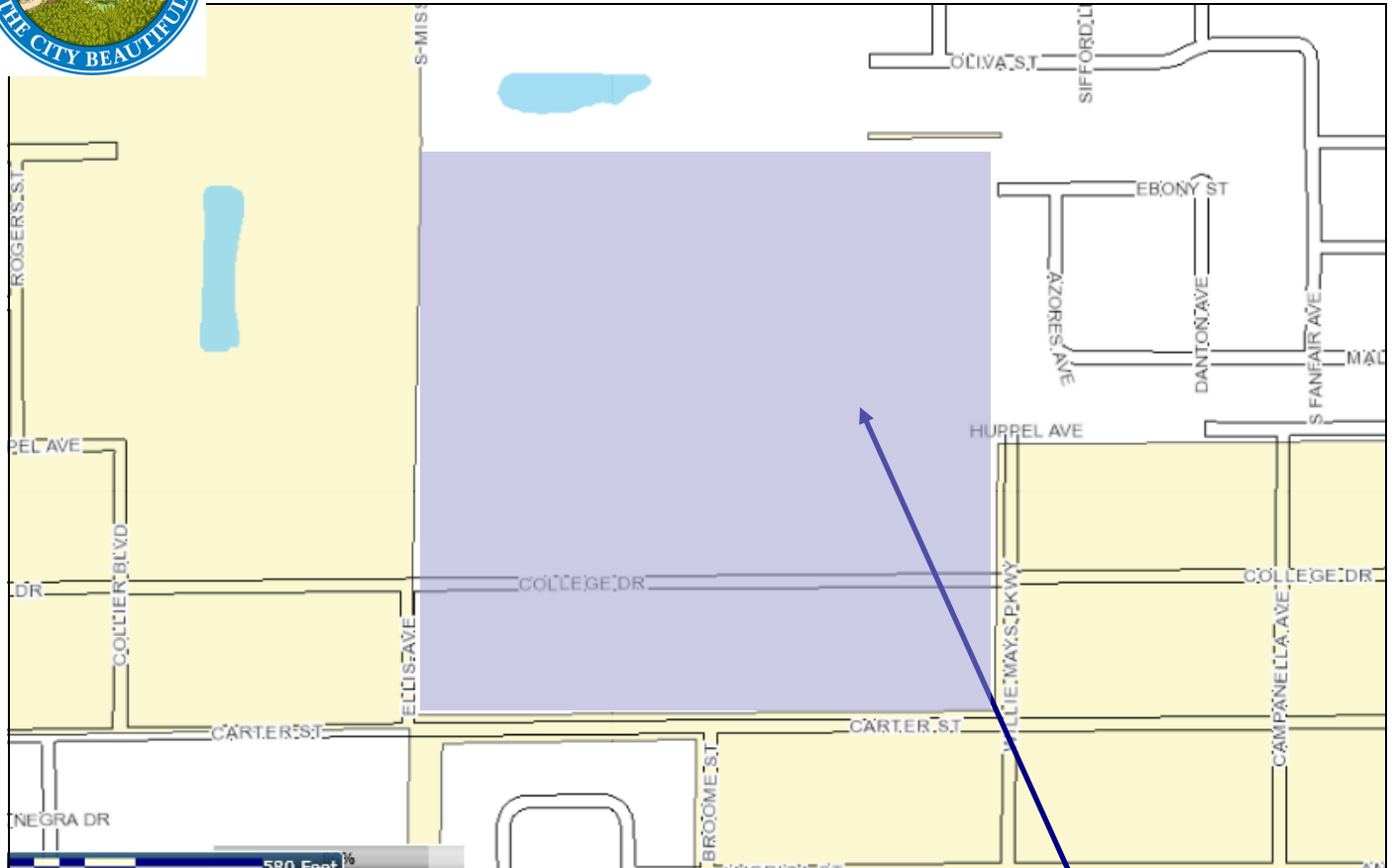




# BUTLER'S PRESERVE PLAT



Location Map

 Subject Site

## SUMMARY

**Owner/Applicant**  
 Deidre Danmeyer,  
 Habitat for Humanity of  
 Greater Orlando Area, Inc

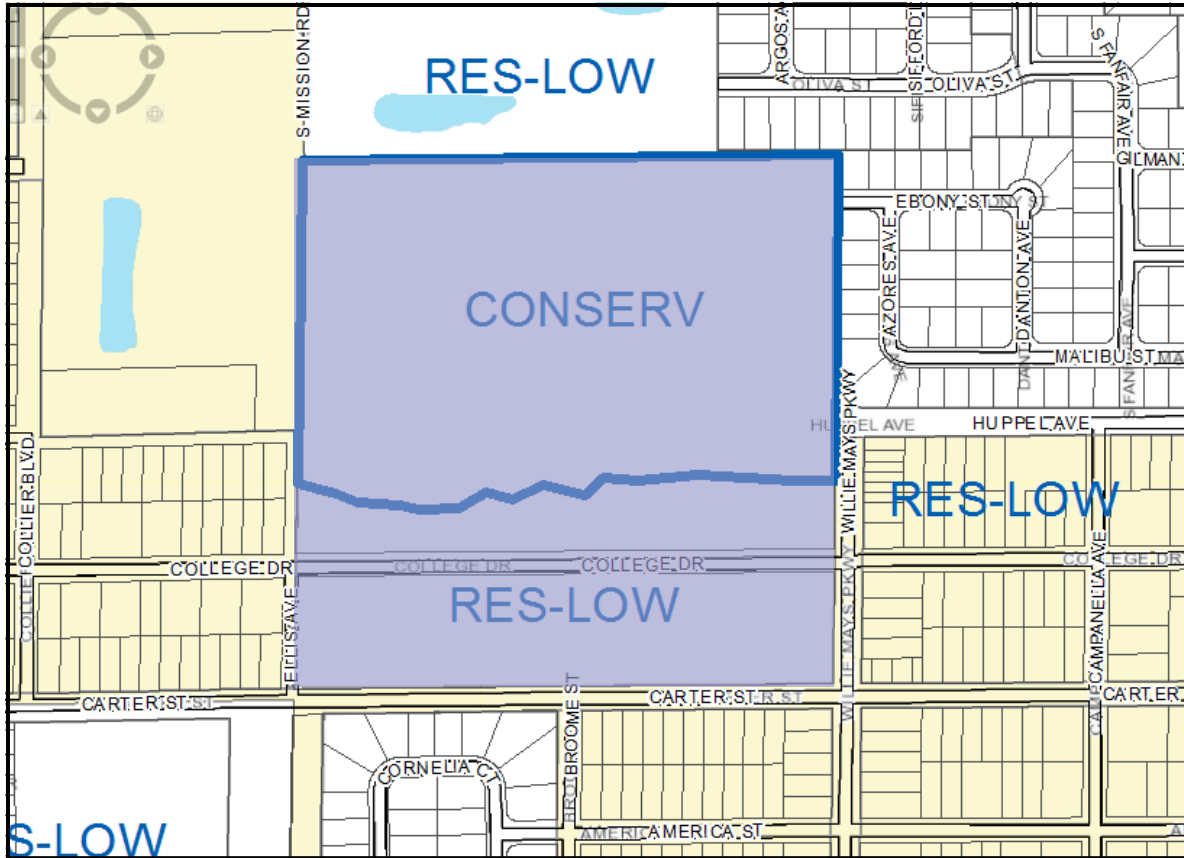
**Project Planner**  
 Michaëlle Petion

**Property Location:** North of Carter St, south of Barley St., east of Ellis Ave. and west of Willie Mays Pkwy. (Parcel ID #32-22-29-0000-00-025 and 32-22-29-0000-00-001) (±38.1 acres, District 5)

