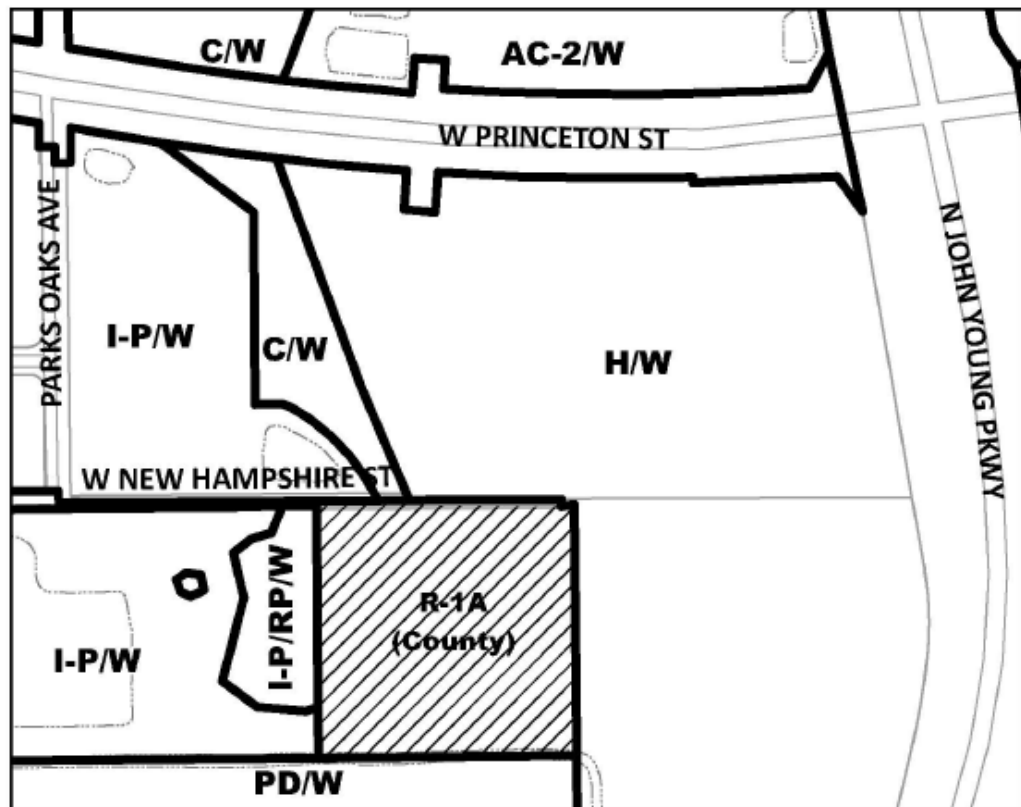




## STAR COMMUNICATIONS ANNEXATION



ANX2015-00015



### Location Map

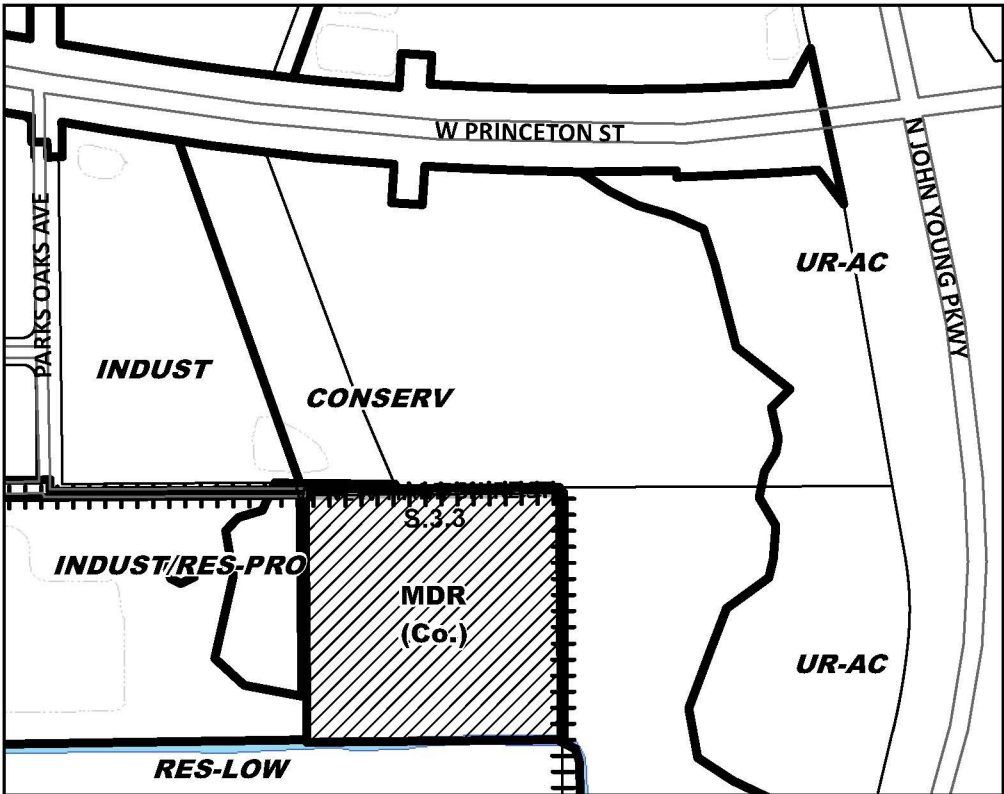


Subject Site

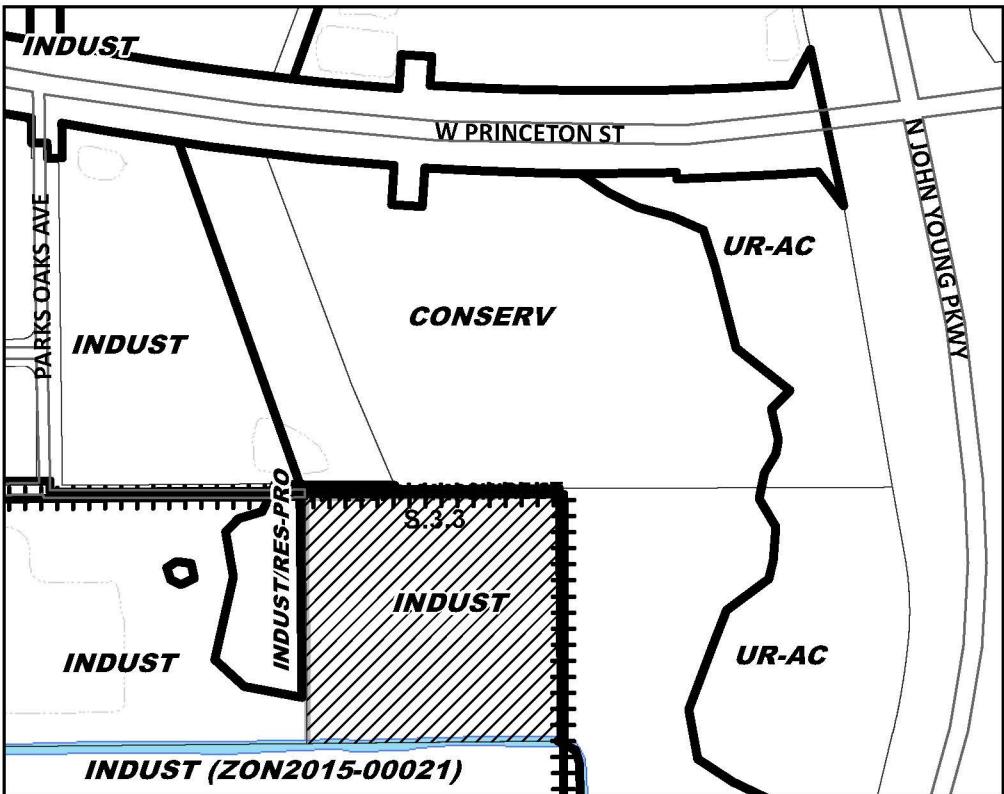
### SUMMARY

<p><b>Owner</b></p> <p>Oates Creek, LLC Oates Creek, LLC</p> <p><b>Applicant</b></p> <p>Carl Tutera, Sole Member Oates Creek, LLC</p> <p><b>Project Planner</b></p> <p>Katy Magruder, CNU-A</p>	<p><b>Property Location:</b> The subject property is