

SUMMARY

Owner

John & Shayna Reich Reich Properties, Inc.

Applicant

Larae Tucker Vertical Construction Management

Project Planner

Wes Shaffer, Planner I

Updated: December 5, 2016

Property Location:

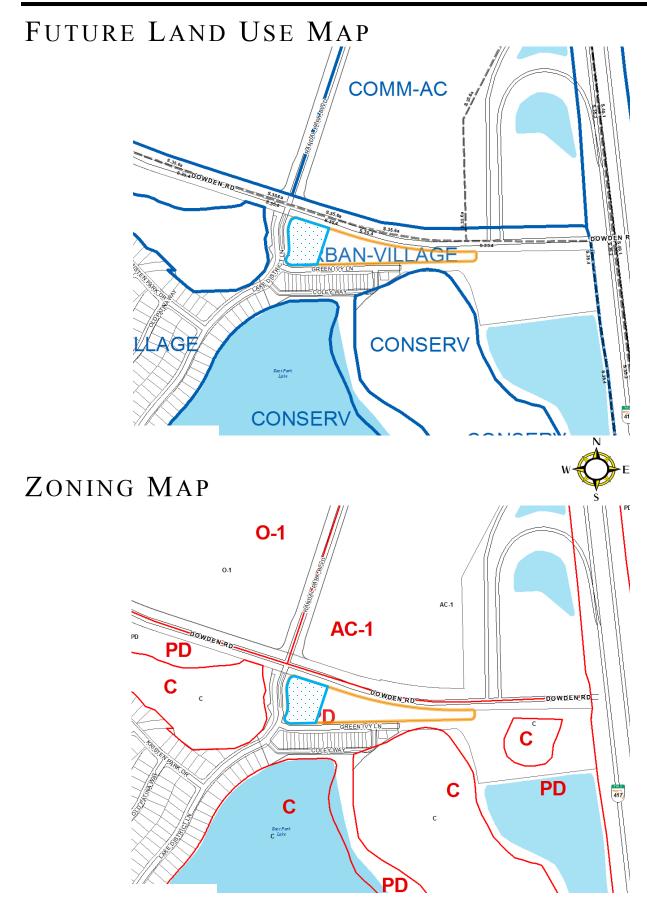
North of Moss Park Rd., south of SR 528, east of Narcoossee Rd. and west of the SR 417. (PID: 05-24-31-0000-00-067, \pm 1.22 acres, District 1)

Applicant's Request:

Specific Parcel Master Plan (SPMP) approval for a 3,062 sq. ft. convenience store/gas station with 8 fuel pumps.

Staff's Recommendation:

Approval subject to the conditions of this report.



MASTER PLAN ANALYSIS

Project Description

The applicant is requesting Specific Parcel Master Plan (SPMP) approval to develop a 3,062 square foot convenience store with eight gasoline fuel pumps on a ± 1.22 acre development site. The subject site is a portion of a 3.56 acre property designated as Village Center 3 in the East Park Planned Development (PD). The PD allows for up to 5,000 sq. ft. of non-residential development for Village Center 3, including convenience store/gas station uses.

Previous Actions:

- 1994 July 11—Property is annexed into City of Orlando (Doc# 27689)
- 2000 September 25—City council approved the East Park PD. (ZON1999-00205; CC Doc#: 33274)
- **2001 June 4**—City Council recommended approval of the East Park PD amendment to change the development plan map and the timeline for the dedication of the school site. (ZON2001-00021; CC Doc#: 33837)
- 2002 September 9—City Council approved the East Park PD amendment of the development standards for several of the neighborhood designations. (ZON2002-00022; CC Doc#: 020909702)
- 2004 June 7—City Council approved the East Park PD amendment to establish 2 new Village Centers and relocated Neighborhood-2 and 4. (ZON2004-00005; CC Doc#: 040607905)
- 2004 June 10—The SETDRC recommended approval of the master plan for Village Center-3 and Neighborhood-2 and 4. (MPL2004-00013)
- **2013 March 14**—The SETDRC recommended approval of a master plan for Neighborhood-2 reducing and replacing the previously approved 27 residential (triplex) units with 23 townhome units (MPL2013-00001).
- **2016 April 19**—Request to amend Village Center 3 of the East Park PD to allow up to 30,000 sq. ft. commercial development is deferred after TRC and later withdrawn in October of 2016 (ZON2016-00001).
- **2016 September 20**—Property purchased by current owner.

