



FASHION SQUARE MALL MASTER PLAN AND DRI AMENDMENT



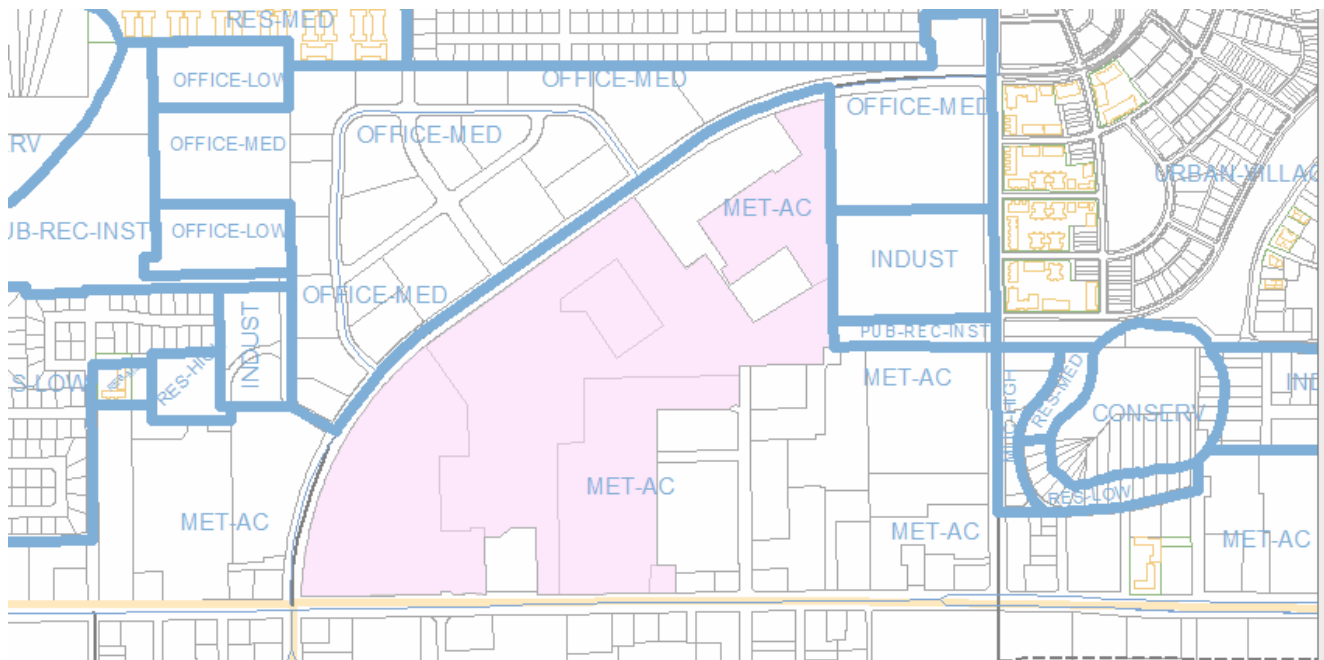
Location Map

 Fashion Square DRI

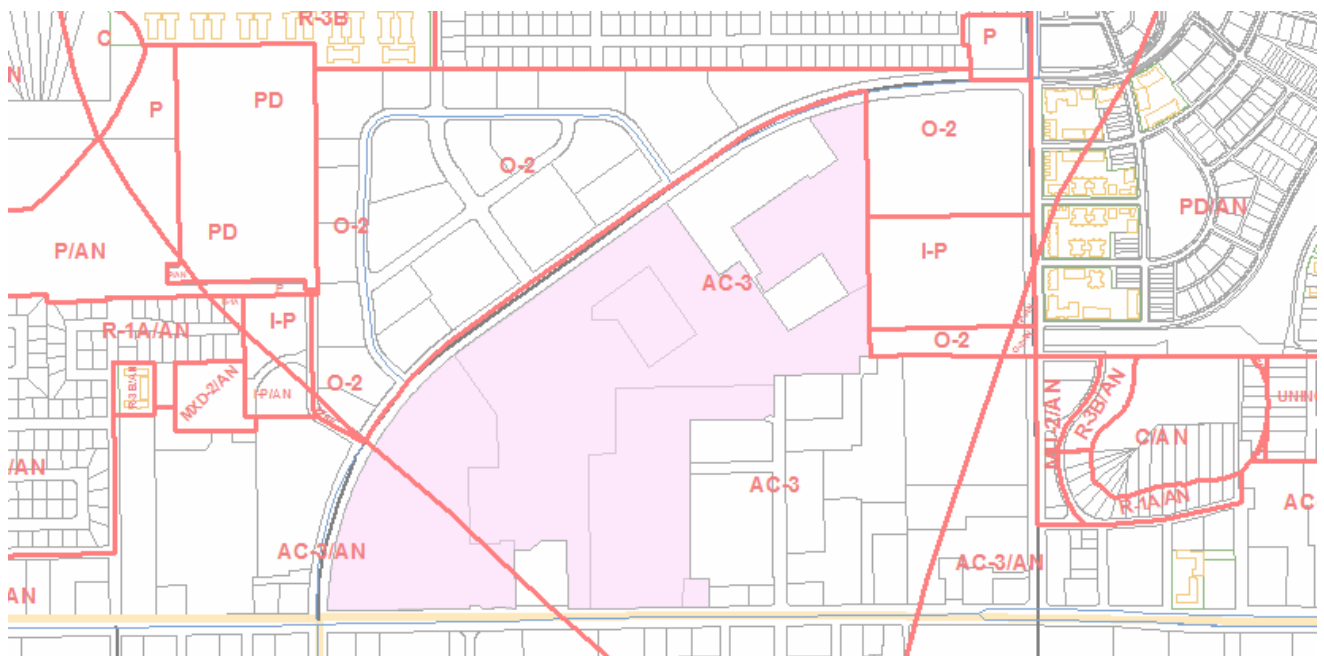
SUMMARY

<p>Applicant UP Fieldgate US Investments— Fashion Square, LLC</p> <p>Owner MMM Lakewood, LLLP and UP Fieldgate US Investments— Fashion Square, LLC</p> <p>Project Planner Fabian De La Espriella, AICP</p>	<p>Property Location: The subject property is located on S.R. 50 just northeast of Downtown. The site is north of Colonial Dr. (SR 50), east of Maguire Blvd., west of Bennett Rd, and South of Maguire Blvd. (+79 acres; PID:30-22-20-6391-00-010, 30-22-20-6391-00-011, 30-22-20-6391-00-012, 30-22-20-6391-00-013, 30-22-20-6362-00-011, and 20-22-30-8711-00-010; District 3).</p> <p>Applicant's Request: Development of Regional Impact Approval to amend the Fashion Square Mall DRI Development Order;</p>	<p>residential units and additional retail and office uses to the metropolitan activity center.</p> <p>Staff Recommendation: Approval of the request, subject to the conditions in this report.</p> <p>Public Comment: Courtesy notices were mailed to property owners within 300 ft. of the subject property the week of April 3rd, 2014. As of the mail-out of the staff report, staff has received <u>no</u> comments from the public relative to this request.</p>
<p>Updated: May 20, 2014</p>	<p>Master Plan approval to add multi family</p>	

MASTER PLAN APPROVAL / DRI AMENDMENT AREA



Future Land Use—Existing DRI2014-00001



Zoning—Existing DRI2014-00001

There will be no changes to the future land use designation, zoning classification or Fashion Square DRI Boundary

PROJECT ANALYSIS

Project Description:

The Fashion Square DRI is a landmark shopping center in the city. The subject property is located on S.R. 50 just northeast of Downtown and is situated on approximately 78.7 acres. The site is north of Colonial Dr. (SR 50), east of Maguire Blvd., west of Herndon Ave., and South of Maguire Blvd. This DRI was first approved in 1991 and has been amended six times; this will be the seventh amendment. The property consists of over 1 million square feet of existing retail and department store uses, restaurants, a movie theater and a school. Neighboring uses include additional retail, office uses and apartments.

The applicant is requesting DRI and Master Plan approval to amend the Fashion Square Mall Development of Regional Impact (DRI) Development Order (DO) to:

1. Add multifamily residential as an approved use to the project;
2. Increase the retail entitlements in Phase 1;
3. Increase the office entitlements in Phase 1;
4. Reduce the theater entitlements in Phase 1;
5. Increase parking in Phase 1 to serve the multifamily and office uses;
6. Update the land use equivalency matrix to include multifamily residential as an approved use in the DRI;
7. Amend Map H to show the location of the multifamily residential use and otherwise provide for the location of certain land uses allowed under the existing and proposed entitlements.

The proposed changes seek to further enrich the mix of uses by adding multifamily residential and additional office uses. The proposed multifamily residential units will provide opportunities for employees of the mall and students from the school to live in close proximity to jobs and services. The multifamily uses will line the parking garages that will serve the residents and also replace substantial areas of surface parking for the mall. The overall effects will be to achieve a more appropriate level of intensity for a major activity center, create a more pedestrian friendly and attractive environment, shorten trip lengths, and use land more efficiently.

Prior Actions:

1991: Original Fashion Square DRI Development Order was issued and approved.

1994: Original Fashion Square DRI Development Order was amended to extend the build-out date of the project.

1994: A Master Plan was approved for the mall site (Case # 94-160)

1995: Fashion Square DRI Development Order was amended to amend Map H and to add certain property to the project.

1995: A Master Plan amendment was approved (Case # 95-189)

2000: Fashion Square DRI Development Order was amended to extend build-out date of Phase 1 of the project to 12/30/2001 and the build-out date of Phase 2 was extended to 12/30/2004.

2003: Fashion Square DRI Development Order was amended to extend build-out date of Phase 1 of the project to 12/30/2003. Also, the former freestanding theater was relocated into the mall and expanded, an office/school land use was added for use in the former freestanding theater, and a land use conversion matrix was added.

2005: Fashion Square DRI Development Order was amended to extend build-out date of Phase 1 of the project to 12/30/2006 and the build-out date of Phase 2 was extended to 12/30/2007.

2011-2012: Extension notices were provided and approved by the City to extend build-out dates of Phase 1 and Phase 2 of the project to 11/28/2017 and 11/28/2018 respectively.

2013: Fashion Square DRI Development Order was amended to allow 8-story hotel as permitted use within phase 1 of the DRI as part of proposed renovation to the main mall to accommodate new tenants. Land use conversion matrix was updated to include hotel as approved use, and existing retail entitlements were converted into the hotel use.

PROJECT ANALYSIS

Analysis of Proposed DRI Amendment

An amendment to the Fashion Square DRI Development Order is requested to allow for the development of multifamily residential and to slightly increase the entitlements within the DRI property. The requested amendment are as follows:

1. Amend DRI Development Order to add multifamily residential as an approved use to the project, with 12.46 acres and 593 dwelling units.
2. Increase commercial/retail use entitlements in phase 1 by 87,611 square feet.
3. Increase office use entitlements in phase 1 by 6,300 square feet.
4. Reduce theater entitlements (seats) in phase 1 by 350 seats.
5. Increase parking to serve the proposed multifamily and commercial/office uses by 1,134 parking spaces.
6. Update the land use equivalency matrix to include multifamily residential as an approved use in the project;
7. Amend DRI Exhibit "B" to replace the previous Map H, Master Development Plan for the Project, to show the location of the multifamily residential use and otherwise provide for the location of certain land uses allowed under the existing and proposed entitlements.

