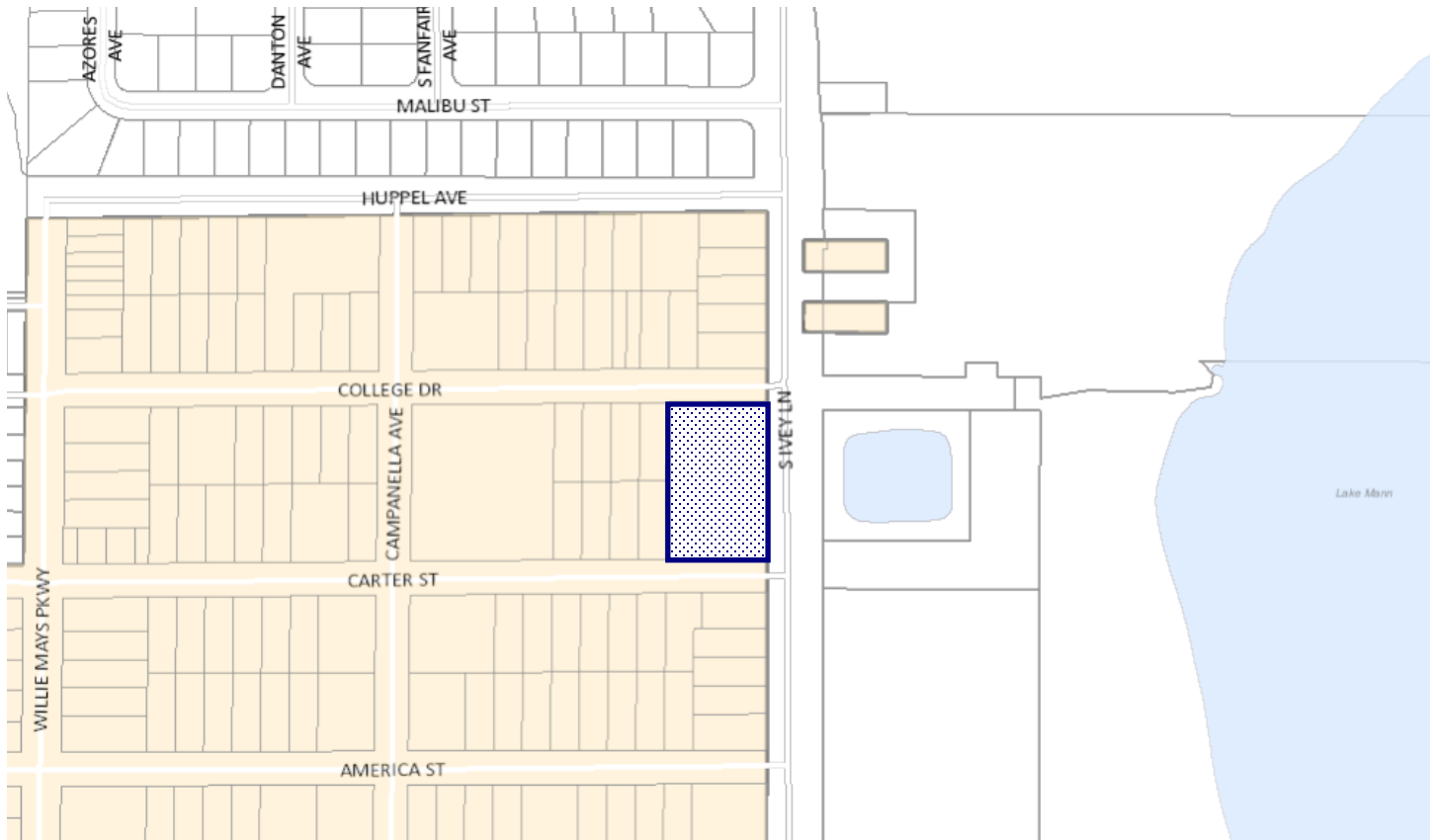




Staff Report to the
Municipal Planning Board
June 21, 2022

CASE #ZON2022-10008

664 S. IVEY LANE



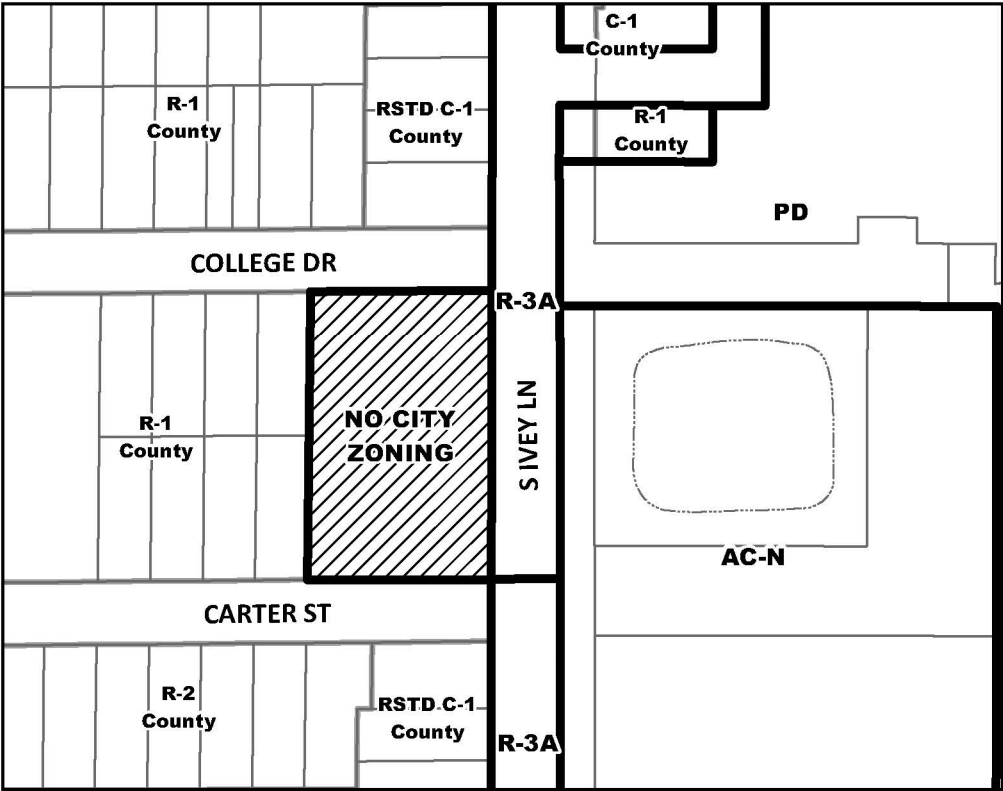
Location Map

 Subject Site

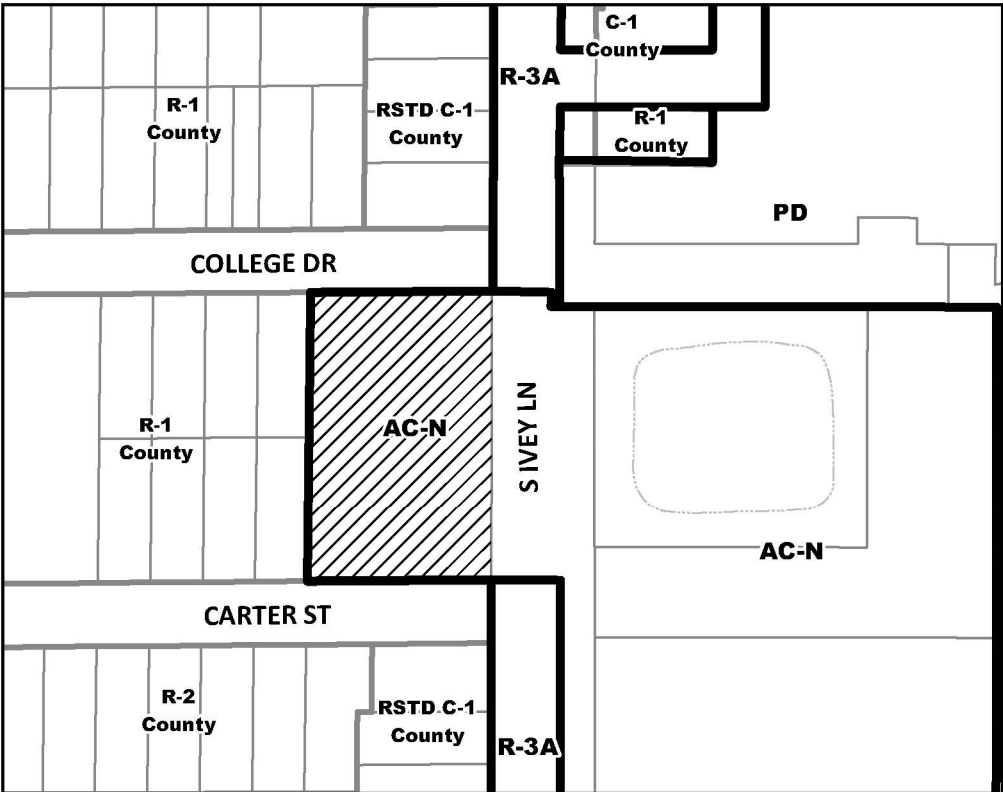
SUMMARY

Owner Title Architects, LLC Applicant Quang Lam Lam Civil Engineering Project Planner Colandra Jones, AICP Updated: June 14, 2022	Property Location: The subject property is located west of S. Ivey Lane, south of College Drive, north of Carter Street and east of Campanella Avenue and addressed as 664 S. Ivey Lane (PID: 32-22-29-3927-01-000) (±1.1 acres, District 5) Applicant's Requests: Rezoning from "No City Zoning" to AC-N to accommodate a 24-unit multi-family residential development.	Staff's Recommendation: Approval of the request, subject to the conditions in this report. Public Comment Courtesy notices were mailed to property owners within 300 ft. of the subject property week of June 6, 2022. As of the published date of this report, staff has not received any comments from the public concerning this request.
---	--	--

Zoning Map



Zoning - Existing ZON2022-10008



Zoning - Proposed ZON2022-10008



Project Analysis

Project Description

