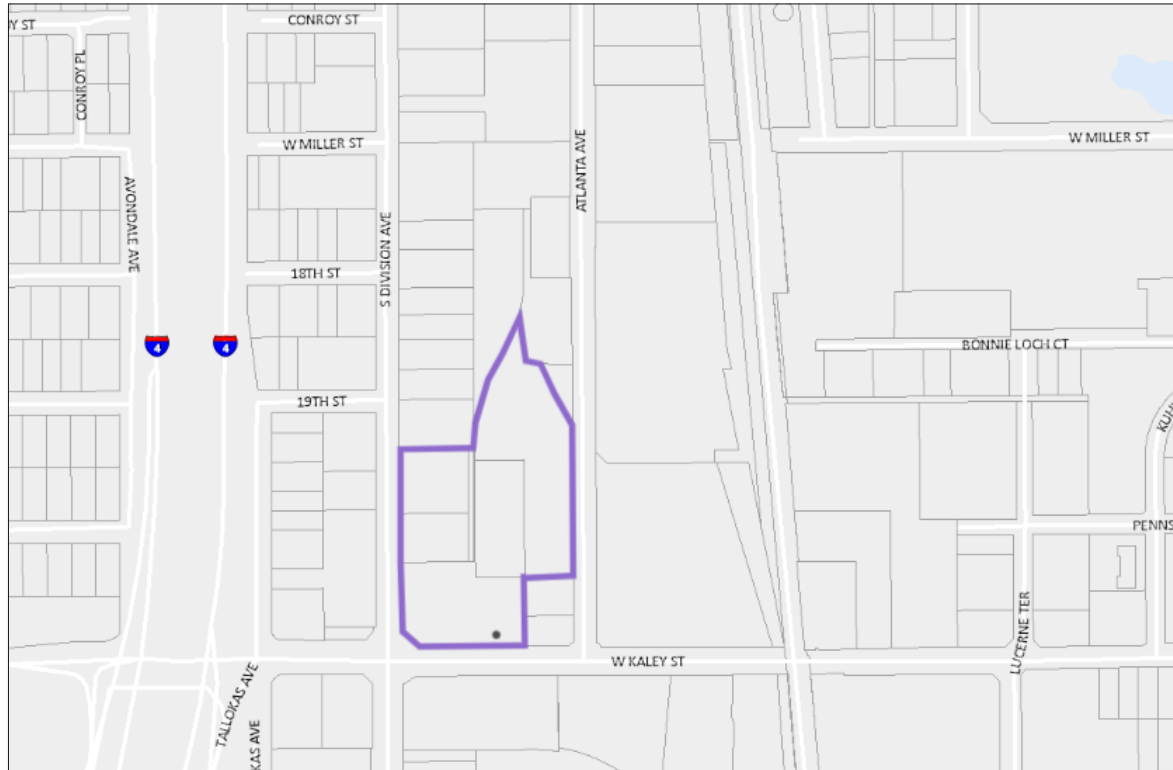


August 16, 2022
Staff Report to the
Municipal Planning Board

GMP2022-10027;
GMP2020-10028

KALEY MIXED USE DEVELOPMENT



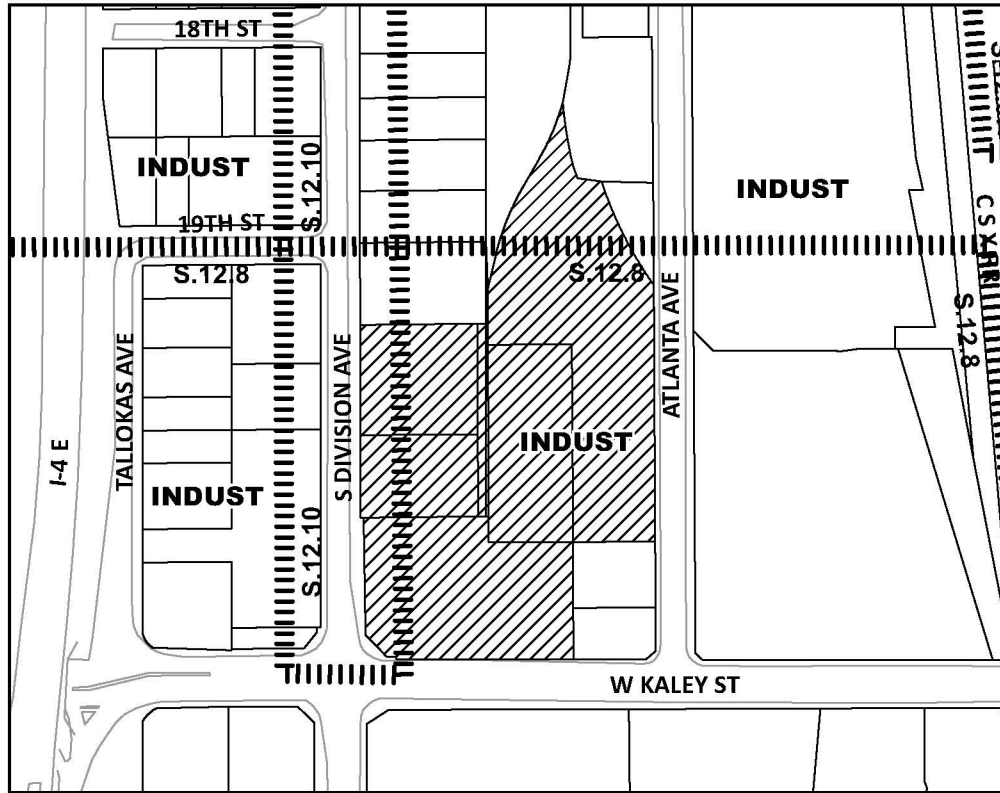
Location Map

 Subject Site

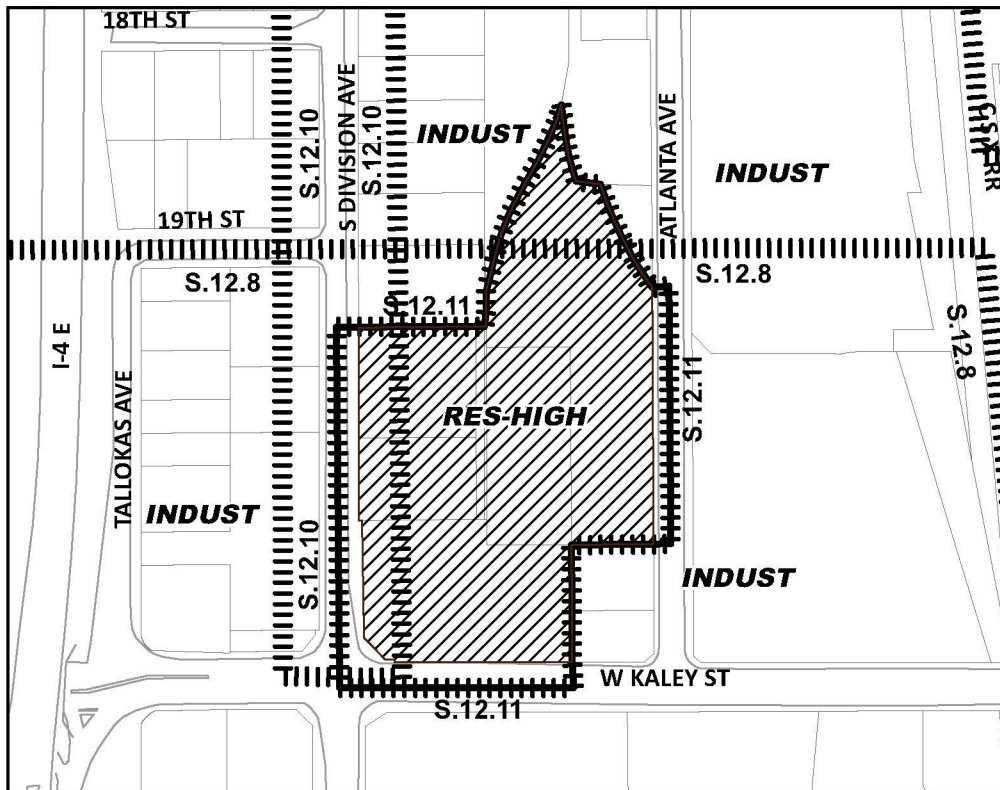
SUMMARY

<p>Owner</p> <p>415 Kaley LLC, Mr. William Nassal, Manager</p> <p>Applicant</p> <p>Nancy Rossman, Centre Corp Inc.</p> <p>Project Planner</p> <p>Yolanda Ortiz, Planner II</p> <p>Updated: August 10, 2022</p>	<p>Property Location: The subject property is generally located north of W. Kaley St., south of Columbia St., east of Division Ave. and I-4 and west of Atlanta Ave. and consisting of ± 5.71 acres;(PID:29-23-02-0000-00-006; 007;068;073; 29-23-02-0150-00-010 and 29-23-02-0000-00-100); District 4.</p> <p>Applicant's Request: The applicant has requested:</p> <ol style="list-style-type: none"> 1) Change the Future Land Use map designation from Industrial to Residential High Intensity. 2) Create a new Subarea Policy S.12.11 for the maximum development plan of the site, for a mixed use project of 856 multi-family units. 3) Amendment to Growth Management Plan - Subarea Policy S.12.8 to update the language. 	<p>Staff's Recommendation: Approval of the request, subject to the conditions in this staff report.