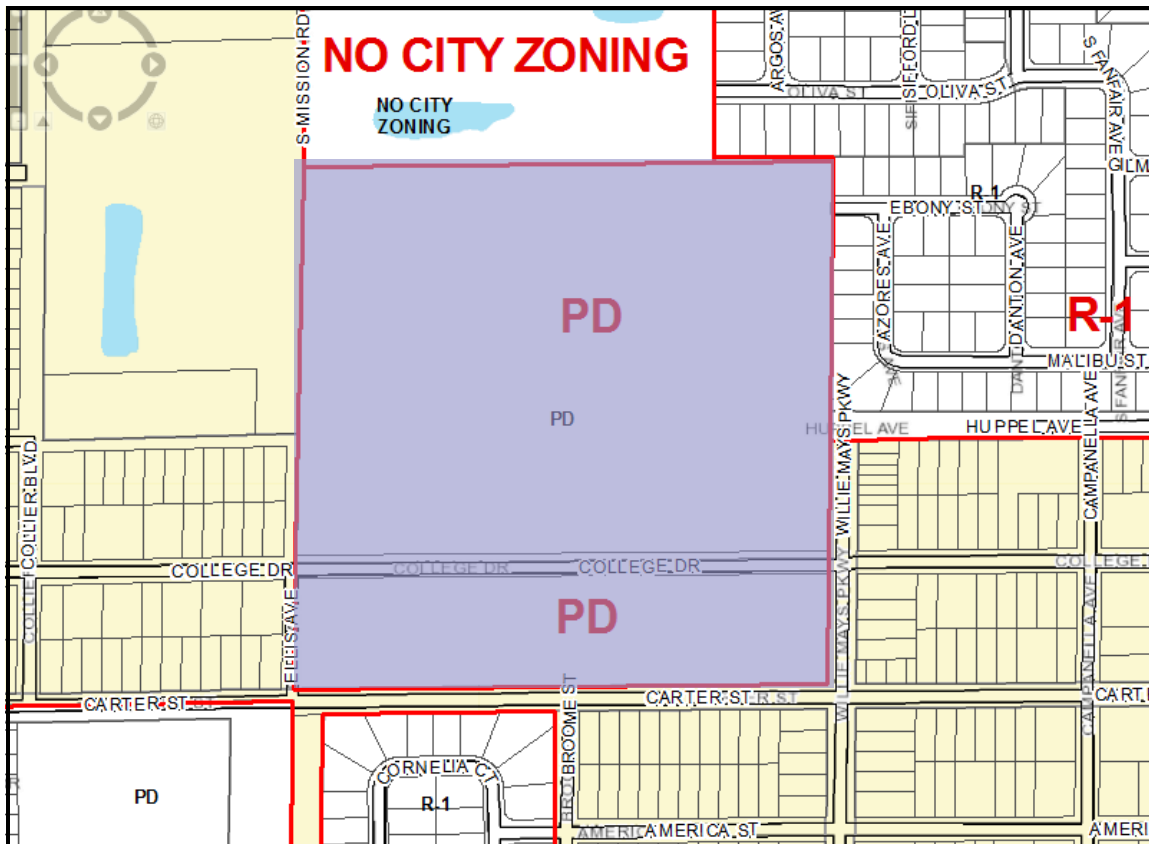
**Applicant's Request:**  
 Major Plat request for of a 59 unit residential subdivision comprised of both single-family and duplex residences.

**Staff's Recommendation:**  
 Approval of the request, subject to the conditions in this report.

# FUTURE LAND USE MAP



# ZONING MAP



# PROJECT ANALYSIS

## Project Description

The ±38.1 acre subject site consists of two unplatted and undeveloped parcels. Located north of Carter St, south of Barley St., east of Ellis Ave. and west of Willie Mays Pkwy., the property is in the Malibu Groves neighborhood. The parcel to the south currently has a Future Land Use designation (FLU) of Residential Low while the northern has a FLU designation of Residential Low and Conservation. Both parcels are zoned Planned Development (PD) for the Butler’s Preserve PD.

The applicant is requesting major subdivision plat approval to redevelop the site with 51 single family residences, 8 duplex units, 5 alleyways and multiple tracts for retention, park and conservation areas. The plat also includes the dedication of approximately 185 ft. of right-of-way for the extension of President Barack Obama Parkway. The adopted PD ordinance requires the minimum lot standards provided in Table 1, which the proposed plat is in compliance with.

	<b>Single-Family Units</b>	<b>Duplex Units*</b>
Lot area	4950 sq. ft.	3093.8 sq. ft.
Lot Width	45 ft.	28.1 ft.
Lot Depth	110 ft.	110 ft.
*Standards per unit, not combined.		

## Previous Actions:

- 2005– Property was annexed into the City of Orlando from Orange County (Doc. # 0702051001, ANX2005-00044)
- 2006– Southern parcel received initial and current Future Land Use designation of Residential Low and the PD Zoning designation (GMP2006-00027 & ZON2006-00022, Doc.# 0704091005)
- 2006– Northern parcel received initial and current Future Land Use designations of Residential Low and Conservation(GMP2007-00004, Doc. # 0710011005)
- 2008– Washington Park Estate PD ordinance adopted by City Council (Doc. # 0803031002). This PD has a 5-year sunset clause and expired on March 3, 2013.
- 2013– The Zoning Official issued a Letter of Determination reverting the zoning of the subject property from PD to No City Zoning due to the expiration of the Washington Park Estate PD ordinance. (LDC2013-00253).
- 2013– City Council adopted the Butler’s Preserve PD to allow 51 single family residential units and 8 duplex units. (ZON2013-00017, CC Doc#: 1312161204)

## Major Subdivision Plat

According to section 65.425 of the Land Development code, “*The purpose of the Major plat review process is to ensure compliance with the City's Land Development Code and the City's Comprehensive Growth Management Plan. This process also provides for a complete review of technical data and preliminary construction and engineering drawings for proposed subdivisions that are not eligible for a waiver of the platting requirements and that require construction of streets or public improvements. The review includes evaluation of potential impacts on both the site and surrounding areas, and resolution of planning, engineering, and other technical issues so that development may proceed.*” Several private streets/alleyways are being created with this subdivision.