The subject site is located west of S. Ivey Lane, south of College Drive, north of Carter Street and east of Campanella Avenue, and is approximately 1.1 acres in size. The subject property is currently designated Neighborhood Activity Center on the Official Future Land Use Map and has “No City Zoning”. This proposed rezoning will change the zoning designation to AC-N. This amendment will facilitate the development of a 24-unit multi-family residential development. The applicant has also submitted a master plan (Case #MPL2022-10022) for the subject property, to be reviewed by staff administratively since it meets the requirements in LDC Section 65.331(c).

Previous Cases

- July 2006—City Council adopted the Ivey Lane Plaza annexation (Case #ANX2005-00051) (*Documentary #0607241001*).
- August 2006—City Council adopted the GMP amendment that assigned the Neighborhood Activity Center future land use designation and included the subject property within Future Land Use Subarea Policy S.9.1 (Case #GMP2005-00038) (*Documentary #0608281009*).
- November 2007—City Council adopted the PD ordinance for Ivey Lane Plaza to establish zoning on the site and allow for a 7,500 sq. ft. development with three retail shops and a gas station (Case #ZON2007-00025) (*Documentary #0711121001*).
- April 2017—The Zoning Official requested the reversion of the zoning back to “No City Zoning” due to the PD expiring on November 12, 2012 (Case #LDC2017-00170).

Project Context

As shown in the table below, the surrounding uses include single family residential to the north, south, and west, retail also to the north and south, and vacant commercial to the east. The multi-family residential use would be compatible with the surrounding uses.

Table 1—Project Context			
	Future Land Use	Zoning	Surrounding Use
North	Commercial & Low-Medium Density Residential (Orange County)	C-1 & R-1 (Orange County)	Single Family Residential & Barber Shop
East	Neighborhood Activity Center	AC-N	Vacant Commercial
South	Commercial & Low-Medium Density Residential (Orange County)	C-1 & R-1 (Orange County)	Single Family Residential & Retail
West	Low-Medium Density Residential (Orange County)	R-1 (Orange County)	Single Family Residential

Conformance with the LDC

The subject property currently has a “No City Zoning”. The applicant is requesting a rezoning to AC-N, which is consistent with the current Neighborhood Activity Center future land use designation. Section 65.366 of the Land Development Code (LDC) requires that all rezonings and/or initial zonings be in conformance with any applicable substantive requirements for Chapters 58 through 66 of the LDC. Development standards for AC-N zoning district are shown in Figure 1C.LDC and Figure 2B.LDC.