</p> <p>Public Comment Courtesy notices were mailed to property owners within 400 ft. of the subject property during the first week of August 2022. As of the published date of this report, staff has not received any comments from the public concerning this project.</p>
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FUTURE LAND USE MAP



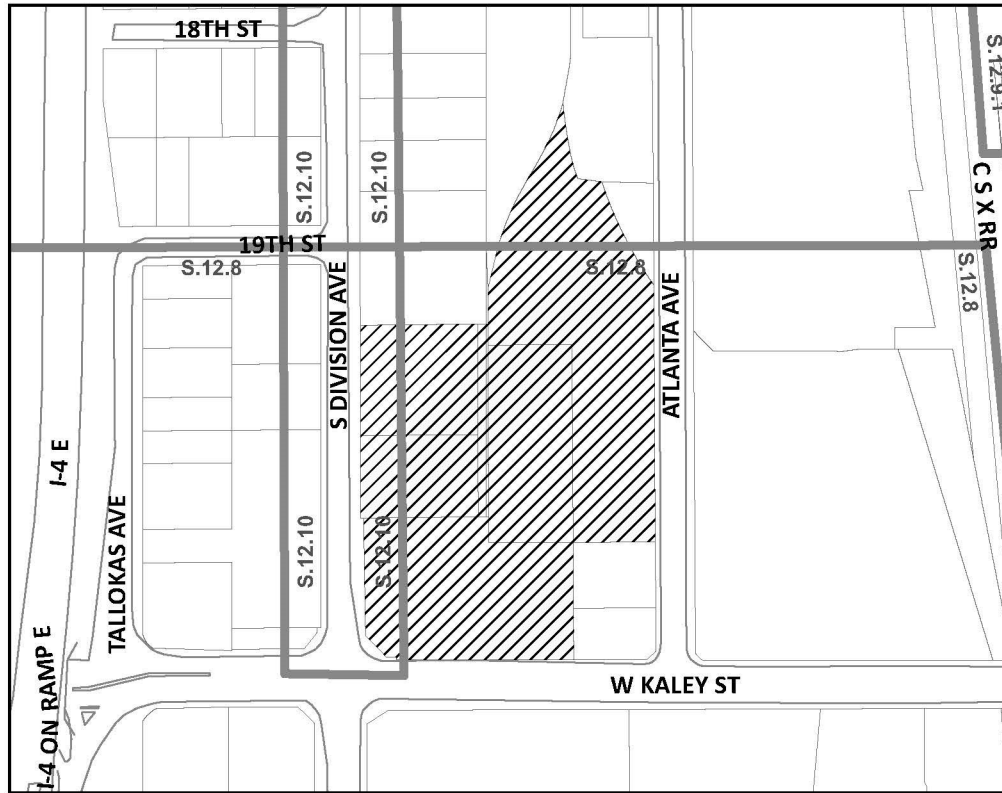
Future Land Use - Existing GMP2022-10027



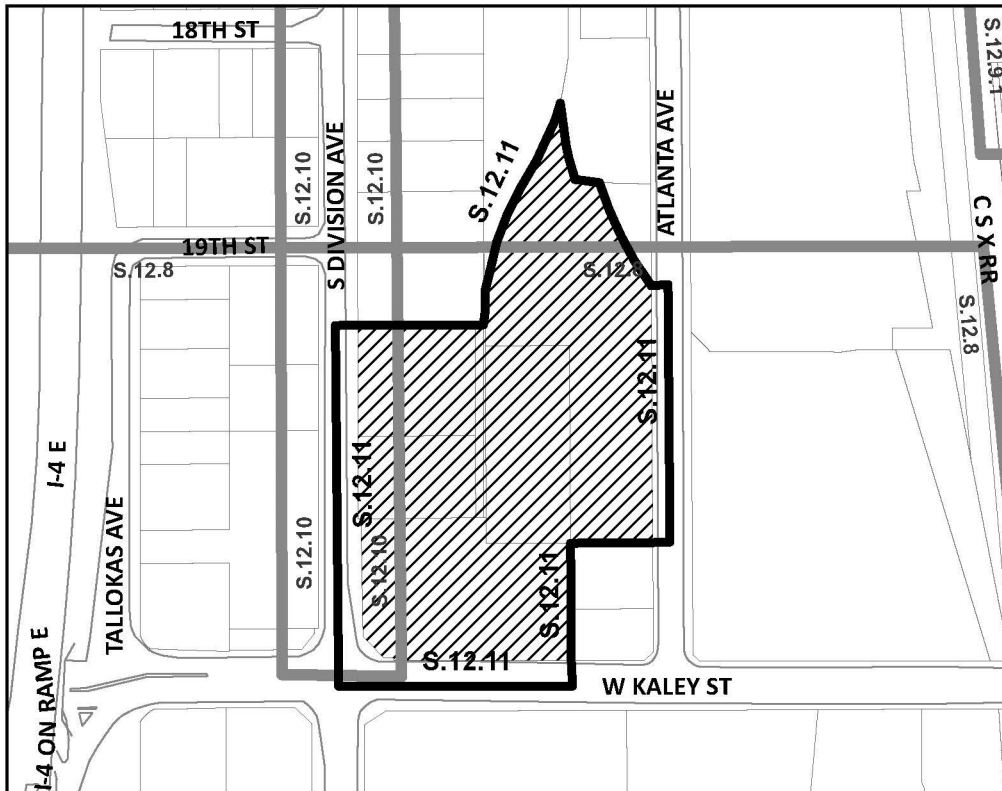
Future Land Use - Proposed GMP2022-10027



FUTURE LAND USE MAP– NEW SUBAREA POLICY 12.11



Existing GMP2022-10028 Policy Line 12.11



Proposed GMP2022-10028 Policy Line 12.11

PROJECT ANALYSIS

Project Description

The subject property is generally located north of W. Kaley Street between Division Ave. and Atlanta Ave. and within the South Downtown Specially Planned area (SODO), specifically on the western side of the district. The site, currently holds the Nassal Company operations, known for specialty scenic fabricator for theme environments, such as theme parks, zoos, sports venues among others. There are several industrial warehouses on site that will be relocated and the structures will be demolished to allow for the new construction.