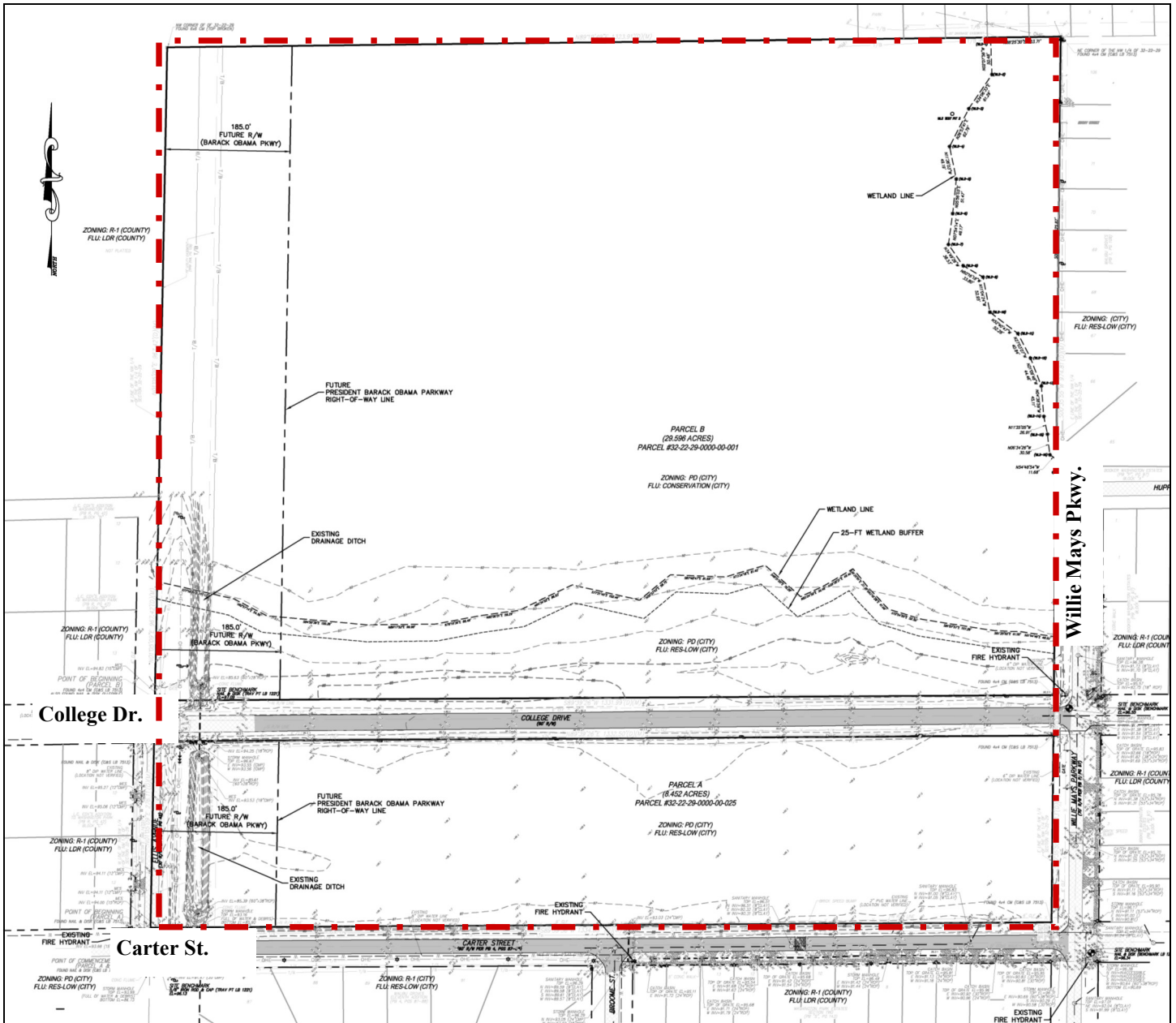
# FINDINGS

Subject to the conditions contained herein, the proposal is consistent with the requirements for approval of Major Subdivision Plat applications contained in Section 65.432 of the Land Development Code (LDC):