Project Context

The subject site is currently undeveloped, located south of Dowden Road, west of S.R. 417, and north of Green Ivy Lane. North of the subject site is undeveloped property with MPB approval (MPL2010-00013) for residential, retail, office, and hotel uses, designated as Community Activity Center future land use and AC-1 zoning. South of the subject site is property currently under development with townhomes approved by SETDRC (MPL2013-00001), designated as Urban Village future land use and PD zoning. Also south of the subject property is Conservation future land use and zoning overlaying wetlands. East of the subject site is undeveloped property previously approved for residential development (MPL2004-00013), designated as Urban Village future land use and PD and C zoning. West of the subject site is wetland with Conservation future land use and C zoning. All surrounding parcels are within the East Park PD excluding to the north, which is within the Randall Park PD.

Table 1—Project Context

	Future Land Use	Zoning	Surrounding Use				
North	Community Activity Center	Community Activity Center (AC-1)	Undeveloped residential, retail, office, and hotel uses				
East	Urban Village and Conservation	Planned Development (PD) and Conservation (C)	Undeveloped				
South	Urban Village	Planned Development (PD) and Conservation (C)	Townhome development and wetlands				
West	Conservation	Conservation (C)	Wetlands				

Conformance with the Growth Management Plan (GMP)

The proposed development is consistent with the GMP Policies related to the Southeast Orlando Sector Plan, including Future Land Use Element Policy 2.4.4 (Urban Village policy), Subarea Policies S.35.2 and S.35.4, along with Goal 4 and its associated objectives and policies. According to FLU Policy 4.1.9, Village Centers allow uses consistent with the City's AC-1 zoning district, including automotive services such as gas stations.

Conformance with the LDC—Chapter 68 Southeast Orlando Sector Plan

In order to be consistent with the Southeast Orlando Sector Plan, applications must be reviewed for compliance with LDC Chapter 68, which lays out the detailed development guidelines and standards for the Southeast Plan area. The proposed development site is

designated as "Village Center." According to LDC Section 68.200(a)(2), "Village Center/Urban Transit Center (VC/UTC) districts shall be developed as important destinations for each Residential Neighborhood, providing a variety of shops, services, restaurants, and civic facilities that serve the needs of the surrounding neighborhoods." The proposed commercial development is expected to serve surrounding residential neighborhoods.

AERIAL IMAGE (OCPA, JAN 2016)



Development Standards

The subject property is zoned PD with a default zoning of AC-1. According to LDC Figure 68-A, Village Center development with intensity greater than 0.40 FAR is required to meet Traditional Design standards. Table 2 summarizes the development standards.

ISR Net Village Center Building (impervious Block Intensity Height surface ratio) Size **Proposed** Lot/Tract Use (acres) **Development** Max. **Proposed** Max. **Proposed** Max. Proposed Convenience Village 0.02 FAR Store / 3.56 3,062 sq. ft. No Max 3 stories 1 story 0.85 0.62 Center 3 Gas Station

Table 2—Development Standards

Intensity (Floor Area Ratio, FAR)

LDC Sec. 68.201 specifies that density and FAR is based on the net block size (excluding surrounding streets and wetlands setbacks) and measured per block. The net block size for the subject site is ± 3.56 acres. The maximum development program for Village Center 3 does not exceed this intensity threshold thus Traditional Design standards are encouraged but not required.

Height—LDC Section 68.317

Height is limited by the number of stories, not the overall height to provide variety to the skyline in the mixed use centers. Commercial buildings shall have no more than 25 foot floor to floor heights. The Village Center designation allows for 1 to 3 stories. The conceptual elevations submitted for this SPMP approval request show a building height of 1 story.

Impervious Surface Ratio (ISR)

The maximum ISR permitted is 0.85 according to the Village Center standards (AC-1 default zoning). The site plan submitted for this request indicates a proposed ISR of 0.62.

Setbacks—LDC Section 68.315

The required setbacks for the Village Center (AC-1 standards) are 0 feet for the front yard and street side yard, 0 or 3 feet for the side yard, and 20 feet for the rear yard setback. Table 3 summarizes the proposed setbacks.

Table 3—Setbacks

	Building Setbacks (FT)		
Yard	Minimum	Proposed	
Front (Dowden Rd)	0	45	
Side (east property line)	0 or 3	39	
Side Street (Lake District Ln)	0	47.54	
Rear (Green Ivy Ln)	20	50.06	

Landscaping and Street Furnishings—LDC Section 68.324

The proposed landscaping plan shows a 7.5 ft. minimum landscaping depth around the perimeter of the entire site and a minimum 4.5 ft. landscaping depth around the perimeter of the convenience store building. Staff has requested that any trees located within the gas easement area be relocated outside of the gas easement area. The dumpster location includes landscaping screening as well.