Amendment Process

The proposed changes increase the number of external peak hour trips. Therefore, the proposed amendment to the DRI development requires the filing of a notice of proposed change (NOPC) to the local government, the regional planning agency, and the state land planning agency.

Substantial Deviation Assessment

Items 1 through 5 must be evaluated against substantial deviation criteria found in s.380.06 (19), Florida Statutes. Since the City of Orlando is classified as a Dense Urban Land Area (DULA), the percentage criteria are doubled and all other criteria shall be increased by 10%.

1. Addition of multifamily residential use:

Pursuant to 380.06 (19)(e)5.a, a change proposed for less than 15 percent of the acreage to a land use not previously approved in the development order shall be presumed not to create a substantial deviation. This percentage becomes 30 percent under the doubling of percentage criteria for DULAs. The amount of land dedicated to the multifamily land use, including the land area for parking is approximately 12.46 acres or 16 percent, including associated parking. This change does not trigger a substantial deviation.

2. Addition of office use:

Pursuant to 380.06 (19)(b)3, an increase of floor area for office development by 15 percent shall constitute a substantial deviation. This percentage becomes 30 percent under the doubling of percentage criteria for DULAs. The current office entitlement is 30,000 SF. An increase of 6,300 SF or 21 percent is proposed. This change does not trigger a substantial deviation.

3. Addition of retail/parking for retail use:

Pursuant to 380.06 (19)(b)6, an increase of floor area for commercial development by 60,000 SF or customer parking spaces by 425 spaces or a 10 percent increase, whichever is greater, shall constitute a substantial deviation. This percentage becomes 20 percent under the doubling of percentage criteria for DULAs. The current retail entitlement is 1,299,985 SF. The proposed entitlement of 1,387,196 SF is an increase of 87,611 SF or 6.3 percent.

The number of approved spaces for the retail uses is approximately 5,800 (6,612 minus 500 spaces for the theater, 215 for the school and 89 for the hotel, based on City Code and/or actual allocated parking). The proposed increase in parking is 1,134 spaces. For the anticipated mix of apartment sizes, 971 spaces is the minimum required by City Code, but 1,106 are planned for the multifamily use. The additional 6,300 SF of office would require a minimum of 16 spaces and a maximum of 25 spaces under City Code and the proposal is to use the maximum. The remaining 3 spaces represent 0.05 percent of the allowable increase, which does not trigger a substantial deviation.

PROJECT ANALYSIS

Analysis of Proposed DRI Amendment (cont'd)

4. Increase number of external vehicle trips:

Pursuant to 380.06 (19)(b)10, an increase the number of external trips by 15 percent above that projected during the original DRI review shall constitute a substantial deviation. This percentage becomes 30 percent under the doubling of percentage criteria for DULAs in 380.115(a). The original DO provided for 12,971 daily trip ends, which significantly undercounted the total impact of the DRI as it did not include the 835,428 SF already existing in the DRI at the time of the original DO. The current approved development program was therefore used as the best available basis for comparison. The current approved development program generates 30,577 daily trips. The proposed program generates 32,556, for a 6.5 percent increase, which is far below the 30 percent substantial deviation criteria.

5. Increase to a multiuse DRI:

Pursuant to 380.06 (19)(b)9, an increase to an approved multiuse DRI where the sum of the increases of each land use as percentage of the applicable substantial deviation criteria is equal to or exceeds 110 percent. This percentage becomes 220 percent under the doubling of percentage criteria for DULAs in 380.115(a).

Use	Proposed Increase	Approved Entitlement	Percent Increase	Sub Dev Criteria x2	Percent of Sub Dev Criteria
Multifamily	12.46 acres	0	16% land area	30% land area	53%
Office	6,300 SF	30,000 SF	21%	30%	70%
Retail	87,611	1,299,585	6.3%	20%	32%
Retail Parking	3 spaces	5,800 spaces	0%	20%	0%
External Trips	1,979 ADT	30,577	6.5%	30%	22%
Total					177%

Based on the doubling of the 110 percent criteria for multiuse DRIs to 220 percent, the total of the percentages of the substantial deviation criteria does not constitute a substantial deviation.

This assessment demonstrates that the proposed changes to the Development of Regional Impact Development Order do not constitute a substantial deviation.

Use	Amount Change (+/-)	DULA Criteria	Percentage Change	Substantial Deviation
Multifamily	+ 12.46 acres and 593 du	30%	16%	No
Commercial /Retail	+ 87,611 sf	20%	6.3%	No
Office	+ 6,300 sf	30%	21%	No
Theater Seats	- 350 seat	n/a	n/a	n/a
Parking (retail only)	+ 3	20%	0.05%	No
Vehicle Trips	+1,979	30%	6.5%	No

The proposed multifamily residential use and additional office/commercial uses are consistent with the City's Growth Management Plan, which designates the DRI as Metropolitan Activity Center (M-AC) on the City's Future Land Use Map. The M-AC designation allows these uses as permitted uses, as does the property's AC-3 zoning classification.

Map H of Subject Area

Below-Fashion Square Mall Development of Regional Impact (DRI) Map H.



GROUND LESSEE, MASTER DEVELOPER AND APPLICANT:

UP FIELDGATE US INVESTMENTS - FASHION SQUARE, LLC

FEE OWNER:

MMM LAKEWOOD, LLLP

LEGAL COUNSEL:

AKERMAN LLP

ENGINEER/SURVEYOR:

LOCHRANE ENGINEERING, INC.

ARCHITECT:

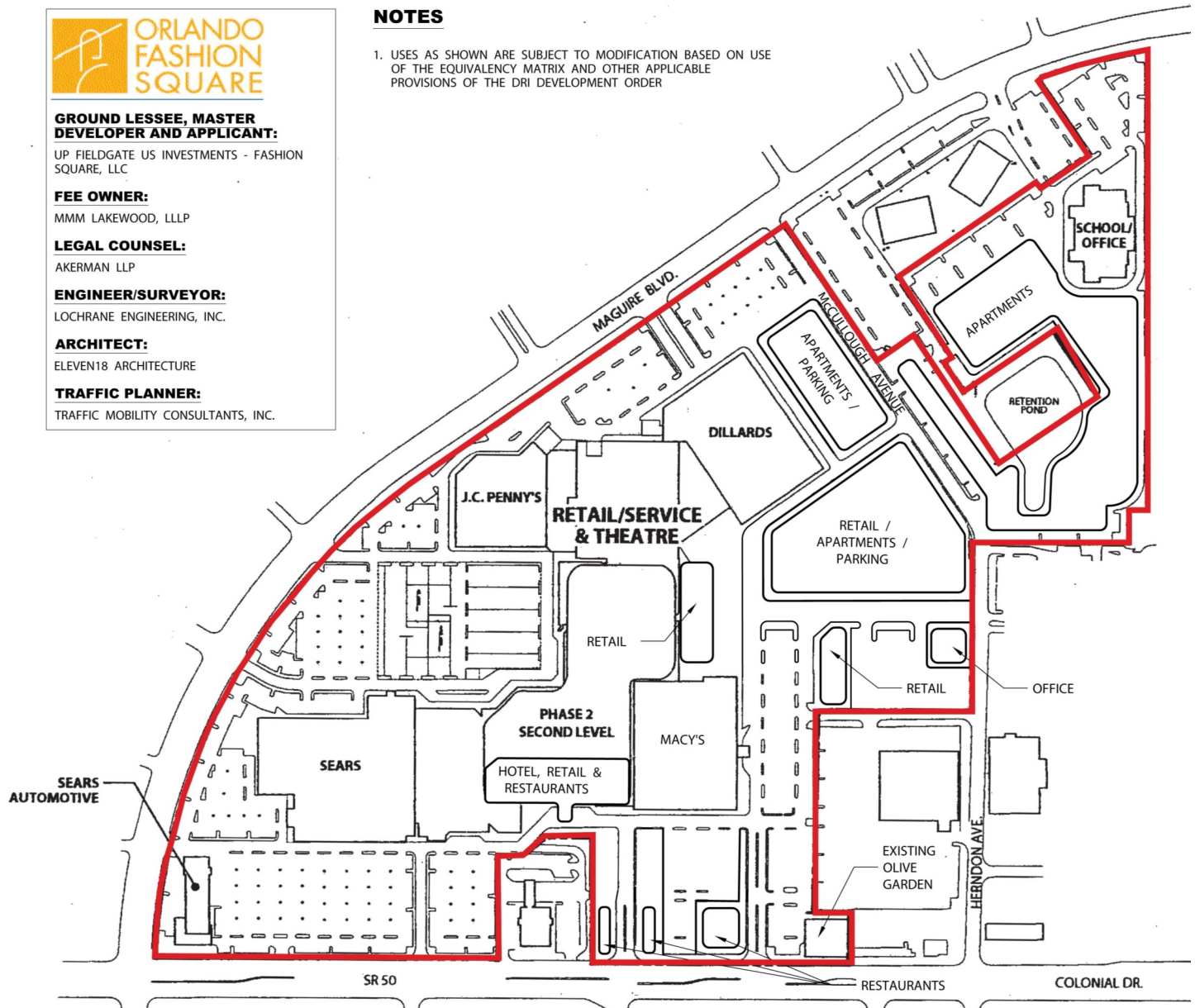
ELEVEN18 ARCHITECTURE

TRAFFIC PLANNER:

TRAFFIC MOBILITY CONSULTANTS, INC.

NOTES

1. USES AS SHOWN ARE SUBJECT TO MODIFICATION BASED ON USE OF THE EQUIVALENCY MATRIX AND OTHER APPLICABLE PROVISIONS OF THE DRI DEVELOPMENT ORDER



Subject Development
Site (78.7 acres)



Proposed DRI Development Program & Conversion Matrix

Existing Development Program

The Orlando Fashion Square DRI was approved for a two phase development program with the land uses and quantities summarized below:

Table 1
Approved Development Program

Land Use	Phase		Total
	1	2	
Retail (SF of GLA)	1,124,985	174,600	1,299,585
Theater (Seats)	2,500	0	2,500
School (Student Stations)*	180	0	180
Hotel (Rooms)	175	0	175
Parking Spaces	6,112	500	6,612

* 180 Student Station or 30,000 Square Feet Office

Proposed Development Program

The development program is proposed to be adjusted to introduce a residential land use and associated changes to Map H of the DRI. The proposed development program is summarized in Table 2 with a comparison to the approved development levels from Table 1.

It is evident that the changes to the DRI's development program result in an increase in the mall area of 87,611 SF, a decrease of 350 theater seats, and the addition of 593 multifamily residential units. A corresponding increase in parking of 1,134 spaces is necessary to accommodate the modified program.

Table 2
Proposed Development Program

Land Use	Phase		Total	Change
	1	2		
Retail (SF of GLA)	1,212,596	174,600	1,387,196	87,611
Theater (Seats)	2,150	0	2,150	-350
School (Student Stations)*	180	0	180	0
Office (SF)	6,300	0	6,300	6,300
Hotel (Rooms)	175	0	175	0
Multifamily (DU)	593	0	593	593
Parking Spaces	7,246	500	7,746	1,134

* 180 Student Station or 30,000 Square Feet Office

Proposed DRI Development Program & Conversion Matrix (cont'd)

Trip Generation Analysis

In order to assess the overall impact of the proposed change to the DRI, a trip generation comparison between the approved and proposed development programs was performed. The analysis utilized methods and information published in the ITE Trip Generation Manual, 9th Edition.

