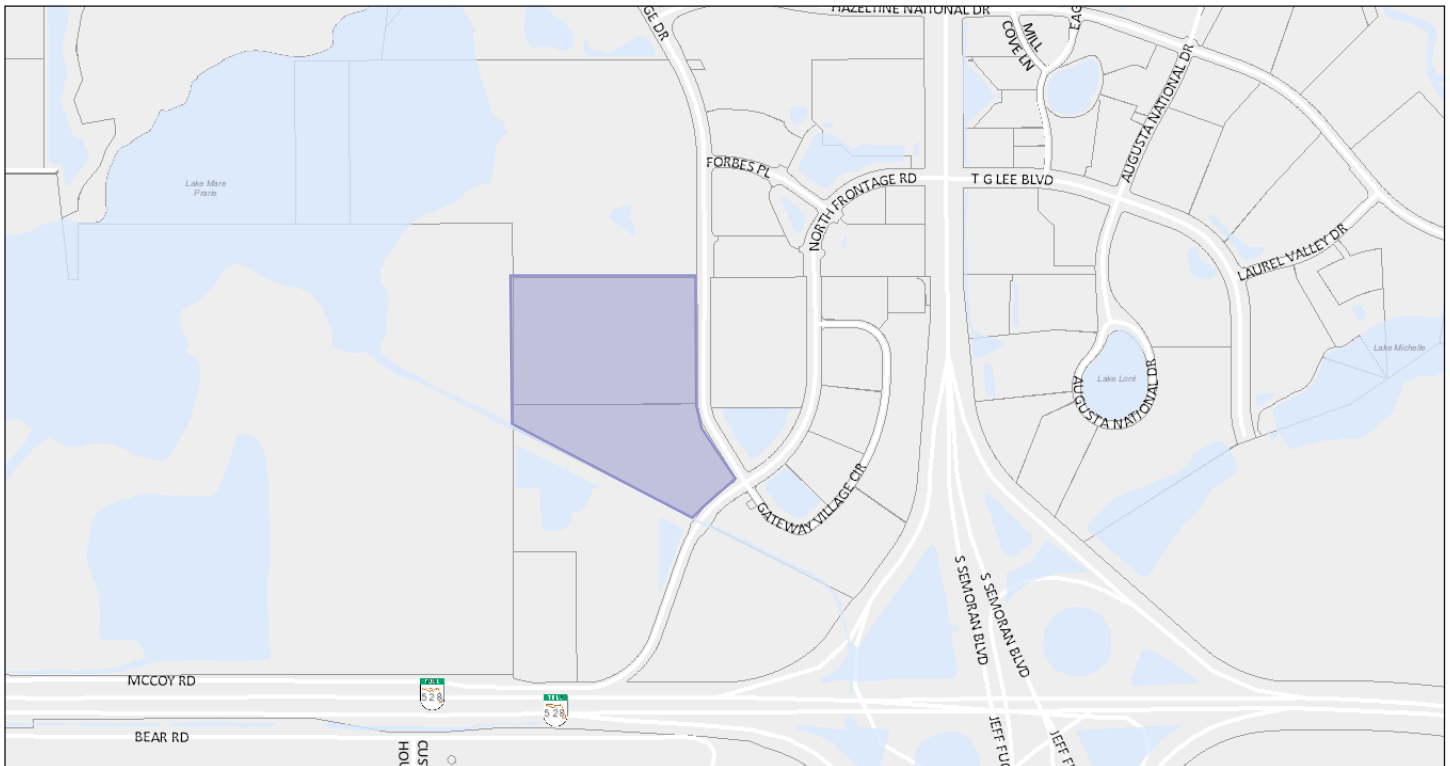


ORLANDO GATEWAY APARTMENTS



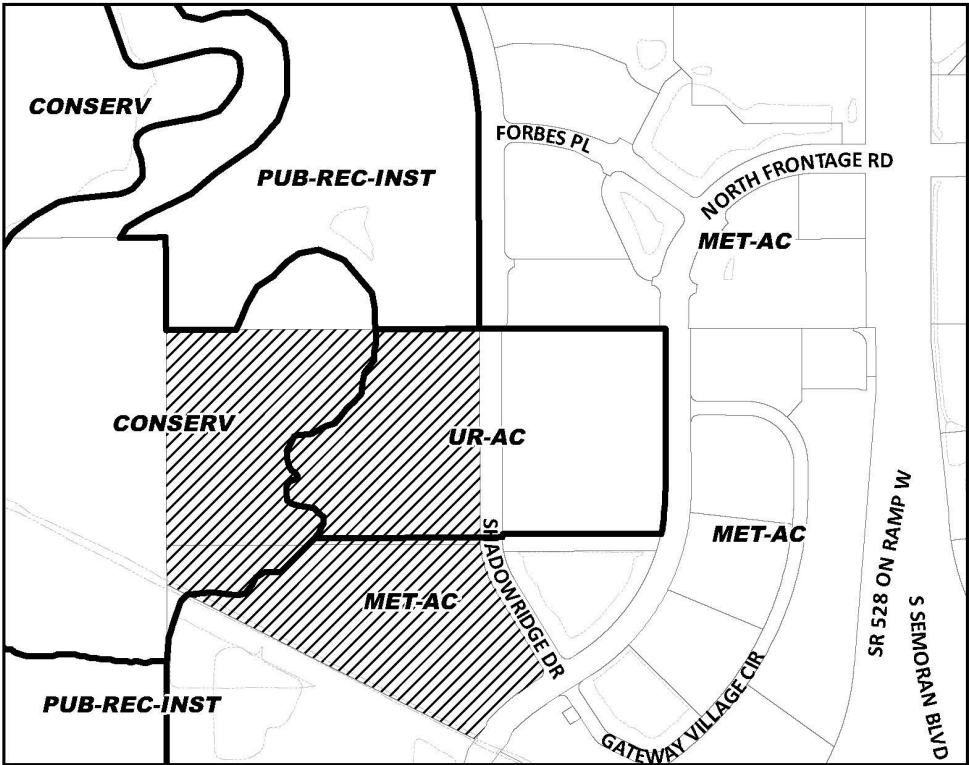
Location Map

 Subject Site

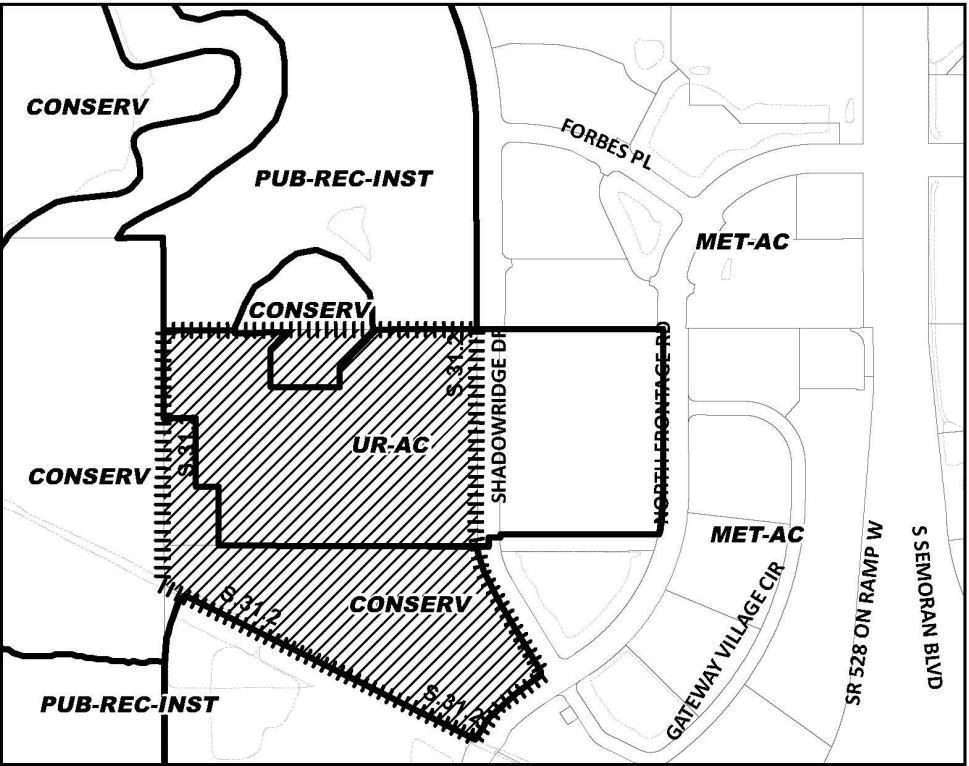
SUMMARY

Owner	Property Location: Orlando Gateway Parcels B-D. PIDs: 30-23-28-6332-01-000 and -00-001 (no numerical addresses), generally located west of Shadowridge Dr., south of Airport Lakes Park, and north of McCoy Road. (±32.6 acres, District 1).	
JBL Gateway 282 AB LLC		
Applicant	Applicant's Request: <ol style="list-style-type: none"> 1. Change the future land use and zoning designations on 7.4 acres from Conservation (CONSERV and C) to Urban Activity Center (UR-AC and AC-2/AN); 2. Change the future land use and zoning designations on 11.0 acres from Metropolitan Activity Center (MET-AC and AC-3/AN) to Conservation (CONSERV and C); 3. Create Future Land Use Subarea Policy S.31.2 to establish development and wetland maintenance standards. <i>[Related: MPL2022-10049 for a multifamily development of up to 871 units]</i>	
Meghan Dietz, Baker Barrios Architects		
Project Planner	Staff's Recommendation: Approval subject to the conditions in the staff report.	
Megan Barrow, AICP		
Updated: October 11, 2022	Public Comment Courtesy notices were mailed to property owners within 300 ft. of the subject property the week of Oct. 3. As of the published date of this report, staff has not received comments from the public.	