located south of W. New Hampshire Street, east of Parks Oaks Avenue, and west of N. John Young Parkway (±9.6 acres, District 5).</p> <p><b>Applicant's Request:</b></p> <ol style="list-style-type: none"> <li>1. Annex the subject property.</li> <li>2. Assign the Industrial future land use designation.</li> <li>3. Initial zoning of I-P/W .</li> </ol> <p><b>Staff's Recommendation:</b> Approval of the requests, subject to the conditions in this report.</p>	<p><b>Public Comment</b></p> <p>The petition for annexation was approved by the <b>City Council on September 15, 2015.</b></p> <p>Courtesy notices were mailed to property owners within 300 ft. of the subject property during the <i>week of October 12, 2015.</i> As of the published date of this report, staff has not received any public comments.</p>
<p><b>Updated:</b> October 14, 2015</p>		

FUTURE LAND USE MAP



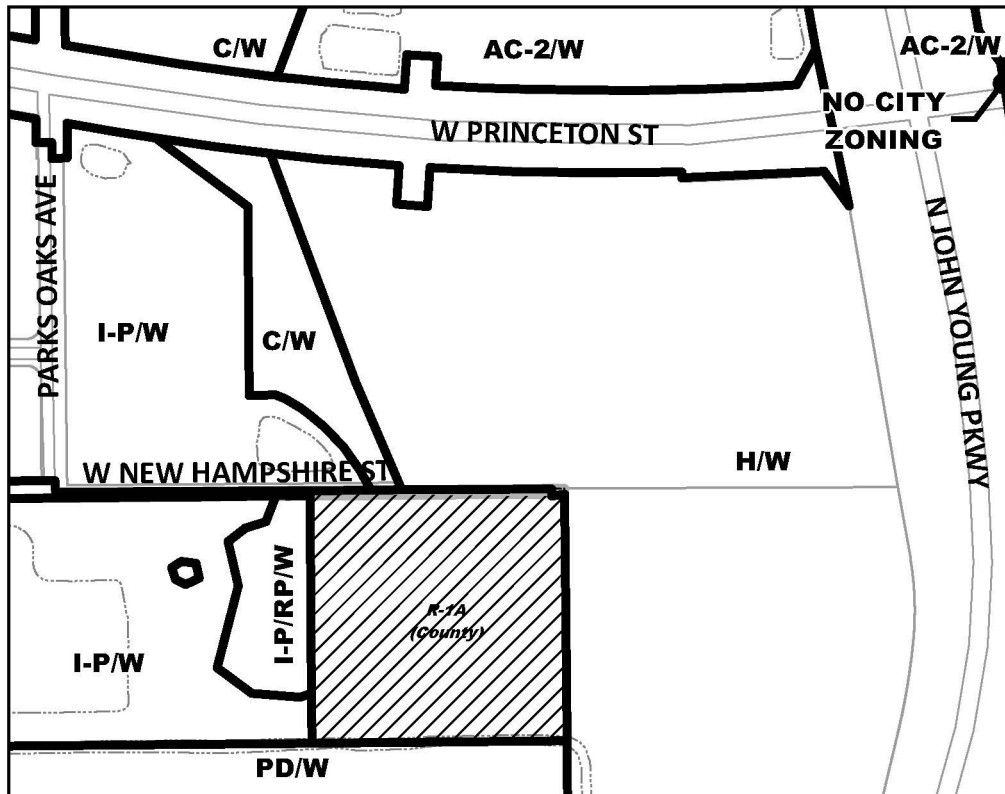
Future Land Use - Existing GMP2015-00031



