; PD-Planned Development; V-Village; CONS-Wetlands/Conservation; PR/OS-Parks/Recreation/Open Space; OS-Open Space; GB-Greenbelt; SPA-Special Planning Area; R-Rural/Agricultural; TS-Timeshare; RS-Rural Settlement; AC/MU-Activity Center Mixed Use; AC/R-Activity Center Residential; GC-Growth Center; R-Resort; PD-Planned Development; USA-Urban Service Area; WB-Water Body; CP-Comprehensive Plan; FLUM-Future Land Use Map; FLUE-Future Land Use Element; TRAN-Transportation Element; GOPS-Goals, Objectives, and Policies; OBJ-Objective; LUP-Land Use Plan; LUPA-Land Use Plan Amendment; CDR-Change Determination Request; PD-Planned Development District; A-2-Farmland Rural District; A-1-Citrus Rural District; SR-State Road; AC-Acres



**Applicant/Owner:**  
Kathryn Hattaway, Poulos & Bennett/BB Groves, LLC

**Location:**  
Generally located west of Avalon Road, and north and south of Grove Blossom Way

**Existing Use:**  
Undeveloped land

**Parcel ID Number(s):**  
30-24-27-0000-00-003 (portion of) & 31-24-27-0000-00-036

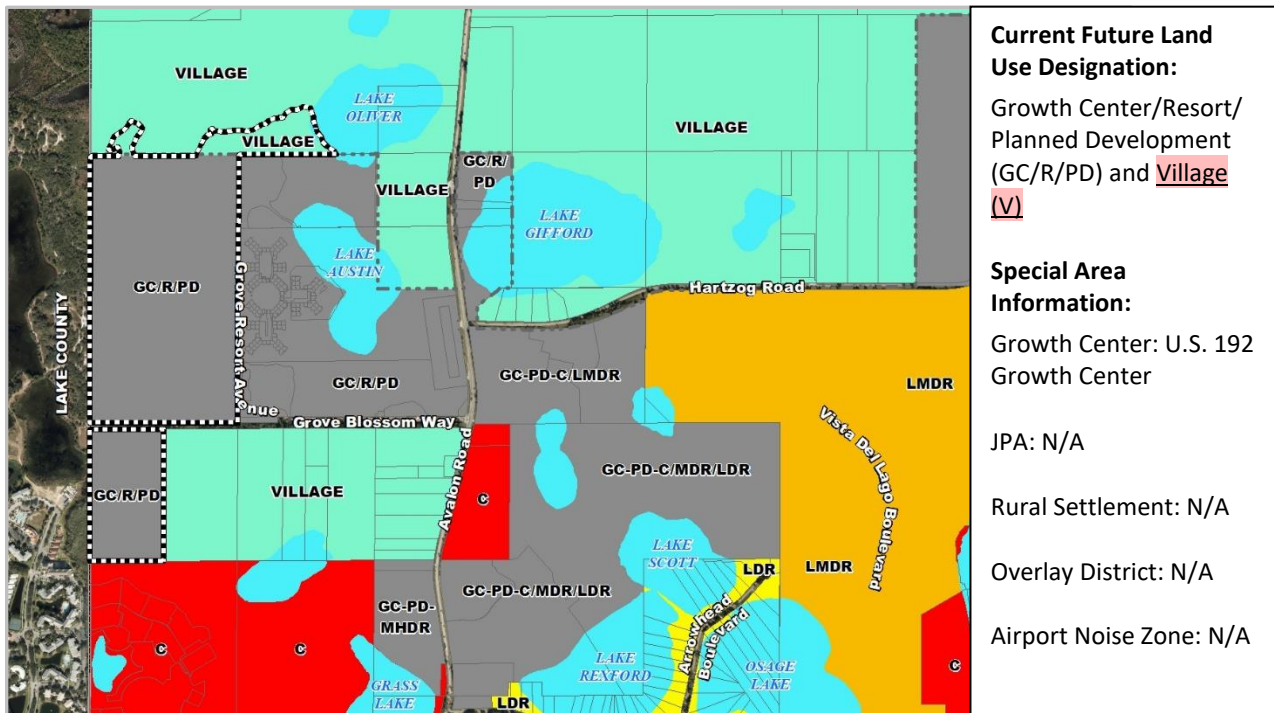
**Tract Size:**  
~~108.03~~ 117.89 gross acres/~~96.29~~ 106.99 net developable acres

The following meetings/hearings have been held:		Project Information
Report/Public Hearing	Outcome	
✓ A community meeting was held May 24, 2018, with 3 attendees.	Positive	<p><b>Future Land Use Map Amendment Request:</b> Growth Center/Resort/Planned Development (GC/R/PD) and Village (V) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR)</p> <p><b>Proposed Development Program:</b> <b>Resort and LMDR Uses:</b> Capped at 500 units in total. Resort and LMDR uses shall be separated by a road network that does not integrate the uses on the same street or internal PD neighborhood. <b>Resort Uses:</b> Any combination of up to 500 detached/attached multi-family or single-family units, hotel rooms, resort villas, or timeshare units, all operated as transient or short-term uses <b>LMDR Residential Uses:</b> Any combination of up to 500 detached/attached, multi-family or single-family residential units <b>Commercial:</b> 10,000 square feet <b>Office:</b> 20,000 square feet.</p> <p><b>Public Facilities and Services:</b> Please see the Public Facilities Analysis Appendix for specific analysis of each public facility. <b>Environmental:</b> A Conservation Area Determination, CAD 18-02-021, was issued May 3, 2019, with an expiration date of May 3, 2024. <b>Transportation:</b> The proposed uses will generate 475 644 pm peak hour trips, resulting in a net decrease of 958-789 pm peak hour trips over current approvals. <b>Schools:</b> Capacity Enhancement Agreement (CEA) #OC-18-051 was approved by the Orange County School Board February 26, 2019. The applicant has submitted an amendment to the existing CEA, OC-20-060, which is currently under review.</p>
✓ Staff Report	Recommend Transmittal	
✓ LPA Transmittal June 21, 2018	Recommend Transmittal (8-0)	
✓ BCC Transmittal July 10, 2018	Transmit (7-0)	
✓ State Agency Comments August 28, 2018	FFWCC: Potential for Florida black bears to occur in the project area	
✓ LPA Adoption October 18, 2018	Recommend Adoption (8-1)	
✓ BCC Adoption July 7, 2020 (Continued from June 4, July 2, August 6, and November 12, 2019)	Remand back to the LPA for additional review (7-0)	
✓ LPA Adoption November 19, 2020	Recommend Adoption (7-0)	
✓ BCC Adoption	December 15, 2020	

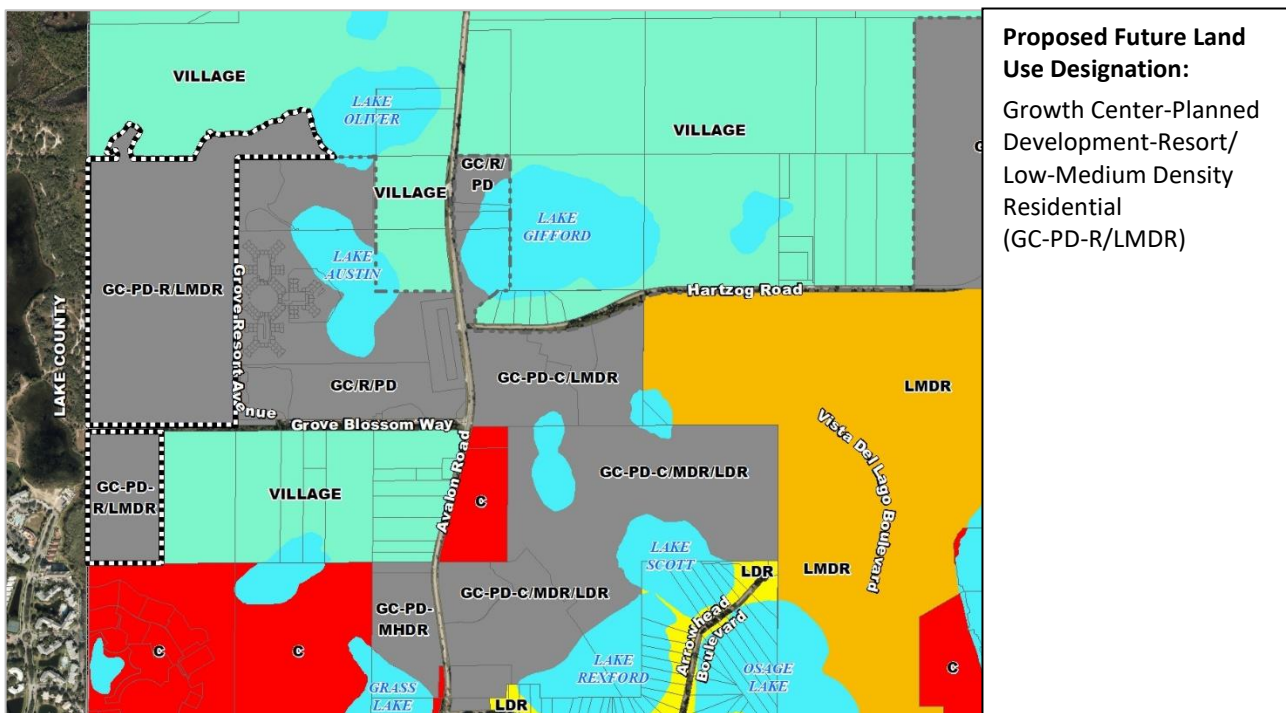
SITE AERIAL



**FUTURE LAND USE - CURRENT**

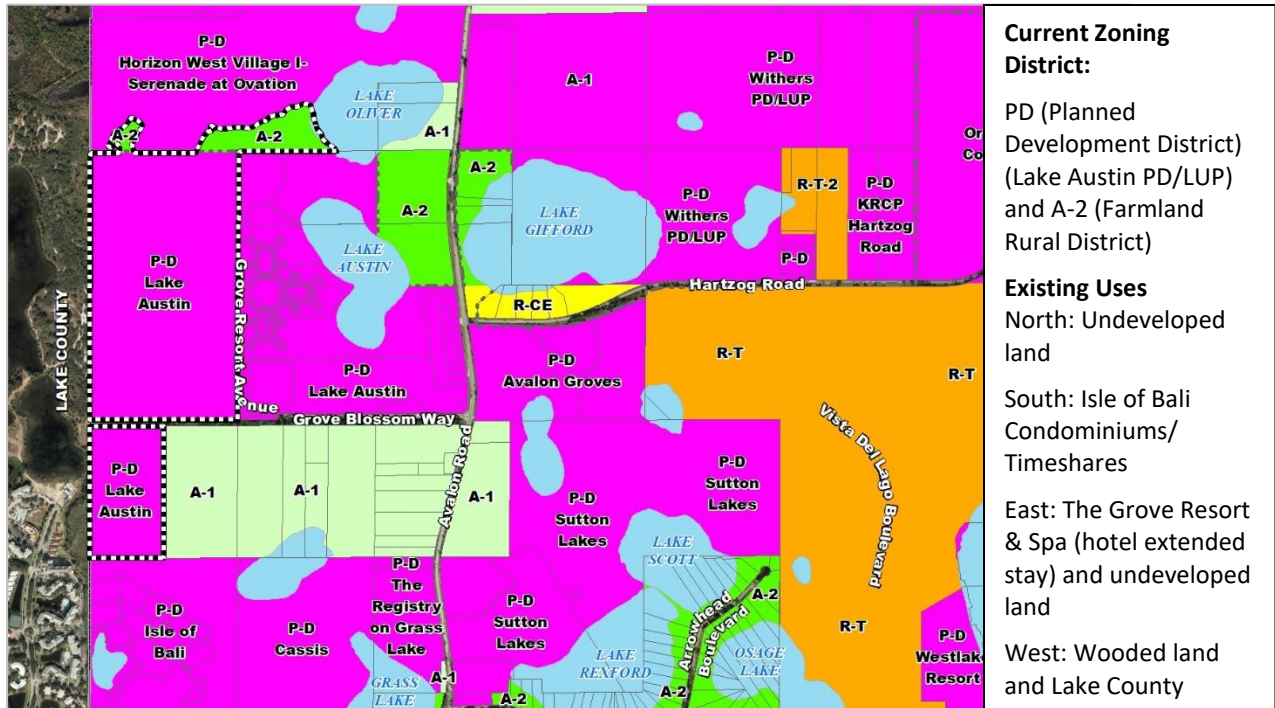


**FUTURE LAND USE - AS PROPOSED**





**ZONING - CURRENT**



## Staff Recommendation

Make a finding of **consistency** with the Comprehensive Plan (see Housing Element Goal H1; Housing Element Objective H1.1, Future Land Use Element Objective FLU8.2, and Conservation Element Objective C1.4; and Policies FLU1.1.1, FLU1.1.2.A, FLU1.1.4.F, FLU7.4.4, FLU7.4.6, FLU8.1.4, FLU8.2.1, FLU8.2.2, and FLU8.2.10), determine that the amendment is in compliance, and **ADOPT** Amendment 2018-2-A-1-2, Growth Center/Resort/Planned Development (GC/R/PD) and Village (V) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR).

## Analysis

### 1. Background and Development Program

The applicant, Kathryn Hattaway of Poulos & Bennett, is requesting to change the Future Land Use Map (FLUM) designation of the 117.89-acre subject property—comprised of 106.99 upland acres and 10.9 acres of wetlands—from Growth Center/Resort/Planned Development (GC/R/PD) and Village (V) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR). The applicant is proposing a development program comprised of a mix of resort, residential, commercial, and office uses, with the flexibility to provide a variety of housing types and tourist-oriented lodging options within the project boundary. If approved, resort and LMDR residential uses would be capped at 500 units in total. Resort and LMDR uses shall be separated by a road network that does not integrate the uses on the same street or internal PD neighborhood. Resort uses could consist of any combination of up to 500 detached/attached multi-family or single-family units, hotel rooms, resort villas, or timeshare units, all operated as transient or short-term uses. LMDR residential uses could feature any combination of up to 500 detached/attached, multi-family or single-family residential units. In addition to the resort and residential uses, up to 10,000 square feet of commercial development and 20,000 square feet of office space are proposed.

As shown on the aerial photograph, the undeveloped subject site is located west of Avalon Road, north and south of Grove Blossom Way, and east of the Lake County boundary. The property lies immediately west of the Grand Palisades Resort, now known as The Grove Resort & Spa, and the Palisades Condominiums. The property is situated in an area characterized by a mix of resort development; existing and planned residential communities featuring a variety of housing types, including single-family detached homes, townhomes, multi-family units, and manufactured homes; individual residential/agricultural homesites; and vacant land.

The applicant's original FLUM Amendment application entailed two requests that involved a 108.03-acre South Parcel (GC/R/PD to GC-PD-R/LMDR) and a 9.86-acre North Parcel. The North Parcel's FLUM Amendment petition was to change the property's FLUM designation from Village (V) to Horizon West, Village I Special Planning Area (SPA) Greenbelt (GB). No vertical construction was proposed for the North Parcel; rather, it was intended to be used for open space and stormwater retention for the South Parcel. Orange County Planning Division's Senior Staff subsequently determined that the North Parcel's FLUM Amendment request was not necessary. Senior Staff informed the applicant team that the North Parcel could be aggregated with the existing Lake Austin Planned Development (PD) through a Land Use Plan Amendment (LUPA). The North Parcel would be rezoned from A-2 (Farmland Rural District) to PD (Planned Development District) and would be designated as open space/stormwater retention area on the amended PD Land Use Plan (LUP).