Parking—LDC Section 61.322

Retailing under 4,000 sq. ft. requires a minimum of 2.5 parking spaces per 1,000 sq. ft. of floor area and permits a maximum of 5 parking spaces per 1,000 sq. ft. of floor area. The proposed site plan provides 10 parking spaces (including 1 ADA space) which is approximately 3.25 parking spaces per 1,000 sq. ft. of floor area, thus meeting the requirement.

Signage—LDC Chapter 64

Chapter 64 permits 2 sq. ft. of signage copy area for every 1 lineal ft. of primary building frontage and 1 sq. ft. for every 1 ft. of secondary building frontage. Total primary frontage along Dowden Rd equals 70 ft. and secondary frontage along Lake District Ln equals 43 ft. resulting in a total allowable copy area of 183 sq. ft. A sign package submitted for review shows 9 sign locations (see page) with a total proposed copy area of 240.7 sq. ft. The conditions of this report require that signage not exceed 183 sq. ft.

Pedestrian Circulation

A 5 ft. wide concrete sidewalk parallels the north, east, and west property line and a 10 ft. wide multi-use concrete path follows the south property line, providing adequate pedestrian circulation alongside the perimeter of the subject site. The conditions of this report require and additional pedestrian connection from the sidewalk along Lake District Lane to the convenience store building. This connection shall be a minimum width of 5 ft. and ADA compliant.

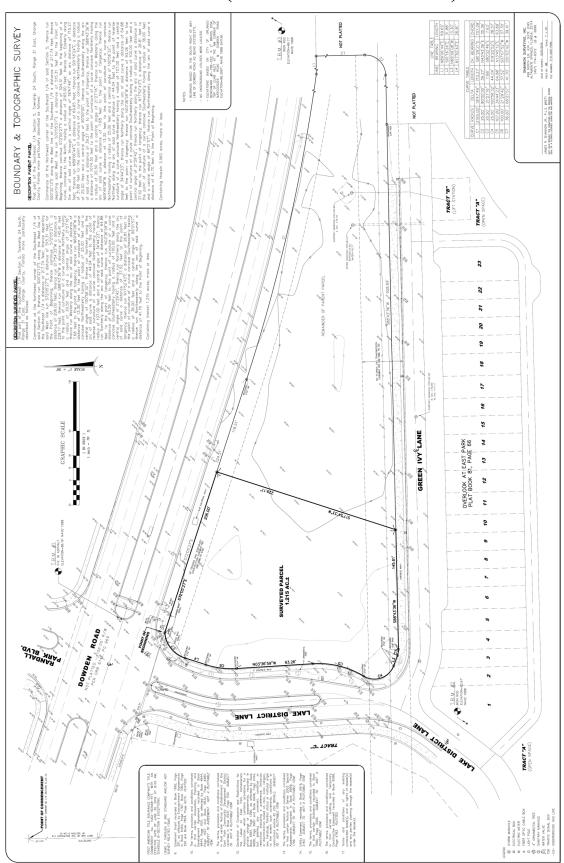
Vehicle Circulation

The proposed site plan introduces three new curb cuts along the perimeter of the subject site; (1) right-in, right-out on Dowden Rd approximately 290 ft. east of the intersection at Lake District Ln, (2) right-in, right-out on Lake District Ln midway between Dowden Rd and Green Ivy Ln, and (3) full access curb cut on Green Ivy Ln that provides cross access with curb cut (1). A fourth curb cut, (4) is internal to the site and provides access to the east portion of the site. It is likely that vehicles going east on Dowden Rd will use (1), north on Lake District Ln will use (2), and west on Dowden Rd will use (3). The site plan submitted by the applicant indicates that the proposed development will generate 1,709 new net daily trips, 54 new net PM trips, and 42 new AM trips.