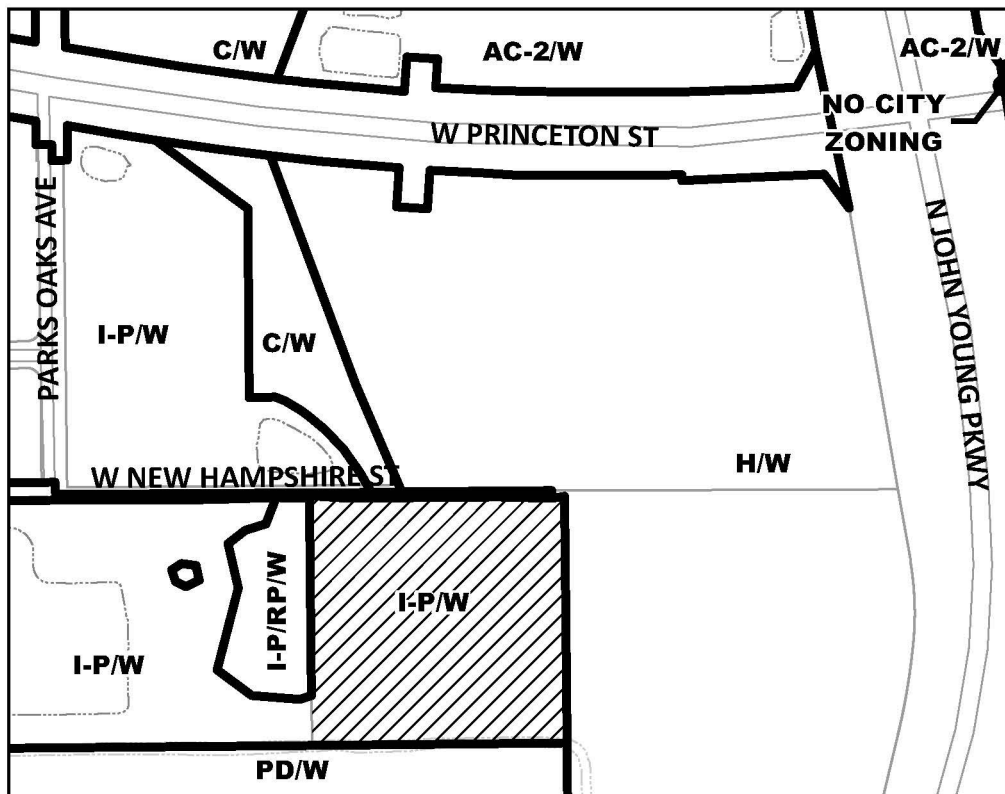
Future Land Use - Proposed GMP2015-00031



# ZONING MAP



Zoning - Existing ZON2015-00028



Zoning - Proposed ZON2015-00028



# PROJECT ANALYSIS

## Project Description

The subject property is located in unincorporated Orange County at 3604 W. New Hampshire Street, which is located south of W. New Hampshire Street, east of Parks Oaks Avenue, and west of N. John Young Parkway, and is approximately 9.6 acres in size. The subject property is currently vacant. The applicant desires to annex this property for a future site of radio communication towers. Upon annexation into the City of Orlando, the property will be in City Council District 5, which is represented by City Commissioner Regina I. Hill.

The Orange County future land use designation for the subject property is Medium Density Residential (MDR) and the associated County zoning is R-1A. The applicant has requested the Industrial future land use designation and an initial zoning of I-P/W.

## Consistency with Chapter 171, Florida Statutes

The proposed annexation meets the criteria set forth in Subsection 171.043, Florida Statutes, character of the area to be annexed. The property's boundaries are contiguous to the City's boundary, the property is reasonably compact, is not part of another incorporated municipality and will be used for urban purposes. The proposed annexation does not create an enclave. Upon annexation, this property will be in City Council District 5, which is represented by City Commissioner Regina I. Hill.