Table 4
Proposed Development Program Trip Generation

Description	LU Code	Quantity	Daily		PM Peak Hour Trips			Total
			Rate	Trips	Rate	Enter	Exit	
Retail	820	1,387.196 KSF	27.05	37,525	2.52	1,675	1,814	3,489
Movie Theatre	445	2,150 Seats	0.80	1,720	0.08	62	110	172
Hotel	310	175 Rooms	8.17	1,430	0.60	52	52	104
Apartments	220	593 DU	6.27	3,718	0.76	293	157	450
Office	710	6,300 KSF	11.03	69	1.49	6	3	9
School	416	180 Students*	1.23	221	0.12	14	8	22
Total Trips				44,683		2,102	2,144	4,246
<i>Internal Capture (11.7% Daily, 13.8% Pk)</i>				5,222		289	295	584
Total External Trips				39,461		1,813	1,849	3,662
<i>Pass-by Regional Mall (18.4%)</i>				6,905		308	334	642
Net New External Trips				32,556		1,505	1,515	3,020

* 180 Student Station or 30,000 Square Feet Office

The proposed development program will generate 32,556 net new external daily trips, of which 3,020 trips occur during the peak hour. The proposed development program will generate 6.5% more daily trips and 7.3% more peak hour trips. **This increase in traffic is below the threshold within the acceptable limits for a non-substantial deviation from the approved development order.**

Trip Generation Comparison

Period	Development		% Change
	Approved	Proposed	
Daily	30,577	32,556	6.5%
Peak Hour	2,814	3,020	7.3%

Proposed Conversion Matrix

The approved conversion matrix was revised to incorporate the newly proposed multifamily residential land use in the matrix. This will allow for the reasonable conversion of land use entitlements within the mixed use DRI. The proposed conversion matrix, based on peak PM hour trip generation rates, is provided below:

Updated Conversion Matrix

From \ To	Regional Mall	Office	Movie Theatre	School	Hotel	Multifamily	PM Pk Rate**
Regional Mall (KSF)		0.98	25.29	17.70	3.40	2.68	1.77
Office (KSF)*	1.02		25.86	18.10	3.48	2.74	1.81
Movie Theatre (Seats)	0.04	0.04		0.70	0.13	0.11	0.07
School (Students)	0.06	0.06	1.43		0.19	0.15	0.10
Hotel (Rooms)	0.29	0.29	7.43	5.20		0.79	0.52
Multifamily (DU)	0.37	0.36	9.43	6.60	1.27		0.66

* Trip generation rate established based on 80 KSF size using ITE trip generation equations

** Net new peak hour trip generation rate calculations:

Proposed Signage

The applicant desires to update the reader board signs located at the main entrances to the mall. The draft language below would allow the applicant to change the existing reader board signs to digital reader board signs. The proposed signage provision is an addition to the DRI Development Order and is subject to legal review.

WHEREAS, the provisions of this section are intended to allow signage that distinguishes the Fashion Square DRI as a regionally unique and significant commercial, retail, and entertainment destination where innovative and vibrant signs contribute to the commercial success of businesses, and identifies this activity center as an exciting urban environment.

WHEREAS, the Orlando City Council hereby finds and determines that because of the Fashion Square Mall's size and intensity of development (over 1,000,000 sq. ft.) and overall urban location within distinct, medium to high-density, mixed-use, and commercial districts within close proximity to downtown, the special signs contemplated in this development order are not aesthetically inappropriate nor unreasonably distracting; and

WHEREAS, the Orlando City Council hereby finds and determines that this signage provision is consistent with the applicable provisions of the City's adopted Growth Management Plan, is in the best interest of the public health, safety, and welfare, is in harmony with the purpose and intent of the City's Land Development Code, will not result in disorderly and illogical development patterns, and will not result in incompatible land uses; and

WHEREAS, the Orlando City Council hereby finds and declares that including provisions relating to digital signage within the Orlando Fashion Square Mall, as provided in this Development Order, will appropriately balance the need and desire to promote and protect the aesthetic beauty of the City of Orlando with the need and desire to promote and identify important commercial districts through the use of electronic media, and further, that nothing in this provision is inconsistent with this Council's findings and determinations made in conjunction with previous amendments to Chapter 64, Orlando City Code, including ordinances relating to signs adopted by the Orlando City Council on September 16, 1991, (Document #25101) and September 11, 2000 (Document #33225); and

WHEREAS, the Orlando City Council hereby finds and determines that installing such desirable signage in urban activity centers, if appropriately regulated, are unlikely to present unanticipated and dangerous distractions to passing motorists;

The signage provisions below, proposed to be added to the DRI development order, include specific digital signage operational conditions:

DIGITAL READER BOARD SIGNAGE:

In order to reduce visual clutter and consolidate non-commercial messages into a convenient, visible and appropriate medium, the City and Developer agree to allow for two (2) double sided digital reader board signs of maximum 45 square feet each in areas integrated into existing pylon signs that architecturally match the exterior detailing of the principal mall architecture. The digital reader board signs shall not cover more than 35% of entire pylon surface area on each side. Each of these signs shall be located near main vehicular entrances to the property along Maguire and Colonial. Such messages are limited to changing once an hour (on the hour), and are limited to on-site messages regarding stores, movies and special events happening at the mall. No video or animation of any kind is allowed and transitions between messages shall be instantaneous. The digital reader board signs shall follow the operations for brightness and ambient light as required by LDC Section 64.277-B(3). An appearance review by the City's appearance review official and planning official is required to ensure that the sign is architecturally integrated, results in reduced visual clutter, and operates in the manner intended.

TELEVISIONS:

Exterior

Televisions that are visible from the exterior of the mall are allowed throughout the property, subject to the following regulations:

1. Televisions are only allowed for first floor uses, and shall not be placed higher (or partially higher) than the finished second floor of any part of the mall.
2. Television screens count towards the calculation of maximum allowable copy area when located within 6-feet of a window, and oriented primarily toward the exterior, even if the television is located within a building.
3. Televisions may only broadcast on-site messages and regular broadcast television programming; this may include video.
4. Only one television of no more than 50-inches is allowed per business storefront or restaurant, except that outdoor dining areas may have an additional television of no more than 50-inches per 25-feet of lineal building frontage to broadcast videos or regular television programming for patron's entertainment.

Interior

1. Televisions visible from the interior of the mall shall not be regulated in any manner.

PROJECT ANALYSIS

Master Plan Criteria (LDC Section 65.335)

The Municipal Planning Board and City Council shall consider the following factors in their review of Master Plan applications:

- Purpose and Intent. The purpose and intent of the use and all other requirements of the LDC.
- Growth Management Plan (GMP). The consistency of the proposal with all applicable policies of the City's adopted GMP.
- Use and District Requirements. The proposal must conform to the requirements of the zoning district(s) in which it is located and, where applicable, to the requirements of Chapter 58 for the particular use or activity under consideration.
- Performance and Design Regulations. The proposal must conform to all applicable performance and design regulations of Chapters 58, 60, 61, and 62.
- Public Facilities and Services. Will necessary public facilities (both on- and off-site), such as transportation, sanitation, water, sewer, drainage, emergency services, education, recreation, etc. be adequate to serve the proposed use.

Conformance with the GMP and the LDC

The subject property is located on the northeast corner of Maguire Road and Colonial Drive (SR 50), and west of Herndon Ave., and is 79.06 acres in size. The subject property is designated Metropolitan Activity Center on the Official Future Land Use Map, and is zoned AC-3 and AC-3/AN. This master plan application pertains to the majority of the Fashion Square Mall DRI area; it excludes the Sears building, associated parking, and retail building on the corner of Maguire and E. Colonial Dr. The master plan also includes areas which is not included in the Fashion Square DRI which include the future Dick sporting goods site, BB&T bank, adjacent out-parcel Restaurant D, and Office E, and the associated parking areas for these.

Surrounding future land use designations include Office Medium Intensity to the north, and Metropolitan Activity Center to the south and west, and a combination of Metropolitan Activity Center, Office Medium Intensity, Industrial, Recreational, Public, and Institutional to the east. Existing uses include the Koger office center to the north, and various commercial, restaurant, and retail buildings to the south and west. Multifamily, Summit church, FEDEX distribution center, access to Cady Way Bike Trail, office, and retail uses are found to the east.

The Metropolitan Activity Center future land use designation allows a maximum density of 200 du/acre or a floor area ratio (FAR) of 3.0, the associated AC-3 zoning allows a maximum of 1.5 FAR. A minimum 0.75 FAR and 30 du/acre applies to the future land use and zoning, however, commercial development outside the traditional city is exempt from this minimum FAR requirement. No GMP future land use subarea policies affect the subject property.

The existing mall site consists of 1,084,296 sq. ft., 2,135 theater seats (approximately 41,547 sq. ft.), two office buildings with 90,842 sq. ft. of floor area, and 180 student station (school—approximately 30,000 sq. ft.) on 79.06 acres for an overall FAR of 0.36. At build-out, the DRI would allow a maximum of 1,387,196 sq. ft. of commercial, 2,150 theater seats (approximately 41,839 sq. ft.), 180 student station (school—approximately 30,000 sq. ft.), 6,300 sq. ft. of office, 175 hotel rooms (approximately 130,000 sq. ft.), and 593 multifamily units (approximately 683,500 sq. ft.) for a potential FAR of 0.46 and a residential density of 48 du/acre, which are within the range of allowable intensity and density.

The proposed DRI amendment adds multifamily residential as an approved use to the project and increases additional retail and office entitlements. The changes to the DRI development program result in the addition of 593 multifamily residential units, an increase in the mall area of 87,611 sq. ft., additional 6,300 sq. ft. of office uses, a decrease of 350 theater seats, and a corresponding increase in parking of 1,134 spaces which are necessary to accommodate the modified program. The master plan also includes the two office buildings on Maguire Blvd (45,421 sq. ft. each), Dick's Sporting Goods store (50,262 sq. ft.), BB&T Bank (3,125 sq. ft.), and a 2,500 sq. ft. restaurant (Restaurant D as labeled in the master plan graphic). The proposed multifamily, office, and commercial/office uses are consistent with the adopted future land use designation and zoning district.