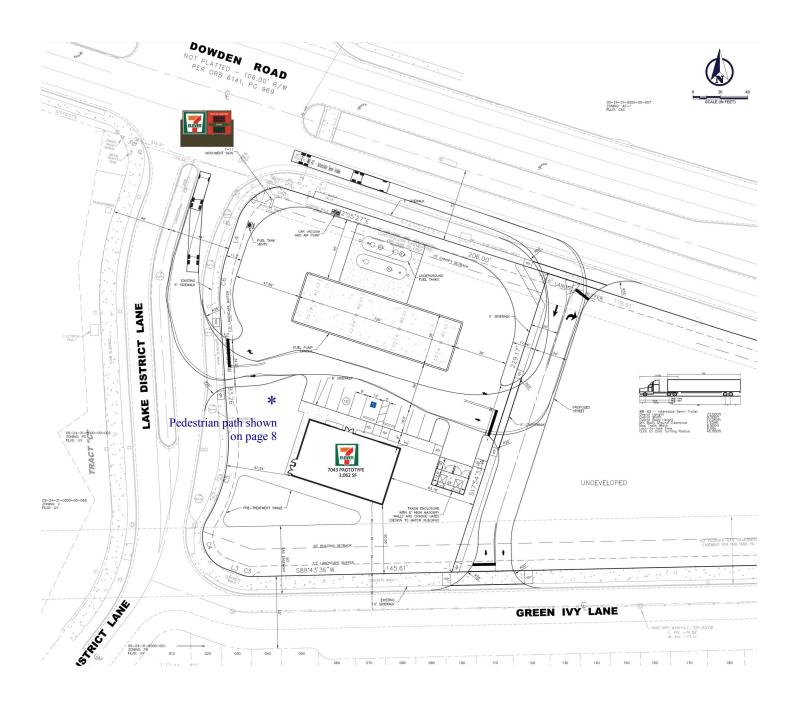
Existing Gas Easement

Per the existing easement document, the Grantor shall have the right to fully use and enjoy easement property and agrees not to build, construct, or erect any building or other structures. Development Data Note 12 of the East Park Development Plan grants the City rights to use the 4.4 acre gas easement depicted on the Development Plan for a shared use trail, limited only by the existing easement document. As it pertains to the subject property, a 10 foot concrete sidewalk was constructed as a part of MPL2013-00001 project approval. This meets the minimum requirements for a multiuse trail.

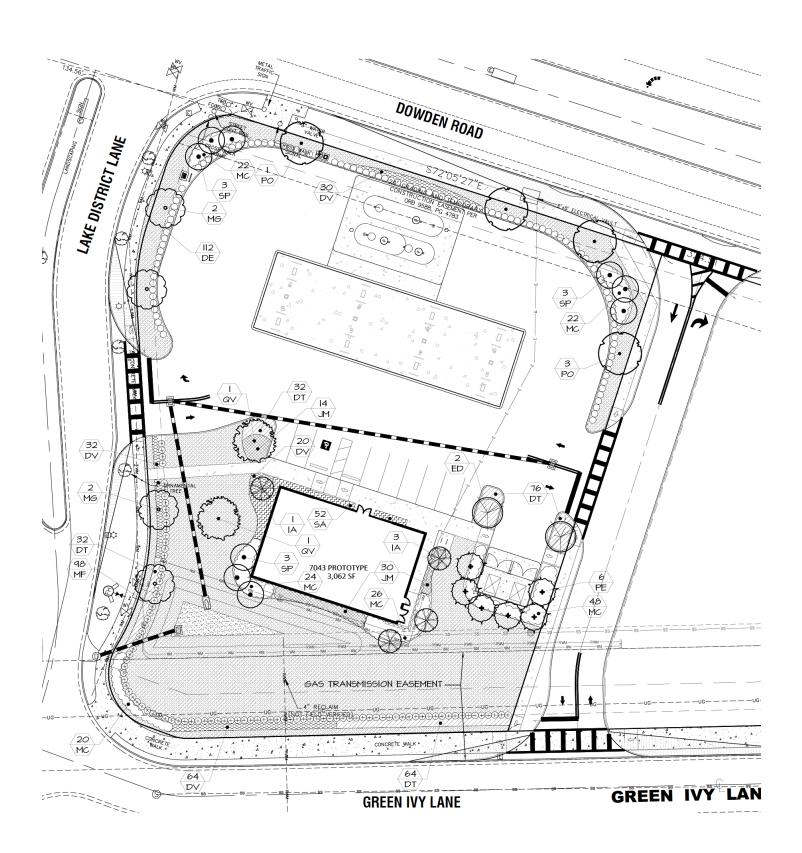
BOUNDARY SURVEY (OCTOBER 2016)



