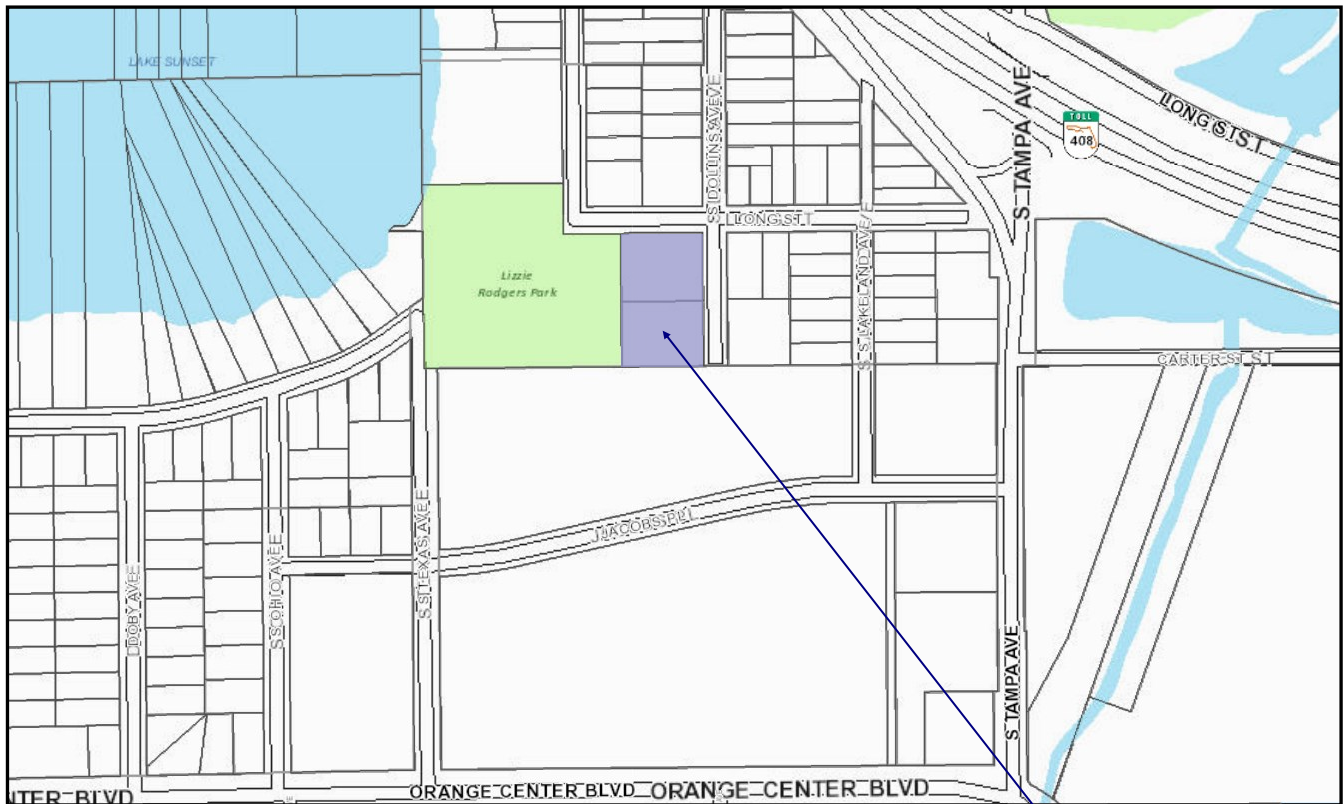


**Staff Report to the
Municipal Planning Board
August 21, 2018**

**CUP2018-10012
Item #2
TRC DRAFT**

WEST LAKE EARLY LEARNING CENTER (ELC)