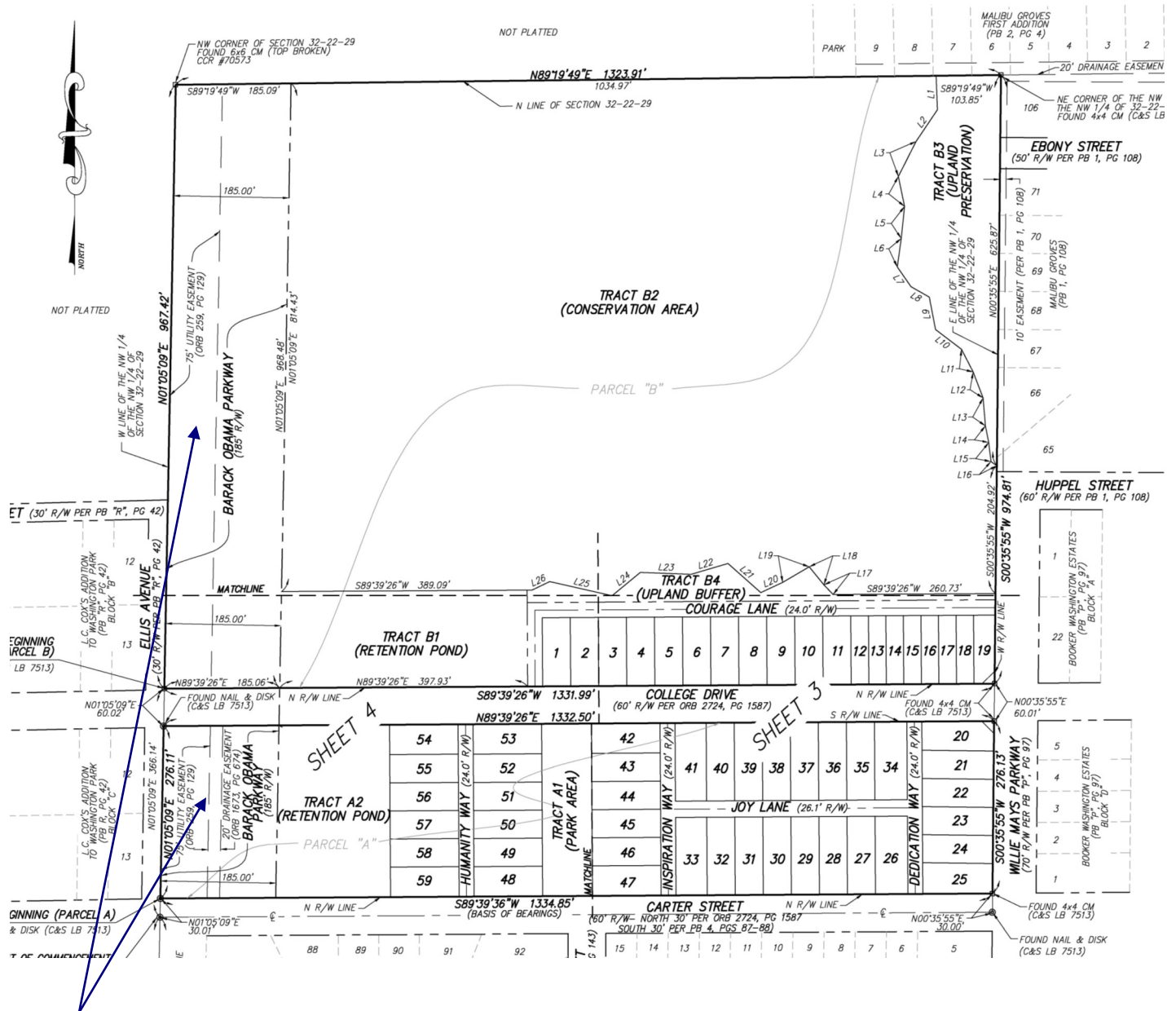
1. The proposed use is consistent with the purpose and intent of the City’s Growth Management Plan.
2. The proposed use is consistent with the purpose and intent of the requirements of the LDC and adopted PD.
3. The subdivision will not result in incompatible land uses.
4. The proposed development will be constructed in accordance with Chapter 59 of the LDC, the concurrency Management Ordinance, which ensures that adequate public facilities are available to serve the development.

Staff recommends approval of the major subdivision request subject to the conditions contained in this staff report.