PROPOSED SITE PLAN



LANDSCAPE PLAN



LANDSCAPE PLAN

PLANT MATERIAL LIST

SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SPECIFICATIONS	SPACING
SP	4	SABAL PALMETTO	CABBAGE PALM, WITH BOOTS REGENERATED FRONDS	15', 18', 21' CLEAR TRUNK HEIGHT	AS SHOWN
QV	2	QUERCUS VIRGINIANA	LIVE OAK	12' HT X 6' SPD, 2" CALIPER	AS SHOWN
PO	4	PLATANUS OCCIDENTALIS	AMERICAN SYCAMORE	12' HT × 6' SPD, 2" CALIPER	AS SHOWN
MG	4	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	12' HT X 5' SPD, 2" CALIPER	AS SHOWN
PE	6	PINUS ELLIOTTI	SLASH PINE	12' HT × 5' SPD, 2" CALIPER	AS SHOWN
IA	4	ILEX ATTENUATA "EAGLESTON"	EAGLESTON HOLLY	8' HT X 3' SPD, 2" CALIPER	AS SHOWN
ED	2	ELAEOCARPUS DECIPIENS	JAPANESE BLUEBERRY	IO' HT X 4' SPD, 2" CALIPER	AS SHOWN
MC	162	MUHLENBERBIA CAPILLARIS	MUHLY GRASS	24" HT X 24" SPD, 3 GALLON	36° 00
SA	52	SCHEFFLER ARBORICOLA 'TRINETTE'	VARIEGATED SCHEFFLERA	18" HT X 18" SPD, 3 GALLON	30° OC
DE	112	DURANTA ERECTA	GOLDEN DEWDROP	24" HT X 24" SPD, 3 GALLON	36° OC
MF	98	MYRICIANTHES FRAGRANS	SIMPSON'S STOPPER	24" HT X 24" SPD, 3 GALLON	36° OC
ML	44	JASMINUM MULTIFLORUM	DOWNY JASMINE	24" HT X 24" SPD, 3 GALLON	36° OC
DT	204	DIANELLIA TASMANICA "VARIEGATA"	BLUEBERRY FLAX LILY	IO" HT X IO" SPD, I GALLON	24" OC
DV	146	DIETES VEGETA	WHITE AFRICAN IRIS	IO" HT X IO" SPD, I GALLON	24" OC

TREE REQUIREMENTS

INTERIOR REQUIREMENTS
ONE TREE PER LANDSCAPE ISLAND
3 ISLANDS/ I = 3 TREES

PERIMETER LANDSCAPE BUFFER REQUIREMENTS
NORTH 208' / 45 = 5 TREES
EAST 222' / 45 = 5 TREES
SOUTH 16' / 45 = 4 TREES
TOTAL = 14 TREES

STREET TREES PRESERVE EXISTING TREES LOCATED ON LAKE DISTRICT LANE

TOTAL REQUIREMENTS 3 + 14 = 17 TREES

LANDSCAPE INSTALLATION NOTES

I) ALL PLANT MATERIALS SHALL BE FLORIDA #1 OR BETTER AS GIVEN IN, <u>GRADES AND STANDARDS FOR NURSERY PLANTS,</u> LATEST EDITION, PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.

2) LOCATION OF PLANTS ON THE PLAN ARE DIAGRAMMATIC- SEE THE LANDSCAPE ARCHITECT FOR QUESTIONS ON EXACT LOCATIONS, THE PLANT MATERIALS LIST IS PROVIDED FOR THE CONVENIENCE OF THE LANDSCAPE CONTRACTOR. SHOULD THERE BE ANY DISCREPANCY BETHEEN THE PLANT LIST AND THE PLANT LEUAN, THE PLANT LAND SHALL PREVAIL.

3) IT IS THE LANDSCAPE CONTRACTORS RESPONSIBILITY TO INSURE THAT ALL PLANT BED AREAS HAVE PROPER DRAINAGE FOR OPTIMUM GROWTH OF LANDSCAPE MATERIAL BEFORE INSTALLATION BEGINS.

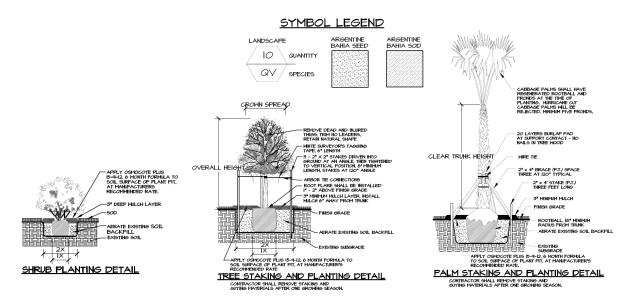
4) THE CONTRACTOR SHALL INSURE THAT ALL PLANTING ISLANDS AND OTHER AREAS SHALL BE CLEAN OF TRASH, CONSTRUCTION DEBRIS, OR OTHER WASTE MATERIALS TO A DEPTH OF 24* PRIOR TO LANDSCAPE INSTALLATION.