During the July 7, 2020, Board of County Commissioners (BCC) adoption public hearing, the BCC remanded the amendment application back to the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) for a new adoption hearing, as a revised petition—made in accordance with

the direction provided by Senior Staff—would be considered a substantial change to the original request. Subsequently, the applicant amended the application to include the 9.86-acre North Parcel and to change its FLUM designation from Village (V) to the same Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR) designation as that proposed for the South Parcel. If this unified future land use designation is ultimately approved, the subject property could potentially accommodate the requested Grand Luxx Planned Development (PD)/Land Use Plan (LUP), LUP-20-05-151, that is currently proceeding through the Development Review Committee (DRC) review process. The Grand Luxx PD/LUP application proposes a development program of 260 short-term rental detached units and a 240-room hotel on the 117.89-acre subject site identical to that of this requested FLUM Amendment. Staff notes, though, that the County is not obligating the applicant to adhere to the present Grand Luxx development concept. If this proposed FLUM Amendment is ultimately adopted, the Grand Luxx PD/LUP application could be withdrawn and replaced with a new PD rezoning petition or amended to request an alternative development program.

The 108.3-acre South Parcel is presently part of the 210.98-acre Lake Austin PD, originally approved by the BCC on April 17, 2001, as an 89.10-acre mixed-use development entitled for 540 timeshare units, 40,000 square feet of retail commercial/office uses, and 224 hotel rooms. The PD was subsequently expanded by 24.31 acres on March 2, 2004 (Rezoning Case Z-03-121), with the entitlements revised to consist of up to 999 timeshare units, 15,000 square feet of C-1 (Retail Commercial District) uses, and 6.2 acres of recreation. The PD was again amended on January 26, 2010 (Case RZ-09-06-016), adding 104.77 acres and establishing a maximum development program of 4,159 timeshare units, 60,000 square feet of C-1 uses, and 21.8 acres of recreation. As the Lake Austin PD met the criteria for Development of Regional Impact (DRI) status via this increase in entitlements, the BCC approved the associated Development Order for the Grand Palisades Resort Development of Regional Impact (DRI) during the January 26, 2010, meeting. On March 23, 2010, the BCC approved the Grand Palisades Resort Development of Regional Impact Corrected Development Order, including the legal description as Exhibit 1, Map "H" as Exhibit 2, and The Grand Palisades Resort DRI Transportation Proportionate Share Agreement as Exhibit 3.

On July 12, 2016, the BCC approved a substantial change to the Lake Austin PD (Case CDR-16-01-027) to revise the use description from "Timeshare" to "Short Term Rental" and increase the PD's entitlements from 4,159 units to 4,831 units (consistent with the previously-approved DRI/DO); modify project phasing dates and amount of development per phase; revise traffic generation calculations; expand list of approved recreational facilities; identify previously-dedicated road right-of-way; add two (2) parcel identification numbers not previously identified; modify and renumber existing notes on the plan; add Notes 11-22 (some of which transfer DRI/DO environmental and transportation conditions); and add a Master Sign Plan (MSP) with three (3) related waivers from Orange County Code, that primarily relate to signage. Concurrent with the PD substantial change, the BCC rescinded the Grand Palisades Resort DRI/DO.

The South Parcel is identified as Phase Three on the currently-approved Lake Austin PD. Presently, Phase Three is approved for 3,332 short-term rental units, 10,000 square feet of commercial uses, and 20,000 square feet of administration uses. As stated previously, the applicant is requesting to incorporate the undeveloped A-2-zoned North Parcel into the project boundary, proposing the uniform GC-PD-R/LMDR FLUM designation for the combined 117.89 acres and a mix of resort, residential, commercial, and office uses, with the flexibility to offer a range of housing and lodging options within the project boundary. The subject site is located in an area where nearby properties in the U.S. 192 Growth Center, characterized by both tourist-oriented commercial activity and

residential development with a variety of housing types, have recently obtained FLUM Amendment approvals.

- On November 12, 2019, the BCC approved FLUMA 2019-2-A-1-1 to change the FLUM designation of the 37.83-acre site located across the street, at the corner of Avalon Road and Hartzog Road, east of the subject site, from Growth Center-Planned Development-Commercial/Low-Medium Density Residential (GC-PD-C/LMDR) and Growth Center-Planned Development-Low-Medium Density Residential (GC-PD-LMDR) to Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR). The proposed development program consists of 300 short-term rental units and 300 multi-family dwelling units. The site, now known as the Avalon Groves PD, was created from two Planned Developments, the Island Reef PD and the Groves of West Orange PD.
- On June 28, 2016, the BCC approved FLUMA 2016-1-A-1-8 to change the FLUM designation of the 23.94-acre site located across the street at the corner of Avalon Road and Hartzog Road, east of the subject site, from Growth Center-Commercial (GC-C) to Growth Center-Planned Development-Commercial/Low-Medium Density Residential (GC-PD-C/LMDR). The proposed development program consists of up to 220 single-family dwelling units (attached and detached) and 20,000 square feet of retail commercial uses. The site is also known as the Island Reef PD.
- On December 16, 2014, the BCC approved FLUMA 2014-2-A-1-2 (fka 2013-2-A-1-4) to change the FLUM designation of the 139.88-acre property located across the street on Avalon Road, east of the subject property, from Growth Center-Commercial (GC-C) and Growth Center-Low Density Residential (GC-LDR) to Growth Center-Planned Development-Commercial/Medium Density Residential/Low Density Residential (GC-PD-C/MDR/LDR). The proposed development program consists of 700 single-family residential units (attached and detached) and 20,000 square feet of retail uses and is known as the Sutton Lakes PD.
- On November 19, 2013, the BCC approved FLUMA 2013-2-A-1-3 to change the FLUM designation of a 13.88-acre parcel—also located across the street on Hartzog Road, east of the subject site—from Growth Center-Commercial (GC-C) to Growth Center-Planned Development-Low-Medium Density Residential (GC-PD-LMDR) to allow for the development of up to 139 single-family dwelling units. The site is also known as the Groves of West Orange PD. On October 20, 2015, the BCC approved the PD rezoning petition (Case LUP-14-01-009) and the establishment of a development program consisting of 108 single-family detached and attached (townhome) units.

A community meeting was held for this proposed amendment on May 24, 2018, with three (3) members of the public in attendance. The applicant, Ms. Kathy Hattaway, gave an overview of the proposed amendment request and stated the proposed development program would consist of 500 single-family dwelling units. Ms. Hattaway stated that the units may be any combination of age-restricted, short-term rentals, or market rate housing. She stated she was asking for the LMDR FLUM designation, which allows for a maximum ten (10) dwelling units per acre, but she is limiting the development to approximately five (5) dwelling units per acre. One resident asked if the proposed project warrants signalization at Avalon Road and Grove Blossom Way. The Orange County Engineer, Ms. Diana Almodovar, stated that a traffic study, paid for by the property owner, would need to be conducted by the Orange County Traffic Engineering Division, but as it stands today, the proposed development does not warrant signalization. Another resident asked why the change from short-term rentals and the existing uses was requested. Ms. Hattaway stated that the new property owner has a different business model. Ms. Hattaway informed the residents in attendance that she could

not tell them the specific number of unit types (age-restricted, short-term rental, and market rate housing) at this time but noted that they will be determined when the Lake Austin PD Land Use Plan Amendment package is submitted, if the BCC transmits the proposed amendment to the state. The residents in attendance responded positively to 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. 108.03 acres of the subject property's 117.89 acres lie within the U.S. 192 Growth Center, with the remaining 9.86 acres proposed for inclusion within its boundary. **Future Land Use Element Policy FLU1.1.4F** states that Growth Centers are a Future Land Use designation implemented through Joint Planning Area agreements with an outside jurisdiction. These agreements provide, at a minimum, that the County will not incur initial capital costs for utilities. The subject property is located within Orange County Utilities' (OCU's) potable water, wastewater, and reclaimed water service areas. Per OCU, there is a 24-inch potable water main, a 15-inch gravity sewer main, and a 12-inch reclaimed water main located in the Grove Blossom Way right-of-way to service the subject property. According to OCU, there is sufficient plant capacity to serve the proposed amendment, and capacity will be reserved upon payment of capital charges in accordance with County resolutions and ordinances.

To satisfy the requirement of **Future Land Use Element Policy 1.1.2.A**, the applicant has specified the maximum desired development program for the residential portion of the project. The applicant is seeking the flexibility to provide a variety of housing types within the project boundary and is requesting the Low-Medium Density Residential (LMDR) FLUM designation, with a maximum allowable density of ten (10) dwelling units per net acre, for the residential component of the development. The number of residential units shall be capped at 500, which may be any combination of detached/attached multi-family or single-family dwelling units. Staff emphasizes, though, that the applicant is also requesting the option to develop resort uses on the subject site, which may consist of multi-family or single-family units, hotel rooms, resort villas, or timeshare units, all operated as transient or short-term uses. In combination, the resort and LMDR residential uses may not exceed 500 units. Therefore, the construction of a 500-unit resort development would preclude the provision of conventional housing. Staff also emphasizes that the resort and LMDR uses shall be separated by a road network that does not integrate the uses on the same street or internal PD neighborhood. In addition to the resort and residential uses, up to 10,000 square feet of commercial development and 20,000 square feet of office space are proposed.

**Future Land Use Element Policy FLU7.4.4** states that urban intensities shall be permitted in designated Growth Centers when urban services are available from other sources, as approved by Orange County, consistent with the appropriate policies of the Comprehensive Plan. **Policy FLU7.4.4** also states that if services and facilities sufficient to maintain adopted level of service standards are not available concurrent with the impacts of development, the development will be phased such that the services and facilities will be available when the impacts of development occur or the development orders and permits will be denied.

**Future Land Use Element Policy FLU7.4.6** states that within a Growth Center, all new development must apply for Planned Development zoning to specifically identify densities, intensities, and mix of land uses. As mentioned above, a rezoning application to create a new PD, Case LUP-20-05-151, Grand Luxx Planned Development/Land Use Plan (PD/LUP), has been submitted to the DRC Office. The application is currently undergoing DRC review. The Grand Luxx PD/LUP petition proposes a

development program of 260 short-term rental detached units and a 240-room hotel on the 117.89-acre subject site, which—as noted earlier—is identical to that of this requested FLUM Amendment. Staff, again, notes that the County is not obligating the applicant to adhere to the present Grand Luxx development concept. If this proposed FLUM Amendment is ultimately adopted, the Grand Luxx PD/LUP application could be withdrawn and replaced with a new PD rezoning petition or amended to request an alternative development program.

The subject property is located in an area characterized by a variety of housing types—including residential/agricultural homesites, conventional single-family subdivision development (Hartzog Subdivision), a proposed multi-family development (the 300-unit Avalon Grove PD/Avalon Pointe Apartments, Case DP-19-12-415), a proposed short-term rental development (the 300-unit Avalon Groves PD, South Parcel DP, currently proceeding through the DRC review process), and a manufactured home community (the 925-unit Vista Del Lago Manufactured Home Park). The applicant's intent to develop up to 500 multi-family and/or single-family residential dwelling units 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. **Future Land Use Element Policy FLU8.2.2** 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 **Future Land Use Element Policy FLU1.1.1**. Staff notes that if this requested amendment is adopted, the development standards will be determined during the PD rezoning process.

**Conservation Element Objective C1.4** and its supporting policies call for the protection of wetlands and existing native wildlife (flora and fauna). Staff notes that a Conservation Area Determination, CAD-18-02-021, was completed May 3, 2019, establishing the presence of 35.83 acres of total wetlands, 55.40 acres of surface waters, and 182.30 acres of uplands on the site, which consist of the overall Parcels 30-24-27-0000-00-003 and 31-24-27-0000-00-036. The CAD determined that Class I, II, and III wetlands are located on the subject property.

**Future Land Use Element Policy FLU8.1.4** lists the development program for Planned Development (PD) and Lake Pickett (LP) FLUM 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 2018-2-B-FLUE-3). The maximum development program for Amendment 2018-2-A-1-2, if adopted, would be as follows:

FLU8.1.4

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Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
2018-2-A-1-2 BB Groves	<u>Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR)</u>	<p><del>500 single-family dwelling units (may be any combination of age-restricted, short-term rental, or market rate housing)</del></p> <p><u>Resort and LMDR Uses: Capped at 500 units in total. Resort and LMDR uses shall be separated by a road network that does not integrate the uses on the same street or internal PD neighborhood.</u></p> <p><u>Resort Uses: Any combination of up to 500 detached/attached multi-family or single-family units, hotel rooms, resort villas, or timeshare units, all operated as transient or short-term uses</u></p> <p><u>LMDR Residential Uses: Any combination of up to 500 detached/attached, multi-family or single-family residential units</u></p> <p><u>Commercial: 10,000 square feet</u></p> <p><u>Office: 20,000 square feet.</u></p>	2020-

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**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 situated in an area characterized by a mix of resort development, existing and planned residential communities featuring a variety of housing types, individual residential/agricultural homesites, and vacant land. As mentioned previously, The Grove Resort & Spa and the Palisades Condominiums—both presently operating as short-term rental establishments—are located immediately east of the site. In addition, a planned 300-unit multi-family development, Avalon Pointe Apartments, and a 300-unit short-term rental development will be located directly across the street, east of the subject property.

If the requested FLUM Amendment is adopted, provisions must be taken to ensure that any future development of the subject site for a mix of resort, residential, commercial, and office uses will not adversely impact the existing residential communities in the surrounding area. Although no restrictions or conditions may be imposed during the FLUM Amendment stage, performance restrictions and/or conditions may be placed on the property to ensure compatibility, as established in **Policy FLU8.2.1**. **Policy FLU8.2.10** states that commercial and office uses in residential areas shall be subject to performance standards including, but not limited to, building height restrictions, compatible architectural designs, floor area ratio limitations, lighting and location requirements, landscaping and buffering requirements, and parking design to ensure land use compatibility. The compatibility issues, along with the delineation of the proposed resort, commercial, office, single-family, and multi-family areas within the PD boundary, will be addressed in greater detail during the subsequent consideration of the PD rezoning application. It is staff's belief that the proposed project is compatible with the mix of existing and planned single-family subdivision development, residential/agricultural homesites, multi-family complexes, and manufactured home communities within the U.S. 192 Growth Center. Staff, therefore, recommends adoption of this requested amendment.

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

**Environmental Protection Division**

**Note:** Following the Environmental Protection Division's (EPD's) issuance of the comments below, an updated Conservation Area Determination, CAD-18-02-021, was completed. The CAD was issued May 3, 2019, with an expiration date of May 3, 2024.

Orange County Conservation Area Determination CAD 07-119 delineated the wetlands and surface waters on the subject parcels. However, this determination expired in 2013. A new CAD must be completed, with a certified wetland boundary survey approved by EPD prior to submittal of a subdivision, development plan, or permit application, in accordance with Orange County Code Chapter 15, Article X, Wetland Conservation Areas. Until wetland permitting is complete, the net developable acreage is only an approximation. The net developable acreage is the gross acreage less the wetlands and surface waters acreage. The buildable area is the net developable acreage less protective buffer areas, if 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 EPD. Please reference Comprehensive Plan Policy FLU1.1.2 C.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include, but are not limited to, a 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

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). The ecological assessment dated February 14, 2018 submitted with this request reported the presence of listed species on site, including numerous gopher tortoise burrows and sand skink habitat, among others.