AC-N Neighborhood Activity Center District

Section 58.341 of the LDC identifies the purpose of the AC-N zoning district as follows: *“The AC-N district is intended to provide for concentrated areas of neighborhood-serving commercial, office, residential, recreational and cultural facilities, at intensities compatible with surrounding neighborhoods. Although some Neighborhood Activity Centers may be composed of a single type of use, a mixture of land uses is specifically encouraged. These activity centers are intended for locations where arterials and collectors are available, providing convenient access to the surrounding neighborhood.”*

The request is consistent with the AC-N zoning district.

Multi-Family Development Standards

The applicant is proposing to develop 24 residential units on the site. There is an application for an administrative master plan currently under review for this property (Case #MPL2022-10022). LDC Section 58.572 describes development and building site standards for multi-family developments above 8 units. The requirements are as follows as it pertains to this development:

- **Minimum Lot Size Standards.** Must meet the minimum lot depth and site frontage standards for that zoning district.
- **Frontage Requirements.** The front unit(s) must face the front. Each unit must be developed consistent with one of the two following options:
 1. Frontage on a public street, or a private street that meets public street design standards.
 2. Modifications may be granted through the master plan application for rear units to front on a courtyard or a water body.
- **Pedestrian Access.** A pedestrian path from the public sidewalk to the primary pedestrian entrance is required.
- **Building Setbacks.** For street facing units, each unit must meet the setbacks for the applicable zoning district, except that as part of master plan or CUP review, maximum setbacks in AC and MU districts may be increased to provide a landscaped front yard and/or street side yard.
- **Vehicular Use Area.** Parking is not permitted between the building and the street, but is permitted on the side and rear of the building.
- **Cross Access.** 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.
- **Minimum Building Separation.** 20 ft.
- **Residential Zoning District Setback.** 20 ft.
- **Pedestrian Circulation.** A network of pedestrian connections must be designed to connect all entrances of each building to the right-of-way, as required by Section 61.314(a) and (c).
- **Crosswalks.** All crosswalks at driveways and curb cuts must be designed with pavers and/or textured colored concrete or similar to clearly define the pedestrian zone, as required by Section 61.314(e). Thermoplastic paint may be incorporated, but cannot meet this condition alone.

Analysis and review for compliance will occur in the report for MPL2022-10022.

School Impacts

On July 7, 2008, the City adopted a Public School Facilities Element (PSFE) and the Amended Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency which requires all residential developments be subject to school concurrency review. A list of exemptions from this review is provided under Section 18.2 of the Agreement, none is applicable to this case. The requested item is subject to the concurrency process with Orange County Public Schools. Under the terms of the agreement, the City will advise OCPS of comprehensive plan amendments, zoning amendments, and development proposals that may have the effect of increasing existing density.

The site will be subject to concurrency at the time of site plan review.

Aerial Photo—2021



Site Photos



Site Photos



Site Photos



Findings

Subject to the conditions contained herein, the proposal is consistent with the requirements for approval of the zoning application contained in Chapter 65 of the Land Development Code (LDC):

1. The proposed zoning amendment is consistent with the objectives and policies of the City's adopted Growth Management Plan (GMP).
2. The proposed rezoning is consistent with the purpose and intent of the requirements of the Land Development Code.
3. The proposed rezoning is compatible with the surrounding development pattern.
4. 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 rezoning subject to the following conditions:

Conditions of Approval

Growth Management

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. *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.

3. *ADMINISTRATIVE MASTER PLAN EFFECTIVE DATE*

The proposed Master Plan (Case #MPL2022-10022) shall not become effective until after the effective date of the proposed rezoning. The Master Plan shall meet the development standards for Multi-family development above 8 units as outlined in LDC Section 58.572 & 58.573.

Contact Information

Growth Management

For questions regarding City Planning plan review, please contact Colandra Jones at 407.246.3415 or colandra.jones@orlando.gov.

Review/Approval Process—Next Steps

1. City Council approves the MPB minutes.
2. Staff forwards the rezoning ordinance request to City Attorney's Office.
3. First reading of the Ordinance.
4. Second reading of the Ordinance.
5. The ordinance becomes effective.
6. The administrative Master Plan becomes effective.