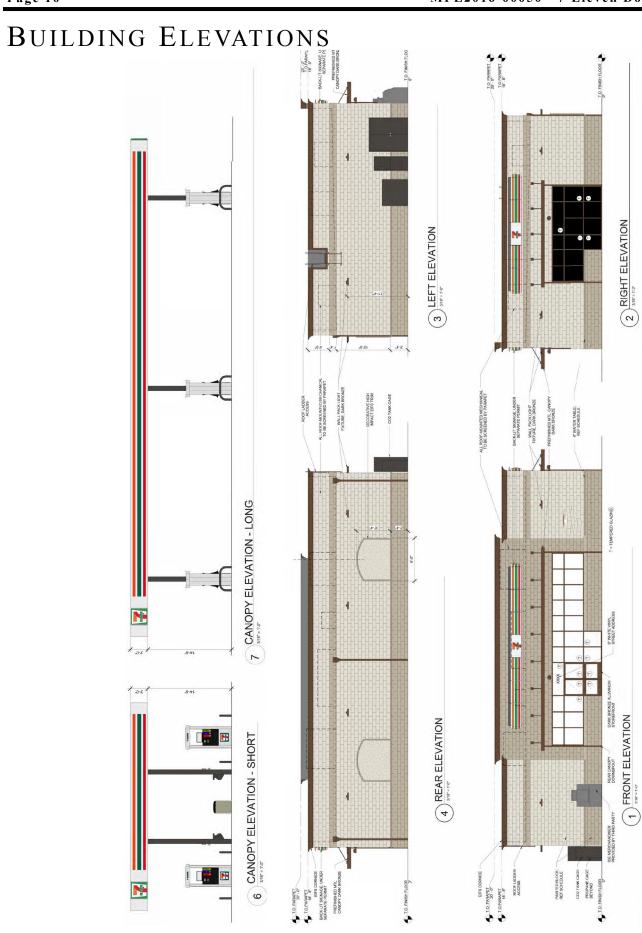
5) ALL PLANT BEDS AND TREE RINGS SHALL BE TREATED WITH A PRE-EMERGENT HERBICIDE AND THEN TOP-DRESSED WITH 3" DEEP PINE BARK NIGGETS MILCH, CONTRACTOR SHALL INSTALL A MOVEN NEED BARRIER FABRIC IN ALL SHRUB AND GROUND COVER BEDS, ALL NEW TREES SHALL HAVE A TREE RING WITH A MINIMAY OF 24" RADIUS, ALL NEW TREES AND PALMS SHALL DE STAKED.

6) NEW SOD SHALL BE ARENGENTINE BAHIA SOD APPROXIMATELY 14,900 SF AND APPROXIMATELY 410 SF BAHIA SEED, IN THE LOCATIONS SHOWN ON THE FILAN, CONTRACTOR SHALL DETERMINE EXACT GUANTITIES IN THE FIELD. SOD AREAS SHALL BE MAINTAINED BY THE CONTRACTOR FROM THE TIME OF INSTALLATION TO THE TIME OF FINAL ACCEPTANCE.