All development is required to pretreat stormwater runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

### Transportation Planning Division

**Note:** The Transportation Planning Division's comments below were based on the original North Parcel/South Parcel concept and the applicant's transportation facilities analysis.

The applicant is requesting to change a total of 117.89 acres, divided into the South and North Parcels as follows: **South Parcel** from Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR) and **North Parcel** from Village (V) to ~~Horizon West, Village I Special Planning Area (SPA)-Greenbelt (GB)~~ Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR) and approval to develop up to 500 single family dwelling units, 10,000 square feet of commercial uses, and 20,000 square feet of administration uses.

- The subject property is not located within the County's Alternative Mobility Area or along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the property's current future land use designations will generate 1,433 pm peak hour trips.
- Development in accordance with the requested future land use designation will generate 475 644 pm peak hour trips, resulting in a net decrease of 958 789 pm peak hour trips.
- The subject property is located adjacent to Avalon Road, a two-lane collector. This facility currently has two (2) deficient roadway segments, US 192 to Hartzog Road and Hartzog Road to Seidel Road, within the project's impact area.
- The traffic study did not include the Hartzog Road segment from Avalon Road to Western Way, which falls within the project's one-mile impact area. A revision was requested to include an analysis of this segment. Nonetheless, this segment is currently operating within its adopted capacity and will not be impacted by the proposed FLUM change.
- Based on the Concurrency Management System database dated ~~May 1, 2018~~ October 1, 2020, the following two (2) roadway segments are operating below the adopted level of service standard within the project's impact area:
  - Avalon Road, from US 192 to Hartzog Road
  - Avalon Road, from Hartzog Road to Seidel Road.

This information is dated and subject to change.

- Analysis of the short-term (interim year) 2023 and long-term (horizon year) 2030 conditions indicates that these deficiencies will continue with or without the proposed amendment. Development in accordance with the requested FLUM Amendment, if adopted, is expected to decrease the number of trips generated.
- 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. 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 Policy Plan.

#### Utilities

The subject property is located within Orange County Utilities' (OCU's) potable water, wastewater, and reclaimed water service areas. Per OCU, there is a 24-inch potable water main, a 15-inch gravity sewer main, and a 12-inch reclaimed water main located in the Grove Blossom Way right-of-way.

#### Orange County Public Schools (OCPS)

On February 26, 2019, the School Board approved the Capacity Enhancement Agreement (CEA) associated with this requested amendment, OC-18-051. The applicant has submitted an amendment to the approved CEA (OC-20-060), which is currently under review.

### 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 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.

**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.

**FLU1.1.1** – 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.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.

**FLU1.1.4.F – GROWTH CENTER(S)** – Growth Centers are a Future Land Use designation implemented through Joint Planning Area agreements with an outside jurisdiction. These agreements provide at a minimum that the County will not incur initial capital costs for utilities. Orange County has two Growth Centers – one in the northwest referred to as the Northwest Growth Center and one in the southeast referred to as Growth Center/Resort/PD.

**FLU7.4.4** – Urban intensities shall be permitted in designated Growth Centers when urban services are available from other sources as approved by Orange County, consistent with the appropriate policies of the Comprehensive Plan. If services and facilities sufficient to maintain adopted level of service standards are not available concurrent with the impacts of development, the development will be phased such that the services and facilities will be available when the impacts of development occur or the development orders and permits will be denied.

**FLU7.4.6** – Within a Growth Center, all new development must apply for Planned Development zoning, in order to specifically identify densities, intensities and mixture of land use. Additionally, all

new development and substantial redevelopment in portions of Growth Centers located within the Wekiva Study Area shall adhere to the development standards adopted to implement the Wekiva Parkway and Protection Act, Ch. 369, Part III, FS.

Such standards shall include, but are not limited to: additional stormwater treatment and retention (maintenance of water quality and recharge); enhanced wastewater treatment; limitations of certain allowed uses within the most vulnerable portions of the Study Area; subdivision standards; open space requirements; “smart growth” roadway design standards; parking lot design standards, upland habitat protection, and such other measures as required to protect ground and surface water in the Wekiva Study Area.

**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.

**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

**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 –Undeveloped



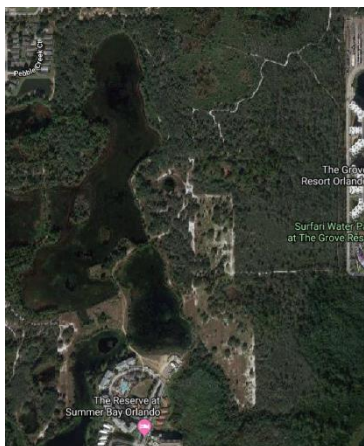
North – Undeveloped



South – Timeshare Resort



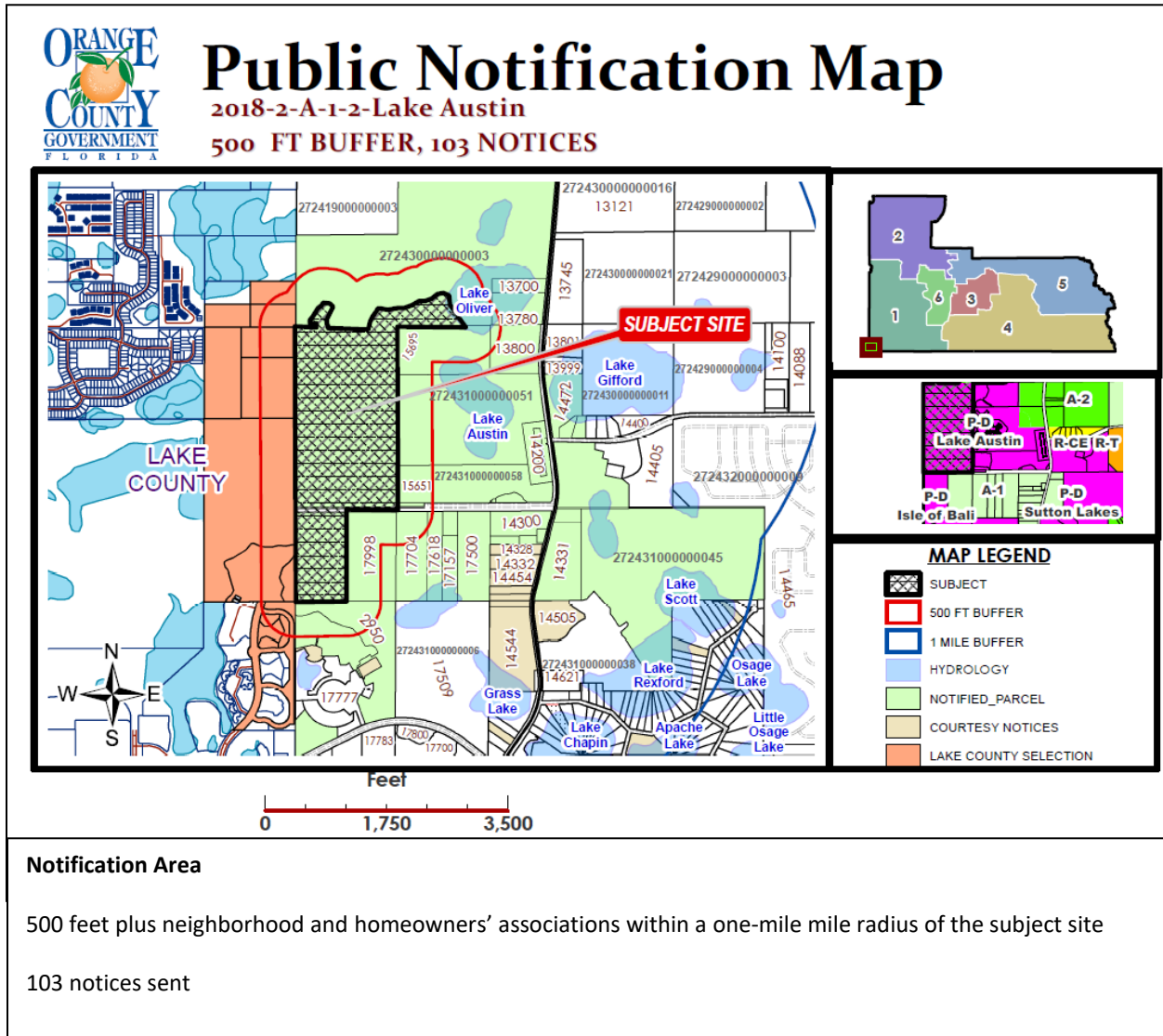
West – Lake County

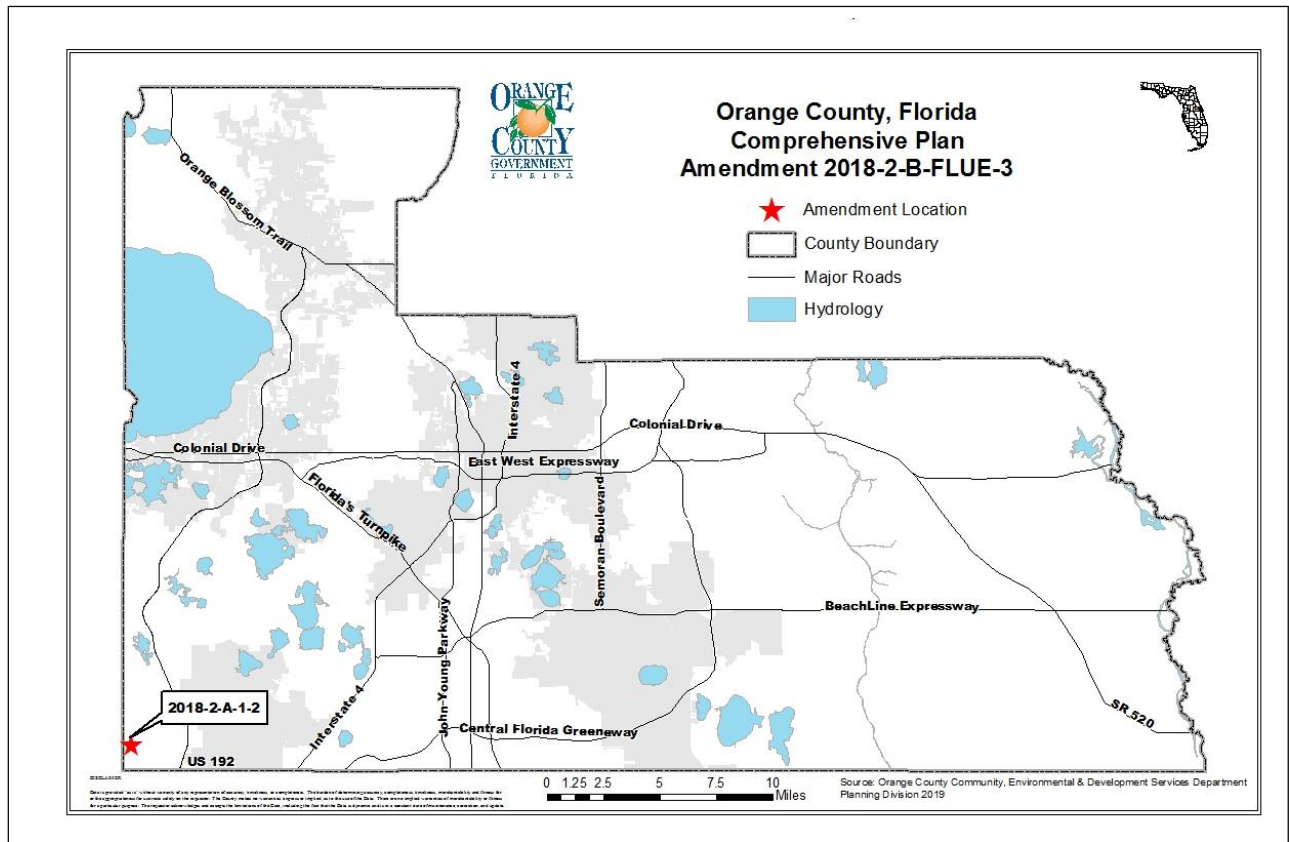


East – Timeshare Resort



**PUBLIC NOTIFICATION MAP**





The following meetings and hearings have been held for this proposal:			Project/Legal Notice Information	
<b>Report/Public Hearing</b>	<b>Outcome</b>		<b>Title:</b> Amendment 2018-2-B-FLUE-3	
✓	Staff Report	Recommend Transmittal	<b>Division:</b> Planning	
✓	LPA Transmittal June 21, 2018	Recommend Transmittal (8-0)	<b>Request:</b> Amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County	
✓	BCC Transmittal July 10, 2018	Transmit (6-0)		
✓	State Agency Comments August 28, 2018.	No comments or concerns were identified		
✓	LPA Adoption October 18, 2018	Recommend Adoption (8-1)		
✓	BCC Adoption July 7, 2020	No Action Taken – Amendment 2018-2-A-1-2 remanded back to the LPA for further review		
✓	LPA Adoption November 19, 2020	Recommend Adoption (8-0)	<b>Revision:</b> FLU8.1.4	
	BCC Adoption	December 15, 2020		

## Staff Recommendation

Make a finding of consistency with the Comprehensive Plan, determine that the plan amendment is in compliance, and **ADOPT** Amendment 2018-2-B-FLUE-3 to include the development program for Amendment 2018-2-A-1-2 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 is recommending the Board of County Commissioners make a finding of consistency with the Comprehensive Plan and adopt Amendment 2018-2-A-1-2; therefore, the development program for this amendment would be added to Policy FLU8.1.4. For specific references of consistency with the Comprehensive Plan, please refer to the staff report for this 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
<p><u>2018-2-A-1-2</u>  BB Groves</p>	<p><u>Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR)</u></p>	<p><del>500 single family dwelling units (may be any combination of age-restricted, short-term rental, or market rate housing)</del></p> <p><u>Resort and LMDR Uses: Capped at 500 units in total. Resort and LMDR uses shall be separated by a road network that does not integrate the uses on the same street or internal PD neighborhood.</u></p> <p><u>Resort Uses: Any combination of up to 500 detached/attached multi-family or single-family units, hotel rooms, resort villas, or timeshare units, all operated as transient or short-term uses</u></p> <p><u>LMDR Residential Uses: Any combination of up to 500 detached/attached, multi-family or single-family residential units</u></p> <p><u>Commercial: 10,000 square feet</u></p> <p><u>Office: 20,000 square feet.</u></p>	<p><u>2020-</u></p>

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ORDINANCE NO. 2020-\_\_\_\_\_

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE “2010-2030 COMPREHENSIVE PLAN,” AS AMENDED, BY ADOPTING AMENDMENTS PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2018 CALENDAR YEAR (SECOND CYCLE); AND PROVIDING EFFECTIVE DATES.

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

***Section 1. Legislative Findings, Purpose, and Intent.***

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

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

c. On December 15, 2020, the Board of County Commissioners held a public hearing on the adoption of the proposed amendments to the Comprehensive Plan, as described in this ordinance, and decided to adopt them.

***Section 2. Authority.*** This ordinance is adopted in compliance with and pursuant to Part II of Chapter 163, Florida Statutes.