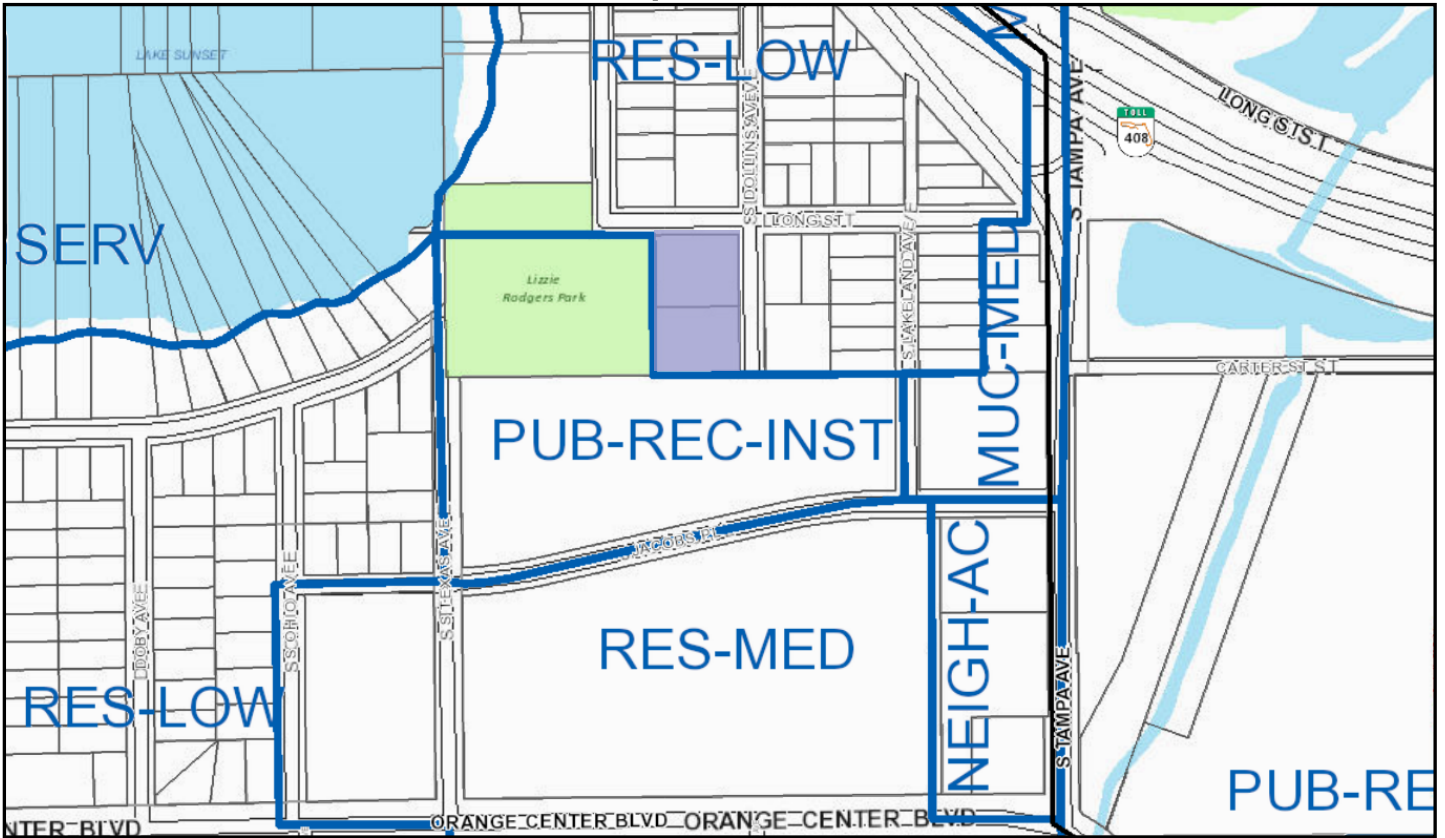
Location Map

Subject Site

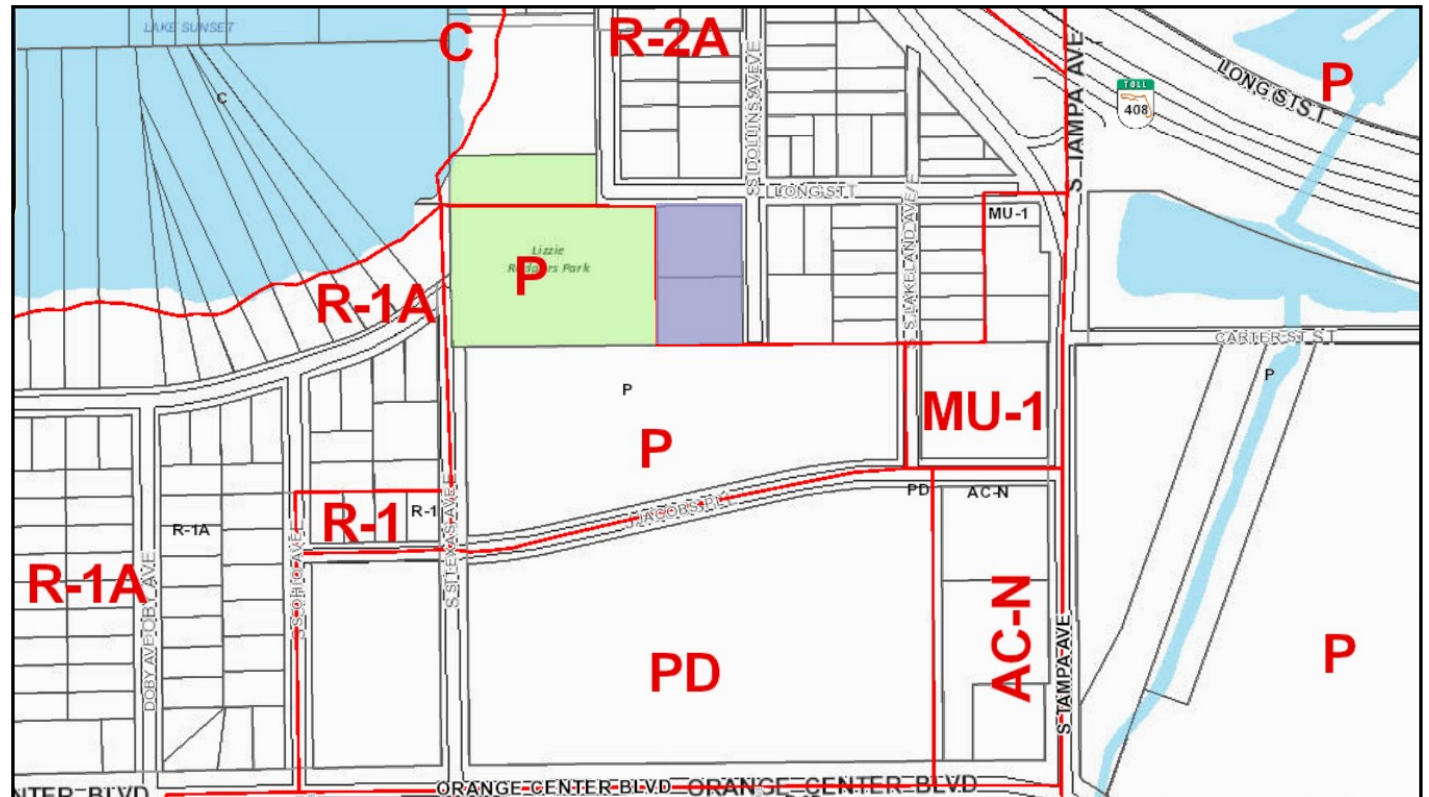
SUMMARY

<p>Owner Health Holding II, LLC</p> <p>Applicant Scott Martin</p> <p>Project Planner Michaëlle Petion, AICP</p> <p>Updated: August 3, 2018</p>	<p>Property Location: 618 Dollins Ave. & 2122 Long St. (south of Long St., east of S. Texas Ave., west of S. Dollins Ave., north of Jacobs Pl.) (Parcel ID #34-22-29-0000-00-043 & -044) (±1.27 acres, District 6)</p> <p>Applicant's Request: The applicant is requesting a Conditional Use Permit (CUP) to allow a Public Benefit Use, an Early Learning Center, in the R-2A zoning district. The learning center serve up to 150 students ranging in age from birth to 5 years old.</p>	<p>Staff's 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 during the week of August 6, 2018. As of the published date of this report, staff has not received any comments from the public concerning this request.</p>
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Future Land Use Map



Zoning Map



Project Analysis

Project Description

The subject site is comprised of two parcels and is located within the Lake Sunset neighborhood. The site is currently vacant. The applicant proposes a 16,220 sq. ft., +/-150 students (ages birth to 5 years old), childhood development center to operate in partnership between Lift Orlando, Florida Hospital and the Bainum Family Foundation.