The applicant is requesting an amendment to the Growth Management Plan, to change the future land use from Industrial (INDUST) to Residential High Intensity (RES-HIGH), for the construction of a 9-story mixed use development comprised of ±856 residential apartments and to include ±30 live/work units and up to a maximum of 0.35 (FAR) of non residential use. An amendment to create a new subarea policy to set the maximum development capacity for the site and to amend the language of subarea policy 12.8 was also included as part of the request. This application was submitted in conjunction with the rezoning of the property to Planned Development, case # ZON2022-10023, a separate report for the zoning will be provided.

Existing Future Land Use = INDUST
Existing Zoning = I-G/T/SP and I-G/T/AN/SP

Proposed Future Land Use= RES-HIGH
Proposed Zoning= PD/T/SP and PD/T/AN/SP

Project Context

Located in the western boundary of the SODO area, the surrounding area has historically been developed with industrial uses, however, over the past years it has been transitioning into a more mixed use development area. The future land use designation, zoning and surrounding uses are shown in Table 1, below. To the north and south of the site, there are industrial uses and automotive services. To the east some industrial uses and hospital related uses, part of the Orlando Health PD. The proposal for a high density mixed use infill development is in conformance with the designation of the site and the vision plan for the SODO special plan area.

Table 1—Project Context				
	Future Land Use	Zoning	SODO Transect	Surrounding Use
North	INDUST	I-G/T/AN/SP	T-6 Urban Core	Kennedy Concrete, Keating Glass Corp. and other industrial uses
East	INDUST	I-G/T/AN/SP	T-6 Urban Core	Taylor Farms, Sonoco Recycling,
South	INDUST	I-G/T/SP	T-6 Urban Core	Vacant– future Pulse Museum
West	INDUST	I-G/T/SP	T-6 Urban Core	Auto related services; United Mech Services, Orlando Auto Mall

Conformance with the Growth Management Plan- Land Development Code (LDC) (Sec. 65.397).

"In their review of Growth Management Plan Amendment applications, the Municipal Planning Board and City Council shall consider the following factors:

- *State Comprehensive Plan (Florida Statutes Chapter 187);*
- *East Central Florida Comprehensive Regional Policy Plan;*
- *F.A.C. ch. 9J-5;*
- *Florida Statutes ch. 163, Part II;*
- *City's adopted Growth Management Plan;*
- *Changed Conditions;*
- *Land Use Compatibility;*
- *Adequate Public Facilities."*

State Comprehensive Plan (Florida Statutes ch. 187)

Chapter 187 of the Florida Statutes, is the State Comprehensive Plan adopted with its specific goals and policies as it relates to land use, public facilities, transportation, government efficiency among others. The proposed GMP amendment is in compliance with the State Comprehensive Plan.

East Central Florida Comprehensive Regional Policy Plan

The proposed GMP amendment is in compliance with the East Central Florida Comprehensive Regional Policy Plan, as it does not adversely impact the regional approach to development and sustainability for the region.

F.A.C. Ch. 9J-5

The proposed GMP amendment is in compliance with the Florida Administrative Code and the Florida Administrative Register, as it complies with the minimum criteria for review of Local Government Comprehensive Plan and Plan Amendments, Evaluation and Land Development regulations.

Florida Statutes Ch. 163, pt. II

The proposed GMP amendment is in compliance with the Florida Statutes, Chapter 163 Part II, and Section 163.3187, that states the process for adoption of a small scale comprehensive plan amendment to the official Future Land Use map. The project is considered a small scale development, less than 50 acres in size with a proposed text change that relates directly to and will be adopted simultaneously with the land use amendment. A small scale GMP amendment, according to Chapter 163, requires one public hearing for adoption, with there is a 30 days period for appeals, becoming effective 31 days after adoption, if not challenge.

City's Growth Management Plan

Figure LU-1 of the Growth Management Plan, established the standards for future land use categories. The applicant is requesting on the property a Land Use designation of Residential High Intensity (RES-HIGH). According to the referred figure the standards for the Mixed Use Corridor Medium Intensity district are:

Maximum Intensity 200 units/acre and/or 0.35 FAR

Minimum Intensity: 30 units/acre

Allowable uses included: Residential, Office, and Public Recreational and Institutional.

The proposed GMP amendment and the proposal for the site, is in compliance with the Growth Management Plan, uses and densities of the requested district.

LDC Sec. 65.393. - Zoning Map Amendment Required

"Any amendment to the Official Future Land Use Map which requires a zoning map amendment shall require an application for zoning map amendment to be submitted in accordance with Ch. 65, Part 2I of the Land Development Code, unless waived by the Planning Official. The zoning map amendment shall be submitted at the time of application for the Growth Management Plan amendment".

The proposed project complies with section 65.393, as concurrent zoning map amendment was submitted by the applicant, case # ZON2022-10023, a separate staff report will be provided. The application includes a zoning change in the property, bringing the designations into compliance with their corresponding Future Land Use.

Subarea Policy 12.7

The subject property lies within the GMP Subarea Policy 12.7, which applies to all the properties within the boundaries of the SODO district and states: *"This Subarea, known as the South Downtown Area, is intended to be a vibrant, recognizable, mixed-use, multi-modal neighborhood that thrives on the synergies afforded by the continued growth of the Orlando Health campus and adjacent medical related uses"*. The policy also requires that proposed projects be in compliance with the South Downtown Vision Plan adopted in 2008 and the specific recommendations including: enhancing Kaley/Division Ave with catalyst project; provision of parks and open space for the area; provision of workforce housing; alternative modes of transportation, among many others. The proposal is in compliance with Subarea Policy 12.7 as it complies with SODO vision plan guidelines and recommendations. For the complete policy language please visit: <https://www.orlando.gov/files/sharedassets/public/documents/city-and-district-plans/comprehensive-plan/policy-documents/03-future-land-use-gops-supp-no-22-full.pdf>.