***Section 3. Amendments to Future Land Use Map.*** The Comprehensive Plan is hereby amended by amending the Future Land Use Map designations as described at **Appendix “A,”**

31 attached hereto and incorporated herein.

32 **Section 4. Amendments to the Text of the Future Land Use Element.** The  
33 Comprehensive Plan is hereby further amended by amending the text of the Future Land Use  
34 Element to read as follows, with underlines showing new numbers and words, and strike-throughs  
35 indicating repealed numbers and words. (Words, numbers, and letters within brackets identify the  
36 amendment number and editorial notes, and shall not be codified.)

37 \* \* \*

38 **[Amendment 2018-2-B-FLUE-3:]**

39 FLU8.1.4 The following table details the maximum densities and intensities for the  
40 Planned Development (PD) and Lake Pickett (LP) Future Land Use  
41 designations that have been adopted subsequent to January 1, 2007.  
42

<b>Amendment Number</b>	<b>Adopted FLUM Designation</b>	<b>Maximum Density/Intensity</b>	<b>Ordinance Number</b>
* * *	* * *	* * *	* * *
<u>2018-2-A-1-2</u> <u>BB Groves</u>	<u>Growth Center –</u> <u>Planned Development –</u> <u>Resort/Low-Medium</u> <u>Density Residential</u> <u>(GC-PD-R/LMDR)</u>	<u>Resort and LMDR Uses: Capped</u> <u>at 500 units in total. Resort and</u> <u>LMDR uses shall be separated by</u> <u>a road network that does not</u> <u>integrate the uses on the same</u> <u>street or internal PD neighborhood.</u>  <u>Resort Uses: Any combination of</u> <u>up to 500 detached/attached multi-</u> <u>family or single-family units, hotel</u> <u>rooms, resort villas, or timeshare</u> <u>units, all operated as transient or</u> <u>short-term uses</u>  <u>LMDR Residential Uses: Any</u> <u>combination of up to 500</u> <u>detached/attached, multi-family or</u> <u>single-family residential units</u>  <u>Commercial: 10,000 square feet</u>  <u>Office: 20,000 square feet</u>	<u>2020-[insert</u> <u>ordinance</u> <u>number]</u>

43 Such policy allows for a one-time cumulative density or intensity differential of 5% based on  
44 ADT within said development program.

45 \* \* \*

46 ***Section 5. Effective Dates for Ordinance and Amendments.***

47 (a) This ordinance shall become effective as provided by general law.

48 (b) In accordance with Section 163.3184(3)(c)4., Florida Statutes, no plan amendment  
49 adopted under this ordinance becomes effective until 31 days after the DEO notifies the County  
50 that the plan amendment package is complete. However, if an amendment is timely challenged,  
51 the amendment shall not become effective until the DEO or the Administration Commission issues  
52 a final order determining the challenged amendment to be in compliance.

53 (c) No development orders, development permits, or land uses dependent on any of  
54 these amendments may be issued or commence before the amendments have become effective.

55 ADOPTED THIS 15th DAY OF DECEMBER, 2020.

56

57 **ORANGE COUNTY, FLORIDA**  
58 By: Board of County Commissioners

59

60

61

62

By: \_\_\_\_\_

63

Jerry L. Demings

64

Orange County Mayor

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

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By: \_\_\_\_\_

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Deputy Clerk

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**APPENDIX “A”**  
**FUTURE LAND USE MAP AMENDMENT**

<b><i>Appendix A*</i></b>		
<b><i>Privately Initiated Future Land Use Map Amendment</i></b>		
<b>Amendment Number</b>	<b>Future Land Use Map Designation FROM:</b>	<b>Future Land Use Map Designation TO:</b>
<b>2018-2-A-1-2</b>	<b>Growth Center/Resort/Planned Development (GC/R/PD) and Village (V)</b>	<b>Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR)</b>
<b>*The Future Land Use Map (FLUM) shall not depict the above designation until such time as it has become effective.</b>		

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## Community Meeting Memorandum

**DATE:** May 25, 2018  
**TO:** Alberto A. Vargas, MArch., Planning Manager  
**FROM:** Sue Watson, Planner  
**SUBJECT:** Amendment 2018-1-A-1-2 (Lake Austin) Community Meeting Synopsis  
**C:** Project File

---

**Location of Project:** Generally described as located west of Avalon Road, and north and south of Grove Blossom Way

**Meeting Date and Location:** Thursday, May 24, 2018 at 6:00 PM at Independence Elementary School, 6255 New Independence Parkway, Winter Garden, FL 34787

**Attendance:**

District Commissioner	District 1 Commissioner Betsy VanderLey Diana Dethlefs, Commissioner's Aide, District 1
PZC/LPA Commissioner	District 1 Commissioner Jimmy Dunn
Orange County Staff	Sue Watson, Jennifer DuBois, and Alyssa Henriquez Planning Division Diana Almodovar, County Engineer, Public Works Department
Applicant	
Residents	Kathy Hattaway, Poulos & Bennett

103 notices sent; 3 residents in attendance

**Overview of Project:** The applicant, Kathy Hattaway, is requesting to change the Future Land Use Map (FLUM) designation of the 108.03-acre subject property from Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR). The applicant proposes a development program of up to 500 single-family residential dwelling units. (The units may be any combination of age-restricted, short-term rental, or market rate housing.) The property lies within the existing Lake Austin Planned Development with approval for 3,332 short-term rental units, 10,000 square feet of commercial uses, and 20,000 square feet of administration uses.

**Meeting Summary:** Planner Sue Watson opened the meeting at 6:14 PM and introduced District 1 Commissioner Betsy VanderLey, who provided the ground rules for the format of the community meeting. Ms. Watson then introduced District 1 Commissioner Aide, Diana Dethlefs, District 1 PZC/LPA Commissioner Jimmy Dunn, Jennifer DuBois and Alyssa Henriquez of the Orange County Planning Division, Diana Almodovar, County

Engineer, Orange Public Works Department, and the applicant, Ms. Kathy Hattaway. Ms. Watson informed the residents in attendance that the original request involved two requests - South Parcel: Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR) and North Parcel: Village (V) to Horizon West, Village I Special Planning Area (SPA) Greenbelt (GB), but the Orange County Planning Division's Senior Staff determined that the North Parcel Future Land Use Map Amendment request was not necessary. The applicant will just have to rezone the north parcels from A-2 (Farmland Rural District) to P-D (Planned Development District) and bring them into the existing Lake Austin Planned Development through a Land Use Plan Amendment. Ms. Watson stated that the applicant, Ms. Hattaway, agreed with Orange County Planning Division's Senior Staff decision. 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 Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR). Staff summarized the Future Land Use Map Amendment 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, Kathy Hattaway.

Ms. Hattaway provided an overview of the proposal. She stated the Future Land Use Map Amendment request is to be able to construct a maximum of 500 single-family dwelling units. The units would consist of a combination of age-restricted, short-term rentals, and market rate housing. Ms. Hattaway stated that the proposed owner-occupied homes would comply with the Horizon West Architectural Design Standards. She stated access to the proposed units would be provided through Grove Blossom Way and through an internal road that will be provided to the north through Horizon West Village I because the same property owner owns both properties. Ms. Hattaway stated that a Capacity Enhancement Agreement (CEA) is required from the Orange County School Board for the owner-occupied homes. Ms. Hattaway also stated that a Conservation Area Determination (CAD) was previously done for the property but it has expired a new one has been submitted to the Orange County Environmental Protection Division. Ms. Hattaway informed the residents in attendance that she could not tell them the specific number of unit types at this time but they will be determined when the PD package is submitted after the BCC transmittal public hearing. She also informed the residents that the North Parcels that were part of the original request would be used for stormwater ponds. Ms. Hattaway asked if there were any questions.

#### **Questions and Comments from area residents:**

Question: Why change from short-term rentals and the existing uses?

Answer: Ms. Hattaway stated the new property owner has a different business model.

Question: County Engineer, Ms. Diana Almodovar, asked what is happening in Lake County, west of the subject property.

Answer: Ms. Hattaway stated that a Planned Development, Summer Bay P.U.D, and agricultural uses are located to the west of the subject property.

Comment: Ms. Almodovar stated that County will have to request right-of-way dedication for Grove Blossom Way.

Question: Mr. David Hume, Grove Resort representative asked if the proposed project warrants signalization at Avalon Road and Grove Blossom Way.

Question: Ms. Almodovar stated a traffic study paid for by the property owner would need to be done by the Orange County Traffic Engineering Division, but as it stands today, the proposed development does not warrant signalization.

Question: Mr. Hume stated that previously the Grove Resort showed an east-west internal street connection to the proposed property and he wanted to know if the internal road would still be built.

Answer: Ms. Hattaway stated the property owner does not have any need for the connection.

Comment: Ms. Hattaway stated that the proposed neighborhoods within the PD would have to be separated from each other—short-term rentals and market rate homes. The uses could not be mixed with each other.

Comment: Ms. Hattaway stated she was asking for Low-Medium Density Residential (LMDR) to limit the request to about five (5) units per acre and that they did not want to build at the maximum of ten (10) units per acre.

Question: What is age-restricted and what is short-term rentals?

Answer: Ms. Hattaway informed the resident that age-restricted is 55+ and short-term rentals can be rented for less than 180 days.

Comment: Commissioner VanderLey stated that the County is watching the City of Orlando's Airbnb Ordinance. The County wants to see how it is working before they draft their own.

The meeting concluded at approximately 6:44 PM.



Rick Scott  
GOVERNOR



Cissy Proctor  
EXECUTIVE DIRECTOR

July 31, 2018

**RECEIVED**  
**AUG 03 2018**  
**Planning Manager**

Mr. Alberto A. Vargas, MArch, Manager  
Orange County Planning Division  
201 South Rosalind Avenue, 2<sup>nd</sup> Floor  
Post Office Box 1393  
Orlando, Florida 32802-1393

Dear Mr. Vargas, MArch:

Thank you for submitting the Orange County's proposed comprehensive plan amendments submitted for our review pursuant to the Expedited State Review process. The reference number for this amendment package is **Orange County 18-5ESR**.

The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the Department's Comment Letter no later than **August 30, 2018**.

If you have any questions please contact Anita Franklin, Plan Processor at (850) 717-8486 or Kelly Corvin, Regional Planning Administrator, whom will be overseeing the review of the amendments, at (850) 717-8503.

Sincerely,

D. Ray Eubanks, Administrator  
Plan Review and Processing

DRE/af

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.floridajobs.org](http://www.floridajobs.org)  
[www.twitter.com/FLDEO](http://www.twitter.com/FLDEO) | [www.facebook.com/FLDEO](http://www.facebook.com/FLDEO)

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

**Rick Scott**  
GOVERNOR



**Cissy Proctor**  
EXECUTIVE DIRECTOR

**MEMORANDUM**

**TO:** Florida Department of Environmental Protection  
Florida Department of Education  
Florida Department of State  
Florida Department of Transportation District 5  
East Central Florida Regional Planning Council  
St Johns River Water Management  
South Florida Water Management District  
Florida Fish and Wildlife Conservation Commission  
Florida Department of Agriculture and Consumer Services

**DATE:** July 31, 2018

**SUBJECT: COMMENTS FOR PROPOSED EXPEDITED STATE REVIEW PLAN AMENDMENT**

**LOCAL GOVERNMENT/ STATE LAND PLANNING AGENCY AMENDMENT #: ORANGE CO 18-05ESR**

**STATE LAND PLANNING AGENCY CONTACT PERSON/PHONE NUMBER: Kelly Corvin/(850)717-8503**

The referenced proposed comprehensive plan amendment is being reviewed pursuant to the Expedited State Review Process according to the provisions of Section 163.3184(3), Florida Statutes. Please review the proposed documents for consistency with applicable provisions of Chapter 163, Florida Statutes.

Please note that your comments must be sent directly to and received by the above referenced local government within 30 days of receipt of the proposed amendment package. A copy of any comments shall be sent directly to the local government and to the State Land Planning Agency to the attention of Ray Eubanks, Administrator, Plan Review and Processing at the Department E-mail address: [DCPexternalagencycomments@deo.myflorida.com](mailto:DCPexternalagencycomments@deo.myflorida.com)

Please use the above referenced State Land Planning Agency AMENDMENT NUMBER on all correspondence related to this amendment.

Note: Review Agencies - The local government has indicated that they have mailed the proposed amendment *directly to your agency*. See attached transmittal letter. *Be sure to contact the local government if you have not received the amendment*. Also, letter to the local government from State Land Planning Agency acknowledging receipt of amendment is attached.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.floridajobs.org](http://www.floridajobs.org)  
[www.twitter.com/FLDEO](https://twitter.com/FLDEO) | [www.facebook.com/FLDEO](https://www.facebook.com/FLDEO)

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RECEIVED  
Div. of Economic Planning and Growth  
JUL 31 2018  
Div. of Economic Development  
Dept. of Economic Opportunity

July 24, 2018

Mr. Ray Eubanks, Plan Processing Administrator  
Florida Department of Economic Opportunity (DEO)  
State Land Planning Agency  
Caldwell Building  
107 East Madison – MSC 160  
Tallahassee, Florida 32399

**Re: Orange County Transmittal of the 2018-2 Regular Cycle State-Expedited Review Comprehensive Plan Amendments**

Dear Mr. Eubanks:

The Orange County Board of County Commissioners (BCC) is pleased to transmit to the Florida Department of Economic Opportunity (DEO) this 2018-2 transmittal packet, which consists of Regular Cycle – State-Expedited Review amendments to the Orange County 2010-2030 Comprehensive Plan. This is the second amendment package of the calendar year 2018 and therefore is referred to as 2018-2 for Orange County filing purposes. Transmittal public hearings for these amendments were held on June 21, 2018, and July 10, 2018, before the Local Planning Agency (LPA) and BCC, respectively. One paper and two electronic copies (CD) of the proposed amendments are enclosed.

**Regular Cycle Amendments**

Per 163.3184(3), Florida Statutes, please note the following:

The Regular Cycle – State-Expedited Review amendments included seven privately-initiated Future Land Use Map amendments, one privately-initiated text amendment, and two staff-initiated map and/or text amendments. All of the proposed amendments were on a regular agenda.