FUTURE LAND USE MAP



Future Land Use - Existing GMP2022-10006

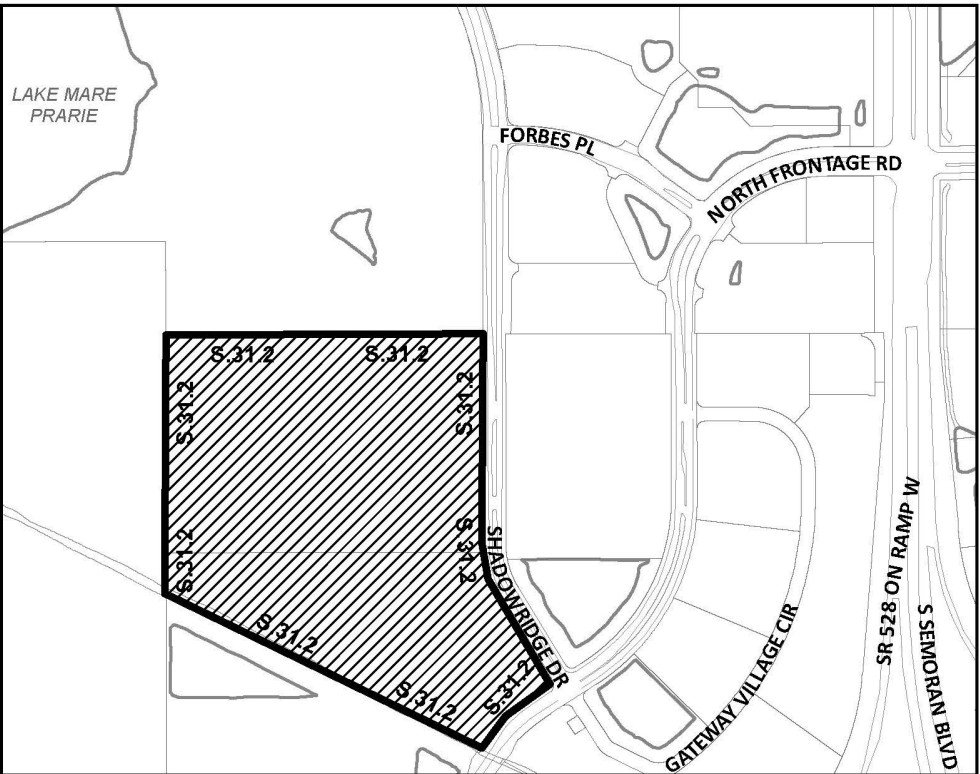


Future Land Use - Proposed GMP2022-10006

FUTURE LAND USE MAP: S.31.2

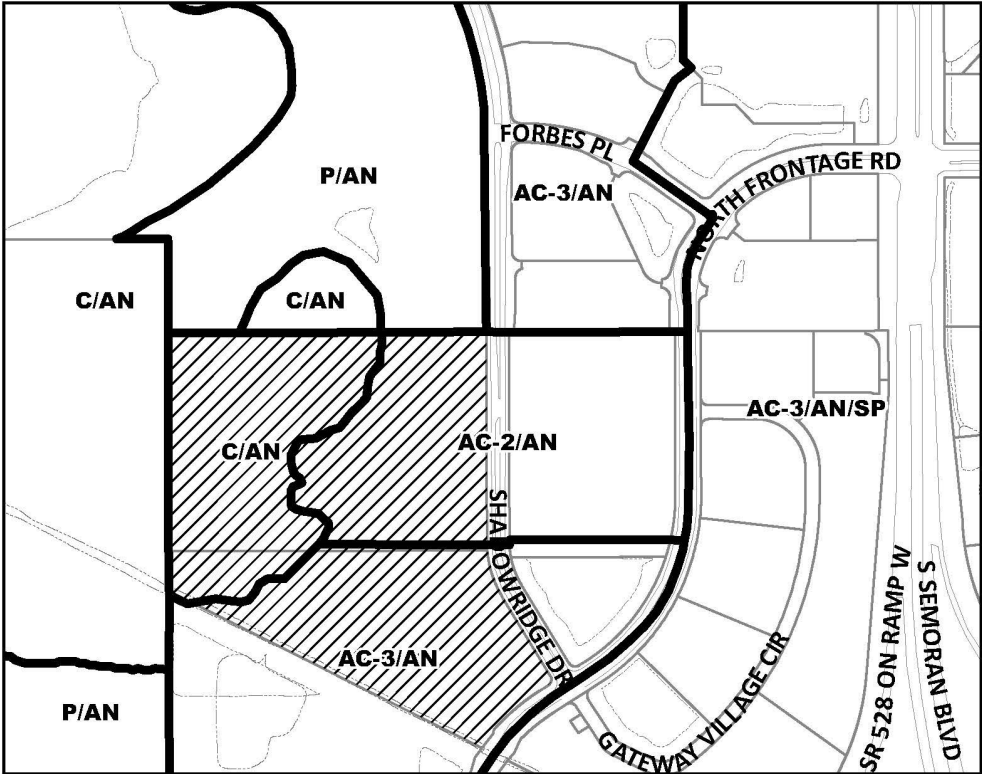


Existing GMP2022-10007

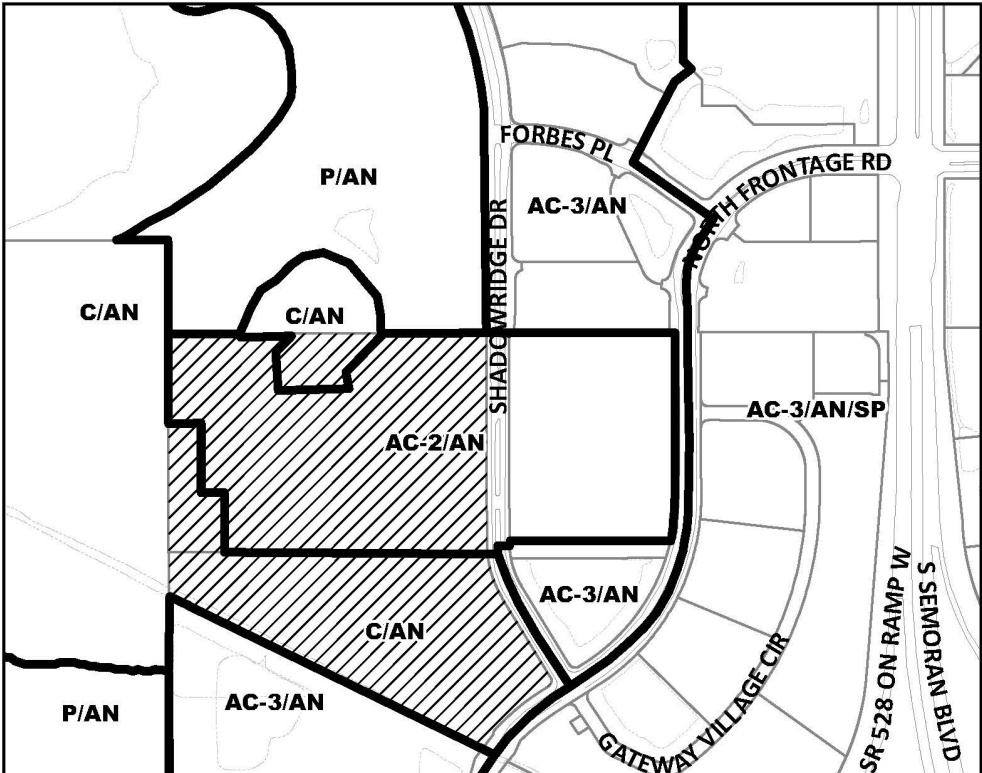


Proposed GMP2022-10007

ZONING MAP



Zoning - Existing ZON2022-10005



Zoning - Proposed ZON2022-10005



PROJECT ANALYSIS

DESCRIPTION

The applicant is requesting to change the future land use and zoning designations on two unaddressed properties (approximately 7500 Shadowridge Drive, ±32.6 acres) to accommodate an 871-unit apartment development. The parcels are B, C, and D (see map on **Page 4**) of the original Orlando Gateway Master Plan (2007). The proposal expands the Urban Activity Center designation on the development site and reduces the Conservation designation and its associated wetlands. To mitigate for the conservation impacts, the proposal converts all future land use and zoning to Conservation on the neighboring southern parcel and builds up the wetlands to a higher ecological standard with a defined maintenance period.