Subarea Policy 12.8

The subject property also lies within Subarea Policy 12.8 or the Kaley Future Land Use Overlay is *"intended to encourage redevelopment, create a highly visible and memorable node of activity and establish the intersection of Division Avenue and Kaley Street as the western gateway to the South Downtown (SODO) Subarea"*. The Kaley Future Land Use Overlay area, which is industrial in nature, allows higher densities (100 du/ac and/or 2.0 FAR with bonuses) and uses such as: retail, residential, hotel, eating and drinking, and office, it also provides additional recommendations for the area. The proposal is in compliance with the subarea policy as it follows the recommendations for mixed use developments, the policy also allows the residential and commercial uses. As part of this request, the language of this subarea policy will be amended as follows (underling text, to be added to the policy):

"Policy S.12.8 Kaley Future Land Use Overlay. The Kaley Future Land Use Overlay is intended to encourage redevelopment, create a highly visible and memorable node of activity and establish the intersection of Division Avenue and Kaley Street as the western gateway to the South Downtown (SODO) Subarea. To achieve these objectives, the City may adopt a Special Plan Overlay zoning designation (the "SODO Zoning Overlay"). The SODO Zoning Overlay may allow a maximum density of 100 dwelling units per acre and/or a maximum intensity of 2.0 F.A.R. within Subarea S.12.8 when approved as a density and/or intensity bonus or a higher density may be considered on a parcel by parcel basis. Density and intensity bonuses shall be reviewed and approved in accordance with the regulations provided in the Land Development Code for Bonuses in Office, Mixed Use Corridor and Activity Center Districts ..."(p.LU 52)

Subarea Policy 12.10

Subarea Policy 12.10 runs along the west edge of the subject property and provides development rights incentives for property owners that wants to donate land for the cross sections of Division Avenue. Cross sections on Division Ave. will be provided and reviewed as part of the subsequent Master Plan approval process for this development, no need for additional right of way.

Proposed New Subarea Policy 12.11

The Future Land Use Element Policy Document, is proposed to be amended with this application. A new Subarea Policy, S.12.11, will encompass the entire subject property, see map on page 2, and the following policies shall apply:

Policy S.12.11 To ensure compatibility with the existing industrial uses and a proper transition to a mixed use project in the area, development within this subarea shall be zoned Planned Development, the PD shall comply with the following:

a) The maximum development capacity for the site shall be: 150 du/ac and 0.35 FAR. Any proposed changes to increase densities in the development, requires an amendment to this subarea policy. The PD shall include standards for approval of a bonus for any project that exceeds 75 du/ac.

b) The development shall be consistent with the SODO Special Plan design concepts and shall be tailored to create an effective pedestrian friendly environment that interconnects with the existing and planned infrastructure for the community. Design standards shall be consistent with the Traditional City standards as defined in the Land Development Code.

c) Open space along the east must be provided as part of the development, if a linear park is proposed, must be ADA accessible, open to the public and privately maintained.

e) School– Applicant must comply with Orange County Public Schools requirements regarding capacity and concurrency for the project.

Changed Conditions

As mentioned, the subject property is part of the SODO district and special plan. The uses surrounding the site are mainly industrial, however, to the east are predominantly; commercial, office, residential and hospital related services. The proposed GMP amendment will facilitate the development of a dense infill development within this urbanized area. Infill development is a proven tool for cities to attract residents to the downtown area or other distress areas and to revitalize neighborhoods. This project will bring the most needed housing options for the area, as well as additional services to the community, in conformance with the SODO Vision Plan. The project will be a catalyst mixed use development, that will transform the area around Kaley St. and Division Avenue. The Vision Plan foresaw a transition in the land use patterns of the area from predominantly industrial to a more mixed use area.

Land Use Compatibility

The subject property is consistent and compatible with the land uses around the site, see Table 1, on page 4.

Adequate Public Facilities

State law requires the City to perform a public facilities evaluation for GMP amendments that would increase the allowable density of a property. The proposed GMP amendment includes changing the Future Land Use Map from Industrial (INDUST) that allows a density of 40 du/ac and an intensity of 0.70 FAR (floor area ratio) to Residential High Intensity (RES-HIGH) that allows a density of 30-200 du/acres and/or 0.35 FAR. 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/intensity permitted by the existing future land use designation of Industrial (INDUST) in ± 5.71 acres, results in a maximum of 228 dwelling units and @ 0.70 FAR= $\pm 173,979$ sq.ft. of industrial use.

Evaluation 2- This evaluation considered the impact of developing the site at the maximum density/intensity permitted by the proposed city's

future land use designation Residential High Intensity (RES-HIGH) that allows a density of 30-200 du/acres and/or 0.35 FAR, in ± 5.71 acres results in a minimum of 171 units up to 1,142 dwelling units and $\pm 86,898$ sq.ft. of

non residential uses. There is an allowance in development capacity for 914 residential units and a decrease of 87,081 sq. ft. of FAR.

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.

Potable Water, Wastewater and Parks
The table below 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 increase the need for additional public services, but there is capacity available to absorb the increment and not adversely impact the city's level of service for potable water, wastewater and parks in the City.

Table 2- Demand for Public Facilities

	Potable Water (GPD)	Wastewater (GPD)	Comm. Parks (Acres)	Neigh. Parks (Acres)	Transportation (Trips)
Evaluation #1	83,875	64,197	0.59	0.34	2,353
Evaluation #2	239,697	224,801	2.97	1.71	12,091
Net Increase (Decrease)	155,821	160,603	2.38	1.37	9,738

Table 3- Capacity, Demand, Supply and Impact of proposed GMP

	Potable Water (MGPD)	Wastewater (MGPD)	Comm. Parks (Acres) for CPS 4	Neigh. Parks (Acres) for NPSP 13
Capacity	100.10	52.16	210.13	52.55
Reported Demand—2021	83.69	41.51	105.59	9.98
Projected increase in Demand 2022-2026	4.55	2.75	7.94	0.99
Projected increase in Supply 2022-2026	0.00	0.00	0.00	0.00
Demand from GMP2022-10027-10028	0.16	0.16	2.38	1.37
Net Available Capacity	11.70	7.74	94.22	40.21

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; any new customers generate revenues sufficient to fund any capital costs. Therefore, a solid waste capacity analysis was not performed.

Environmental

The Growth Management Plan Conservation Element Policy 1.4.1. States that "all projects requiring Municipal Planning Board or City Council review shall provide an Environmental Assessment. However, the City shall determine if the submittal is appropriate on a case by case basis." Areas exempt from this requirement includes those located within the "Urbanized Disturbed Lands", Figure C-1 of the GMP, Conservation Element. The subject property lies within the Urbanized Disturbed Lands, so it is no subject to an Environmental Assessment.

Conformance with the Land Development Code (LDC)

The applicant is requesting the rezoning of the property, from the existing General Industrial (I-G/T/AN/SP and I-G/T/SP) to Planned Development (PD/T/SP and PD/T/AN/SP) with the Traditional City and Special Plan overlay district for the SODO District and Aircraft Noise overlay district on the northern portion of the site. The proposed zoning designation is consistent with the purposes of the district as described in our Land Development Code, Chapter 58, Part 2, and summarized below:

"The PD District is intended to provide a process for the evaluation of unique, individually planned developments which are not otherwise permitted in the zoning districts established by this Chapter. The PD District is to be a voluntary process commenced by an applicant for such zoning designation. The standards and procedures of this district are intended to promote flexibility of design and permit planned diversification and integration of uses and structures, while at the same time retaining in the City Council the absolute authority to establish such limitations and regulations as it deems necessary to protect the public health, safety and general welfare." The proposed development is definitely a unique one that better fits the Planned Development zoning designation. With the PD designation, the City can provide some flexibility to the development, but at the same time, achieve a smooth transition into a mixed use area.