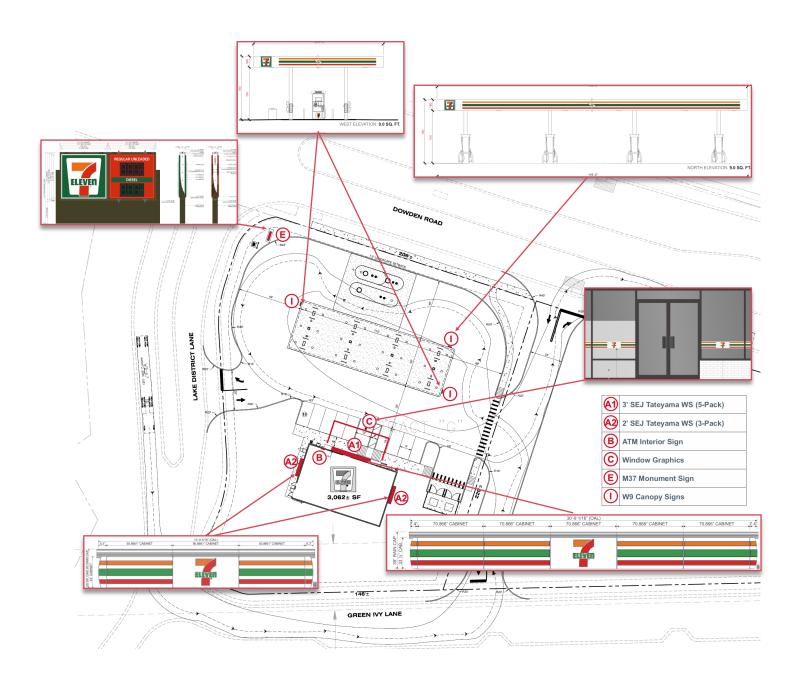
1) TREES SHRUBS, AND GROUND COVER SHALL BE INSTALLED USING THE FOLLONING PROCEDURE. PLANT PITS SHALL BE EXCAVATED TO THICE THE DIAMETER OF THE PLANT ROOT BALL. AERATE EXISTING SOIL BEFORE BACKFILLING PIT. ADD AGRIFORM FERTILIZER TABLETS TO EACH PLANT PIT, AS PER THE SPECIFICATIONS.

6) TREE INSTALLATION; ALL REGUIRED TREES SHALL BE INSTALLED I* - 2* ABOVE FINISH GRADE. TREES INSTALLED OR BURIED TOO DEEP SHALL BE RESET TO THIS STANDARD. REMOVE THE TOP 1/3 OF THE WIRE BASKETS ON ALL B ¢ B STOCK.





SIGNAGE LOCATIONS



FINDINGS

Subject to the conditions contained herein, the proposal is consistent with the requirements for approval of the proposed Specific Parcel Master Plan amendment applications contained in Section 65.336 of the Land Development Code (LDC):

- 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 Policy Plan.
- 3. The proposal is consistent with the provisions of Chapter 163, Part II, Florida Statutes.
- 4. The proposal is consistent with the objectives and policies of the City's adopted Growth Management Plan (GMP); particularly, Future Land Use Policy 2.4.4, Figure LU-1, Goal 4 and its associated objectives, policies, and figures.
- 5. The proposal is consistent with and implements the Southeast Orlando Sector Plan, Chapter 68 of the Land Development Code.
- 6. The proposal is consistent with the requirements of the East Park PD.
- 7. The proposal is compatible with the surrounding development and neighborhood 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 Specific Parcel Master Plan subject to the conditions below:

CONDITIONS OF APPROVAL

City Planning

1. SUBJECT TO CODES –ZONING

Except as provided herein, the development is subject to all codes and ordinances of the State of Florida, City of Orlando, and all other applicable regulatory agencies.

2. DEVELOPMENT REQUIREMENTS

Except as modified herein, the project shall be developed in accordance with the requirements of the Growth Management Plan, Chapter 68 of the Land Development Code, the Pioneers PD, and any other pertinent provisions of the Conventional LDC, the Southeast Orlando Development Plan Agreement, and all previous agreements between the City and property owner.

3. ISSUANCE OF DEVELOPMENT PERMITS

As provided by subsection 166.033(5), Florida Statutes, issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. In accordance with subsection 166.033(5), Florida Statutes, it is hereby made a condition of this permit that all other applicable state or federal permits be obtained before commencement of the development

4. APPROVAL

Approval of the Specific Parcel Master Plan amendment by the Southeast Town Design Review Committee (SETDRC) shall grant the applicant authority to submit an application for site plan/master plan review for a building permit. The application must be submitted within thirty-six (36) months of approval of the Specific Parcel Master Plan amendment (Southeast Town Design Review Committee) or the Master Plan shall expire. However, upon written application filed 30 days prior to the expiration date, the Planning Official may renew the Master Plan for one period of up to 12 months providing good cause is shown.

5. IMPERVIOUS SURFACE RATIO

The maximum ISR for the subject site shall be consistent with the AC-1 zoning district standard of 0.85.

6. TREES IN GAS EASEMENT

All proposed trees shown to be located in the gas easement area shall be relocated to outside of the gas easement area for the final landscaping plan.

7. ALLOWABLE SIGNAGE

Signage copy area shall not exceed 183 sq. ft. per LDC Chapter 64.