## Consistency with 163, Florida Statutes

The proposed GMP amendment is being processed as a small scale amendment to the Official Future Land Use Map in accordance with the requirements of Chapter 163.3184(3), Florida Statutes. As provided in Chapter 163, small scale amendments require one public hearing before City Council (the adoption hearing) and are not subject to review by the Florida Department of Economic Opportunity—Division of Community Planning unless challenged by an affected party within 30 days of the adoption hearing. If not challenged, the amendment is effective 31 days after the adoption.

## Conformance with the GMP— Industrial Future Land Use Designation

Figure LU-1 of the Future Land Use Element provides standards relating to the Industrial future land use designation. The Industrial portion of Figure LU-1 states:

“Maximum Intensity (before bonuses)	40/units/ac.*** and/or 0.70 FAR
Minimum Intensity	12/units/ac.*** or None
Allowable Uses	Industrial, Office, Public, Recreation, Institutional, Commercial (secondary use only), and Residential***

\*\*\*Where allowed by the applicable Subarea policy and zoning district, residential uses may be allowed within the Traditional City through a Conditional Use permit.”

The applicant is requesting Industrial future land use designation, consistent with the City's conceptual designation. This is compatible with the proposed zoning designation and the proposed use on the property. There is no subarea policy allowing residential in this location, therefore residential uses are not allowed.

## Environmental

The Growth Management Plan Conservation Element Policy 1.4.1 states that all projects requiring Municipal Planning Board and City Council review shall provide an Environmental Assessment; however, the City shall determine if the submittal is appropriate on a case by case basis. Developments exempt from this requirement includes those located within the “Urbanized Disturbed Lands” are shown in Figure C-1 of the Conservation Element. This property is not within the Urbanized Disturbed Lands area and is undeveloped, therefore requires a Level C Environmental Assessment due at the time of the site plan review.

## Project Context and Land Use Compatibility

The surrounding future land uses and zoning districts are depicted in the table below. The proposed Industrial future land use designation and I-P/W zoning designation would be compatible with the surrounding uses.

Table 1—Project Context			
	Future Land Use	Zoning	Surrounding Use
North	CONSERV & INDUST	H/W & I-P/W	Vacant & Warehousing
East	INDUST/RES-PRO	I-P/RP/W	Retention pond
South	RES-LOW	PD/W	Grazing
West	CONSERV	H/W	Vacant

### Public Facilities Analysis

State law requires the City to perform a public facilities evaluation for GMP amendments that would increase the allowable density or intensity of a property. The proposed GMP amendment to change the future land use designation to the City's Industrial on  $\pm 9.7$  acres would permit intensities on the subject property more than that permitted under the existing Orange County Low-Medium Density Residential designation. This evaluation assumes that the property is developed at the maximum intensity and density allowed by each future land use category. Typically, sites are developed at a lesser intensity, so these impacts represent an upper limit, rather than a true projection of demand.

Each year, the City prepares the Capacity Availability Report (CAR) to identify any surpluses or deficiencies in the ability to provide public services. The CAR also accounts for future population and employment growth consistent with the City's adopted future land use categories. Because the growth associated with this GMP amendment was not included in the growth projections, this analysis is performed to ensure capacity is available to serve the development.

### Projected Demand

Evaluation 1 — This evaluation considered the impact of developing the site at the maximum density permitted by the existing Orange County Low-Medium Density Residential future land use designation (9.6 @ 2 du/acre = 13 du).

Evaluation 2 — This evaluation considered the impact of developing the site at the maximum density/intensity permitted by the proposed City's Industrial future land use designation 418,306 sq. ft. @ 0.70 FAR = 292,814 sq. ft.).

Net Decrease/Increase — There is a net increase of non residential development of 292,814 sq. ft.

The amount of development included in the evaluations above translates to a total project demand for public facilities shown in the table below. Details about how the above impacts were calculated are available in the City's Capacity Availability Report.