Special Plan South Downtown-SODO

As mentioned, the subject property is part of the SODO Special Plan overlay district, and shall comply with the LDC, Section 62.499 as it relates to the development standards for the district. The purpose of the Special Plan states: "The overall purpose of the SODO Special Plan is to provide a vibrant, recognizable, mixed-use, multi-modal neighborhood that thrives on the synergies afforded by the continued growth of the Orlando Health campus and related medical uses, and the continued success of the SODO Main Street District. The primary goals of this Special Plan is to preserve and strengthen commercial activities and redevelopment opportunities within the area, enhance pedestrian safety and main street character, and protect existing residential neighborhoods from encroachment." The proposal is in conformance with the SODO Special Plan, as it will bring a mixed use development that will enhance the area, provide new housing options, creates new job opportunities, and a new pedestrian infrastructure, among other benefits for the South Downtown area.

Transect Zone: Urban Core—T-6

The SODO Special Plan uses transitional areas or the transect zone approach to planning and the subject property designation is T-6 or Urban Core Transect, our more intense designation. The LDC defines T-6 as: *"The primary intent of this zone is to allow redevelopment to create a vibrant, transit-oriented neighborhood with a mix of residential, retail and office uses while continuing to allow the type of industrial activities that have resided in this area for many years. This zone will focus on allowing high intensity development that supports public transit users as well as bicycle and pedestrian activity. The T-6 zone is also intended to accommodate uses that typically locate close to a hospital. Ground-floor commercial uses are encouraged to generate activity and contribute positively to a pedestrian-friendly environment, but frontages may also be occupied by other uses such as hotels, multifamily, public or office uses. Buildings are to be placed close to the street, but exceptions are provided to accommodate outdoor gathering spaces (e.g. public plazas, outdoor dining) as well as pedestrian activity and safety. Off-street parking shall be located behind the buildings or in covered garages"*.

The Kaley Street/Division Avenue node is intended to become a highly visible and memorable node of activity representing the western gateway to the SODO district. The area to the north of this gateway is intended to promote a complementary mixture of transit-supportive uses at higher densities and intensities within walking distance of the SunRail station. Development density, intensity and height is the most intensive in this area, given the presence of the SunRail station within the zone, and its location between the Interstate (I-4) on the west and already intensive hospital uses on the east side." The proposal complies with the T-6 designation and the conceptual design standards; other development information will be analyzed for compliance during the master plan approval process.

Aircraft Noise

The northern portion of the subject property locates within the Aircraft Noise overlay district, specifically within Zone E, and shall comply with the LCD, Section 58.372 and 58.381 of Sound Level Requirements for structures and buildings. For multifamily units, a notification to the residents is required.

Transportation

The City has adopted a Transportation Concurrency Exemption Area (TCEA) citywide, Figure TE-3 of the GMP Transportation Element, and the subject property is included. The proposed amendment is expected to generate a significant amount of trips per day, so a traffic study was required. See the conditions of approvals from the Transportation Department in the staff report for the zoning case.

The proposed project is located in an existing urbanized area and transit is available in different ways. The site has access to the SunRail/Amtrak Orlando Health Station, the LYNX bus services is available around the Orlando Health Campus. The pedestrian circulation around the site will be improved, as well as, the provision and access to the Orlando Urban Trail which is an amenity for the future residents and existing customers of the area. A bike lane is also proposed on Kaley Street for the area.

Capital Improvement Program

The City has various Capital Improvement Program (CIP) projects in the vicinity of the subject property, see Figure CI-14 of the GMP, Capital Improvement Element, that will enhance the appearance and circulation of the area. Some of the projects are financed by the City, FDOT (Federal Department of Transportation), and with State funds or a combination. The site is also part of the Downtown South Neighborhood Improvement District, (DSNID) created in 2011 to help with the revitalization efforts of the area. Being a DSNID, provides access to new funding resources, grants and other financial mechanisms for the district.

Some of the infrastructure projects includes: Division Avenue Complete Street project with an investment of \$2.5 million over the next 5 years; the Orlando Urban Trail with an investment of more than 25 million and provides a connection along Orange to the Orlando Health/Amtrak station and the Columbia Street renovation. Other improvements will be provided such as: new streets, sidewalks, roundabout, linear park, public plaza and outdoor areas. The combined efforts will continue to attract new private investments and initiatives to the area in order to fulfill the Vision Plan goals of transforming the area into a mixed use district and a more friendly pedestrian environment.

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.

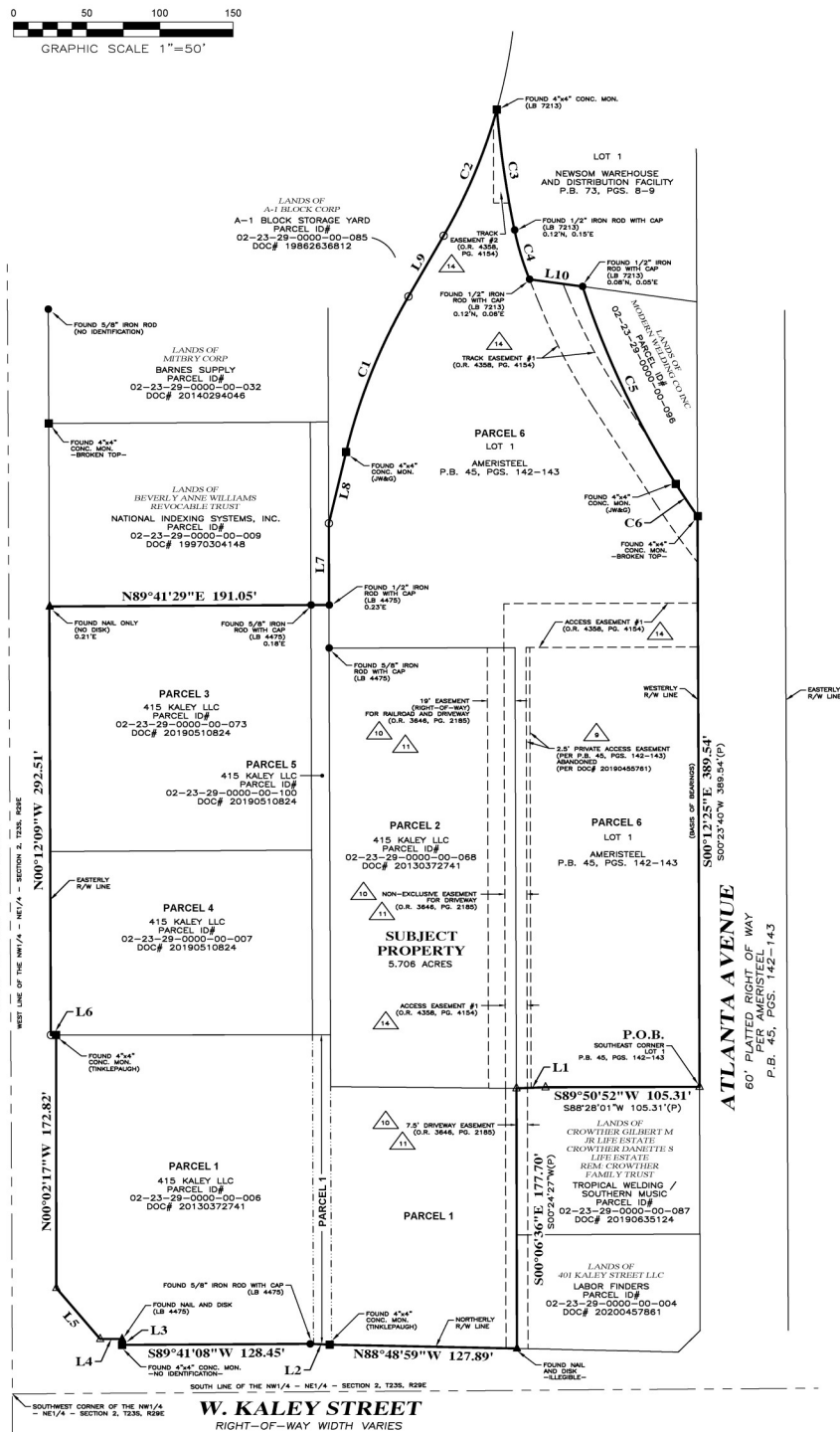
On January 11, 2021, the City amended GMP Policy 1.3.1 which allows school capacity to be taken into account when evaluating land use. OCPS has performed a preliminary review for this project and found the following capacity:

- Elementary and Middle —Blanker School K-8 School – Capacity is available
- High—Boone High School- Capacity is available.

Based on the preliminary information provided by OCPS and the fact that the project is estimated to generate 4 (ES), 2 (MS) and 3 (HS) students staff recommends approval of the amendment. This is based on the multi-family high rise definition, per Ordinance 2020-35, approved by the Orange County Board of County Commissioners on December 1, 2020. The ordinance defines a high rise development as: having a minimum density of 70 du/ac, that contains an attached parking structure, and that is a minimum of seven (7) stories in height. This project complies with the definition. For a high rise development, the student generation rate is 0.013 (SGR).

↑





CONCEPTUAL- SITE PLAN

SODO SITE - MASTER PLAN

CONCEPTUAL PROGRAM:

SITE: 5.704 AC
Proposed density: 150 du/ac

A1 AND A2 TOTAL		
HEIGHT	UNITS	GROSS SF/FLOOR
UP TO 9 STORY	856 UNITS	94800 GSF

CONCEPTUAL UNIT PARKING MIX EXAMPLE*

TYPE OF UNIT	# OF UNITS	ORLANDO CITY CODE	MARKET BASED PER BEDROOM
STUDIO	171 UNITS	1	171
LARGE STUDIO	43 UNITS	1	43
BEDROOM	342 UNITS	1.5	513
2 BEDROOM	214 UNITS	1.75	375
3 BEDROOM	86 UNITS	2	172
	856 UNITS	1.49	1,274

*Notes:
1. The conceptual unit mix above is provided for illustrative purposes only. Final program and mix will be determined at a later date.
2. Based on the above conceptual program, the minimum parking space requirements is 1,274 and the conceptual master plan provides 1,300+ parking spaces so the minimum requirement is met.

B. GARAGE

Parking Required per Orlando city code: 1.49 /unit

Parking Provided:
of Levels - 7 / approx. 200 spaces /level
Total: 1300 - 1400 spaces

C. COMMERCIAL - 10,000 SF

PROPOSED DEVELOPMENT STANDARDS:

- Default Zoning District: T6
- Building setbacks, lot frontages, impervious surface ratio: generally consistent with the T6 zoning requirements
- Rights of way, pavement width, signs, landscaping, lighting plan: TBD
- Proposed density: 150 du/ac
- Building Height: Up to 9 stories/140 ft
- Public Use areas - Master plan includes over 1/2 acre of public use areas, including the new public street identified on the site plan with street-scape, hardscape, landscaping and related improvements, as well as public linear park along Atlanta Avenue.
- All other items requested in the Development Plan submission checklist are not available at this time, but will be developed prior to the site plan submittal for individual development parcels.

Note: The site is not within 100 year flood area.

LEGEND:

- APARTMENTS
- COMMERCIAL
- CO-WORKING/AMENITY
- LEASING/AMENITY
- GYM/AMENITY



SCALE: 1" = 50'

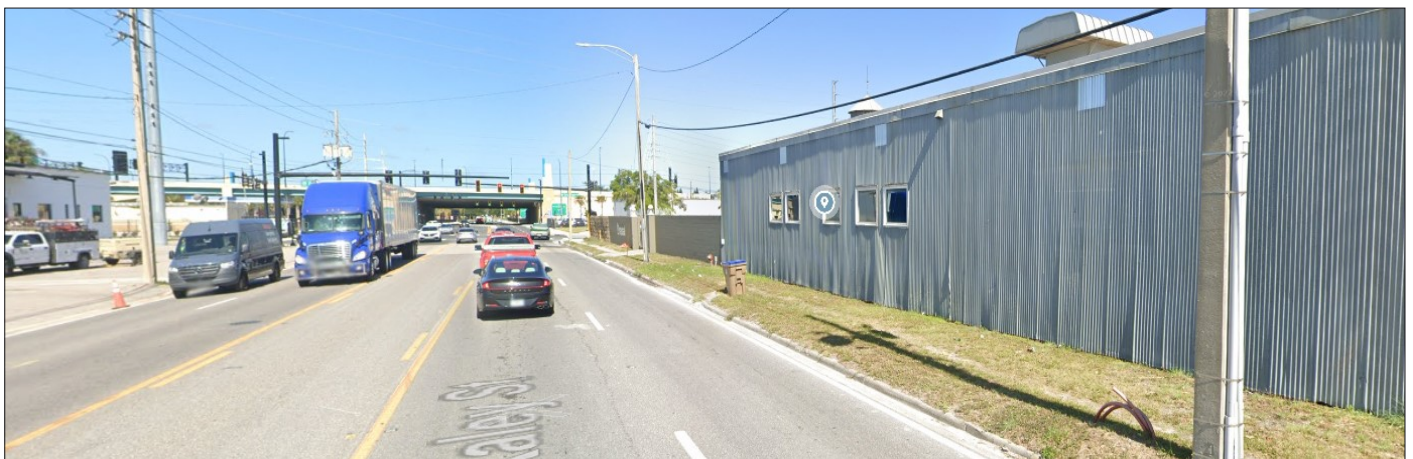
SITE PICTURES



Int of W Kaley and Division Avenue



Front of the Site– across from Kaley (south)



Images provided by Google

Site to the right– Int of W Kaley and Division Avenue

FINDINGS

Subject to the conditions contained herein, the proposal is consistent with the requirements for approval of the proposed Growth Management Plan amendment proposal contained in Chapter 65 of the Land Development Code:

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 proposed amendment and rezoning is consistent with the City's Growth Management Plan.
5. The proposed amendment and rezoning is consistent with the Land Development Code.
6. The proposed amendment and rezoning is consistent with the surroundings and neighborhood.
7. 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 the GMP2022-10027 and GMP2022-10028 subject to the conditions below:

CONDITIONS OF APPROVAL

CITY PLANNING

Recommend Approval with Conditions

- 1) GENERAL CODE COMPLIANCE AND CONSISTENCY- The proposed FLU amendment shall be consistent with the conditions in this report, the requirements of the Land Development Code, the Growth Management Plan 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.
- 2) DENSITY OF DEVELOPMENT- Development of the subject property at densities/intensities higher than what is permitted by the current zoning designation's shall not be permitted prior to the effective date of this GMP amendment and the rezoning case.
- 3) DEVELOPMENT PERMIT- 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) ENVIRONMENT- The applicant shall provide the City with all the approved Environmental Studies, permits, reviews, comments, from the regulatory State and Federal Agencies addressing any issues regarding any environmental concerns on the site, before any permits will be issued.
- 5) SCHOOLS- The site is subject to the concurrency process with Orange County Public Schools.
- 6) SUBAREA POLICY- Development must comply with the conditions of Subarea Policy S.12.11.