**Privately-Initiated Map Amendments**

- |              |  |
|--------------|--|
| 2018-2-A-1-1 | Kathy Hattaway, Poulos & Bennett, LLC, for Daniel A. and Susan Berry/Thistledown Farm, Inc.<br>Village (V) to Horizon West, Village of Bridgewater Special Planning Area (SPA)                             |
| 2018-2-A-1-2 | Kathy Hattaway, Poulos & Bennett, LLC, for BB Groves, LLC<br>Growth Center/ Resort/Planned Development (GC/R/PD) to Growth Center-Planned Development-Resort/Low-Medium Density Residential (GC-PD-R/LMDR) |
| 2018-2-A-1-3 | Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Fairwinds Credit Union<br>Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR)                           |
| 2018-2-A-1-4 | Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for Kerina Wildwood, Inc., Kerina Village, Inc., Kerina Inc., and Kerina Parkside Master, Inc.                                |

- Low Density Residential (LDR), Low-Medium Density Residential (LMDR), and Rural/Agricultural (R) to Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)
- 2018-2-A-1-6 VHB, Inc., for Daryl M. Carter Trustee and Carter-Orange 105 Sand Lake Land Trust  
 Activity Center Mixed Use (ACMU), Activity Center Residential (ACR), and Low-Medium Density Residential (LMDR) to Planned Development-Commercial/Medium-High Density Residential (PD-C/MHDR)
- 2018-2-A-1-7 Momtaz Barq, P.E., Terra-Max Engineering, Inc., for Macomb Oakland Sand Lake, LLC  
 Planned Development-Time Share/Medium Density Residential/Hotel/Office (PD-TS/MDR/HOTEL/O) to Planned Development-Time Share/Medium-High Density Residential/Hotel/Office (PD-TS/MHDR/HOTEL/O)
- 2018-2-A-5-1 Julie Salvo, AICP, Orange County Public Schools, for Hamilton, LLC  
 Rural/Agricultural (R) to Educational (EDU)

**Privately-Initiated Text Amendment**

- 2018-2-P-1-5 Marc Skorman for Audrey L. Arnold Revocable Trust, Audrey L. Arnold and James P. Arnold Life Estate, Ron Marlow and Kathy Darlene Marlow, and Billy Kenneth Williams, and Lynn A. Williams  
 Text amendment to proposed Future Land Use Element Policy FLU2.5.5 and creating Policy FLU2.5.5.1 related to the proposed Lake Mabel Rural Residential Enclave

**Staff-Initiated Amendments**

- 2018-2-B-FLUE-1 Text amendments to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County
- 2018-2-B-FLUE-2 Text amendment to the Horizon West Village policies for perimeter remnant parcels

Orange County certifies that the proposed amendments, including associated data and analysis and all supporting documents, have been submitted to the parties listed below simultaneously with submittal to DEO, pursuant to 163.3184(3)(b)2, Florida Statutes. The amendment package is available for public inspection at the Orange County Planning Division as well as online at:

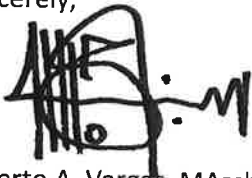
<http://www.orangecountyfl.net/PlanningDevelopment/ComprehensivePlanning> or [www.tinyurl.com/OCCompPlan](http://www.tinyurl.com/OCCompPlan)

Agency	Contact
Department of Agriculture and Consumer Services	Comprehensive Plan Review
Department of Education	Tracy D. Suber, Education Consultant-Growth Management Liaison
Department of Environmental Protection	Suzanne E. Ray
Department of State	Deena Woodward, Historic Preservation Planner

Florida Fish and Wildlife Conservation Commission Governor's Office of Tourism, Trade, and Economic Development Department of Transportation, District Five	Scott Sanders Sherri Martin, Sr. Analyst  Heather S. Garcia, Planning & Corridor Development Manager
East Central Florida Regional Planning Council St. Johns River Water Management District South Florida Water Management District	Andrew Landis, Regional Planner Steven Fitzgibbons, Intergovernmental Planner Terry Manning, AICP, Policy and Planning Analyst

We look forward to working with DEO staff during your review of the amendment packet. If you have any questions, please contact Greg Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at 407.836.5624 or via email at [Gregory.Golgowski@ocfl.net](mailto:Gregory.Golgowski@ocfl.net).

Sincerely,



Alberto A. Vargas, MArch., Manager  
Orange County Planning Division

AAV/GG/tlp

enc: 2018-2 Regular Cycle State-Expedited Review Amendments DEO Transmittal Binder

c w/enclosures: Chris Testerman, AICP, Assistant County Administrator  
Jon V. Weiss, P.E., Director, Community, Environmental, and Development Services Dept.  
Joel Prinsell, Deputy County Attorney  
Roberta Alfonso, Assistant County Attorney  
John Smogor, Planning Administrator, Planning Division  
Gregory Golgowski, Chief Planner, Planning Division  
Sue Watson, Planner II, Planning Division

**Rick Scott**  
GOVERNOR



**Cissy Proctor**  
EXECUTIVE DIRECTOR

August 28, 2018

The Honorable Teresa Jacobs  
Mayor, Orange County  
201 South Rosalind Avenue, 5th Floor  
Orlando, Florida 32801

Dear Mayor Jacobs:

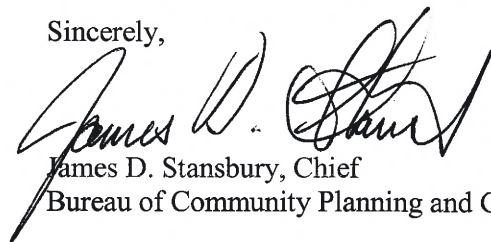
The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Orange County (Amendment No. 18-5ESR), which was received on July 31, 2018. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Department of Economic Opportunity's authorized scope of review that will be adversely impacted by the amendment if adopted.

The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such comments could form the basis for a challenge to the amendment after adoption.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department of Economic Opportunity and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

We appreciate the opportunity to work with the County's staff in the review of the amendment. If you have any questions concerning this review, please contact Jennie Leigh Copps, at (850) 717-8534, or by email at [jennie.copps@deo.myflorida.com](mailto:jennie.copps@deo.myflorida.com).

Sincerely,



James D. Stansbury, Chief  
Bureau of Community Planning and Growth

JS/jlc

Enclosure(s): Procedures for Adoption

cc: Alberto A. Vargas, MArch., Manager, Orange County Planning Division  
Hugh W. Harling, Jr., P.E., Executive Director, East Central Florida Regional Planning Council

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
850.245.7105 | [www.floridajobs.org](http://www.floridajobs.org)  
[www.twitter.com/FLDEO](https://twitter.com/FLDEO) | [www.facebook.com/FLDEO](https://www.facebook.com/FLDEO)

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**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS**

**FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

**NUMBER OF COPIES TO BE SUBMITTED:** Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

**SUBMITTAL LETTER:** Please include the following information in the cover letter transmitting the adopted amendment:

\_\_\_\_\_ State Land Planning Agency identification number for adopted amendment package;

\_\_\_\_\_ Summary description of the adoption package, including any amendments proposed but not adopted;

\_\_\_\_\_ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

\_\_\_\_\_ Ordinance number and adoption date;

\_\_\_\_\_ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

\_\_\_\_\_ Name, title, address, telephone, FAX number and e-mail address of local government contact;

\_\_\_\_\_ Letter signed by the chief elected official or the person designated by the local government.

**ADOPTION AMENDMENT PACKAGE:** Please include the following information in the amendment package:

\_\_\_\_\_ In the case of text amendments, changes should be shown in strike-through/underline format.

\_\_\_\_\_ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

\_\_\_\_\_ A copy of any data and analyses the local government deems appropriate.

**Note:** If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

\_\_\_\_\_ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective. "

\_\_\_\_\_ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

\_\_\_\_\_ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

\_\_\_\_\_ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.



**AMENDMENT 2018-2-A-1-2 (LAKE AUSTIN)**

**PROJECT SPECIFICS**

Parcel ID:	30-24-27-0000-00-003 (portion of) and 31-24-27-0000-00-036
Location:	Generally located west of Avalon Road, and north and south of Grove Blossom Way
Acreage Gross:	117.86
Acreage Developable:	108.03
Request FLUM:	From: <i>South Parcel:</i> Growth Center/ Resort/Planned Development (GC/R/PD); <i>North Parcel:</i> Village (V) To: <i>South Parcel:</i> Growth Center/Resort/Low-Medium Density Residential/Planned Development GC/R/LMDR/PD) <i>North Parcel:</i> Horizon West, Village I Special Planning Area (SPA)-Greenbelt (GB)
Request Zoning:	From: PD (Lake Austin PD) To: PD (Lake Austin PD)
Existing Development:	Undeveloped Land
Development Permitted Under Current FLUM:	3,332 Short-term Rental Uses
Proposed Density/Intensity:	500 Single Family Dwelling Units + 10,000 sq. ft. Commercial uses, 20,000 sq. ft. Administration uses

**Trip Generation (ITE 10<sup>th</sup> Edition)**

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Maximum use of current FLUM: SF Detached - 500 units	1,433	100%	1,433
Existing Use: Undeveloped Land	-	-	-
Proposed Use: 500 Single Family Residential Dwelling Units + 10,000 sq. ft. Commercial uses, 20,000 sq. ft. Administration uses	644	100%	-789
Net New Trips (Proposed Development less Allowable Development): 644-1,433 = -789			

**Future Roadway Network**

Road Agreements:	2018-2-A-1-2 Lake Austin - Avalon Road (CR 545): A Right-of-Way and Road Impact Fee Agreement between Orange County and Lake Austin Properties I, LP was approved by the Board of County Commissioners on 5/18/2004 and recorded at OR Book/Page 7442/4220. The original agreement was to convey four parcels of Right-of-Way property for Avalon Road (CR 545). The First Amendment to Right-of-Way and Road Impact Fee Agreement was approved by the Board of County Commissioners on 3/29/2005 and recorded at OR Book/Page 7898/0158. The terms of the First Amendment included an additional parcel of property acquired by the owner to convey an additional 4 parcels of Right-of-Way and 4 Drainage Easements. The timeframe for conveyance was extended from 120 days to one year. The Second Amendment to Right-of-Way and Road Impact Fee Agreement was approved by the Board of County Commissioners on 8/8/2006 and recorded at OR Book/Page 8797/4120. The terms of the Second Amendment removed a portion of Right-of-Way within a conservation easement area and provided the County with an option to acquire that Right-of-Way at a later date. The Second Amendment also added three additional drainage easements for wildlife crossings. A total of 8 parcels of Right-of-Way were conveyed for a total of 102,235 square feet. The appraisal value was agreed to be \$6.60 per square foot. A Road Impact Fee Credit account was established in the amount of \$1,281,673.80.
Planned and Programmed Roadway	None

Improvements:

Right of Way            None

Requirements:

**Summary**

The applicant is requesting to change a total of 117.86 acres, divided into the South and North Parcels as follows: South Parcel from Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center/Resort/Low-Medium Density Residential/Planned Development (GC/R/LMDR/PD) and North Parcel from Village (V) to Horizon West, Village I Special Planning Area (SPA)-Greenbelt (GB) and approval to develop 500 single family dwelling units.

- The subject property is not located within the County’s Alternative Mobility Area or along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the approved future land use will generate 1,433 pm peak hour trips.
- The proposed use will generate 644 pm peak hour trips resulting in a net decrease of 789 pm peak hour trips.
- The subject property is located adjacent to Avalon Road, a 2-lane collector. This facility currently has two (2) deficient roadway segments from US 192 to Hartzog Road and from Hartzog Road to Seidel Road within the project impact area.
- The traffic study did not include Hartzog Road segment from Avalon Road to Western Way, which falls within the project’s 1-mile impact area. A revision was requested to include an analysis of this segment to be included. Nonetheless, this segment is currently operating within its adopted capacity and will not be impacted by the proposed FLUM change.
- Based on the concurrency management system database dated 10-01-2020, the following two (2) roadway segments are operating below the adopted level of service standard within the project area:
  - Avalon Road, from US 192 to Hartzog Road
  - Avalon Road, from Hartzog Road to Seidel Road

This information is dated and subject to change

- Analysis of the short term (interim year) 2023 long term (horizon year) 2030 conditions indicates that these deficiencies will continue with or without the proposed amendment. Amending the FLUM for this property will decrease the number of trips generated by this development.
- Final permitting of any development on this site will 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 Policy Plan.



Carolyn R. Haslam

Akerman LLP  
420 South Orange Avenue  
Suite 1200  
Orlando, FL 32801-4904

D: 407 419 8584  
T: 407 423 4000  
F: 407 843 6610  
DirF: 407 254 4232

Carolyn.Haslam@akerman.com

October 28, 2020

**VIA FEDEX OVERNIGHT**

Steven Thorp, AICP  
Senior Administrator  
Orange County Public Schools  
6501 Magic Way, Building #200  
Orlando, FL 32809

**Re: Application for Determination of School Capacity and Concurrency Recommendation (Amendment) – BB Groves South Project (OC-20-060)**

Dear Steven:

Attached please find an application for Determination of School Capacity and Concurrency Recommendation (for CEA amendment), together with the check in the amount of six hundred dollars (\$600.00) for the application fee, to supplement the local government form and agent authorization form submitted with the application electronically. Please note that the project boundary and ownership has not changed and therefore the previously provided tax maps, survey, title and GIS shape files remain relevant. As we anticipate a CEA amendment will be required, we have included a check in the amount of three thousand dollars (\$3,000.00) for the agreement fee.

Please feel free to contact me with any questions.

Sincerely,

Carolyn R. Haslam

Enclosures

CC: Sean Ells, BB Groves, LLC, via email



**Department of Facilities Planning**  
**APPLICATION FOR DETERMINATION OF SCHOOL CAPACITY**  
**AND SCHOOL CONCURRENCY**  
**APPLICATION FEE: \$600.00**

**Application ID : CEA- OC – 20– 060**

PROJECT NAME	BB GROVES SOUTH
APPLICANT INFORMATION	Name: <u>BB GROVES, LLC</u> Company Name: <u>C/O AKERMAN LLP, CAROLYN HASLAM</u> Address: <u>420 S. ORANGE AVENUE, SUITE 1200</u> <u>ORLANDO</u> FL <u>32801</u> Phone # : <u>(407) 620-1907</u> Ext. _____ Email: <u>CAROLYN.HASLAM@AKERMAN.COM</u>
PARCEL ID # (S)	30-24-27-0000-00-003, 31-24-27-0000-00-036
ACREAGE	<u>118.89</u> acres
JURISDICTION (City or County)	ORANGE COUNTY
PROPERTY OWNER INFORMATION	Name <u>BB GROVES, LLC DBA B BANK GROVES, LLC</u> Email <u>CAROLYN.HASLAM@AKERMAN.COM</u>
NOTES	
APPLICATION TYPE	Future Land Use [FLU] Map Amendment (CEP), and Rezoning (CEP)

CAROLYN HASLAM  
Applicant's Signature

If the Applicant is not the property owner, an OCPS Agent Authorization Form must be completed by the property owner and must be submitted with the Application.

**Contact Information:**  
6501 MAGIC WAY, BUILDING 200  
ORLANDO, FL 32809  
TEL: 407-317-3974 / FAX: 407-317-3263 / WEBSITE: <http://planning.ocps.net>



Agent Authorization Form

Facilities Planning

6501 Magic Way, Building 200, Orlando, FL 32809

TEL: (407) 317-3947 / FAX: (407) 317-3263

I, (PRINT PROPERTY OWNER'S NAME)

BB Groves, LLC, doing business in Florida as B Bank Groves, LLC, AS THE PROPERTY OWNER OF THE PROPERTY DESCRIBED BELOW, HEREBY GIVE PERMISSION FOR (PRINT AGENT'S NAME)

Akerman LLP, Carolyn Haslam, Esq. TO ACT AS MY AGENT FOR THE PURPOSE OF APPLYING FOR CAPACITY ENHANCEMENT / CONCURRENCY FOR THE AFOREMENTIONED PROPERTY.

Legal Description(s) or Parcel Identification Number(s) are required:

PARCEL ID NUMBER(S):

30-24-27-0000-00-003 (a portion of) & 31-24-27-0000-00-036

LEGAL DESCRIPTION:

[Empty box for legal description]

BB Groves, LLC, a Delaware limited liability company doing business in Florida as B Bank Groves, LLC, a Delaware limited liability company

By: [Signature] Daniel A. Traylor, Manager

STATE OF INDIANA COUNTY OF VANDERBURGH

Date: 10/27/2020

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 27th day of October, 2020 by Daniel A. Traylor, as Manager of BB Groves, LLC, a Delaware limited liability company doing business in Florida as B Bank Groves, LLC, a Delaware limited liability company, on behalf of the company. He is personally known to me or has produced identification and did/did not take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 27th day of October, 2020.