Table 1—Setback and Landscaping Requirements					
Use or Phase	Yard	Building Setbacks		Landscaping/Buffers	
		Minimum /Maximum	Proposed	Required*	Proposed
AC-3	Front— Colonial Dr.	0 ft. / no max.	As Existing	A (7 to 15 ft.)	10 ft.
	Side— east property line	0 ft. to 3 ft.	As Existing	Not Required	10 ft.
	Street-side— Maguire Blvd.	0 ft. / no max.	As Existing	A (7 to 15 ft.)	7 ft.—40 ft.
	Rear— north property line	20 ft. / no max.	As Existing	A (7 to 15 ft.)	7 ft.—40 ft.
* Dimensions refer to range of acceptable buffer depth; each requires plantings and/or screen wall					

PROJECT ANALYSIS

Table 2—Development Program—Master Plan

	Acreage	Use	Sq. Ft./Dwelling Units		FAR (floor area ratio)		Building Height		ISR (impervious surface ratio)	
			Phase 1	Phase 2 (cumulative)	Existing	Proposed	Minimum /Maximum	Proposed	Maximum	Proposed
	79.06	Retail	1,212,596 sq. ft.	1,387,196. sq. ft.	0.36 FAR	0.46 FAR	200 ft. less FAA limits	2 Stories	0.90	< 0.90
	79.06	Theater (seats)	41,839 sq. ft.	41,839 sq. ft.	0.36 FAR	0.46 FAR	200 ft. less FAA limits	2 Stories	0.90	< 0.90
	79.06	School (Student Stations)	30,000 sq. ft.	30,000 sq. ft.	0.36 FAR	0.46 FAR	200 ft. less FAA limits	2 Stories	0.90	< 0.90
	79.06	Office	6,300 sq. ft.	6,300 sq. ft.	0.36 FAR	0.46 FAR	200 ft. less FAA limits	2 Stories	0.90	< 0.90
	79.06	Hotel (rooms)	130,000 sq. ft. (175 rooms)	130,000 sq. ft. (175 rooms)	0.36 FAR	0.46 FAR	200 ft. less FAA limits	8 Stories	0.90	< 0.90
	79.06	Multifamily Residential (units)	683,500 sq. ft. 593 Units	683,500 sq. ft. 593 Units	0.36 FAR	0.46 FAR	200 ft. less FAA limits	5-8 Stories	0.90	< 0.90
	79.06	Office (Existing)	90,842 sq. ft.	90,842 sq. ft.	0.36 FAR	0.46 FAR	200 ft. less FAA limits	3 Stories	0.90	< 0.90
	79.06	Dick's Store	50,262 sq. ft.	50,262 sq. ft.	0.36 FAR	0.46 FAR	200 ft. less FAA limits	1 Story	0.90	< 0.90
	79.06	BB&T Bank	3,125 sq. ft.	3,125 sq. ft.	0.36 FAR	0.46 FAR	200 ft. less FAA limits	1 Story	0.90	< 0.90
	79.06	Restaurant D	2,500 sq. ft.	2,500 sq. ft.	0.36 FAR	0.46 FAR	200 ft. less FAA limits	1 Story	0.90	< 0.90
Total	79.06	N/A	2,250,964 sq. ft.	2,425,564 sq. ft.	0.36 FAR	0.46 FAR	N/A	8 Stories	0.90	< 0.90

Land Use Compatibility

Uses surrounding the subject property include offices and some residential uses to the north across Maguire Blvd., commercial uses to the south across Colonial Drive (S.R. 50), commercial uses to the west along Colonial Drive and across Maguire Blvd., and mostly commercial uses to the east along Colonial Drive. The proposed multifamily residential and commercial/office uses, if developed consistent with the LDC, is compatible with the surrounding development.

Table 3—Project Context

	Future Land Use	Zoning	Surrounding Use
North	Office Medium Intensity	O-2	Office / Residential
East	Metropolitan Activity Center / Industrial / Office Medium Intensity	AC-3 / I-P / O-2	Commercial / Industrial / Residential
South	Metropolitan Activity Center	AC-3	Commercial / Retail
West	Metropolitan Activity Center / Office Medium Intensity	Ac-3 / O-2	Multi-Family Housing

Signage

No additional signage is being proposed as part of this application. Signage shall be consistent with LDC chapter 64, except as provided in the DRI development order. Signage plans showing existing and proposed signage shall be submitted to the City for review. Approval of such plans will be issued through a Letter of Determination.

PROJECT ANALYSIS

Transportation

The subject property is 78.7 acres in size and is located within the North Transportation Benefit Area and Traffic Analysis Zone 775. The main access point for the proposed redevelopment project will be on Colonial Drive, which is an arterial roadway owned by the Florida Department of Transportation (FDOT). The abutting segment of Colonial Drive from Maguire Boulevard to Herndon Avenue has pedestrian accommodations (sidewalks) located on both sides of the roadway, but no bicycle accommodations (bicycle lanes).

Transit:

There are currently three (3) LYNX routes that service the Fashion Square Mall:

- LYNX Route 28 (Colonial Dr./Azalea Park) – LYNX Central Station to Semoran Boulevard
- LYNX Route 29 (E. Colonial Dr./Goldenrod Road) – LYNX Central Station to Aloma Avenue
- LYNX Route 104 (E. Colonial Dr.) - LYNX Central Station to University of Central Florida

No transportation improvements are programmed within the FDOT five-year work program that will directly impact this property. LYNX is currently performing an alternatives analysis for the SR 50 corridor from the West Oaks Mall to UCF. The DRI requires a study prior to Phase 2 to determine if additional improvements are needed.

The abutting segment of Colonial Drive from Maguire Boulevard to Herndon Avenue has pedestrian accommodations (sidewalks) located on both sides of the roadway, but no bicycle accommodations (bicycle lanes).

Additional parking spaces are being proposed as part of this amendment. As shown in the table below, the parking requirements are met.

Table 4—Parking Requirements

Use	Sq. Ft./ Dwelling Units	Minimum Ratio	Minimum Spaces Required	Maximum Ratio	Maximum Spaces Permitted
Retail / Regional Mall	1,212,596 sq. ft.	3.5/1000 sq. ft.	4,244	5/1000 sq. ft.	6,063
Hotel (Rooms)	175 rooms	0.5/unit	88	1/unit	175
Theater (seats)	2,150	0.10 / Seat	215	0.30 /Seat	645
School (180 Student Stations)	30,000	2.5 /1000 sq. ft.	75	4 /1000 sq. ft.	120
Office	6,300	2.5 /1000 sq. ft.	16	4 /1000 sq. ft.	25
Multifamily Residential (apartments)	593 units	Studio and 1BR: 1.5 /unit 2BR: 1.75 /unit	971	Studio and 1BR: 1.5 /unit 2BR: 1.75 /unit	1106
Total Required	N/A	N/A	5,609	N/A	8,109
Total Provided	7,246				

Service / Deliveries

No details on service/delivery areas, trash disposal/pick-up are being shown as part of this master plan approval. At the time of permitting and/or specific master plan approval, plans detailing circulation and provision for these areas shall be provided for review.

AERIAL PHOTO

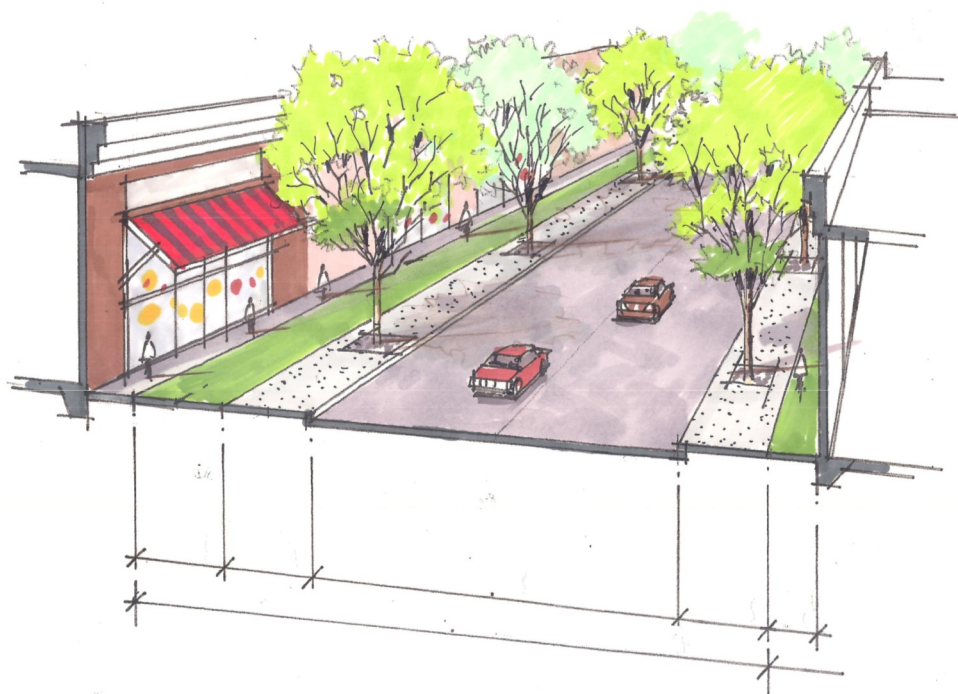
FASHION SQUARE DRI



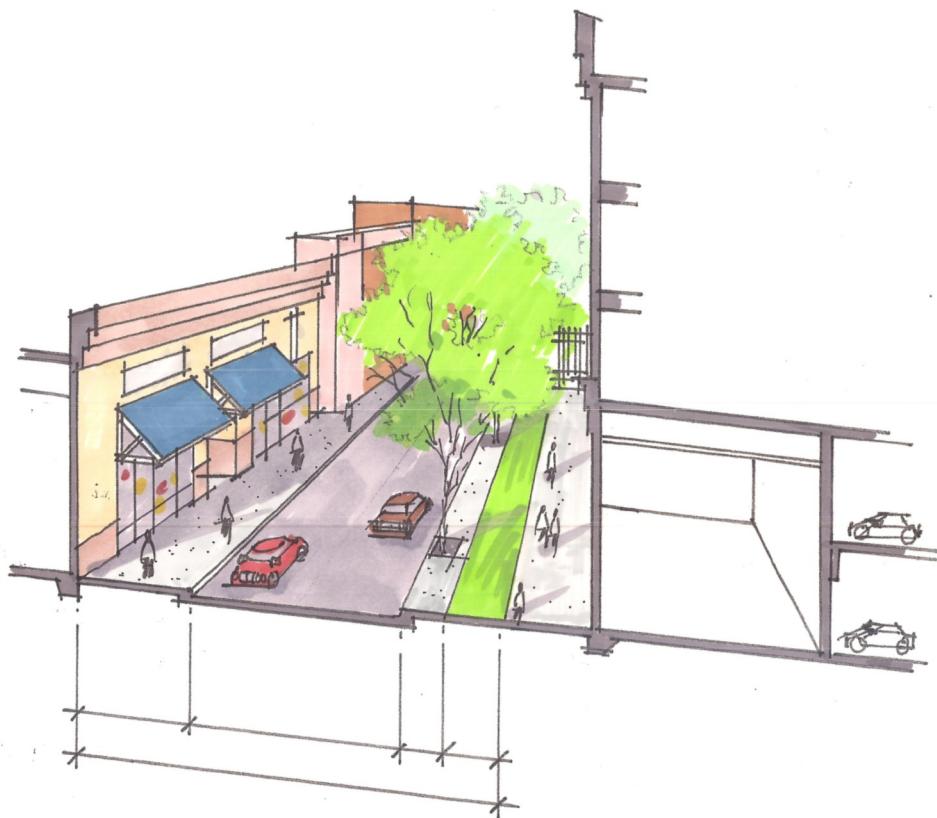
 Fashion Square DRI

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PROPOSED STREET CROSS SECTIONS



Section A—Herndon Ave.



Section B—Across Dillards

PROPOSED STREET CROSS SECTIONS



Section C—Fronting McCullough Ave

PHOTOS OF SUBJECT SITE AND SURROUNDING AREA



Looking North-West from Subject Site.