INFORMATIONAL COMMENTS

COMMUNITY PLANNING AND URBAN DESIGN

Recommend for Approval

DEPARTMENT OF TRANSPORTATION

Recommend for Approval

DEVELOPMENT REVIEW

Recommend for Approval

SOLID WASTE

Recommend Approval with Conditions

More details needed, during the master plan approval revision process regarding the garbage and recycling container locations.

PARKS AND RECREATION

Recommend for Approval

PUBLIC WORKS

Recommend Approval with Conditions

Please note the following will need to be addressed and met during the Engineering permit review process.

- 1) Per section 7.01 of the City's ESM, any proposed project to be built in the City of Orlando which alters the existing topographic characteristics will be required to provide stormwater treatment. Alterations of surface drainage (with the exception of resurfacing and landscaping elements only) is defined as: changing the flow patterns within the redevelopment area; changing the mode of transport from overland flow or open channel to a closed conduit, etc.; changing an impervious surface's character (from building to parking, wet bottom pond or a new building or vice versa); changing the character of a parking surface (from shell base to asphalt, etc.); or remodeling of an existing building which changes its footprint or number of floors. When applying for an Engineering Permit, please submit the Drainage Report, Geotech Report, Stormwater Tabulations, and all necessary docs needed in order to verify the City's and Water Management District standards are met. Provide a certification signed by the Engineer, licensed in the State of Florida, responsible for the stormwater design which reads as follows: "I hereby certify that to the best of my knowledge and belief, the design of the Stormwater Management System for the project known as: (Project Name) meets all of the requirements and has been designed substantially in accordance with the City of Orlando Stormwater Management Criteria."
- 2) Construction activities including clearing, grading and excavating activities shall obtain an EPA NPDES permit, except for operations that result in the disturbance of less than one acres total land area which are not part of a larger common plan of development or sale. The NPDES permit must be received in the Office of Permitting Services (via ProjectDox upload) prior to the issuance of City of Orlando permits. If the disturbed area is less than one acre, please provide a note on the plans indicating the City of Orlando's Guidelines for Erosion Sediment Control (aka the Blue Sheet) will serve as a guide for the implementation of erosion sediment control measures. Blue Sheet can be found under the City of Orlando website. Please attach this sheet in your permit submittal.
- 3) Please provide a signed and sealed existing topographic survey with datum and official benchmark in the NAVD88 vertical datum. Per the City's ESM Section 7.01.A.1, survey data shall be gathered to at least 25 feet beyond the property line or as far offsite as required to assure offsite drainage patterns are maintained. Please submit a hard copy of survey (with sign and seal) to City Hall 8th floor addressed to Richard Allen.
- 4) Please submit a signed and date private/public improvements cost sheet. Cost sheet forms and instructions are available at our website at www.cityoforlando.net/permits. For questions regarding Engineering Site issues contact Kyle Staats at kyle.staats@cityoforlando.net or 407-246-4326.

WASTE WATER

Recommend Approval with Conditions

Prior to building permit issuance:

- 1) The proposed urban infill development in the South Orlando (SODO) District from a land use category of IND, with a relatively low wastewater output, to a future land use of RES-HIGH to allow for up to 150 units per acre represents a significant increase in the wastewater discharge rate, which the existing City's infrastructure may not have the capacity to support. An Infrastructure Master Plan (IMP) shall be prepared for the development and should include detailed wastewater generation calculations, along with sizing and layout of an on-site and off-site sanitary sewer collection and transmission system. Connection points to the Public sanitary system shall be identified. The IMP shall be submitted to the Water Reclamation Division for review and approval prior to construction plans submittal.
- 2) The extent of offsite sanitary sewer improvements will be based on the analysis and recommendations prepared by the Applicant's Engineer and subject to review by the Water Reclamation Division.
- 3) Wastewater flows (average daily flows, ADF) associated with the development shall be calculated using the City's sewer service policy allocation factors, Level of Service (LOS) published in the City's GMP, and/or 64E-60008 FAC.
- 4) The requirements of the applicable Section 9 of the current City's Engineering Standards Manual (ESM) shall be applied in the analysis, design, and construction of all sanitary elements of this Planned Development.
- 5) The Applicant's Engineer is encouraged to contact the WRD to discuss the capacity of the City's wastewater facilities and needed upgrades in the system to serve the SODO District.

FIRE DEPARTMENT

Recommend for Approval with Conditions

The site review of the conceptual designs presented is preliminary and cursory in nature, as such, the comments communicated are not official determinations. The intent of comments provided is to alert designers to conditions and/or other considerations that require a deeper consideration of the FFPC, Florida Fire Code, NFPA 1.18, State administrative requirements and City of Orlando, Municipal Code (Chapter 24) Fire Prevention, when finalizing the design for formal plan review.

1) The architectural design of the building, floor plans, life safety egress system, fire protection systems, and fire department access will be reviewed in detail for State, Fire Code, FFPC and City Fire Code compliance at the time of permit application for formal plan review of 100% drawings. ZERO LOT LINE BUILDING DESIGN. The conceptual design should indicate the location of stairs in relation to the access road, hydrants – existing and proposed, sprinkler riser room, fire pump room, and access roads – existing or proposed. The following conditions are to be considered in zero lot line designs.

2) **REQUIRED ACCESS.** The Orlando Fire Department requires access to two sides of a building or structure.

3) **HAZARD DETERMINATION.** The location of a hazard natural or manmade cannot be predetermined. As such designs incorporating predetermined locations for staging by OFD apparatus are not applicable for review of fire department access.

4) **MANUAL STAGING.** The Orlando Fire Department does not conduct manual staging operations under a structure. Any travel otherwise under a structure must be reviewed and approved by Orlando Fire Department prior to formal plan review.

5) **FIRE PROTECTION FEATURES.** Zero Lot Line site conditions often do not meet the specific requirements of the FIRE CODE. Wherein no access is provided to the sides or rear of a building. In such cases, the AHJ is authorized to require additional fire protection features to offset increased hazard and or delays created by the design. NFPA

1.18.2.3.1.4. **PRESUBMITTAL MEETING WITH PERMITTING SERVICES.** A TRC review is not applicable for review of conceptual architectural drawings. A pre-submittal meeting is required in order to receive cursory insight into Florida Building Code (FBC) and Florida Fire Prevention Code (FFPC, NFPA) requirements impacting a conceptual architectural drawings. Official determinations are not provided at these discussions.