Notary Public Signature: [Signature] My Commission Expires: 08/24/2024 Commission No. 688951



MARGARET A. BERNICK Resident of Vanderburgh County, IN Commission Expires: August 24, 2024

BB Groves, LLC Account Number Payment Number Check Date Check Number  
ORANGEPS Orange County Public Schools 00000000000004 Oct 23, 2020 005205

Description	Invoice Number	Invoice Date	Outstanding Amt	Net Paid Amt	Discount Taken	Net Check Amt
South CEA Agreement Mod Fee	102020	10/20/2020	\$3,000.00	\$3,000.00	\$0.00	\$3,000.00

TOTALS: \$3,000.00 \$3,000.00 \$0.00 \$3,000.00

**BB Groves, LLC**  
5410 Farquhar Ln.  
Dallas, TX 75209

Fifth Third Bank

005205  
042000314

Three Thousand Dollars and 00 Cents

DATE	AMOUNT
Oct 23, 2020	\$3,000.00

PAY TO THE ORDER OF  
Orange County Public Schools



⑈005205⑈ ⑆08630004⑆ 7693285392⑈

BB Groves, LLC	Account Number	Payment Number	Check Date	Check Number
ORANGEPS	Orange County Public Schools	00000000000004	Oct 23, 2020	005204

Description	Invoice Number	Invoice Date	Outstanding Amt	Net Paid Amt	Discount Taken	Net Check Amt
South CEA Modification App Fee	102020A	10/20/2020	\$600.00	\$600.00	\$0.00	\$600.00

TOTALS:	\$600.00	\$600.00	\$0.00	\$600.00
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**BB Groves, LLC**  
**5410 Farquhar Ln.**  
**Dallas, TX 75209**

**Fifth Third Bank**

**005204**  
**042000314**

Six Hundred Dollars and 00 Cents

<b>DATE</b>	<b>AMOUNT</b>
Oct 23, 2020	\$600.00

**PAY TO THE ORDER OF**  
**Orange County Public Schools**



⑈005204⑈ ⑆08630004⑆ 7693285392⑈

Security features. Details on back.

## Mills, Misty D

---

**From:** Ali, Brandice  
**Sent:** Friday, April 20, 2018 1:03 PM  
**To:** Thalmueller, Nicolas M  
**Subject:** RE: Facilities Analysis and Capacity Report Request for the 2018-2 Regular Cycle Amendments

Nicolas,

We didn't find any new violations on the recent amendment.

### **Thank you,** **Orange County Code Enforcement Division**

Please send property **address, parcel ID# and case number** for Payoff Requests / Lien Researches to [coderesearch@ocfl.net](mailto:coderesearch@ocfl.net)

**NOTE: CE research is not a substitute for a title search nor constitutes a title search**

 **Go Green: Please do not print this e-mail unless absolutely necessary**

PLEASE NOTE: Florida has a very broad public records law (F. S. 119). All e-mails to and from County Officials are kept as a public record. Your e-mail communications, including your e-mail address may be disclosed to the public and media at any time.

---

**From:** Thalmueller, Nicolas M  
**Sent:** Friday, April 20, 2018 12:04 PM  
**To:** Ali, Brandice; Arthurs, Deborah; Atkins, Belinda; Azim, Nargis S; Barq, Mirna; Bernier, Sarah; Divine, Daniel; Dubus, Anne; Durbal-Mohammed, Anganie; Fasnacht, Kurt; Flynt, James; Geiger, John; Goff, Robert; Gologowski, Gregory F; Hepker, David A; Jones, David (Envir. Protection); Salvo, Julie (OCPS); Lujan, Jacob G; McMillen, Barrie K; Moffett, Cedric; Nastasi, Renzo; Poleon, John; Rathbun, David A; Remudo-Fries, Teresa; Research; Salcedo, Andres; Spivey, Robert; Suedmeyer, Matt; Tatro, Laura A; 'Thomas, Bill'; Warren, Kirsten K; 'Whitfield, Anoch P'; Wolfe, Lindy A  
**Subject:** Facilities Analysis and Capacity Report Request for the 2018-2 Regular Cycle Amendments

Good Morning,

The Planning Division is requesting a public facility and capacity report for the 2018-2 Regular Cycle Amendments to the Comprehensive Plan (CP).

To assist you in your review, I have provided a Summary Chart that lists the amendment data and information, a Development Yield Estimates Sheet that reflects the existing and proposed development scenarios accompanied by a Future Land Use/Location Map for the request. Any environmental or transportation analysis that the applicant provided are located in the following directory:

[\\ocnas\County Share\Planning\Section - Comp Planning\2018-2 Regular Cycle Facilities Analysis Request](#)

Ultimately, we need for you to determine whether there is adequate capacity to serve development resulting from the proposed land use change and to identify those facilities that would be impacted. When applicable, please identify the existing Level of Service (LOS) of the impacted facilities.



The first public hearing for this request will be on June 21, 2018 before the Local Planning Agency; therefore, we would appreciate receiving information and **comments by Friday, May 11, 2018**. Your comments will be incorporated into the materials that are shared with the commissioners, so we request that you provide this information in writing (electronic / hard copies) and on letterhead.

Should you have any questions or need additional information, please contact me at (407) 836-5603, or Greg Gologowski at (407) 836-5624 or [Gregory.Gologowski@ocfl.net](mailto:Gregory.Gologowski@ocfl.net).

Thank you in advance for your assistance,

***Nicolas Thalmueller***

Planner II, Current Planning Section  
Orange County Planning Division  
201 S. Rosalind Ave., 2nd Floor  
Orlando, FL 32801  
407-836-5603

***Nicolas.Thalmueller@ocfl.net***



Orange County Environmental Protection Division  
Comments to the Local Planning Agency for the  
2018-2 Regular Cycle Comprehensive Plan Amendments

**2) Amendment #2018-2-A-1-2**

**Lake Austin PD/Ayers Rock**

**FLU from:** North Parcel: Village (V) to Horizon West, Village I Special Planning Area (SPA)-Greenbelt (GB); South Parcel: Growth Center/ Resort/Planned Development (GC/R/PD) to Growth Center/Resort/Low-Medium Density Residential/Planned Development (GC/R/LMDR/PD)

**Rezoning:** CDR pending Lake Austin PD/LUP

**Proposed Development:** 500 single-family residential units

**Owner:** BB Groves, LLC

**Agent:** Kathy Hattaway, Poulos & Bennett, LLC

**Parcels:** 30-24-27-0000-00-003 (portion) and 31-24-27-0000-00-036

**Address:** west of Avalon Road, and north and south of Grove Blossom Way

**District:** 1

**Area:** 117.86 gross / 108.03 developable acres

**EPD Comments:**

Orange County Conservation Area Determination CAD 07-119 delineated the wetlands and surface waters on the subject parcels but this determination expired in 2013. A new CAD must be completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD) prior to submittal of a subdivision, development plan or permit application, in accordance with Orange County Code Chapter 15, Article X Wetland Conservation Areas.

Until wetland permitting is complete, the net developable acreage is only an approximation. The net developable acreage is the gross acreage less the wetlands and surface waters acreage. The buildable area is the net developable acreage less protective buffer areas if 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 applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.

Orange County Environmental Protection Division  
Comments to the Local Planning Agency for the  
2018-2 Regular Cycle Comprehensive Plan Amendments

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 to determine the presence of listed 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). The ecological assessment dated February 14, 2018 submitted with this request reported the presence of listed species on site, including numerous gopher tortoise burrows and sand skink habitat, among others.

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

**3) Amendment # 2018-2-A-1-3**

**World Resort PD**

**FLU from:** Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR)

**Rezoning:** CDR-18-04-111 World Resort PD/LUP

**Proposed Development:** Up to 650 multi-family dwelling units

**Owner:** Fairwinds Credit Union

**Agent:** Miranda F. Fitzgerald, Esq., Lowndes, Drosdick, Doster, Kantor & Reed, P.A.

**Parcels:** 35-24-28-5844-00-732/741/870/871/880 and 35-24-28-5844-01-050

**Address:** north and south of Poinciana Boulevard, east of SR 535, south of SR 417, and north of the Orange/Osceola County line

**District:** 1

**Area:** 23.13 gross acres

**EPD Comments:**

Orange County Conservation Area Determinations CAD 90-026, CAD 00-123, CAD 03-031 and CAD 06-201 delineated Class III wetlands in parcels within this planned development. Please contact the Environmental Protection Division (EPD) wetland permitting staff at 407-836-1400 to verify the applicability and validity of historic wetland permits and to determine whether all of the parcels are covered. If additional historical documents are located, then submit a copy to EPD for verification. A CAD must be complete for each property prior to submitting development plans or permit applications that includes the property.

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 request does not authorize any direct or indirect conservation area impacts.

The applicant is responsible for addressing any adverse impacts, including secondary impacts, to surface waters or wetlands that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot minimum undisturbed upland buffer along the wetland boundary, signage, and pollution abatement swales upland of the buffer if adjacent to surface waters and if drainage is not diverted to treatment.



**ORANGE COUNTY FIRE RESCUE DEPARTMENT**  
**Jacob Lujan, Planning and Technical Services Division**  
6590 Amory Court  
Winter Park, FL 32792  
(407) 836-9893 Fax (407) 836-9106  
Jacob.Lujan@ocfl.net

Date: May 3, 2018

To: Nicolas Thalmueller, Planner  
Orange County Planning Division

From: Jacob Lujan, Interim Compliance and Planning Administrator  
Planning & Technical Services—Orange County Fire Rescue Department

Subject: Facilities Analysis and Capacity Report 2018-2 Regular Cycle Amendments  
Development Comprehensive Plan Amendments – Fire Rescue Summary

Amendment #	OC Fire Station First Due	Distance from Fire Station	Emergency Response Time
2018-2-A-1-1	34	1.7 miles	3 min
2018-2-A-1-2	32	3.3 miles	7 min
2018-2-A-1-3*	56	3.0 miles	3 min
2018-2-A-1-4*	36	2.3 miles	6 min
2018-2-A-1-5	35	2.8 miles	5 min
2018-2-A-1-6	36	2.2 miles	6 min
2018-2-A-1-7	54	1.4 miles	6 min
2018-2-S-5-1 (new)	82	3.0 miles	9 min

\*Amended – no change for Fire

Please contact our office if you have any questions or need additional information.

BKM



# Orange County Public Schools School Capacity Report

**DATE ISSUED** May 7, 2018

**JURISDICTION** ORANGE COUNTY

**CASE** 2018-2-A-1-2

**PROPERTY ID** 30-24-27-0000-00-003, 31-24-27-0000-00-036

**ACREAGE** +/- 117.86

**LAND USE CHANGE** GC/R/PD AND V TO GC/R/LMDR/PD AND SPA/GB

**PROPOSED USE** Single Family Units: 500 Multi Family Units: 0  
Mobile Homes Units: 0 Town Homes Units: 0

**CONDITIONS AT AFFECTED SCHOOLS (AS OF OCTOBER 16, 2017)**

School Information	KEENE'S CROSSING ES	BRIDGEWATER MS	WINDERMERE HS
Capacity (2017 - 2018)	859	1,176	2,776
Enrollment (2017 - 2018)	1,260	2,256	2,640
Utilization (2017 - 2018)	147.0%	192.0%	95.0%
Adopted LOS Standard	110.0%	100.0%	100.0%
Students Generated	96	48	66

**COMMENTS/CONDITIONS OF APPROVAL:**

A CEA IS REQUIRED. OCPS HAS NOT RECEIVED AN APPLICATION.

For more information on this analysis, please contact:

Julie Salvo, AICP at 407.317.3700 x2022139

## Mills, Misty D

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**From:** Bradbury, Amy  
**Sent:** Wednesday, May 09, 2018 10:51 AM  
**To:** Thalmueller, Nicolas M  
**Cc:** Ramos, Regina N; Suedmeyer, Matt; Moffett, Cedric  
**Subject:** RE: Facilities Analysis and Capacity Report Request for the 2018-2 Regular Cycle Amendments  
**Attachments:** Facilities Analysis & Capacity Report - Memo (2018-2 Regular Comp Plan Amend).pdf

Nicolas,

Please find attached the Facilities and Capacity Report for the 2018-2 Regular Cycle Comprehensive Plan Amendment impacts to Parks and Recreation facilities.

Thank you,

### Amy Bradbury, AICP

Planner III – Planning & Development  
Orange County Parks & Recreation Division  
4801 West Colonial Dr., Orlando, FL 32808  
Phone: 407-836-6225  
[www.OrangeCountyParks.net](http://www.OrangeCountyParks.net)

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**From:** Thalmueller, Nicolas M  
**Sent:** Friday, April 20, 2018 12:04 PM  
**To:** Ali, Brandice <[Brandice.Ali@ocfl.net](mailto:Brandice.Ali@ocfl.net)>; Arthurs, Deborah <[Deborah.Arthurs@ocfl.net](mailto:Deborah.Arthurs@ocfl.net)>; Atkins, Belinda <[Belinda.Atkins@ocfl.net](mailto:Belinda.Atkins@ocfl.net)>; Azim, Nargis S <[Nargis.Azim@ocfl.net](mailto:Nargis.Azim@ocfl.net)>; Barq, Mirna <[Mirna.Barq@ocfl.net](mailto:Mirna.Barq@ocfl.net)>; Bernier, Sarah <[Sarah.Bernier@ocfl.net](mailto:Sarah.Bernier@ocfl.net)>; Divine, Daniel <[Daniel.Divine@ocfl.net](mailto:Daniel.Divine@ocfl.net)>; Dubus, Anne <[Anne.Dubus@ocfl.net](mailto:Anne.Dubus@ocfl.net)>; Durbal-Mohammed, Anganie <[Anganie.Durbal-Mohammed@ocfl.net](mailto:Anganie.Durbal-Mohammed@ocfl.net)>; Fasnacht, Kurt <[Kurt.Fasnacht@ocfl.net](mailto:Kurt.Fasnacht@ocfl.net)>; Flynt, James <[James.Flynt@ocfl.net](mailto:James.Flynt@ocfl.net)>; Geiger, John <[John.Geiger@ocfl.net](mailto:John.Geiger@ocfl.net)>; Goff, Robert <[Robert.Goff@ocfl.net](mailto:Robert.Goff@ocfl.net)>; Golgowski, Gregory F <[Gregory.Golgowski@ocfl.net](mailto:Gregory.Golgowski@ocfl.net)>; Hepker, David A <[David.Hepker@ocfl.net](mailto:David.Hepker@ocfl.net)>; Jones, David (Envir. Protection) <[David.Jones2@ocfl.net](mailto:David.Jones2@ocfl.net)>; Salvo, Julie (OCPS) <[julie.salvo@ocps.net](mailto:julie.salvo@ocps.net)>; Lujan, Jacob G <[Jacob.Lujan@ocfl.net](mailto:Jacob.Lujan@ocfl.net)>; McMillen, Barrie K <[Barrie.McMillen@ocfl.net](mailto:Barrie.McMillen@ocfl.net)>; Moffett, Cedric <[Cedric.Moffett@ocfl.net](mailto:Cedric.Moffett@ocfl.net)>; Nastasi, Renzo <[Renzo.Nastasi@ocfl.net](mailto:Renzo.Nastasi@ocfl.net)>; Poleon, John <[John.Poleon@ocfl.net](mailto:John.Poleon@ocfl.net)>; Rathbun, David A <[David.Rathbun@ocfl.net](mailto:David.Rathbun@ocfl.net)>; Remudo-Fries, Teresa <[Teresa.Remudo-Fries@ocfl.net](mailto:Teresa.Remudo-Fries@ocfl.net)>; Research <[Research3@ocfl.net](mailto:Research3@ocfl.net)>; Salcedo, Andres <[Andres.Salcedo@ocfl.net](mailto:Andres.Salcedo@ocfl.net)>; Spivey, Robert <[Robert.Spivey@ocfl.net](mailto:Robert.Spivey@ocfl.net)>; Suedmeyer, Matt <[Matt.Suedmeyer@ocfl.net](mailto:Matt.Suedmeyer@ocfl.net)>; Tatro, Laura A <[Laura.Tatro@ocfl.net](mailto:Laura.Tatro@ocfl.net)>; 'Thomas, Bill' <[Bill.Thomas@ocfl.net](mailto:Bill.Thomas@ocfl.net)>; Warren, Kirsten K <[Kirsten.Warren@ocfl.net](mailto:Kirsten.Warren@ocfl.net)>; 'Whitfield, Anoch P' <[Anoch.Whitfield@ocfl.net](mailto:Anoch.Whitfield@ocfl.net)>; Wolfe, Lindy A <[Lindy.Wolfe@ocfl.net](mailto:Lindy.Wolfe@ocfl.net)>  
**Subject:** Facilities Analysis and Capacity Report Request for the 2018-2 Regular Cycle Amendments

Good Morning,

The Planning Division is requesting a public facility and capacity report for the 2018-2 Regular Cycle Amendments to the Comprehensive Plan (CP).