Transportation Planning

1. PEDESTRIAN CONNECTION

A pedestrian connection from the sidewalk along Lake District Lane to the building is required—minimum width of 5 ft. and must be ADA compliant.

CONDITIONS OF APPROVAL

2. BICYCLE PARKING

Per City Code Sec 61.333, bike racks must be installed to provide space for 4 bikes to be secured. The racks must conform to City standards and be located on an impervious surface so as not to interfere with pedestrian or other vehicular movements. The location must be shown on plans submitted to Permitting Services.

3. 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. An estimated Transportation Impact Fee in the amount of \$153,161.00, based on the construction of a 3,000 sf convenient store with 16 fueling positions, 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/transportation-planning/wp-content/uploads/sites/30/2014/03/Ex A 2013 -Rate Schedule.pdf.

4. CONCURRENCY MANAGEMENT ORDINANCE

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 Permitting Services website or by contacting your Development Review Technician in the Office of Permitting Services.

Transportation Engineering

1. AUTOTURN

Autoturn provided shows that the current truck route maneuvering would require mounting of the landscape island. Redesign driveway to allow for better maneuverability that would not affect the landscape island.

2. CLEAR SIGHT LINES

At all project entrances, clear sight distances for drivers and pedestrians shall not be blocked by signs, buildings, building columns, landscaping, or other visual impediments. No structure, fence, wall, or other visual impediment shall obstruct vision between 2 feet and 8 feet in height above street level. The street corner / driveway visibility area shall be shown and noted on construction plans and any future site plan submittals. The applicant shall design the site plan as necessary to comply with the Florida Greenbook and the FDOT Design Standards Index. Sight lines shall be provided on both site plans and landscape plans.

3. INLET

The ESM prohibits inlets within 3 feet of a driveway due to maintenance issues, the inlet that is within the driveway on Dowden Rd will have to be relocated (see ESM Section 8.11 Driveways and Entrances, E 1D pg 115) unless waived by City Engineer.

Waste Water

1. EXISTING STUBOUT

Sanitary lateral shall connect to existing stub-out east of the proposed development. Sewer later shall not cross Green Ivey Lane. A private easement will be needed within the property to the east to ensure future access to private sewer from 7-11. A preapplication meeting with the Wastewater Division is advised prior to building permit review.

Fire

1. TURNAROUND

There are no objections to this request. 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. Be advised that any new construction must adhere to the requirements of the Florida Fire Prevention Code, 2012 Edition, and The City of Orlando Fire Prevention Code.

An approved turnaround shall be provided for fire apparatus where an access road is a dead end in access of 150 ft, and road-ways shall have all-weather driving surface, capable of supporting the load of fire apparatus, shall be at least 20 ft. in width, and shall have a minimum vertical clearance of at least 13 ft. 6 in. [NFPA 1 18.2.3.4.1 and NFPA 1.18.2.3.4.1.2]

CONTACT INFORMATION

City Planning

For questions regarding City Planning review, please contact Wes Shaffer at 407.246.3792 or thomas.shaffer@cityoforlando.net.

Urban Design

For questions regarding Urban Design plan review, contact Doug Metzger at 407.246.3414 or doug.metzger@cityoforlando.net.

Transportation

For questions regarding Transportation Planning plan review, please contact John Rhoades at 407.246.2293 or john.rhoades@cityoforlando.net

Transportation Impact Fees

For questions regarding Transportation Impact Fees please contact Nancy Ottini at 407.246.3529 or nancy.jurus-ottini@cityoforlando.net

Transportation Engineering

For questions regarding Transportation Planning plan review, please contact Lauren Torres at 407.246.3220 or lauren.torres@cityoforlando.net

Waste Water

For questions regarding Waste Water plan review, please contact Vince Genco at 407.246.2293 or vince.genco@cityoforlando.net

Development Review and Engineering/Zoning

For questions regarding Development Review and Engineering or Zoning contact Keith Grayson at 407.246.3234 or keith.grayson@cityoforlando.net.

Building

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

Police

For questions regarding the Orlando Police Department plan review, please contact Audra Nordaby at 407.246.2454 or Audra.Nordaby@cityoforlando.net.

Fire

For questions regarding the Orlando Fire Department plan review, please contact Charles Howard at 407.246.2143 charles.howard@cityoforlando.net

REVIEW/APPROVAL PROCESS—NEXT STEPS

- 1. SETDRC minutes scheduled for review and approval by City Council.
- 2. Final Site Plan Approval by the Planning Official.
- 3. Building permits.