6) Architects of Record and or Consultants are asked to prepare an agenda with questions pertaining to your project. This will afford staff to do research in advance before meeting. To schedule an appointment, see the following link.

www.orlando.gov/Building-Development/Schedule-an-Appointment/Schedule-a-Permitting-Appointment

7) **FEDERAL DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP).** An FDEP clearance is required to release water supply to a construction site. Vertical construction of a building without water supply is prohibited. NFPA

1.16.4.3.1.3. It is therefore, critical, that the process to receive a FDEP permit and clearance for the use of treated water to sites and projects begins early in the conceptual stage. To begin the process see the following link

www.fdeportal.com/DepPortal/go/apply

8) **COMMENTS FOR CONSIDERATION TOWARDS 100 PERCENT DRAWINGS***** CUP - CONDITION USE PLAN.** The change of use is granted conditional to compliance with the NFPA requirements for life safety and Fire Department Access. For use of an existing space or building an inspection from the Office of Fire Safety Management is required before use can be granted. Call 407-246-3144 to schedule an inspection.

9) **Required Fire Department Access, A Mandatory Requirement.** Approved fire department access roads shall be provided for every facility, building, or portion of a building hereafter constructed or relocated. NFPA 1.18.2.3.1.1; NFPA 1.18.2.3.1.2

10) Fire department access roads shall consist of roadways, fire lanes, parking lot lanes, or a combination thereof.

11) **Fire Department Access to Buildings.** The access road itself must extend 50ft. from an exterior doorway that allow access to the building's interior via a common hall or common lobby area, or the largest tenant area if the building does not have a common interior area. NFPA 1.18.2.3.2.1

12) **Manual Suppression.** 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]

13) **Staging under structures.** The Orlando Fire Department does not conduct manual staging operations under a structure. All travel under structure must be reviewed and approved by Orlando Fire Department prior to formal plan review.

14) **Approved Turnaround:** An approved turnaround shall be provided for fire apparatus where an access road is a dead end in excess of 150 ft. When a dead-end road will not accommodate an approved t-turn or turn-a-bout, a minimum width of 25 ft. will be required. This provision is subject to review and approval of the Orlando Fire Department.

15) The turnabout shall be the minimum 20ft. width of the fire department access road and sized for the dimensions and maneuvering space of the largest OFD apparatus (60 ft. length / 20 ft. width).

16) Use of areas subject to obstruction by vehicles such as loading docks and parking garages are prohibited. Acceptable turnarounds can include T-turn, Y-turn or cul-de-sac (designs and dimensions are subject to the approval of Orlando Fire Department). See Exhibits in NFPA Fire Code handbook. [NFPA 1.18.2.3.5.3]

FIRE DEPARTMENT (CONT.)

- 17) Fire Department Access Road: All fire department access roadways shall meet the roadway design specifications of Policy on Geometric design of highways and Streets, American Association of State Highway and Transportation Officials and ESM Chap.6 for (Pavement, asphalt, concrete, brick and surfaces)
- 18) The access road shall have an all-weather driving surface, capable of supporting the load of fire apparatus, an unobstructed width of not less than 20 ft. and a minimum vertical clearance of at least 13 ft. 6 in. NFPA 1 18.2.3.5; NFPA 1 18.2.3.5.1.1 and NFPA 1.18.2.3.5.1.2. The minimum required widths and clearances shall be maintained at all times.
- 19) The minimum required width of a fire department access road shall not be obstructed by parking spaces or reduced in any other manner.
- 20) Entrances to fire department access roads that have been closed with gates and barriers shall not be obstructed by parked vehicles.
- 21) TURNS. Turns in fire lanes shall be constructed to provide sufficient width to accommodate the largest piece of fire apparatus available to be operated on the fire access road.
- 22) APPARATUS DIMENSIONS. The dimensions for calculation of auto-turn analysis shall include the following for the Orlando Fire Department apparatus. Width 10' Feet, Truck body length 52' feet 22" Inches, Weight 75,000 pounds, Maneuvering radius 50 ft. exterior and 30 ft. interior.
- 23) ENGINEERED STABILIZATION. Fiber products installation for soil and turf reinforcement will be conditionally approved by the AHJ. A statement indicating that current and future owners of this property will maintain the integrity and stability of this treated soil or turf for the use of City of Orlando Fire Truck Apparatus must be recorded with the property's deed. Also, the soil or turf access treated with this product will be made available to City of Orlando Fire Department Vehicles at any and all times for testing purposes. [NFPA 1:18.2.3.5 and 18.2.3.5.2]
- 24) POINT LOAD CALCULATION. The ground contact area for each stabilizer shall be such that a unit pressure of not greater than 75 psi (500 kPa) will be exerted over the ground contact area when the apparatus is loaded to its maximum in-service weight and the aerial device is carrying its rated capacity in every position permitted by the manufacturer. NFPA 1901.19.21.4.2
- 25) Water Supply: All site plans shall indicate the location of fire hydrants. All portions of an unsprinklered building must be within 300 ft. distance of a fire hydrant. All portions of a sprinklered building must be within 500 ft. distance of a fire hydrant. Residential properties are required to indicate a hydrant within 500 ft. of the residence and street width for the fire department access. City Code Chapter 24.30; NFPA 1.18.3
- 26) Needed Fire Flow: The required fire flow for commercial structures shall be determined as specified in the standard: Determination of Required Fire Flow as published by the Insurance Services Office (ISO). The fire flow for a building when sprinkler protected in accordance with NFPA 13 will be calculated at 50% of a non-sprinkler protected building, but shall not be less than 1000 gpm. Calculations and a water supply analysis shall be provided to demonstrate delivering of fire flow.

ORLANDO POLICE DEPARTMENT

Recommend for Approval

CONTACT INFORMATION

Growth Management

For questions regarding Growth Management plan review, please contact Yolanda Ortiz at (407) 246-3792 or yolanda.ortiz@orlando.gov.

Transportation

For questions regarding Transportation Planning plan review, please contact Jacques Coulon at 407-246-2293 or Jacques.coulon@orlando.gov.

Development Review

For questions regarding Concurrency Management contact Keith Grayson at 407.246.3234 or keith.grayson@orlando.gov. To obtain plan review status, schedule/cancel an inspection and obtain inspection results, please call PROMPT, our Interactive Response System at 407.246.4444.

Public Works

For questions regarding Public Works plan review, please contact Kyle Staats at 407.246.3978 or kyle.staats@orlando.gov.

Wastewater

For questions regarding Wastewater plan review, please contact Julio Morais, P.E. at 407.246-3724 or julio.morais@cityoforlando.net or David Breitrick, P.E. at 407.246-3525 or david.breitrick@cityoforlando.net

Police

For questions regarding Police plan review or to obtain a copy of the brochure, please contact Terrence Miller at 407.246.2454 or Terrence.miller@orlando.gov.

Fire

For any questions regarding Fire review, please contact Charles Howard at 407.246.2143 or charles.howard@orlando.gov. To obtain plan review status, schedule/cancel an inspection and obtain inspection results, please call PROMPT, our Interactive Voice Response System at 407.246.4444.

Parks

For questions regarding Parks plan review issues contact Denise Riccio at 407.246.4249 or denise.riccio@orlando.gov or Condredge Mallory at 407-246-3857 or condredge.mallory@orlando.gov.

REVIEW/APPROVAL PROCESS—NEXT STEPS

1. MPB minutes scheduled for review and approval by City Council.
2. Review by the City Attorney's Office and Ordinance.
3. 1st reading of the combined Ordinance.
4. 2nd reading/adoption of the combined Ordinance.
5. GMP package sent to the Florida Department of Economic Opportunity (DEO) for review.