To assist you in your review, I have provided a Summary Chart that lists the amendment data and information, a Development Yield Estimates Sheet that reflects the existing and proposed development scenarios accompanied by a Future Land Use/Location Map for the request. Any environmental or transportation analysis that the applicant provided are located in the following directory:

<\\ocnas\County Share\Planning\Section - Comp Planning\2018-2 Regular Cycle Facilities Analysis Request>

Ultimately, we need for you to determine whether there is adequate capacity to serve development resulting from the proposed land use change and to identify those facilities that would be impacted. When applicable, please identify the existing Level of Service (LOS) of the impacted facilities.

The first public hearing for this request will be on June 21, 2018 before the Local Planning Agency; therefore, we would appreciate receiving information and **comments by Friday, May 11, 2018**. Your comments will be incorporated into the materials that are shared with the commissioners, so we request that you provide this information in writing (electronic / hard copies) and on letterhead.

Should you have any questions or need additional information, please contact me at (407) 836-5603, or Greg Golgowski at (407) 836-5624 or [Gregory.Golgowski@ocfl.net](mailto:Gregory.Golgowski@ocfl.net).

Thank you in advance for your assistance,

***Nicolas Thalmueller***

Planner II, Current Planning Section  
Orange County Planning Division  
201 S. Rosalind Ave., 2nd Floor  
Orlando, FL 32801  
407-836-5603

**[Nicolas.Thalmueller@ocfl.net](mailto:Nicolas.Thalmueller@ocfl.net)**





PARKS AND RECREATION DIVISION  
MATT SUEDMEYER, MANAGER  
4801 W Colonial Drive, Orlando, FL 32808  
407-836.6200 • FAX 407-836.6210 • <http://www.orangecountyparks.net>

May 9, 2018

TO: Alberto Vargas, Manager, Planning

FROM: Amy Bradbury, Planner III, Parks and Recreation

SUBJECT: Facilities Analysis and Capacity Report  
2018-2 Regular Cycle Comprehensive Policy Plan Amendments

The Parks and Recreation Division has reviewed the 2018-2 Regular Cycle Comprehensive Policy Plan Amendments. Based on the information provided, the development impacts do not exceed our countywide available parkland capacity (see attached chart); however, the projects still need to meet applicable development requirements for parks and recreation. As per usual we only analyzed the impact of the residential amendments.

The Future Land Use Amendment maps have been compared to our existing and proposed park and trail facilities and there are no direct impacts.

c: Matt Suedmeyer, Manager, Parks and Recreation  
Regina Ramos, Project Manager, Parks and Recreation  
Cedric M. Moffett, Planner III, Parks and Recreation  
File: Comp Plan Amendments



**Facilities Analysis and Capacity Report**  
**2018-2 Regular Cycle Comprehensive Policy Plan Amendments**  
**(Amendments with Parks Level-of-Service Impacts)**

Amendment Number	Proposed Future Land Use	Residential Dwelling Units	Population (2.56/unit)	Active Recreation Acreage Impact (1.5 ac/1,000 pop)	Resource Recreation Acreage Impact (6.0 ac/1,000 pop)
2018-2-A-1-1 (Tilden Road)	Village (V) (Village of Bridgewater)	161	412.16	0.62 ac	2.47 ac
2018-2-A-1-2 (Lake Austin)	South Parcel: Growth Center/Resort/Low-Medium Density Residential/Planned Development (GC/R/LMDR/PD); North Parcel: Horizon West, Village I Special Planning Area (SPA)-Greenbelt (GB)	500	1,280	1.92 ac	7.68 ac
2018-2-A-1-3 (World Resort)	Activity Center Residential (ACR)	650	1,664	2.50 ac	9.98 ac
2018-2-A-1-4 (Kerina Parkside)	Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)	1,000	2,560	3.84 ac	15.36 ac
2018-2-P-1-5 (Arnold Groves Senior Living)	Rural Hamlet	140	358	0.54 ac	2.15 ac
2018-2-A-1-6 (Hannah Smith)	Planned Development-Commercial/Medium Density Residential (PD-C/MDR)	1,800	4,608	6.91 ac	27.65 ac
2018-2-A-1-7 (Turkey Lake Road Condos)	Planned Development-Time Share/Medium-High Density Residential/Hotel/Office (PD-TS/MHDR/HOTEL/O)	424	1,085	1.63 ac	6.51 ac
<b>Total Acreage Impact</b>				<b>17.960</b>	<b>71.800</b>
<b>Available Capacity (as of July 2017)</b>				<b>437.820</b>	<b>8085.180</b>



*Sheriff Jerry L. Demings*

# ORANGE COUNTY SHERIFF'S OFFICE

## INTEROFFICE MEMORANDUM

May 8, 2018

TO: Nicholas M. Thalmueller  
Orange County Planning Division

FROM: Daniel Divine, Manager  
Research & Development

SUBJECT: 2018-2 Regular Cycle Comprehensive Policy Plan Amendments (CPPA)

As requested, we have reviewed the impact of the existing and proposed development scenarios related to the 2018-2 Regular Cycle Comprehensive Policy Plan Amendments (CPPA). Based on the existing and proposed development scenarios, the Sheriff's Office staffing needs for existing are 0.01 deputies and 0.01 support personnel and proposed are 12.42 deputies and 5.64 support personnel to provide the standard level of service (LOS) to these developments.

**Comprehensive Policy Plan Amendment 2018-2-A-5-1** consists of proposed high school practice fields. This proposed development is in Sheriff's Office Patrol Sector Two. Sector Two is located in the eastern portion of Orange County and is approximately 404.632 square miles, our largest sector geographically. In 2017 Sector Two had 273,502 calls for service. In 2017 the average response times to these calls were 00:20:34 minutes Code 1; 00:32:40 minutes Code 2; and 00:06:47 minutes Code 3.

**Comprehensive Policy Plan Amendment 2018-2-A-1-1** is a proposed single family dwelling unit, **2018-2-A-1-4** is a proposed development consisting of single and multi family dwellings, senior living units, commercial and office uses, **2018-2-A-1-5** is a proposed assisted living facility, **2018-2-A-1-6** is a proposed residential and commercial use development, and **2018-2-A-1-7** is a proposed mixed use development of timeshare, residential and office units. These developments are located within Sector Three. Sector Three is situated in mid-western portion of Orange County and is approximately 82.934 square miles. In 2017 Sector Three received 186,180 calls for service. In 2017 the average response times to these calls were 00:19:57 minutes for Code 1; 00:31:36 minutes for Code 2; and 00:07:17 minutes for Code 3.

**Comprehensive Policy Plan amendment #2018-2-A-1-3** comprises proposed multi-family dwelling units located in Sector Five. Sector Five is situated in the Southwestern portion of Orange County and is approximately 22.664 square miles. In 2017 Sector Five had 130,323 calls for service. In 2017 the average response times to these calls were 00:10:35 minutes for Code 1; 00:12:32 minutes Code 2; and 00:04:18 minutes Code 3.

Mr. Nicholas Thalmueller  
May 8, 2018  
Page 2

**Comprehensive Policy Plan amendment 2018-2-A-1-2** is a proposed single family dwelling use development located in Sector Six. Sector Six is located in the Southern portion of Orange County and is approximately 31.233 square miles. The Cities of Bay Lake and Lake Buena Vista are within this sector. In 2017 Sector Six had 97,087 calls for service. In 2017 the average response times to these calls were 00:09:36 minutes for Code 1; 00:14:14 minutes Code 2; and 00:06:27 minutes Code 3.

The Orange County Sheriff's Office measures service requirements based on the number of calls for service generated and the number of staff needed to respond to those calls. All development generates impact, but at varying levels. In the 2017 update to the Law Enforcement Impact Fee Ordinance, the Sheriff's Office Level of Service was 278 calls for service per sworn officer per year. Support personnel are calculated by applying 45.4% to the sworn officer requirement. The 'formula' is *land use x unit of development x calls per unit divided by 278 = number of deputies required for that development. The 'formula' for the number of support personnel required is the number of deputies \* 45.4 percent.* These calculations are obtained from Orange County's Law Enforcement Impact Fee Study and Ordinance.

We have attached reports based on the existing and proposed development scenarios which show staffing needs. Impact fees address capital cost only. All other costs must be requested from the Board of County Commissioners including salaries and benefits.

As stated before, all new development creates new calls for service, which in turn creates a need for new additional manpower and equipment. If calls for service increase without a comparable increase in manpower our response times are likely to increase.

If you wish to discuss this information, please contact me or Belinda Atkins at 407 254-7470.



D.P.D.

DPD/bga

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Attachments

c: Undersheriff Rey Rivero, Chief Deputy Nancy Brown, Chief Deputy Larry Zwieg, Major Angelo Nieves, Major Rick Meli, Captain Paul Yoast, CALEA 15.1.3

**Amendment Summary Sheet**  
**2018-2 Regular Cycle Development Yields**  
Note: Yields are based on net acreages  
(Refer to summary chart for location information)

2) **Amendment 2018-2-A-1-2 & PD Rezoning submittal pending**

Parcels: 30-24-27-0000-00-003 (portion of) and 31-24-27-0000-00-036

From: South Parcel: Growth Center/ Resort/Planned Development (GC/R/PD); North Parcel: Village (V)

To: South Parcel: Growth Center/Resort/Low-Medium Density Residential/Planned Development (GC/R/LMDR/PD); North Parcel: Horizon West, Village I Special Planning Area (SPA)-Greenbelt (GB)

Acreage: 117.86 gross ac./108.03 developable ac.

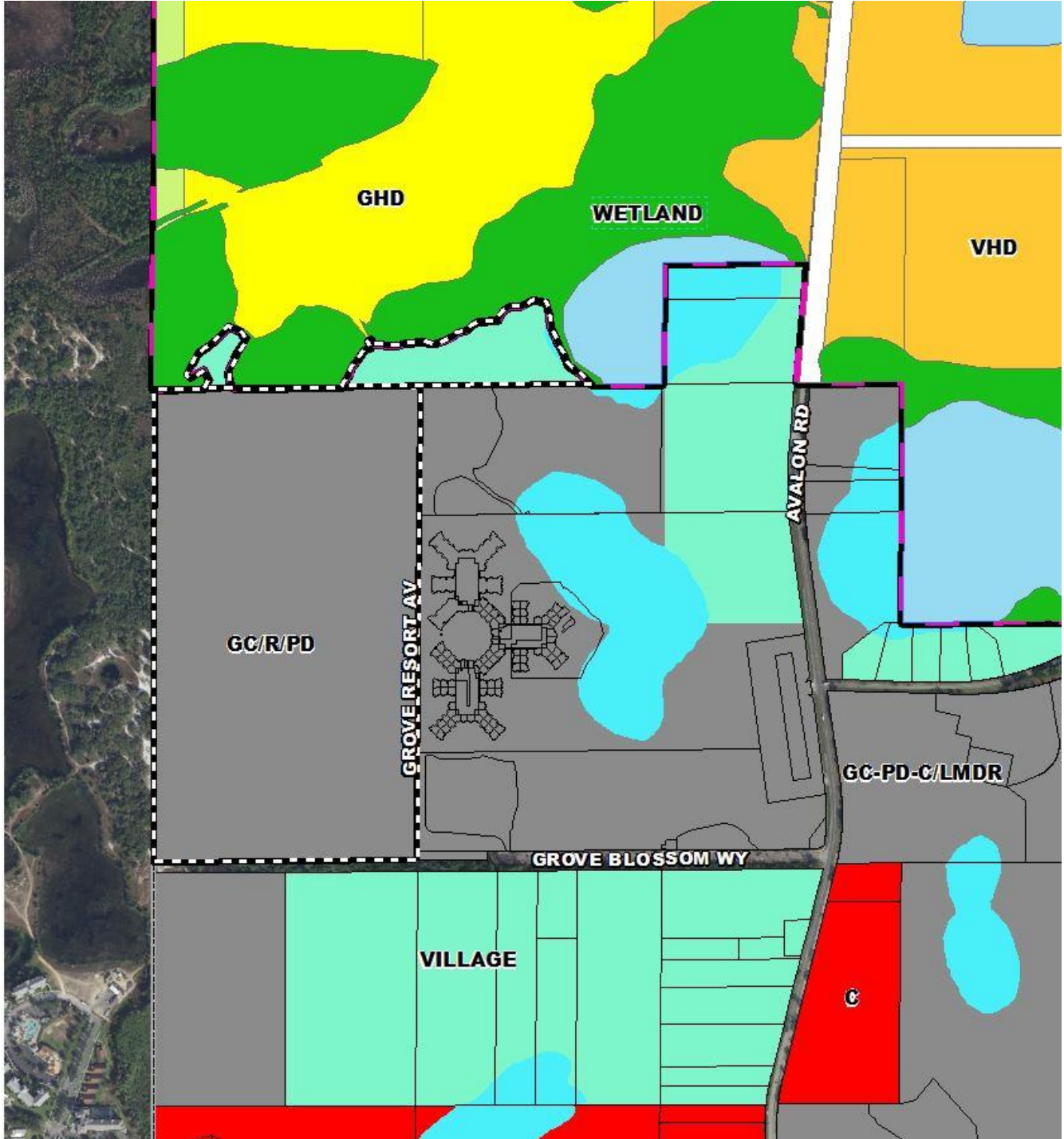
***Development Yield***

Existing Development Yield: Undeveloped Land

Development Permitted Under Current FLUM: 10,000 sq. ft. Commercial uses, 20,000 sq. ft. Administration uses, 3,332 short term rental uses

Proposed Density/Intensity: 500 single-family residential units

**Amendment Summary Sheet**  
**2018-2 Regular Cycle Development Yields**  
Note: Yields are based on net acreages  
(Refer to summary chart for location information)