# BOUNDARY SURVEY



# PROPOSED PLAT



Right of way to be dedicated for President Barack Obama Parkway

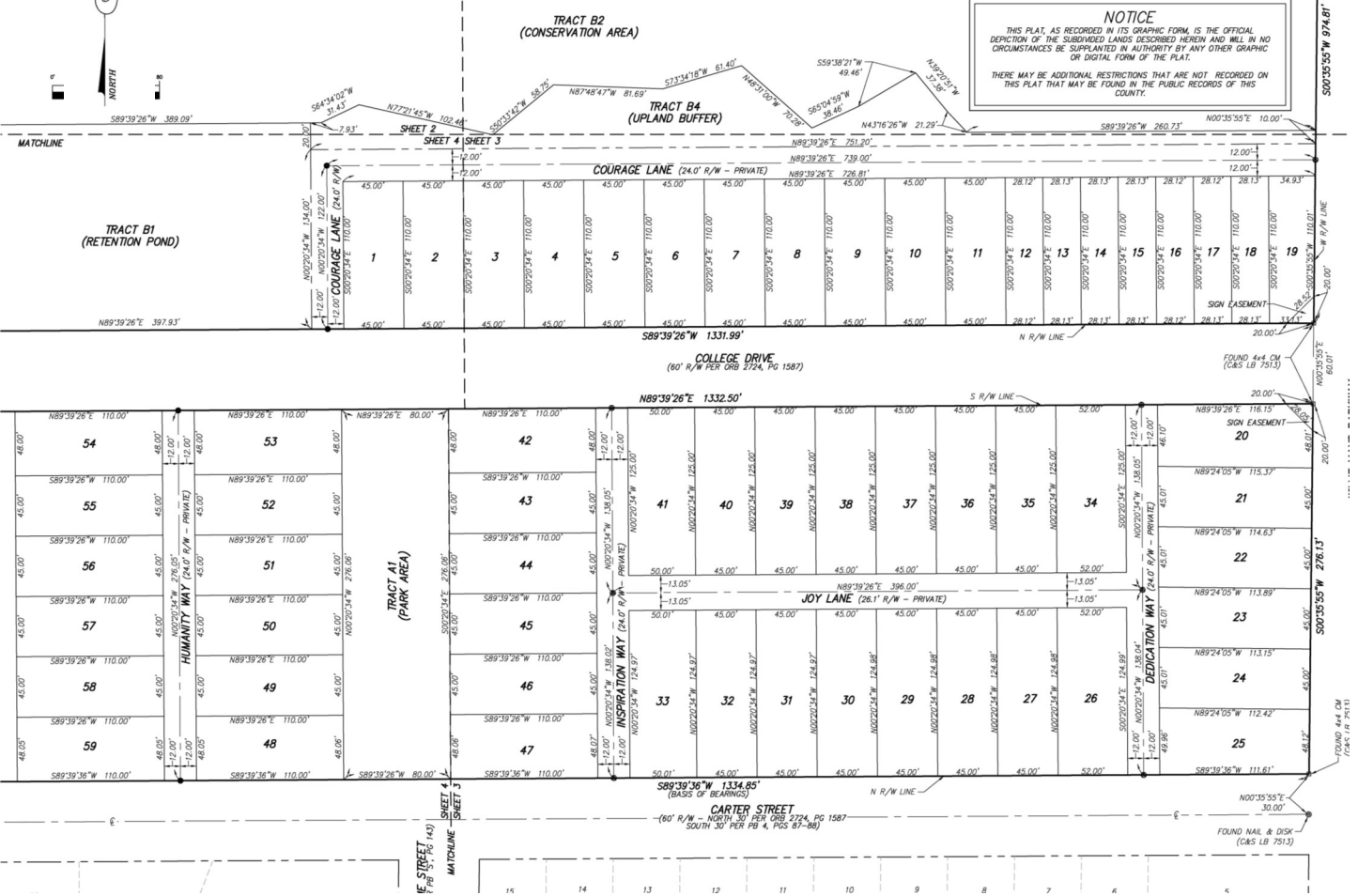
# PROPOSED PLAT



**NOTICE**

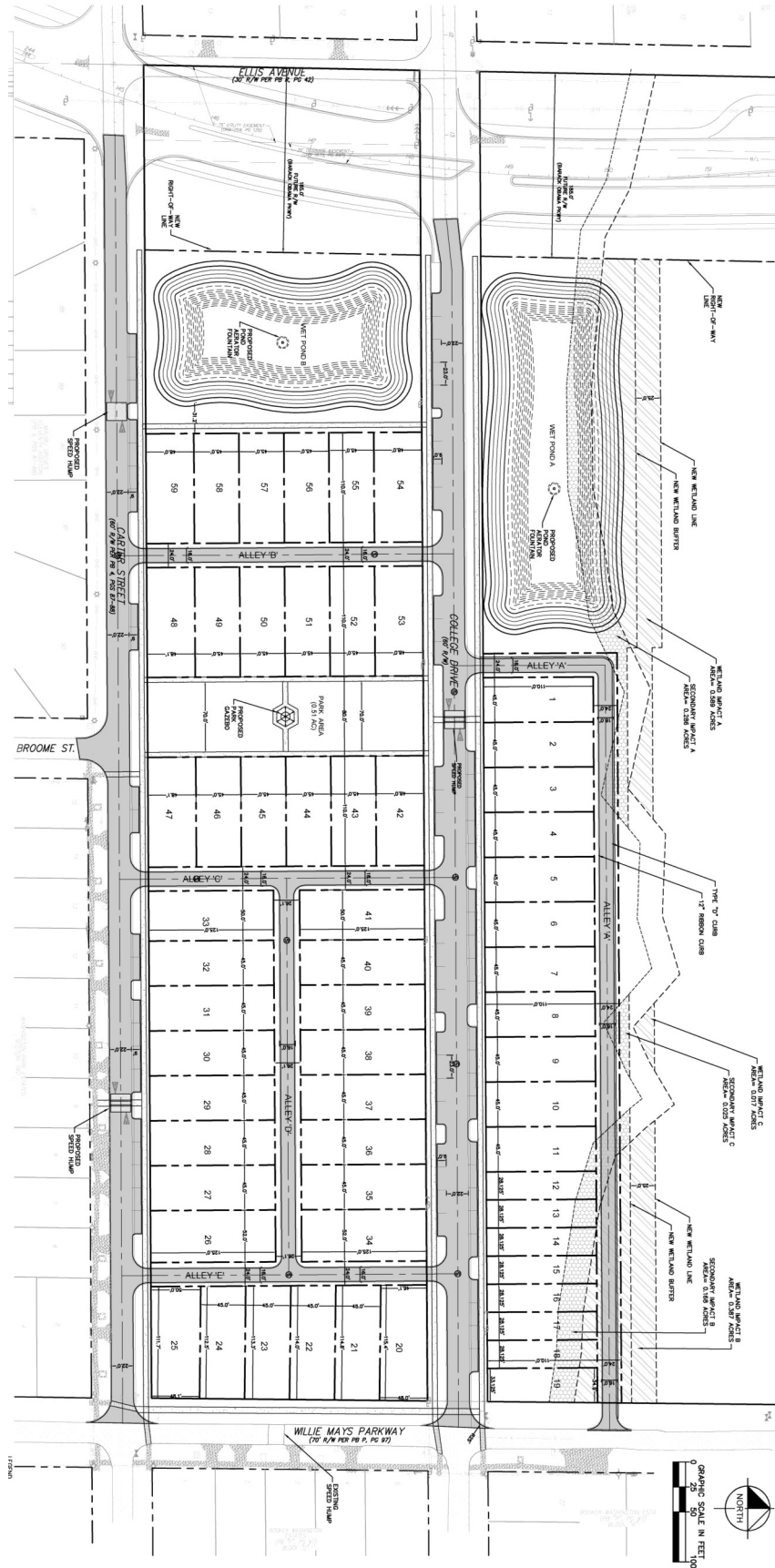
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT.

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.





# DEVELOPMENT PLAN





# CONDITIONS OF APPROVAL

## Land Development

1. 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 applicable regulatory agencies. All other applicable state or federal permits must be obtained before commencing development.
2. Previous Approvals Consistency. The proposed development shall be developed consistent with the conditions of the adopted Butler's Preserve PD.

## Transportation Planning

1. Platting of Obama Parkway. Developer has agreed to dedicate right of way by plat for Pres. Barak Obama Parkway, as shown in Developer's Development Plan for Butler's Preserve PD, prepared by Kimley Horn and Associates, dated June 24, 2013.
2. Obama Parkway Stormwater. Upon the City's request and in conjunction with the construction of Pres. Barak Obama Parkway, the owner agrees to cooperate with the City to authorize the expansion of one or both of the two ponds in order to accommodate stormwater from the Parkway. In such an event, the City will be responsible for modifying the South Florida Water Management Permit at no cost to the owner and will then construct and maintain the entire joint use pond, also at no cost to the owner.

## Engineering/Zoning

1. ESM. 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.
2. Sidewlak. 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.
3. Sewer-FDEP. This project requires a Florida Department of Environmental Protection (FDEP) permit for the sanitary sewer system. At the time of FDEP permit submittal to the Office of Permitting Services, the following is required:
  1. Permit Application - signed/sealed by the owner. This Office will complete page 10 of 11 when the construction plans are approved.
  2. Construction Plans - four sets, signed/sealed by the engineer. The plans are to include the on-site and off-site sewer design together with the City's details. If a lift station is part of the sewer design, the engineer is to submit the shop drawings for the lift station (private or public).

The construction plans are reviewed by the City of Orlando's Waste Water Bureau and returned to the Office of Permitting Services when approved. This Office will contact the engineer to pick up the application and two sets of the approved plans or the transport to FDEP. The remaining sets will be retained by the Office for distribution.

Reminder: PLEASE ALLOW 3-4 WEEKS FOR THIS PROCESS

4. Sewer– Lateral. All sanitary sewer construction is to be in accordance with the Engineering Standards Manual. The sanitary sewer lines are to be dedicated to and maintained by the City of Orlando. One lateral for each lot is required. Section 9.03.02 (J) of the ESM provides that a double wye is not acceptable.
5. Concurrency– Chapter 59. Please be advised that the development of this project/property is subject to the terms and provisions of Concurrency Management Chapter 59 of the City Code and the Committed Trip Allocation Policy.
6. Concurrency Management/ Plat. The final recorded plat shall contain the following note: "Development on the property depicted on this plat is subject to the requirements of Chapter 59, the Concurrency Management Ordinance of the City of Orlando, which governs the City's ability to issue building permits on this property. Approval of this application shall not be deemed to provide any vested rights, except as to those matters depicted hereon, that are consistent with the requirements of Chapter 177, Florida Statutes, or were required by the City of Orlando as a condition of platting."
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.