The property has a Future Land Use designation of Residential Low intensity and is zoned R-2A. The proposal is consistent with the Zoning and Future Land Use designations.

Previous Actions:

- 2017– Property acquired by the current property owner.

Project Context

Surrounding uses, zoning, and future land uses are shown in Table 1 below. Orange Center Elementary school is located to the south and Lizzie Rodgers Park is located to the west. Multi-family and Single-family exists to the north and east.

Table 1—Project Context			
	Future Land Use (FLU)	Zoning	Surrounding Use
North	Residential Low	Residential (R-2A)	Single-Family Residential
East	Residential Low	Residential (R-2A)	Residential
South	Public Recreational Institutional	Public (P)	Elementary School
West	Public Recreational Institutional	Public (P)	Park

Conformance with the GMP

The subject property has a FLU designation of Residential Low. As indicated in Figure LU-1 of the Future Land Use Element, public benefit uses are allowed in the Residential Low Intensity future land use designation. The maximum intensity for the Residential Low Intensity future land use designation is 0.3 and it has no minimum intensity. The proposed use (early learning center) is consistent with the adopted future land use designation. The intensity (16,220 square feet on 1.3 acres = 0.29 FAR) is just under the maximum permitted intensity of 0.3 FAR. The use and intensity are consistent with the adopted future land use designation.

There are no future land use subarea policies related to this site.

Conformance with the LDC

The subject site is currently zoned R-2A. The site has adjoining property lines with other public benefit uses, ie. Lizzie Rodgers park to the west and Orange Center Elementary to the south, and therefore no bufferyards are required. As previously stated the FAR is below the maximum permitted 0.30 FAR. The zoning district allows a maximum building

height of 35 ft. and a maximum Impervious Surface Area (ISR) of 55%. The applicant proposes a one-story structure but has not provided the exact height or ISR. Code compliance is required.

Table 3, below provides the required and proposed building setbacks. As designed, all setbacks are compliant.

Table 2—Development Standards										
Acreage	Use	Sq. Ft./ Dwelling Units	Density (dwelling units per acre)		FAR (floor area ratio)		Building Height		ISR (impervious surface ratio)	
			Minimum / Maximum	Proposed	Minimum / Maximum	Proposed	Maximum	Proposed	Maximum	Proposed
1.27	PBU	16,220 sq. ft.	12 du/ac	N/A	0.30	0.29 FAR	35 ft.	1– story	0.55	TBD

Table 3—Setback and Landscaping Requirements					
Use or Phase	Yard	Building Setbacks		Landscaping/Buffers	
		Minimum	Proposed	Required*	Proposed
PBU	Front– Long St.	25 ft.	+/- 25 ft.	none	N/A
	Side– west property line	5 ft.	+/- 10 ft.	none	N/A
	Street-side– S. Dollins Ave.	15 ft.	+/- 55 ft.	none	N/A
	Rear– south property line	25 ft.	+/- 25 ft.	none	N/A
* Dimensions refer to range of acceptable buffer depth; each requires plantings and/or screen wall					

Conditional Use Permit:

Section 65.285 sets standards of review for CUP applications. The standards are as follows:

1. Purpose and Intent. The purpose and intent and all other requirements of the LDC.
2. GMP. Whether the proposal is consistent with the City's Growth Management Plan.
3. Compatibility. The compatibility of the proposal with surrounding land uses and the general character of the area.
4. Public Facilities and Services. Whether the necessary public facilities will be adequate to serve the proposed use.