Looking North at Subject Site.



Looking East at Commercial Development and



Looking South from Subject Site



Looking East along Park Lake St.



**Looking West at Commercial Development across
Maguire Blvd.**

FINDINGS

Subject to the conditions contained herein, the DRI amendment (proposal) is consistent with the requirements for approval of DRI amendment:

1. The proposal is consistent with the State Comprehensive Plan (Chapter 187, Florida Statutes).
2. The proposal is consistent with the East Central Florida Strategic Regional Policy Plan.
3. The proposal is consistent with the provisions of Chapter 163, Part II, Florida Statutes.
4. The proposal which amends the previously approved DRI does not create a reasonable likelihood of additional regional impacts (consistent with Section 380.06 (19) F.S.) The proposal is determined to be substantial, therefore it requires a Notice of Proposed Change (NOPC) per FS 380.06(19)(e)2 .
5. The proposal is consistent with the objectives and policies of the City's adopted Growth Management Plan (GMP); particularly, Future Land Use Objective 2.2, Policy 2.2.1 and Figure LU-1.
6. The proposal is consistent with all applicable requirements of the City of Orlando Land Development Code.
7. The proposal is compatible with the surrounding development pattern.
8. The necessary public facilities will be adequate to serve the proposed use.

STAFF RECOMMENDATIONS

Staff recommends approval of the Master Plan and DRI amendments subject to the conditions below, which apply to the areas of the project that are included in any new development or redevelopment in accordance with this report:

CONDITIONS OF APPROVAL

Growth Management / Land Development

1. **GENERAL CODE COMPLIANCE:** The proposed project shall be developed consistent with the conditions in this report, and all codes and ordinances of the City of Orlando, the State of Florida, and all other applicable regulatory agencies.
2. **USES AND INTENSITIES:** Development of the property included in the DRI with uses or intensities not permitted by the existing DRI Development Order shall not be permitted prior to the effective date of the amended development order.
3. **IMPERVIOUS SURFACE RATIO (ISR):** ISR is limited to 90% in the AC-3 zoning district.
4. **MASTER PLAN:** The Master Plan amendment is valid only for the overall conceptual master plan framework as presented in this staff report and any changes necessary as a condition of this staff report. The Master Plan amendment is not transferable to another property. Given the phasing of this project, each proposed multifamily component of the master plan would be required to go through SPMP (specific parcel master plan) approval. Site plans and schematic architectural elevations package shall be subject to review and approval as part of each specific parcel master plan. The minor components of the plan (smaller office and retail additions) would be processed through administrative approval subject to staff review.
5. **MASTER PLAN EXPIRATION:** Approval of the Master Plan and DRI Amendment by the City Council shall grant the applicant authority to submit an application for site plan review for a building permit. Building permits for the proposed plans must be received within 2 years of approval of the Master Plan and DRI amendment by the City Council or the Master Plan Amendment shall expire. However, upon written application filed 30 days prior to the expiration date, the Planning Official may extend the Master Plan Amendment for one period of up to 1 year, providing good cause is shown.
6. **PARKING:** Parking shall be consistent per Parking requirements on LDC Chapter 61 Part 3.
7. **SIGNS:** Signage shall be consistent with LDC chapter 64. Signage plans showing existing and proposed signage shall be submitted to the City for review. Approval of such plans will be issued through a Letter of Determination.
8. **ANNUAL REPORT:** As noted in a July 5, 2012 letter (LDC2012-00188), the annual report for the Fashion Square DRI for the period of November 1, 2009 to November 1, 2011 is overdue. The applicant shall submit the annual report prior to issuance of building permits.

CONDITIONS OF APPROVAL (CONT'D)

Urban Design

1. **APPEARANCE REVIEW:** An Appearance Review is required prior to building permits being issued. All Urban Design conditions of approval shall be addressed prior to permitting.

2. **SIGNAGE:** All signage shall meet the requirements of Chapter 64. A Master Sign Plan shall be submitted to the City Planning Division as a Request for Determination and approved prior to permitting for any signage to ensure that the proposed plan meets the requirements of code. The Master Sign Plan shall include all existing and proposed signage on the exterior of the mall, including any site or ground mounted signs, so that an accurate determination on the signage permitted can be calculated.

3. **LIGHTING:** A lighting plan has not been provided with this application. A signed and sealed lighting plan consistent with Orange County's lighting ordinance (Ord. No.2003-08, §1,6-3-03) or a Photometric Plan subject to approval by the Planning Official shall be submitted with permitting drawings. You can access the OC lighting ordinance online at: <http://www.orangecountyfl.net/cms/DEPT/growth/planning/urban/default.htm>.

a. All lighting fixtures utilized in the Special Plan shall be cut-off or fully shielded to reduce glare, mitigate light pollution and reduce spillover lighting into surrounding properties.

b. Light-emitting diode (LED) lamps are encouraged.

c. Parking Areas:

i. Light fixtures shall be a maximum of 30' in height.

ii. Light fixtures shall not be located in the landscape island.

iii. To keep light rays and glare from encroaching onto adjacent properties, illumination shall be installed with houseside shields and reflectors to confine the light rays to the premises. Wattage shall not exceed 400 watts per bulb.

d. Security Lighting:

iv. Security lighting shall not be substituted for parking lot or pedestrian lighting fixtures, and are restricted to lighting service, storage, loading and other similar uses.

v. Security lighting shall not extend beyond the fascia or roofline of any building.

vi. Shields for security lighting shall be similar in color with the surface to which the fixture is attached.

e. Service Areas:

vii. Lighting under awnings, canopies, porte-cocheres, should be recessed. If not recessed, the box type or other lighting fixture shall be opaque on all sides (no light shall emanate from any side of the fixture).

f. Pedestrian Areas:

i. Lighting fixtures shall be decorative in appearance, style and finish and shall not exceed 15' in height.

4. **DUMPSTERS:** All dumpsters and trash compactors shall be screened with solid walls to match the principal structure. Decorative, opaque gates shall be installed to coordinate with principal structure. Landscape screen including low hedge and groundcover required to soften the view from the public ROW.

5. GENERAL MULTIFAMILY DEVELOPMENT STANDARDS:

a. **Block, Street, Building and Parking:**

- Each multifamily development shall be developed as a series of blocks connected by at least one street, as required by LDC Section 61.221(a). Streets typically spaced no more than 660 feet apart.
- Access is provided through public ROW dedicated as a street OR a private drive that generally includes the following on each side: a) a minimum 5 ft sidewalk, b) a planting strip with street trees (or sidewalk with tree grates in a more urban context), and c) street lights.
- Each project must provide cross-access to adjacent properties, unless wetlands, lakes, limited access highways or other physical barriers prevent connectivity, as required by GMP Transportation Policy 1.10.5.

CONDITIONS OF APPROVAL (CONT'D)

b. Block, Street, Building and Parking:

- Each multifamily development shall be developed as a series of blocks connected by at least one street, as required by LDC Section 61.221(a). Streets typically spaced no more than 660 feet apart.
- Access is provided through public ROW dedicated as a street OR a private drive that generally includes the following on each side: a) a minimum 5 ft sidewalk, b) a planting strip with street trees (or sidewalk with tree grates in a more urban context), and c) street lights.
- Each project must provide cross-access to adjacent properties, unless wetlands, lakes, limited access highways or other physical barriers prevent connectivity, as required by GMP Transportation Policy 1.10.5.
- Parking layouts may be in the following configurations:

A parking lot to the side or rear of the multifamily building. Parking lots located to the side of a building shall meet or exceed the building setback along a street.

Parallel or diagonal parking spaces along the street.

In garages located to the side or rear of a multifamily building, or integrated into the building.

- Buildings shall be placed in the following configurations:
Each building shall have a 'front' facing a street or a 'rear' facing an open space or lake. Each building with frontage on a street shall include at least one entrance that faces the street.

Buildings with frontage on a street shall provide a maximum setback of 20 ft on the primary frontage. This may be increased to a maximum of 30 ft if the primary frontage is an arterial street.

At least 65% of the street frontage should be occupied by a building, outdoor plaza or active recreation area.

c. Site Design:

- A network of pedestrian connections shall be designed to connect all entrances of each building to the street, as required by LDC Section 61.314(a) and ©.
- All crosswalks at driveways and curb cuts shall be designed with pavers and/or textured colored concrete or similar treatment to clearly define the pedestrian zones, as required by LDC Section 61.314(e). Thermoplastic paint may be incorporated, but shall not meet this condition alone.
- Fencing has not been proposed; however, all fencing visible from the street shall meet CPED (crime prevention through environmental design) principles with wrought-iron like or aluminum metal picket fence. The maximum height at the property line facing the street is 4 ft. A maximum height of 6 ft may be approved if set back at least 7 ft from the sidewalk with landscaping planted between the sidewalk and the fence. Rear yard or interior side yard fencing may be privacy fences or walls as allowed by the LDC. These limits are established consistent with LDC Section 65.334(j). Chain link fences are prohibited.
- All retention ponds shall be treated as a site amenity consistent with the recent LDC amendments, in particular, LDC Section 60.228 (d)(9).
- Mechanical equipment shall be screened as described in the LDC chapter 58, part 5B(18). All ground-level, wall and roof-mounted mechanical equipment (i.e. water meters, valves, pipes and pressure systems, transformer pads, backflow preventers etc.) shall be screened from view of the public right-of-way. Ground level utilities and mechanical equipment shall be screened by a wall to match the materials of the building and/or shrub hedging, a minimum of 36" at time of planting. All rooftop mechanical equipment shall be integrated into the overall mass of the building by screening the equipment behind parapets or by recessing equipment into the roof system.
- On-site landscaping shall be provided consistent with LDC Chapter 60, part 2.

CONDITIONS OF APPROVAL (CONT'D)

d. **Building Design:**

- Transparency: To provide greater visibility from the interior of a building to the exterior of a site so that residents may be more aware of outside activities thereby reducing opportunities for crime and to improve natural surveillance, transparency is required for all buildings.

A minimum 15% of all facades on all floors of a residential building shall be transparent.

A minimum 30% of all facades facing a street on all floors of a clubhouse, leasing office, fitness center, or other active non-residential building shall be transparent.

Glass panels located at doors shall be included in calculating transparency. Clear glass (minimum 80% light transmission) or a low-E glass of at least 57% light transmittance shall be used to meet this requirement. Mirrored or reflective glass is prohibited.

- Facades that face a street, park or open space shall be articulated with features including porches, bay windows, and/or balconies and shall also have detailed architectural finishes.
- Private entrances to individual units are encouraged to increase the natural surveillance at the ground level.
- Garages with frontage on a street should include a second story containing one or more apartment units. Such buildings shall be designed to look like the front of a building, even if the garage door is accessed from the rear. Garages shall occupy less than 35% of the frontage on a street.
- Garage doors should be oriented away from streets. If visible from the street, additional architectural treatment shall be required, including features such as enhanced trim-work, a trellis, transparency, recessed doors, or other feature as approved in a master plan or appearance review.
- Accessory buildings : Architectural elevations of a clubhouse, mail kiosk, trash compactor, or similar structure shall be compatible and consistent with those of the residential buildings, and shall be expressed with like finishes, forms, materials, and colors. A base, middle and top shall be expressed, with materials finished and wrapped on all facades. Primary pedestrian entries of a clubhouse shall be clearly expressed and be recessed or framed by a sheltering element.