<b>Table 2—Project Demand</b>					
	Potable Water (GPD)	Wastewater (GPD)	Comm. Parks (Acres)	Neigh. Parks (Acres)	Transportation (Trips)
Evaluation #1	2,600	2,470	0.03	0.02	86
Evaluation #2	64,419	35,138	0.00	0.00	1,119
Net Increase (Decrease)	61,819	32,668	(0.03)	(0.02)	1,032

### Potable Water, Wastewater and Parks

The next table summarizes available capacity, existing demand, projected increases in demand from city-wide growth, projected increases in supply (such as from construction of a new facility) and the maximum demand expected from this GMP amendment. The proposed amendment will not adversely impact the level of service for potable water and wastewater, and there is sufficient capacity available within the Community Park category and Neighborhood Park area. The property lies inside of the OUC water area and within the City wastewater area. Also, the site will be served by the City Solid Waste Division.

<b>Table 3— Available Capacity</b>				
	Potable Water (MGPD)	Wastewater (MGPD)	Comm. Parks (Acres) for CPS 4	Neigh. Parks (Acres) for NPSA 13
Capacity	108.60	52.16	282.44	27.72
Reported Demand—2015	80.90	39.35	49.65	2.58
Projected increase in Demand 2016-2020	4.95	3.45	0.77	0.01
Projected increase in Supply 2016-2020	0.60	0.0	0.00	0.00
Demand from GMP2015-00032	0.062	0.033	(0.03)	(0.020)
Net Available Capacity	23.29	9.33	232.05	25.15

Stormwater and Solid Waste

The City's adopted stormwater level of service standards require new development to provide on-site stormwater retention and/or detention consistent with the requirements of the St. John's River Water Management District. Therefore, each increment of new development, if properly permitted, will meet the stormwater level of service standard. Solid waste collection is funded by user fees, therefore any new customers generate revenues sufficient to fund any capital costs. Therefore, a solid waste capacity analysis was not performed.

Transportation

The City has adopted a Transportation Concurrency Exception Area (TCEA) citywide. The subject parcel has roadway access to W. New Hampshire Street which is an Orange County roadway.

Capital Improvement Program

The City has one Capital Improvement Program (CIP) project in the vicinity of the subject site. John Young Parkway will be widened from Colonial Drive (S.R. 50) to Shader Rd. This project was funded from 2014-2015.

School Capacity

Orange County Public Schools (OCPS) has two school review processes. The Capacity Enhancement Process (CEP) applies to land use approvals, including GMP amendments, that increase residential density. The concurrency process applies to all residential development that is not de minimus or previously vested through a DRI Development Order or another agreement. This application is exempt from the CEP and the school concurrency process because residential is not allowed.

**Conformance with the LDC—Industrial Park Zoning Designation**

The subject property currently has an Orange County zoning designation of Single family Dwelling (R-1A) and the property owner is requesting an initial City zoning designation of I-P/W. The Industrial Park zoning district has a maximum density of 0.70 FAR and is intended to provide high standards of design, land use intensity and open space, to promote industrial development and related business service uses. New development in this district is encouraged to maintain the prevailing bulk, height, setbacks and general design of the surrounding neighborhood.

The W Overlay District implements GMP Conservation Element, Objective 1.7 and Policies 1.7.8 and 1.7.9, which establish the need to protect environmentally sensitive lands, including those within the Wekiva Study Area, as defined in the Wekiva Parkway and Protection Act. The W Overlay District is intended to promote a pattern of development that preserves open space and protects the most effective recharge areas, karst features and sensitive natural habitats within the Wekiva Study Area, while recognizing property rights and accommodating both rural and urban land use patterns.



Site Photos



Subject property,  
facing southeast  
from W. New  
Hampshire St.