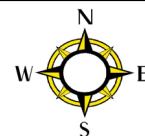
The proposal is consistent with the purpose and intent of the code as well as the policies of the GMP. In regards to compatibility, the proposed center is adjacent to other public uses and serves the same children/ familial households demographics. Also, the building character matches the residential design of the neighborhood. Adequate capacity exists for public facilities such as transportation, sewer, water, etc.

The proposal is consistent with the Land Development Code.

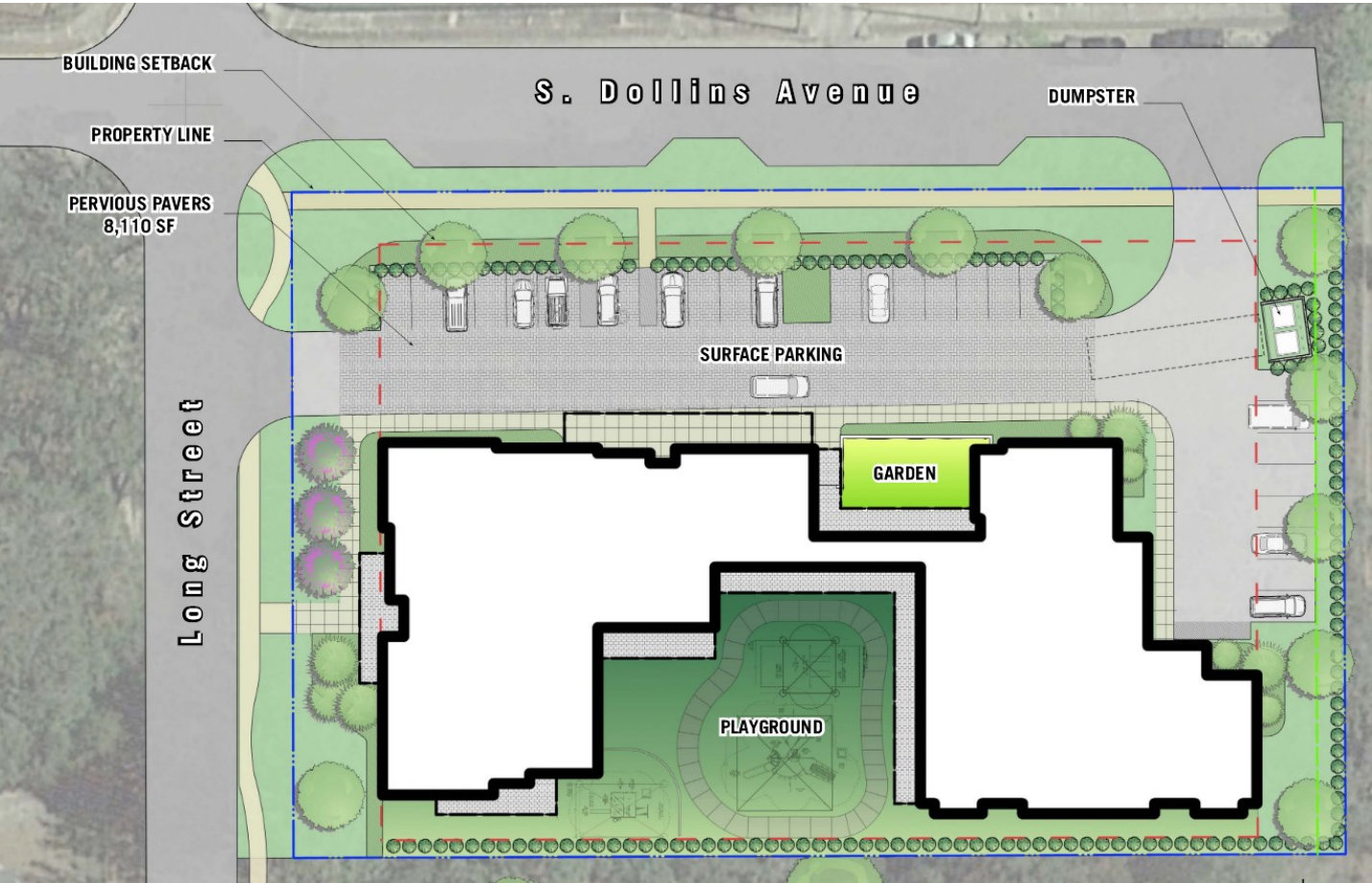
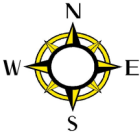
Transportation