## Impact of Proposed Development

Title	Location	Sector	Total # of Sworn	Total # of Civilian	Est. CFS	# of Sworn Single Family	# of Sworn Multifamily	# of Sworn Comm/Retail	# of Sworn Hotel/Motel	# of Sworn Manufact. Home	# of Sworn Manufact.	Sworn Office/Instit	Schools (Private Only)	# of Sworn Warehousing
Regular Cycle 2018-2-A-1-1	14950 and 14908 Tilden Rd.; Generally located south of Tilden Rd., west of Winter Garden Vineland Rd., and east of Tiny Rd. and SR 429	3	0.53	0.24	150	0.53	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Regular Cycle 2018-2-A-1-2	Generally located west of Avalon Rd., and north and south of Grove Blossom Wy.	6	1.65	0.75	465	1.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Regular Cycle 2018-2-A-1-3	Generally located north and south of Poinciana Boulevard, east of SR 535, south of SR 417, and north of the Orange/Osceola County line	5	0.83	0.38	234	0.83	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Regular Cycle 2018-2-A-1-4	Generally located east and west of S. Apopka Vineland Road, south of Buena Vista Woods Blvd., and north of Lake Street	3	2.88	1.31	812	1.48	0.45	0.51	0.00	0.00	0.00	0.43	0.00	0.00
Regular Cycle 2018-2-A-1-5	Generally located south and west of Winter Garden Vineland Rd., northeast of Lake Mabel, and east of Reams Road.	3	0.21	0.10	59	0.00	0.00	0.00	0.00	0.00	0.00	0.21	0.00	0.00
Regular Cycle 2018-2-A-1-6	Generally located west of Interstate 4 and south of Fenton Street	3	4.43	2.01	1,250	0.00	2.30	2.13	0.00	0.00	0.00	0.00	0.00	0.00
Regular Cycle 2018-2-A-1-7	10900 Turkey Lake Rd.; Generally located west of Turkey Lake Rd., south of SR 528, east of Smith Bennett Rd., and north of Central Florida Pkwy.	3	1.88	0.86	532	0.00	0.54	0.00	0.16	0.00	0.00	1.19	0.00	0.00
			<b>Sworn</b>	<b>Civilian</b>	<b>CFS</b>									
		<b>Total:</b>	<b>12.42</b>	<b>5.64</b>	<b>3,501.62</b>	<b>4.49</b>	<b>3.29</b>	<b>2.65</b>	<b>0.16</b>	<b>0.00</b>	<b>0.00</b>	<b>1.83</b>	<b>0.00</b>	<b>0.00</b>

**AMENDMENT 2018-2-A-1-2 (LAKE AUSTIN)**

**PROJECT SPECIFICS**

Parcel ID:	30-24-27-0000-00-003 (portion of) and 31-24-27-0000-00-036
Location:	Generally located west of Avalon Road, and north and south of Grove Blossom Way
Acreage Gross:	117.86
Acreage Developable:	108.03
Request FLUM:	From: <i>South Parcel:</i> Growth Center/ Resort/Planned Development (GC/R/PD); <i>North Parcel:</i> Village (V)  To: <i>South Parcel:</i> Growth Center/Resort/Low-Medium Density Residential/Planned Development GC/R/LMDR/PD) <i>North Parcel:</i> Horizon West, Village I Special Planning Area (SPA)-Greenbelt (GB)
Request Zoning:	From: PD (Lake Austin PD) To: PD (Lake Austin PD)
Existing Development:	Undeveloped Land
Development Permitted Under Current FLUM:	10,000 sq. ft. Commercial uses, 20,000 sq. ft. Administration uses, 3,332 Short-term Rental Uses
Proposed Density/Intensity:	500 Single Family Dwelling Units

**Trip Generation (ITE 10<sup>th</sup> Edition)**

Land Use Scenario	PM Pk. Hr. Trips	% New Trips	New PM Pk. Hr. Trips
Maximum use of current FLUM: Short-term Rental - 3,332 units	1,433	100%	1,433
Existing Use: Undeveloped Land	-	-	-
Proposed Use: 500 Single Family Residential Dwelling Units	475	100%	475
Net New Trips (Proposed Development less Allowable Development): 475-1,433 = -958			

**Future Roadway Network**

Road Agreements: 2018-2-A-1-2 Lake Austin - Avalon Road (CR 545): A Right-of-Way and Road Impact Fee Agreement between Orange County and Lake Austin Properties I, LP was approved by the Board of County Commissioners on 5/18/2004 and recorded at OR Book/Page 7442/4220. The original agreement was to convey four parcels of Right-of-Way property for Avalon Road (CR 545). The First Amendment to Right-of-Way and Road Impact Fee Agreement was approved by the Board of County Commissioners on 3/29/2005 and recorded at OR Book/Page 7898/0158. The terms of the First Amendment included an additional parcel of property acquired by the owner to convey an additional 4 parcels of Right-of-Way and 4 Drainage Easements. The timeframe for conveyance was extended from 120 days to one year. The Second Amendment to Right-of-Way and Road Impact Fee Agreement was approved by the Board of County Commissioners on 8/8/2006 and recorded at OR Book/Page 8797/4120. The terms of the Second Amendment removed a portion of Right-of-Way within a conservation easement area and provided the County with an option to acquire that Right-of-Way at a later date. The Second Amendment also added three additional drainage easements for wildlife crossings. A total of 8 parcels of Right-of-Way were conveyed for a total of 102,235 square feet. The appraisal value was agreed to be \$6.60 per square foot. A Road Impact Fee Credit account was established in the amount of \$1,281,673.80.

Planned and Programmed Roadway Improvements: None

Right of Way            None  
Requirements:

### Summary

The applicant is requesting to change a total of 117.86 acres, divided into the South and North Parcels as follows: South Parcel from Growth Center/Resort/Planned Development (GC/R/PD) to Growth Center/Resort/Low-Medium Density Residential/Planned Development (GC/R/LMDR/PD) and North Parcel from Village (V) to Horizon West, Village I Special Planning Area (SPA)-Greenbelt (GB) and approval to develop 500 single family dwelling units.

- The subject property is not located within the County's Alternative Mobility Area or along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the approved future land use will generate 1,433 pm peak hour trips.
- The proposed use will generate 475 pm peak hour trips resulting in a net decrease of 958 pm peak hour trips.
- The subject property is located adjacent to Avalon Road, a 2-lane collector. This facility currently has two (2) deficient roadway segments from US 192 to Hartzog Road and from Hartzog Road to Seidel Road within the project impact area.
- The traffic study did not include Hartzog Road segment from Avalon Road to Western Way, which falls within the project's 1-mile impact area. A revision was requested to include an analysis of this segment to be included. Nonetheless, this segment is currently operating within its adopted capacity and will not be impacted by the proposed FLUM change.
- Based on the concurrency management system database dated 05-01-2018, the following two (2) roadway segments are operating below the adopted level of service standard within the project area:
  - Avalon Road, from US 192 to Hartzog Road
  - Avalon Road, from Hartzog Road to Seidel Road

This information is dated and subject to change

- Analysis of the short term (interim year) 2023 long term (horizon year) 2030 conditions indicates that these deficiencies will continue with or without the proposed amendment. Amending the FLUM for this property will decrease the number of trips generated by this development.
- Final permitting of any development on this site will 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 Policy Plan.





**Interoffice Memorandum**

Date: May 11, 2018

To: Alberto A. Vargas, MArch, Manager  
Orange County Planning Division

From: J. Andres Salcedo, P.E., Assistant Director  
Utilities Engineering Division

*J. Andres Salcedo  
5/11/18*

**Subject: Facilities Analysis and Capacity Report  
2018-2 Regular Cycle Comprehensive Plan Amendments**

Orange County Utilities (OCU) staff reviewed the proposed development programs as submitted by the Planning Division and have concluded improvements to the County's water and wastewater treatment plants are not required to provide an adequate level of service consistent with the Comprehensive Plan's Potable Water, Wastewater and Reclaimed Water Element for those properties within OCU's service area. The Comprehensive Plan includes a 10-Year Water Supply Facilities Work Plan addressing the needs of our service area. Supporting documentation is provided in the attached Potable Water and Wastewater Facilities Analysis table.

As of today OCU has sufficient plant capacity to serve the subject amendments. This capacity is available to projects within OCU's service area and will be reserved upon payment of capital charges in accordance with County resolutions and ordinances. Transmission system capacity will be evaluated at the time of Master Utility Plan review and permitting, or at the request of the applicant.

OCU's groundwater allocation is regulated by its consumptive use permits (CUP). OCU is working toward alternative water supply (AWS) sources and agreements with third party water providers to meet the future water demands within our service area. While OCU cannot guarantee capacity to any project beyond its permitted capacity, we will continue to pursue the extension of the CUP and the incorporation of AWS and other water resources sufficient to provide service capacity to projects within the service area.

If you need additional information, please contact me or Lindy Wolfe at 407 254-9918.

- cc: Raymond E. Hanson, P.E., Director, Utilities Department
- Teresa Remudo-Fries, P.E., Deputy Director, Utilities Department
- Lindy Wolfe, P.E., Assistant Manager, Utilities Engineering Division *LW 5/8/18*
- Laura Tatro, P.E., Senior Engineer, Utilities Engineering Division *LT 5/8/18*
- Gregory Gologowski, Chief Planner, Planning Division
- Nicolas Thalmueller, Planner, Planning Division
- File: 37586; 2018-2 Regular Cycle

**Potable Water and Wastewater Facilities Analysis for 2018-2 Regular Cycle Comprehensive Policy Plan Amendments**

Amendment Number	Parcel ID	Service Type and Provider	Main Size and General Location	Proposed Land Use	Maximum Density, Dwelling Units	Maximum Density, Hotel Rooms	Maximum Density Non-residential SF	PW Demand (MGD)	WW Demand (MGD)	Available PW Capacity (MGD)	Available WW Capacity (MGD)	Reclaimed Water Required for Irrigation	OCU Service Area
2018-2-A-1-1 (Tilden Road)	10-23-27-0000-00-033 (portion of) and 10-23-27-0000-00-034 (portion of)	PW: City of Winter Garden/Orange County Utilities* WW: City of Winter Garden/Orange County Utilities* RW: City of Winter Garden/Orange County Utilities*	PW: Contact City of Winter Garden/See notes** WW: Contact City of Winter Garden/See notes** RW: Contact City of Winter Garden/See notes**	Village (V) (Village of Bridgewater)	161	0	0	0.044	0.036	0.044	0.036	Yes	West
2018-2-A-1-2 (Lake Austin)	30-24-27-0000-00-003 (portion of) and 31-24-27-0000-00-036	PW: Orange County Utilities* WW: Orange County Utilities* RW: Orange County Utilities*	PW: 24-inch watermain in Grove Blossom Way right-of-way WW: 15-inch gravity sewer in Grove Blossom Way right-of-way RW: 12-inch reclaimed water main in Grove Blossom Way right-of-way	South Parcel: Growth Center/Resort/Low-Medium Density Residential/Planned Development (GC/R/LMDR/PD); North Parcel: Horizon West, Village I Special Planning Area (SPA)-Greenbelt (GB)	500	0	0	0.138	0.113	0.138	0.113	Yes	South
2018-2-A-1-3 (World Resort)	35-24-28-5844-00-732/741/870	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: See notes** WW: See notes** RW: See notes**	Activity Center Residential (ACR)	650	0	0	0.179	0.146	0.179	0.146	Yes	South
2018-2-A-1-4 (Kerina Parkside)	10-24-28-0000-00-005/053, 10-24-28-6670-11-000, and 15-24-28-5844-00-050/071/130/142/211	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: See notes** WW: See notes** RW: See notes**	Planned Development-Commercial/Office/Medium Density Residential/Low Density Residential/Senior Living/Conservation (PD-C/O/MDR/LDR/Senior Living/CONS)	1,000	0	150,000	0.289	0.236	0.289	0.236	Yes	South
2018-2-P-1-5 (Arnold Groves Senior Living)	32-23-28-0000-00-003; 32-23-28-0000-00-006; 32-23-28-0000-00-005; and 32-23-28-0000-00-001	PW: Orange County Utilities* WW: Orange County Utilities* RW: Orange County Utilities*	PW: 24-inch watermain in Winter Garden Vineland Road right-of-way WW: 16-inch forcemain in Winter Garden Vineland Road right-of-way RW: 16-inch reclaimed water main in Winter Garden Vineland Road right-of-way	Rural Hamlet	30	0	121,193	0.019	0.016	0.019	0.016	Yes	South
2018-2-A-1-6 (Hannah Smith)	11-24-28-0000-00-020, 14-24-28-0000-00-012/018, 14-24-28-1242-60-000/66-000/66-001, and 15-24-28-7774-00-023/024	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: See notes** WW: See notes** RW: See notes**	Planned Development-Commercial/Medium Density Residential (PD-C/MDR)	1,800	0	415,142	0.533	0.436	0.533	0.436	Yes	South
2018-2-A-1-7 (Turkey Lake Road Condos)	11-24-28-0000-00-010	PW: Orange County Utilities WW: Orange County Utilities RW: Orange County Utilities	PW: 10-inch and 12-inch watermain within the Turkey Lake Road right-of-way WW: 20-inch force main within the Turkey Lake Road right-of-way RW: 16-inch reclaimed water main within the Turkey Lake Road right-of-way	Planned Development-Time Share/Medium-High Density Residential/Hotel/Office (PD-TS/MHDR/HOTEL/O)	424	0	683,892	0.179	0.147	0.179	0.147	Yes	South
2018-2-A-5-1 (East River High School)	20-22-32-0000-00-003	PW: Orange County Utilities* WW: Orange County Utilities* RW: Not Currently Available*	PW: 16-inch watermain within East River Falcons Way right-of-way WW: 4-inch forcemain within East River Falcons Way right-of-way RW: Not currently available	Educational (EDU)	0	0	0	0.000	0.000	0.000	0.000	No	East

**NOTES:**

No plant improvements are needed to maintain LOS standards. This evaluation pertains solely to water and wastewater treatment plants. Connection points and transmission system capacity will be evaluated at the time of Master Utility Plan review and permitting, or at the request of the applicant.

\*The site is outside the Urban Service Area, but water and wastewater mains are located in the vicinity of the site. If the Urban Service Area boundary is expanded to encompass this site, or if the extension of water and wastewater mains outside the Urban Service Area to serve this site is already compatible with Policies PW1.4.2, PW1.5.2, and the equivalent wastewater policies, water and wastewater demands and connection points to existing OCU transmission systems will be addressed as the project proceeds through the DRC and construction permitting process.

\*\*2018-2-A-1-1, 2018-2-A-1-3, 2018-2-A-1-4, 2018-2-A-1-6: Water, wastewater, and reclaimed water demands and connection points for the land within OCU's service area will be addressed as the project proceeds through the DRC and construction permitting processes. The property included in 2018-2-A-1-1 is divided between City of Winter Garden's utility service area and Orange County Utilities' utility service area.

Abbreviations: PW - Potable Water; WW - Wastewater; RW - Reclaimed Water; WM - Water Main; FM - Force Main; GM - Gravity Main; MUP - Master Utility Plan; TBD - To be determined as the project progresses through Development Review Committee, MUP and permitting reviews; TWA - Toho Water Authority; RCID - Reedy Creek Improvement District