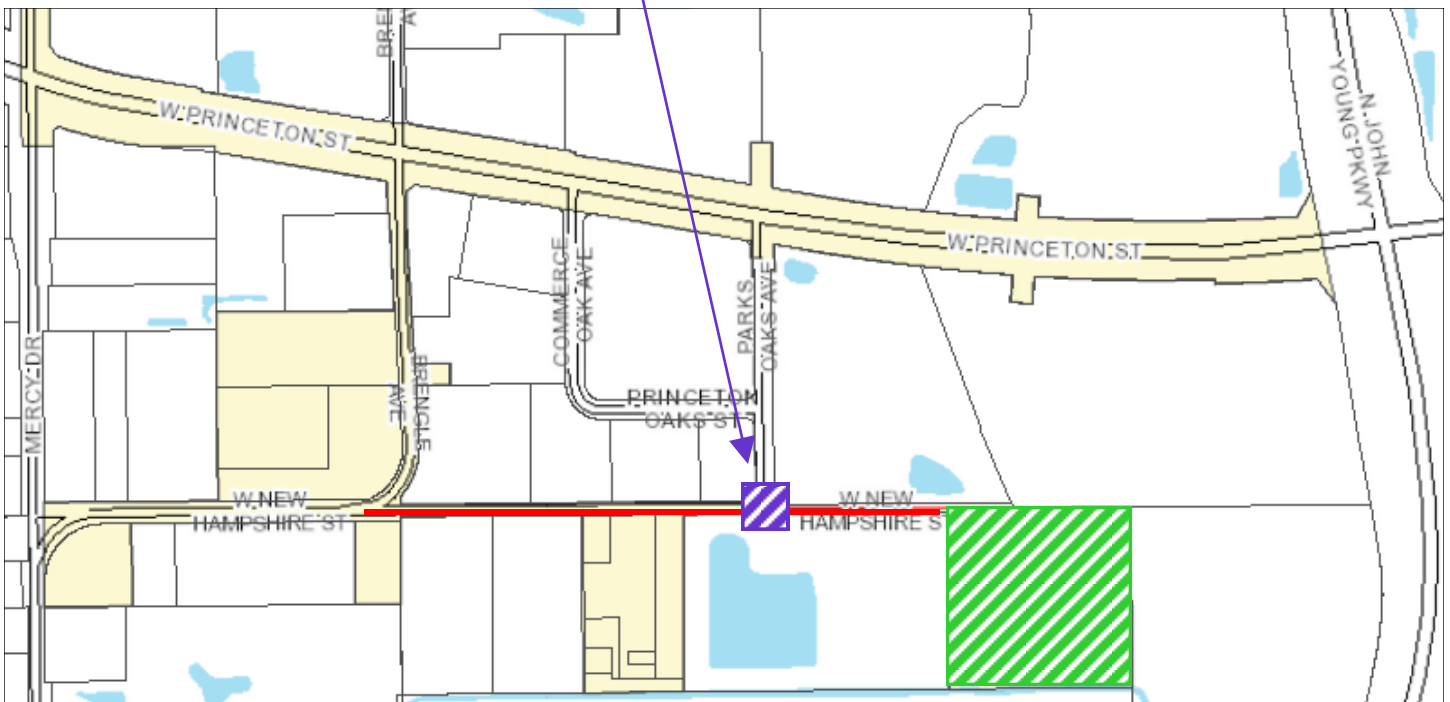


Subject property,  
facing southeast  
from W. New  
Hampshire St.

## Site Photos



Parks Oaks St., facing south. Road dead-ends and does not access W. New Hampshire St. To access subject property, must use Brengle Ave. to W. New Hampshire St. (dirt road)



Dead-end Parks Oaks St.



Subject Site



Orange County ROW (dirt /gravel road)



## FINDINGS

Subject to the conditions contained herein, the proposal is consistent with the requirements for approval of the annexation, future land use and zoning applications contained in Chapter 65 of the Land Development Code (LDC):

1. The proposed annexation meets the annexation criteria set forth in section 171.043, Florida Statutes.
2. The proposed Future Land Use Map amendment is consistent with State Comprehensive Plan (Chapter 187, Florida Statutes).
3. The proposed Future Land Use Map amendment is consistent with the East Central Florida Strategic Policy Plan.
4. The proposed Future Land Use Map amendment is consistent with the provisions of Chapter 163, Part II, Florida Statutes.
5. The proposed Future Land Use Map amendment is consistent with the objectives and policies of the City's adopted Growth Management Plan (GMP); particularly Figure LU-1.
6. The proposed annexation, Future Land Use Map amendment and initial zoning are consistent with the purpose and intent of the requirements of the Land Development Code.
7. The proposed Future Land Use Map amendment and initial zoning are compatible with the surrounding development pattern.
8. The proposal will not result in demands on public facilities and services that exceed the capacity of such facilities and services since it is subject to Chapter 59 of the City Code, the Concurrency Management Ordinance.