The site proposes two dual directional driveways with one curb-cut to each right-of-way. Similar youth educational facility uses requires a minimum of 1 parking spaces for every 12 RPC (Rated Patron Capacity) and a maximum of 1 spaces per 7 RPC. It's estimated that the facility will have a RPC of 183, to include children and staff. This results in a minimum required of 16 parking spaces and a maximum of 26. The applicant proposes the maximum 26 parking spaces.

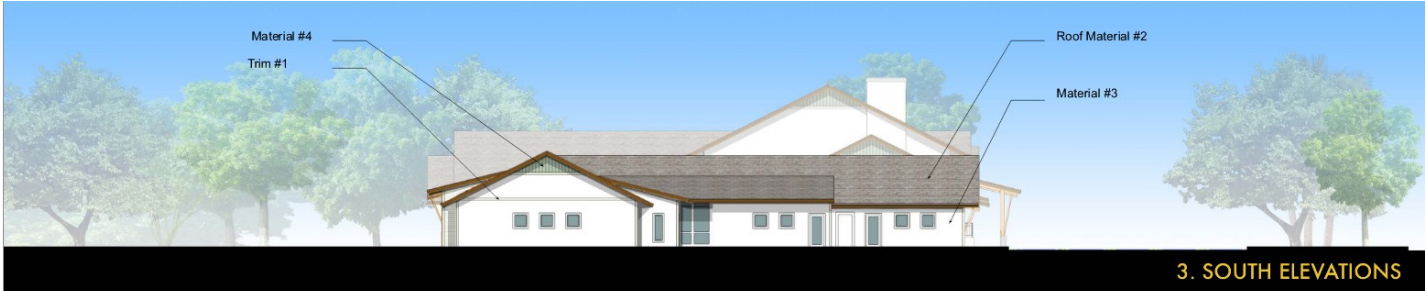
Survey



Site Plan



Elevations



Site Photos



Property as viewed from Dollins Ave.



Dollins Ave. dead-end with subject property on the right.



Property as viewed from Long St.



Lizzie Rodgers Park and Long St. property line of subject property.

Aerial Photo



Findings

Subject to the conditions contained herein, the proposal is consistent with the requirements for approval of Conditional Use Permit applications contained in Section 65.285 of the Land Development Code (LDC):

1. The proposed use is consistent with the City's Growth Management Plan.
2. The proposed use is consistent with the purpose and intent of the zoning district and all other requirements of the LDC.
3. The proposed use will be compatible with surrounding land uses and the general character of the area.
4. The necessary public facilities will be adequate to serve the proposed use, or will be provided by the applicant as a condition of this approval.

Staff recommends approval of CUP2018-10012 subject to the conditions below:

Conditions of Approval

Land Development

1. **Subject To Codes.** 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, and any other pertinent provisions of the Conventional LDC.
3. **Approval.** Approval of the Conditional Use by City Council shall grant the applicant authority to submit an application for site plan/master plan review for a building permit. The permit application must be submitted and a permit issued within two (2) years of approval of City Council or the Conditional Use Permit shall expire. However, upon written application filed 30 days prior to the expiration date, the Planning Official may renew the Conditional Use Permit for a one period of up to 12 months providing good cause is shown.
4. **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.
5. **Consistency.** Unless amended by any conditions found herein or any modifications recommended by the MPB and approved by City Council, this project shall operate and be developed only as described and conditioned within this report and in accordance with the attached site plan and any other plans or commitments provided in the application package. Any changes in the use of the site, the operation of the project, or the site plan as provided herein may require an amendment to the project and review by the MPB and City Council (see "Minor Modifications" condition below.) This approval is not transferable to another property. All other applicable state or federal permits must be obtained before commencing development.
6. **Minor Modifications.** Minor modifications to the project, including changes to the design and site plan reviewed by the Municipal Planning Board or City Council may be approved by the Planning Official without further review by the Municipal Planning Board. Major changes shall require additional review by the Municipal Planning Board.
7. **Number of Students.** The student count of the learning center is capped at a maximum of 150 students. Children must be escorted inside for sign-in and escorted out for sign-out.
8. **Height.** The building height must not exceed 35 ft.
9. **ISR.** The ISR must not exceed 0.55.
10. **Garden.** The garden shown on the site plan is to be an ancillary, educational use with no produce to be sold on-site.
11. **Platting.** The property is required to plat.
12. **Signage.** Signage is limited to 24 sq. ft. total for the site. Pole signs are prohibited. Ground signs are limited to 4 ft. in height and the design must be consistent with the style of the building.
13. **Pedestrian Connection.** The applicant is strongly encouraged to continue coordination with OCPS on trying to obtain pedestrian connection to the south. This will provide much needed connectivity for the residences south of Orange Center Elementary.

Urban Design

1. **Appearance Review** shall be required prior to submitting to Permitting to ensure permit elevations match elevations submitted within this application.

2. Additional sidewalks maybe required at time of permitting review to complete the pedestrian circulation.
3. Service areas and dumpster enclosures shall incorporate architectural materials and design details similar to the principal buildings. Service areas shall have gates or screens that shield the areas from view when not in use. Design of gates shall be solid and have architectural interest to complement the building
4. Chain link fence shall be prohibited on the site.
5. Fencing height is not to exceed 6-feet in height measured from grade, and shall be an approved CPTED fence of wrought-iron or wrought-iron type fence. Pedestrian gates may be provided at pedestrian access points.
6. All air conditioners, compressors, electrical equipment and other equipment shall be screened from the street and public pathways by low walls, hedges, or other decorative fences and may not exceed 4-feet above grade.
7. Street trees must be provided along S Dollins Ave. Street trees are required within established rights-of-way along public and private streets. Trees can occur within the right of way or within the bulbouts.
8. Permit drawings must indicate a survey with existing trees to be saved and removed.
9. A tree removal permit is required to remove trees. As part of the tree removal permit process the applicant shall work with the City arborist to evaluate the viability of the existing on-site trees and whether or not any mitigation will be required for the removal of significant trees.
10. If the health of the street trees along Long St are less than desired - remove and replace with canopy trees. The use of live oaks is encouraged. Should the trees be removed the sidewalk must be realigned along the curb.
11. Existing trees on the site must be preserved to the extent practical, excluding exotic invasive trees. This may require minimal cut and fill within root zones.
12. Backflow Preventers - backflow preventer/s shall be located so as not to be directly visible from the right-of-way and should be screened from view with a vegetative screen, opaque fencing or masonry wall. Backflow Preventer—Backflow preventer[s] shall be located so as to not be directly visible from the right-of-way and should be screened from view where necessary. They shall be clearly identified on the final utilities plan.
13. Lighting Standards – Lighting shall comply with the City’s approved lighting ordinance
14. All landscape plans must achieve the Minimum Required Landscape Score (MRLS) required for the proposed type and intensity of development. Meet City Code Chapters 60 and 61. A spreadsheet showing compliance with the Minimum Required Landscape Score must be included with the plans. A digital spreadsheet form is available at <http://www.cityoforlando.net/city-planning/landscape-code/>

Transportation

1. All aspects of the site plan are required to conform to all applicable minimum standards set forth in the editions of the City Code and the City Engineering Standards Manual that are in force at the time of any construction of this project.
2. The sidewalk along Dollins Av should be installed within the right-of-way abutting the back of curb for the new parking stalls. The minimum width is 6 ft.
3. The sidewalk ramps at the intersection must be brought into ADA compliance. Unless unreasonably constrained, individual ramps for the east and north directions must be used. The owner is also responsible for installing the crosswalks on the south and west approaches according to MUTCD and City standards.
4. The crosswalks from the parking stalls to the building entrance and at the 2 driveways must be installed per MUTCD and City standards.
5. Bicycle Parking is not required by Code for this use but should be installed for use by employees and patrons.