6. GENERAL COMMERCIAL DEVELOPMENT STANDARDS:

a. **Site Design:**

- Primary buildings shall be oriented toward the street and establish an architectural focus.
- Multi-tenant buildings and outparcels adjacent to street ROW are strongly encouraged to have at least one entrance oriented toward the street.
- Buildings on corner lots and buildings that terminate views should incorporate additional height, massing, distinctive architectural treatments, or entrances with distinguishing features to emphasize their prominent location.
- A minimum 5-foot wide pedestrian pathway shall connect from the principal building entrances and exits to the sidewalks.

b. **Building Design:**

- Non-residential buildings' primary façade shall have a min. of 30% transparency on the principal façade. Secondary facades shall have a minimum of 15% transparency. Upper level transparency may be included in calculations. Area shall be calculated by linear store frontage times the height from grade to a maximum of 12 feet above grade. Principal facades shall be all exterior walls that face a street. Clear glass (or Low-E with minimum 60% transmittance) shall be required to count toward transparency. Reflective glass, glass block, and spandrel glass are not permitted as transparent materials. No windows shall be dry-walled, or have permanent partitions installed on the interior to block natural surveillance.
- Architectural details and articulation, such as projections and recesses, transparency, material changes, or similar should be utilized at intervals of no more than 25-60 linear feet to prevent blank walls and inactive building facades at ground level. Any architectural treatments on the front façade shall be continued around the side of the building (Streetside frontage).
- The primary entry to the building shall be architecturally treated with an awning or canopy that emphasizes the entrance of the building.
- Buildings should incorporate a recognizable base, middle, and top.
- Pedestrian friendly elements such as awnings, canopies, colonnades, overhangs and other such treatments should be incorporated along pedestrian paths and streets.

CONDITIONS OF APPROVAL (CONT'D)

- Water shall not spill out onto sidewalk from any downspout, nor shall any downspout project into the public ROW. Canopies shall incorporate downspouts or other rain water management system to prevent water spill onto the pedestrian path or ROW.

7. LANDSCAPING:

A. General

- Trees placed underneath overhead electric lines shall be of a type that will not naturally exceed 20 feet in height at maturity. Canopy trees shall not be planted closer than 15' from overhead electric lines.
- Landscaping beds must be mulched to a depth of at least 2.5". All mulch must be organic and cypress mulch is prohibited. Approved mulch varieties include pine bark nuggets, pine straw, shredded oak pallets, melaleuca, and eucalyptus.
- Plants listed by the Florida Exotic Pest Plant Council as a Category I or II invasive exotic may not be installed on the Property.
- Hedges should be a minimum of 30-inches in height at installation and be maintained to a minimum height of 36-inches after the first year. Individual shrubs in hedge should be installed at a minimum spacing of 30-inches between plants along the entire length of the fence line.
- Irrigation systems must be designed and maintained with industry standard water efficiency measures or equipment, such as 1) a weather-based evapotranspiration controller, 2) zoned soil-moisture sensors, or 3) a low volume system using drip emitters for shrubs and groundcover and flood bubblers for trees. Impact sprinklers are prohibited.
- At least half of all installed shrub and groundcover and at least 70% of all installed trees must be drought tolerant species native to Central Florida.

B. Street trees

- Canopy trees installed in the public right-of-way within a planting area less than ten feet wide (or on private property of within five feet of a public sidewalk) must be installed with appropriate techniques to protect sidewalks, curbs, and other Infrastructure.

8. CROSSWALKS:

- Crosswalks at driveways and curb-cuts shall be raised to be at same grade as sidewalk adjacent to the drive-way in order to clearly define the pedestrian area. The crosswalk surface shall be treated with the same streetscape treatment materials as the sidewalk surface, or a contrasting material color or texture from the vehicular path (stamped concrete). Reflective paint alone is not acceptable, however may be used in conjunction with pavers or other surface to outline the pedestrian path for night time safety.

CONDITIONS OF APPROVAL (CONT'D)

Transportation Planning

The Transportation Planning Division supports the applicant's request for a master plan approval, provided that the owner/applicant complies with the following conditions at time of Permitting:

1. BICYCLE AND PEDESTRIAN TRAIL REQUIREMENT: As part of the development or redevelopment of areas adjacent to the proposed trail, the applicant shall construct a ten (10) foot wide bicycle and pedestrian trail along the Herndon Avenue and McCullough Avenue right-of-way adjacent and within the subject property. This off-street trail is shown in Figure TE-49, titled "Planned Bikeways" of the Growth Management Plan, which was adopted on March 12, 2012. For more information regarding the City's proposed trail network please review the City of Orlando Growth Management Plan.

2. BICYCLE AND PEDESTRIAN TRAIL REQUIREMENT: The "Section C" roadway cross section shall be revised to move the bicycle/pedestrian trail four (4) feet away from the curb and any lateral structures (FDOT PP Manual 8.6.10 & 8.6.5). The bicycle and pedestrian trail path shall not contain any street furniture or landscaping in order to maintain a ten (10) foot clear path.

3. NUMBER OF BICYCLE PARKING SPACES REQUIRED: Bicycle parking shall be provided as required in the Orlando Land Development Code (LDC), Chapter 61, Figure 28. For any use not listed in Figure 28, bicycle parking spaces may be substituted for vehicle parking spaces at a rate of 8 bicycle parking spaces per vehicle parking space. The maximum substitution shall be 2% of the vehicle parking spaces required, or two spaces (whichever is greater).

4. STRATEGIC BICYCLE PARKING LOCATIONS: The master plan developer may consider strategic bicycle parking locations to accommodate trail users such as the green space in front of "Retail C" and "Retail/APT H".

5. BICYCLE PARKING LOCATION REQUIREMENTS: All required bicycle parking facilities shall be located on the same building site as the use being served. Short-term spaces shall be located within 120 feet of and clearly visible from the principal entrance of the building served (including both the patron and employee entrances where separate entrances are provided); long-term spaces shall be located within 500 feet of the principal entrance.

6. DOOR OPENING REQUIREMENTS: Doors (and any pedestrian entrances) that lead directly from the sidewalk or bicycle trail shall be recessed so the doors do not swing open into the sidewalk/trail area.

7. WORK WITHIN ROAD R-O-W REQUIREMENTS: For any construction work planned or required within a public right-of-way or City sidewalk easement adjacent to a public right-of-way (including but not limited to: irrigation, drainage, utility, cable, sidewalk, driveway, road construction/reconstruction or landscaping), the owner/applicant shall submit the following:

- Maintenance of traffic plans (M.O.T.) (For more information/detailed requirements contact the Office of Special Events & Permits at 407-246-3704)
- Roadway plans including paving, grading, pavement markings and signage (Contact the Permitting Transportation Engineering Reviewer at 407-246-3079 for details)
- A copy of all required County and State permits (If permits are pending attach a copy of the application)

8. ROADWAY PAVEMENT MARKING REQUIREMENTS: The installation of Pavement Markings and Traffic Control Devices (stop signs, signals, etc., as applicable to proposal) shall be shown per Manual of Uniform Traffic Control Devices (MUTCD) standards, and Orlando Engineering Standards Manual (ESM) Chapter 8, Section 8.01 requirements.

9. FDOT APPROVAL/PERMITS REQUIREMENT: The proposed improvements, located within the Colonial Drive right-of-way, require Florida Department of Transportation (FDOT) permits and approvals. The owner/applicant shall provide a copy of the permits and approval (or letter of intent of approval) from the approving agency to the City of Orlando prior to final permit/construction plans approval.

CONDITIONS OF APPROVAL (CONT'D)

10. **CROSS-ACCESS CORRIDOR REQUIREMENTS:** The subject property is adjacent to a major thoroughfare, Colonial Drive. Orlando Land Development Code (LDC), Chapter 61 (Sections 61.108 – 61.113), provides the minimum requirements for cross-access corridors. The subject development shall provide cross-access easements to the applicable adjacent properties to ensure that the parking, access, and circulation may be easily tied in to create a unified system.

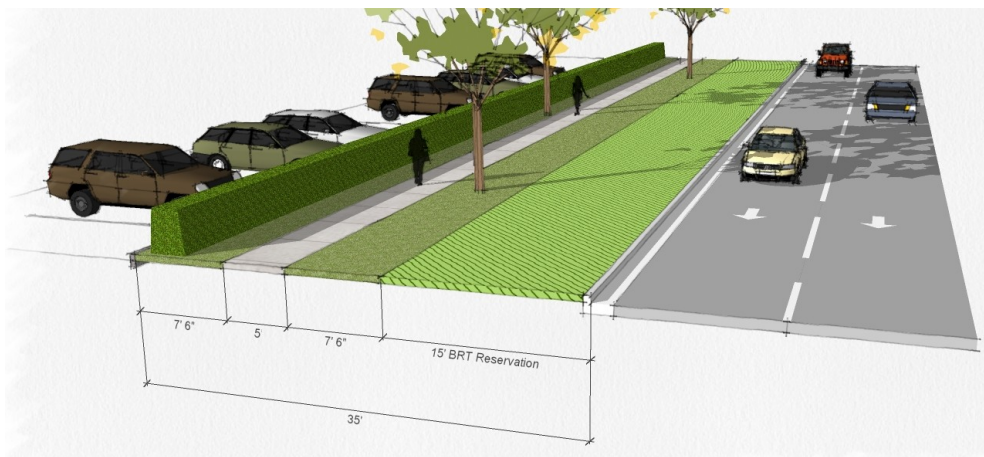
11. **PUBLIC SIDEWALK REQUIREMENTS:** As part of the development or redevelopment of areas adjacent to Park Lake Street, a five (5) ft. wide public sidewalk is required within the Park Lake Street right-of-way. The sidewalk may be meandered as necessary to provide adequate green space for street trees and a grass parkway in addition to the sidewalk. A City Services Easement may be necessary adjacent to the public road R-O-W to accommodate any portion of the public sidewalk that is not within the public R-O-W.

12. **SPECIFIC PEDESTRIAN ACCESS REQUIREMENTS:** Policy 1.27.2 of the Transportation Element of the Growth Management Plan states that internal pedestrian connections shall be provided to minimize travel distances. Pedestrian connections from the retail, residential, and office areas must be made to the adjacent road rights of way.

13. **PEDESTRIAN CROSSINGS REQUIREMENTS:** The main pedestrian crossing areas between the buildings and the parking areas shall be clearly marked with pavement markings and maintained at all times in accordance with Manual of Uniform Traffic Control Devices (MUTCD) standards.

14. **PARKING LOT DESIGN:** The proposed parking lot must comply with Orlando Land Development Code (LDC) and Engineering Standards Manual (ESM) requirements. Refer to LDC, Chapter 61, Part 3, for parking and loading standards.

15. **EASEMENT DEDICATION:** As part of the development or redevelopment of areas adjacent to E Colonial Drive, the Owner/Applicant shall dedicate a 27.5' City Services Easement for the length of the property along E. Colonial Drive, to meet Land Development Code (Section 61.260) requirements.



16. **TRAIL REQUIREMENTS:** As part of the development or redevelopment of areas adjacent to the proposed trail, the trail system shall be shown on all applicable future development applications and permits submitted to the City of Orlando. The proposed trail system shall be built and have signage in accordance with all local, state, and federal requirements.