Staff recommends approval of the annexation, GMP Future Land Use amendment and initial zoning subject to the conditions below:

## CONDITIONS OF APPROVAL

### City Planning

#### 1. *DENSITY OF DEVELOPMENT*

Development of the subject property at densities/intensities higher than what is permitted by the Orange County zoning designation shall not be permitted prior to the effective date of this GMP amendment.

#### 2. *GENERAL CODE COMPLIANCE*

Development of the proposed project shall be 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. All other applicable state or federal permits must be obtained before commencing development.

## INFORMATIONAL COMMENTS

### Transportation Planning

The Transportation Planning Division supports the applicant's request without condition. The following comments are informational only:

1. Orange County may require sidewalk and roadway improvements associated with this increase use accessing their road network.
2. Driveway configuration and location will require permitting and approval from Orange County.
3. A site plan that depicts how site will be accessed will be required. Access to site shall follow requirements of the Orlando Land Development Code and the Engineering Standards Manual.
4. Right-of-Way Dedication: At the time of submittal of a site plan for administrative or board Master Plan review, the owner will be required to dedicate 20 ft of additional right-of-way for Public use along the entire length of the north boundary of the property. Such dedication will be a condition of approval for the site plan.

### Police

The Orlando Police Department has no objections to the annexation request for the property located at 3604 W. New Hampshire St. A complete CPTED review will be completed when detailed development plans are submitted to the City for review. We encourage developers and property owners to incorporate CPTED strategies in their projects. A brochure entitled Crime Prevention Through Environmental Design, Your Guide to Creating a Safe Environment, which includes crime prevention techniques for various land uses, is available by email.

### Building

Building Plan Review is not applicable to this case at this time.

## CONTACT INFORMATION

### **City Planning**

For questions regarding City Planning review, please contact Katy Magruder at 407.246.3355 or [kathleen.magruder@cityoforlando.net](mailto:kathleen.magruder@cityoforlando.net).

### **Transportation Planning**

For questions regarding Transportation Planning plan review, please contact John Rhoades at 407.246.2293 or [john.rhoades@cityoforlando.net](mailto:john.rhoades@cityoforlando.net).

### **Urban Design**

For questions regarding Urban Design review, please contact Jason Burton at 407-246-3389 or [jason.burton@cityoforlando.net](mailto:jason.burton@cityoforlando.net).

### **Police**

For questions regarding Orlando Police Department plan review, please contact Audra Nordaby at 407.246.2454 or [Audra.Nordaby@cityoforlando.net](mailto:Audra.Nordaby@cityoforlando.net).

### **Building**

For questions regarding Building Plan Review issues contact Don Fields at 407.246.2654 or [don.fields@cityoforlando.net](mailto:don.fields@cityoforlando.net).

### **Parks**

For questions regarding Parks review, please contact Justin Garber at 407.246.4047 or [justin.garber@cityoforlando.net](mailto:justin.garber@cityoforlando.net).

### **Engineering/Zoning**

For questions regarding Engineering or Zoning review contact Keith Grayson at 407.246.3234 or [keith.grayson@cityoforlando.net](mailto:keith.grayson@cityoforlando.net).

## REVIEW/APPROVAL PROCESS—NEXT STEPS

1. Staff forwards annexation, GMP, initial zoning ordinance requests to City Attorney's Office.
2. City Council approves the MPB minutes.
3. First reading and Second reading of the Annexation, GMP and zoning Ordinance.
4. Transmittal package of GMP sent to Florida Department of Economic Opportunity (DEO) for review.
5. The ordinance becomes effective after 31 days.