Water Reclamation

1. Prepare a utility plan that depicts the ability to serve sanitary sewer to the new early learning center building associated with the Conditional Use. The utility plan shall demonstrate compliance with Chapter 9 of the City of Orlando Engineering Standards Manual (ESM) and all applicable City Standard Wastewater Details.
2. The Applicant's engineer is strongly advised to contact the Water Reclamation Division to discuss the optimum location to make connection to the City's sewer system.
3. Trees shall not be planted within 10 feet of sanitary sewers (including laterals) and reclaimed water mains.

Informational Comments

Parks

1. There are some historically sized trees located on the survey. Depending on their species or condition, they may be desirous trees. It is possible there may be mitigation for some of the trees assumed to be removed for construction.

Fire

1. TRC fire code review is preliminary in nature and is not considered a full life safety or architectural review. It is intended to expose or prevent evident design deficiencies with State and City Fire Codes. The building design, floor plans, egress system, fire protection systems and MEP 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, Sixth Edition, and The City of Orlando Fire Prevention Code Chapter 24.
2. Design of buildings must account for fire department access. The access road itself must extend 50ft. from at least one exterior doorway to allow access to the building's interior. Any portion of the building or exterior wall of the first story shall be located not more than 150 ft from the fire department access road as measured by an approved route around the exterior of the building or facility. The distance can be increased to 450ft. if the building is protected by an automatic sprinkler system. [NFPA 1.18.2.3.2.2 and NFPA 1.18.2.3.2.2.1]
3. An approved turnaround shall be provided for fire apparatus where an access road is a dead end in access of 150 ft, and roadways shall have all-weather driving surface, capable of supporting the load of fire apparatus, a minimum 20 ft. in width, and a minimum vertical clearance of at least 13 ft. 6 in. [NFPA 1 18.2.2.5.4 and NFPA 1 18.2.3.4.1.1]
4. The plan indicates fire hydrants will be required. Because building information is not provided, fire hydrant location and spacing will be reviewed at the time of building permitting. All portions of an unsprinklered building must be within 300 ft hose lay distance of a fire hydrant. All portions of a sprinklered building must be within 500 ft. hose lay distance of a fire hydrant. City Code ch 24.27(f)

Contact Information

Growth Management

For questions regarding Growth Management plan review, please contact Colandra Jones at 407.246.3415 or colandra.jones@cityoforlando.net.

Land Development

For questions regarding Land Development review, please contact Michaëlle Petion at 407.246.3837 or michaelle.petion@cityoforlando.net.

Urban Design

For questions regarding Urban Design plan review, please contact Terrence Miller at 407.246.3292 or Terrence.miller@cityoforlando.net.

Transportation

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

Engineering/Zoning

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

Police

For questions regarding Police plan review, please contact Audra Rigby at 407.246.2454 or audra.rigby@cityoforlando.net.

Public Works

For any questions regarding Public Works issues, please contact Liuliu Wu at 407.246.3758 or at Liuliu.Wu@cityoforlando.net.

Fire

For any questions regarding fire issues, please contact Chip Howard at 407.246.2143 or at Charles.howard@cityoforlando.net.

Building

For questions regarding Building Plan Review issues contact Don Fields at 407.246.2654 or don.fields@cityoforlando.net.

Parks

For questions regarding Parks Plan Review issues contact Denise Riccio at 407.246.4249 or denise.riccio@cityoforlando.net.

For questions regarding Tree Review issues contact Justin Garber at 407.246.4047 or Justin.garber@cityoforlando.net.

Wastewater

For questions regarding Waster Plan Review issues contact David Breitrick at 407.246.3525 or David.breitrick@cityoforlando.net.

Review/Approval Process—Next Steps

- 1.MPB minutes scheduled for review and approval by City Council.
- 2.Apply to plat the property.
- 3.Apply for building permits.