Transportation Impact Fees and Concurrency

1. **TRANSPORTATION IMPACT FEES:** Any new construction, change in use, addition, or redevelopment of a site or structure shall be subject to a review for Transportation Impact Fees. A Transportation Impact Fee assessment will be done at the time of building permit review. This fee will be calculated based on the proposed building's use and gross square footage, as submitted in the final permit set of plans. Any additional Transportation Impact Fees assessed on this project shall be due prior to building permit issuance.

CONDITIONS OF APPROVAL (CONT'D)

For a copy of the complete ordinance or impact fee rate chart, you may reference our website at: <http://www.cityoforlando.net/planning/Transportation/ifees.htm>

Any exemptions or credits against the Transportation Impact Fee must be reviewed prior to permit issuance. All Transportation Impact Fee Credits shall be initiated and processed by the Transportation Impact Fee Coordinator. Credit shall be available for the previous use located on the subject site.

The applicant shall comply with all applicable requirements of Chapter 59, the Concurrency Management Ordinance, to ensure that all public facilities and services are available concurrent with the proposed development and that the potential impacts on public facilities and services are mitigated.

All new construction, changes in use, additions or redevelopment are required to submit a Concurrency Management application as a part of the building plan review process. A Concurrency Management application is available on the City's website: <http://www.cityoforlando.net/permits/forms/concurrency.htm>.

Transportation Engineering

1. SIDEWALK: As per Section 61.225 of the Land Development Code, a 5 foot wide concrete sidewalk is required along all dedicated rights-of-way. All public sidewalks within the ROW surrounding the development shall be repaired as necessary to conform to current City Code and Federal ADA standards.
2. Provide long-term bike lockers due to type of development proposed and vicinity to trail.
3. Modifications to existing traffic and pedestrian signals may be required.

Building Plan Review

- Building Plan Review is not applicable to this case at this time.
- The building design will be reviewed for code compliance during the design development and construction documents phase.
- This project shall comply with the 2010 Florida Building Code, Florida Fire Prevention Code, Florida Fuel Gas Code, Florida Mechanical Code, Florida Plumbing Code, 2012 Florida Accessibility Code, and NEC 2008.

Engineering

The Office of Permitting Services recommends approval of the proposed Master Plan, subject to the above listed conditions and requirements:

1. REPLATTING: Areas affected by new development or redevelopment may require replatting prior to permit issuance. Contact the Land Development Section of the City Planning Bureau to make an appointment for a pre-application conference.
2. CONCURRENCY: All new construction, change in use, additions, or redevelopments are required to submit a Concurrency Management application as a part of the building plan review process.
3. SIGNS: See Chapter 64 Orlando Land Development Code for sign requirements and regulations. Separate permit applications are required for signs.
4. SIDEWALK: As per Section 61.225 of the Land Development Code, a 5 foot wide concrete sidewalk is required along all dedicated rights-of-way. Any existing sidewalk damaged or broken is to be repaired.
5. ENGINEERING STANDARD MANUAL: The City Council Adopted the Engineering Standards Manual (ESM), Fourth Edition on March 9, 2009. All plans must conform to the ESM and all construction must be accomplished in accordance to the ESM.
6. STORM-WATER MANAGEMENT DISTRICT: The owner/developer is required to design and construct an on-site storm water system in accordance with the Orlando Urban Storm Water Management Manual and the approved Master Drainage Plan. Approval from St Johns River Water Management District is required. The system is to be privately owned and maintained.

CONDITIONS OF APPROVAL (CONT'D)

7. STORM—NPDES: Construction activities including clearing, grading and excavating activities shall obtain an Environmental Protection Agency (EPA) National Pollution Discharge Elimination System (NPDES) permit, except: Operations that result in the disturbance of one acre total land area which are not part of a larger common plan of development or sale.

8. ON-SITE FEES: At the time of development, the owner/developer is required to apply an on-site inspection fee that is a percentage of the cost of the on-site improvements, excluding the building, in accordance with City Land Development Code, Section 65.604.

9. REFUSE CONTAINERS: In accordance with City Code Section 28.6 (f) 1-3, the Office of Permitting Services is authorized to make a determination of approval/disapproval of refuse container sites. Approval/disapproval of the use of commercial hand pick-up of refuse from any non-residential entity shall be determined solely by the Refuse Collection Bureau Staff.

10. MISCELANIOUS: At the time of future development, it is recommended that the Civil Engineer schedule a meeting with Wastewater and the City Engineers office to discuss the existing utilities (public/private) within the site.

11. STREET TREE FUND: The Orlando City Council approved a Resolution at the January 27, 1997 City Council Meeting. Section 61.226 of the City's Land Development Code provides for a Street Tree Trust Fund. The developer is required to contribute funds to the Trust Fund prior to issuance of the building permit. The City is responsible for installation of the trees. The cost is \$350 for each 12'-14' height of canopy tree. The developer may install the street trees in lieu of contribution to the Trust Fund in accordance with Section 61.226.

Orlando Police Department Public Safety Communications System:

The Orlando Police Department has reviewed the plans for the Fashion Square Mall Master Plan located at 3201 E. Colonial Dr., utilizing CPTED (Crime Prevention Through Environmental Design) principles. CPTED emphasizes the proper design and effective use of a created environment to reduce crime and enhance the quality of life. There are four overlapping strategies in CPTED that apply to any development: Natural Surveillance, Natural Access Control, Territorial Reinforcement and Target Hardening.

1. DISTRIBUTED ANTENNA SYSTEM (DAS): All buildings shall provide an adequate level of indoor coverage for public-safety radio service for the City of Orlando radio communications system, including but not limited to police, firefighters, and other emergency responders. A DAS system will also improve commercial cellular service for building occupants. The system will enable all first responders to communicate with dispatch and other field units. Inadequate coverage not only puts first responders at risk but also the citizens they are protecting.

Adequate indoor radio coverage shall include the following standards:

- 1) Inbound into the building: A minimum average in-building field strength of 10 dbm above the noise floor throughout ninety-five (95%) of the area on each floor of the building when transmitted from the city's police dispatch center and the appropriate emergency service dispatch centers which are providing fire and emergency medical protection service to the building.
- 2) Outbound from the building: A minimum average outbound field strength of 10 dbm above the noise floor throughout ninety-five percent (95%) of the area on each floor of the building when transmitted from the field units portable radio to the appropriate emergency service dispatch centers which are providing fire and emergency medical protection service to the building.
- 3) The City's Communications Unit with consideration of the appropriate police, fire and emergency medical department services shall determine the frequency range or ranges that must be supported. For the purpose of this section, adequate radio coverage shall constitute a successful communications test between the equipment in the building and the Communications Centers for all appropriate emergency service providers for the building.

CONDITIONS OF APPROVAL (CONT'D)

- 4) If any part of the installed system or systems contains an electrically powered component, the system shall be capable of an independent battery or generator system for a period of at least twelve hours without external power input or maintenance. The battery system shall automatically charge in the presence of external power.
- 5) FCC authorization: All amplification equipment must be FCC Type Accepted.
- 6) Developments must comply with NFPA 72-2010 - National Fire alarm and Signaling Code, Public Safety In-Building Requirements, as it pertains to emergency communications systems (ECS), and their components.

If you have any questions of the requirements as listed above, it is suggested that you contact the OPD Radio Systems Administrator, Norm Poe at 321.235.5314. The OPD Technical Review Committee representative, Audra Nordaby 407.246.2454, can assist the applicant in contacting the Emergency Communication Representatives.

2. INNOVATIVE RESPONSE TO IMPROVE SAFETE (I.R.I.S.) CAMERA SYSTEM: OPD recommends that the developer contact OPD in an effort to coordinate camera system technology. OPD has the ability to monitor specified external camera systems from private facilities at the will of the developer or building owner. OPD monitoring will be in addition to self- monitoring and will not replace building camera monitoring. OPD will not have the ability to interfere with or manipulate building camera systems, only view. The additional monitoring is beneficial to both the developer/owner and OPD as a crime prevention and overall public safety solution.

IRIS questions should be directed to the Orlando Police Department, Sgt. Andy Brennan, at andrew.brennan@cityoforlando.net.

3. CONSTRUCTION SITE PROTECTION: In order to reduce opportunities for the theft of building materials and equipment from construction sites, Orlando Police Department's Crime Prevention Unit proposes these options as crime prevention/security measures during construction at this project:

- Post signs at the site that theft from the site or trespassing on a construction site is a felony under Florida Law and that the developer will prosecute.
- So that OPD patrol officers can see possible offenders, perimeter lighting should be installed at a minimum of 150 foot intervals and at a height not less than fifteen (15') from the ground. The light source used should have a minimum light output of 2,000 lumens, shall be protected by a vandal resistant cover, and shall be lighted during the hours of darkness.
- In addition to lighting, one of the following physical security measures should be installed:
- Fencing, not less than six (6') feet in height, which is designed to preclude human intrusion, should be installed along the perimeter boundaries of the site and should be secured with chain and fire department padlocks for emergency vehicle access; post in a clear area; or
- A uniformed security guard should be hired to continually patrol the construction site during the hours when construction work has ceased.
- In addition to lighting, one of the following physical security measures should be installed:
- Fencing, not less than six (6') feet in height, which is designed to preclude human intrusion, should be installed along the perimeter boundaries of the site and should be secured with chain and fire department padlocks for emergency vehicle access; post in a clear area, an emergency contact person and phones numbers for after hours, in case of an emergency; or
- A uniformed security guard should be hired to continually patrol the construction site during the hours when construction work has ceased.
- Valuable construction materials and tools should be protected in a secondary fenced, locked cage.
- Post in a clean, open area, the name and numbers of an emergency contact person for OPD in case of a night-time emergency.

If you have any questions, please call the Crime Prevention Unit Officer, Kevlon Kirkpatrick, 407.246.2196.

CONDITIONS OF APPROVAL (CONT'D)

4. CPTED REVIEW: The Orlando Police Department has reviewed the plans for Fashion Square Mall Hotel located at 3201 E. Colonial Dr. utilizing CPTED (Crime Prevention Through Environmental Design) principles. CPTED emphasizes the proper design and effective use of the built environment to reduce crime and enhance the quality of life. There are four overlapping strategies in CPTED that apply to any development: Natural Surveillance, Natural Access Control, Territorial Reinforcement and Target Hardening.

Natural Surveillance: Design the site to keep intruders easily observable. Promoted by features that maximize visibility of people, parking areas and building entrances; doors and windows that look out onto streets and parking areas; pedestrian-friendly sidewalks and street; and adequate nighttime lighting.