## CONDITIONS OF APPROVAL

8. 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.

9. Storm– Wetland. If the proposed wetlands are to be altered, the owner/developer needs to submit documentation from St. Johns River Water Management District and/or the Army Corp of Engineers.

10. Orange County. Any construction within the College Drive right of-way of will require Orange Count approval/permit prior to construction.

11. Plat. This property is required to plat in accordance with Section 65.401 of the City's Land Development Code prior to the issuance of building permits.

12. Plat– Major.

Final Plat: At the time of final plat submittal, the following is required:

1. Mylar plat (signed and sealed by the surveyor).
- 2.. Certificate of Title or Title Opinion (A title insurance policy is not acceptable.) Refer to Florida Statutes 177.041 for additional information.
3. Four percent inspection fee (based on estimated cost of the improvements. An itemized cost estimate is to be submitted to this office for approval.
4. Six sets of approvable construction plans.
5. Performance Bond - 110 percent of the cost of the improvements. The form is available in the Office of Permitting Services.
6. Joinder and Consent to Plat - If there is a mortgage on the property, a joinder and consent to plat document is required from each mortgage holder. The document is recorded with the plat. Refer to Florida Statute 177.081 for additional information.
7. Fixed Asset Report - The form is available in the Office of Permitting Services or at our website [www.cityoforlando.net/permits](http://www.cityoforlando.net/permits).
8. The plat must be reviewed by Orange County prior to recording. Begin this process by taking a copy of the executed plat to Room 1700 (Orange County Property Appraiser's Office, Attn. Rocco Campanale), 200 S. Orange Avenue, Sun Trust Bank Center. The original completed Statement of Lien from Orange County is required by this office. The Statement of Lien must be received in this office prior to recording the plat.

13. 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.

14. Utility Construction. Section 1.04 of the Engineering Standards Manual provides that all utility lines shall be installed beneath the surface of the ground. Subdivision construction plans must include all proposed utilities.

15. Street Name. The proposed name of the new street shall be submitted to the Engineering Bureau for review for duplication of established street names, same sounding name, type of spelling, etc., in accordance with the City Land Development Code, Section 61.221.

### Transportation Impact Fees

1. Any new construction, change in use, addition, or redevelopment of a site or structure shall be subject to a review for Transportation Impact Fees. An estimated Transportation Impact Fee in the amount of \$214,934.00, based on the construction of 51 single family residential units and 8 multi-family units, will be due at the time of building permit issuance, subject to change upon final permit plan review.

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>

## CONDITIONS OF APPROVAL

2. 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.

3. 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>.

### **Wastewater**

1. All sewer construction shall be in compliance with the City of Orlando Engineering Standards Manual (ESM). The Wastewater Division does not recommend placing City owned sanitary sewer manholes and mains in alleys. Per ESM section 9.02.01(H)(8), manholes shall be located so that service vehicles block no more than one vehicle travel lane during maintenance operations. This requirement implies that one travel lane will be open to traffic at all times. If manholes are placed in alleys, vehicle travel through that alley would be completely blocked during maintenance operations. If approved by the Wastewater Division, sanitary sewer mains located in alleys or open spaces shall be privately owned and maintained. A pre-application meeting with the Division is recommended to discuss these matters.

## CONTACT INFORMATION

### **Land Development**

For questions regarding Land Development review, please contact Michaëlle Petion at (407) 246-3837 or [michaelle.petion@cityoforlando.net](mailto:michaelle.petion@cityoforlando.net).

### **Transportation Planning**

For questions regarding Transportation Planning plan review, please contact Ian Sikonia at 407-246-3325 or [ian.sikonia@cityoforlando.net](mailto:ian.sikonia@cityoforlando.net)

### **Engineering/Zoning**

For questions regarding Engineering or Zoning contact Keith Grayson at (407)246-3234 or [keith.grayson@cityoforlando.net](mailto:keith.grayson@cityoforlando.net).

### **Transportation Impact Fees**

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

### **Wasterwater**

For questions regarding Wastewater review, please contact David Breitrick at 407-246-3525 or [david.breitrick@cityoforlando.net](mailto:david.breitrick@cityoforlando.net)

## REVIEW/APPROVAL PROCESS—NEXT STEPS

1. The applicant revises the plat to satisfy the conditions in this report.
2. The plat is scheduled for City Council.
3. The plat is recorded with the Orange County Comptroller.