- A lighting plan was not available at the time of this review. Lighting plays a very important role in CPTED. It is crucial that lighting sends the right messages to the public about the safe and appropriate use of space at different times of the day and night.
- Lighting for this project must meet the guidelines in Orange County Ordinance No. 2003-08. Good lighting provides visual guidance and orientation to patrons and employees and improves the perception of their safety.
- Good lighting provides visual guidance and orientation to visitors and also improves the perception of their safety especially in areas not easily observed from main walkways.
- Pedestrian scale exterior lighting should not be screened out by landscaping or building structures such as canopies or awnings.
- Appropriate lighting should be included in any areas anticipated to be utilized after-dark. Uniformity of light is crucial to avoid 'dark' spots, especially in the parking lot.
- Any illumination shall not cause a glare or excessive brightness that adversely affects the vision of pedestrians or motor vehicle operators on public or private property.
- We recommend full cut-off light fixtures to help direct the light to the area you wish to illuminate. Pedestrian walkways and access routes open to public spaces should be lit so that a person with normal vision is able to identify a face from a distance of about 20 feet.
- Amenities such as bicycle parking pads should be observable from doorways or windows and not hidden behind landscaping or walls.
- Landscaping: Low-growing shrubs are an excellent means for defining an area that requires visual surveillance.
- All shrubs should be kept trimmed to no higher than 2 ½ feet and should not block windows.
- Tree branches should be kept trimmed to a minimum of 6 feet from the ground; branches should be kept away from roofs; trees should not prevent building occupants from viewing entrances or sidewalks; and tree canopies should not conflict with lighting.
- Landscaping should not create blind spots or hiding places.
- A maintenance plan is essential in landscaping.
- Receptionist/security desk should have unobstructed views of approaching guests, employees and clients.
- The main lobby should encourage resting and visiting while discourage loitering.
- The interior of all elevators should include the use of reflective materials or mirrors to increase visibility for legitimate users.
- Stairwells should be constructed of an open design (not behind solid walls) and the staircase design should allow for visibility.
- Public restrooms should be observable from common areas or security/reception area, should be well lit, and should not be located in isolated or remote areas.
- Each hotel room's interior door must contain 180 degree viewer/peep hole or sidelights.
- Exterior (side or rear) doors should have small windows or 180 degree viewers/peep holes.

Natural Access Control: Design the site to decrease crime opportunity by denying access to crime targets and creating in offenders, a perception of risk. This is gained by designing streets, sidewalks, building entrances and neighborhood gateways to clearly indicate public routes and discourage access to private areas with the use of structural elements.

- Entrances into buildings and parking garages should be well lit and defined by landscaping, signage and/or architectural design.

CONDITIONS OF APPROVAL (CONT'D)

- Public entrances should be clearly defined by walkways and signs.
- There should be no easy access to the roof of the building.
- Signage with hours of operation should be clearly visible at any public entrance.
- Signs located in the parking lots should remind employees and customers to lock their vehicles and keep valuables out of sight.
- Traffic calming techniques should be used in this project to encourage safe vehicle speeds, reduce collision frequency and increase the safety and the perception of safety for non-motorized users.
- Walkways should be a minimum 5' in width to enhance pedestrian flow.
- If the developer intends to provide access from the hotel to the Cady Way Trail, ensure that sufficient pedestrian by-ways are incorporated throughout the project (to include the parking lot between the hotel and trail), appropriate way-finding signage, and proper lighting if access is allowed during nighttime.

Target Hardening: This can be accomplished by features that prohibit entry or access such as window locks, dead bolts for doors and interior door hinges.

- Protect loading docks and other remote areas with monitored CCTV.
- Develop and implement emergency evacuation plans.
- Employees should have access cards that give them access to their building, floor, parking, common amenities, elevators and stairwells. Building doors (mail rooms, offices, etc.) should have locks that automatically lock when the door closes.
- Building policies should prohibit the "propping open" of exterior doors.
- All air conditioning units should be caged and the cages should be securely locked.
- Cleats should be added along project walls, fountains, planters and railings to discourage unintended use.
- A security camera system capable of recording and retrieving an image to assist in offender identification and apprehension should be installed. Interior security cameras should be mounted at an optimal height to capture offender identification ("aiming" down from the ceiling often results in images of the offender's hat). CCTVs should also be placed in locations throughout the parking lot, especially areas with limited or no natural surveillance.
- OPD's Crime Prevention Unit recommends that large glass doors and windows be made of impact resistant glass or a security film (such as Lexan™) to reduce the opportunity for burglaries, i.e. "smash and grabs". If security film is utilized, ensure that the light transmittance of the security film is greater than or equal to the light transmittance of the window's glass.
- Room access cards should be used to gain entrance to the hotel lobby after-hours.
- Common hotel doors (fitness center, media center, etc) should have locks that are only opened with hotel room access cards and automatically lock when the door closes.
- Common areas such as lounges, lobbies, and fitness center should have signs that clearly identify operating hours and state that facilities are only for use by hotel guests.

Territorial Reinforcement: Design can create or extend a sphere of influence, where users develop a sense of territorial control, while potential offenders are discouraged. This is promoted by the use of features that define property lines and distinguish private spaces from public spaces using landscape plantings, pavement designs, gateway treatments and CPTED post and pillar fences.

- Low growing landscaping should be used to establish property boundaries and guide patrons and customers to public entrances.
- The hotel's address should be clearly visible from the street and parking lots with numbers a minimum of five-inches high made of non-reflective material.
- Maintenance is an important aspect of territorial reinforcement. A well-maintained area sends the message that people notice and care about what happens in an area. This in turn discourages vandalism and other crimes.
- Landscaping and architectural structures should guide visitors and not create "ambush" points.

CONDITIONS OF APPROVAL (CONT'D)

5. **CRIME FREE MULTI-HOUSING:** Crime Free Multi-Housing (CFMH) is an internationally recognized and certified crime fighting program designed to help tenants, owners and managers of rental property keep drugs and other illegal activity off their property. CFMH is designed to be easy, yet very effective in reducing the incident of crime in rental property. Orlando Police Department is one of a small handful of law enforcement agencies in Florida that have established this program.

The program includes a Crime Free Lease Addendum which has shown to be the backbone of the Crime Free Multi-Housing Program. The addendum to the lease agreement lists specific criminal acts that, if committed on the property, will result in the immediate termination of the resident's lease.

CFMH utilizes a unique three-part approach, which ensures the crime prevention goal, while maintaining a very tenant-friendly approach.

- Phase One involves an eight-hour seminar presented by the police and fire departments. As soon as the management team is identified, please contact Officer Derwin Bradley to register the management team for the next scheduled seminar.
- Phase Two certifies that the rental property has met the security requirements (based on CPTED strategies) for the tenant's safety. These requirements include: a) Dead-bolt locks on all unit entry doors with a minimum 2-inch throw; b) eye views (peep holes) with 180 degree view; c) strike plates with 3-inch screws and d) anti-slide devices on sliding doors and windows.

Implementation of the recommended CPTED strategies will prepare this community for inclusion in CFMH.

- Phase Three concludes the program with a tenant crime prevention meeting. The sooner these meetings begin the better for this new community and the new residents. Contact Officer Bradley when the first group of tenants moves into their apartments. Officer Bradley will work with management to conduct the tenant programs.
- OPD strongly encourages all multi-family communities to become registered participants in the CFMH program. For a complete list of additional program requirements and benefits, please contact the OPD CFMH Coordinator, Office Derwin Bradley at 407.246.3927 or the Crime Prevention Unit Corporal Kevlon Kirkpatrick, 407.246.2196.

Family, Parks and Recreation:

1. **TREES REMOVAL:** Trees-Removal Contact the Bureau of Parks (407) 246-2283 for a tree removal permit before removing any 4" caliper or larger trees.

2. **TREES-ENCROACHMENT:** Contact the Bureau of Parks (407) 246-2283 for a Tree Encroachment permit prior to encroaching within 6' of any existing 4" caliper or larger tree as part of Orlando Land Development Code, Section 60.211.

3. **PROPOSED OPEN SPACE:** Any proposed public open space shall be privately maintained.

Fire

1. Be advised that any new construction must adhere to the requirements of the Florida Fire Prevention Code, 2010 Edition, and The City of Orlando Fire Prevention Code.

2. TRC fire code review is preliminary in nature, and is intended to expose or prevent evident design deficiencies with State and City Fire Codes. The design will be reviewed in detail for State and City Fire Code compliance at the time of permit application.

3. In any building or structure, whether or not a physical alteration is needed, a change from one occupancy classification to another shall be permitted only where such a structure, building, or portion thereof conforms to with the requirements of this Code that apply to new construction of the proposed new use. [NFPA 1: 4.5.7.1]

CONDITIONS OF APPROVAL (CONT'D)

4. Underground main contractor must apply for a Fire permit for the installation or modification of any underground mains serving fire hydrants and/or fire protection systems prior to any installation.
5. If the water distribution system and fire hydrants are located in a right-of-way or recorded easement and owned/installed/maintained by the water purveyor, we will only require installation to the water purveyor's standards for underground components and connections. However, hydrants must be in compliance with hydrant spacing, location, distribution, color coding, and needed fire flow minimums as specified in City Fire Code.
6. Underground main and fire hydrant installations on private property will require an FIR permit and full compliance with NFPA 24. [City Fire Code, Section 24.13(t)(13)]
7. Every building constructed shall be accessible to fire department apparatus by way of access roadways with all-weather surface of not less than 20 feet of unobstructed width, adequate roadway turning radius, capable of supporting the imposed loads of fire apparatus, and having a minimum vertical clearance of 13 ft. 6 in. [NFPA 1: 18.2.3]
8. All new buildings exceeding 5,000 square feet in area and residential occupancies, except detached one- and two-family dwellings, must be protected by an approved automatic sprinkler system. [City Fire Code, Chapter 24, Section 24.27(c)]

CONTACT INFORMATION

Planning

For questions regarding Planning review, please contact Michelle Beamon at (407) 246-3145 or michelle.beamon@cityoforlando.net.

Urban Design

For questions regarding Urban Design review, please contact Fabian De La Espriella at (407) 246-3292 or fabian.delaespriella@cityoforlando.net.

Transportation Planning

For questions regarding Transportation planning, please contact Ian Sikonia at (407) 246-3325 or ian.sikonia@cityoforlando.net.

Impact Fees and Concurrency

For questions regarding Transportation Impact Fees and Concurrency review, please contact Nancy Ottini at (407) 246-3529 or nancy.jurus-ottini@cityoforlando.net.

Transportation Engineering

For questions regarding Transportation engineering review, please contact Lauren Torres at (407) 246-3322 or lauren.torres@cityoforlando.net.

Engineering

For questions regarding engineering review, please contact Keith Grayson at 407-246-3234 or keith.grayson@cityoforlando.net.

Family, Parks and Recreation

For questions regarding tree removal, please contact Justin Garber at justin.garber@cityoforlando.net.

Orlando Police Department

For any questions regarding OPD issues, please contact Technical Review Committee representative, Audra Nordaby 407.246.2454, who can assist the applicant in contacting the Emergency Communication Representatives.

Building Plan Review

For questions regarding Building Plan Review issues contact Don Fields at (407) 246-2654 or don.fields@cityoforlando.net.

Fire

For any questions regarding fire issues, please contact Jack Richardson at 407.246.3150 or at jack.richardson@cityoforlando.net. To obtain plan review status, schedule/cancel an inspection and obtain inspection results, please call PROMPT, our Interactive Voice Response System at 407.246.4444.

REVIEW/APPROVAL PROCESS—NEXT STEPS

1. MPB minutes scheduled for review and approval by City Council (April 15, 2014);
2. After approval, requests for the DRI amendment will be sent to the City's Attorney's Office (April 16, 2014);
3. Hearing and adoption is tentatively scheduled for May 12, 2014; and
4. Tentative effective date is in June 2014.

The above schedule is tentative and subject to change.