The properties, which are vacant, are located along Shadowridge Drive northwest of its intersection with North Frontage Road in District 1, represented by Commissioner Jim Gray.

This application is concurrent with a Master Plan for the multifamily development (see staff report for **MPL2022-10009**).

Summary of Request						
Parcel ID	Orlando Gateway Parcel	Size	Current FLU and Zoning	Change To	Delta	Proposed Use
Ending in 6332-01-000	B & C	20.0 ac	Urban Activity Ctr 9.7 ac Conservation 10.3 ac (incl. 8.3 ac wetlands)	17.1 ac 2.9 ac (2.3 ac wetlands)	+7.4 ac - 7.4 ac (- 6 ac)	871 du multifamily
Ending in 6332-00-001	D	12.6 ac	Metrop. Activity Ctr 11.0 ac Conservation 1.6 ac (incl. 2.9 ac wetlands)	0 ac 12.6 ac (11.9 ac wetlands)	- 11 ac + 11 ac (+ 9 ac)	Wetlands and canal/floodway

Previous Actions

1985: Subject properties, as part of a larger 136.75-acre parcel, are annexed into the City of Orlando (Doc. #19645).

1991: Subject properties, as part of a larger parcel, are assigned Metropolitan Activity Center (MET-AC) and Conservation (CONSERV) future land uses with corresponding AC-3 and C zoning.

1994: Subject properties are located within an existing Regional Activity Center.

2007: Subject properties, as part of a larger parcel, are platted as Lot 2 of Orlando Gateway (SUB2007-00048).

Municipal Planning Board (MPB) approves a ±120-acre Master Plan containing the subject properties (MPL2007-00016).

MPB approves a GMP amendment from MET-AC and CONSERV to UR-AC and CONSERV, and corresponding rezoning to AC-2/AN and C/AN for an anticipated 800-unit housing development. (GMP2007-00035, ZON2007-00034). City Council approves GMP in Feb. 2008 (Doc. #0802041003) and zoning in Mar. 2008 (Doc. #0803171005).

2008: Subject properties platted as Lot 1 of Orlando Gateway Partial Replat (SUB2008-00036).

CONTEXT

The subject property is on the western portion of the Orlando Gateway development, which is the mixed-use area northwest of Semoran Boulevard and SR 528. The area includes hotels, restaurants, and apartment complexes. The proposed FLU and zoning are compatible with the surrounding uses and the location at the intersection of major thoroughfares.

See aerial image and master development map on the **next page**.

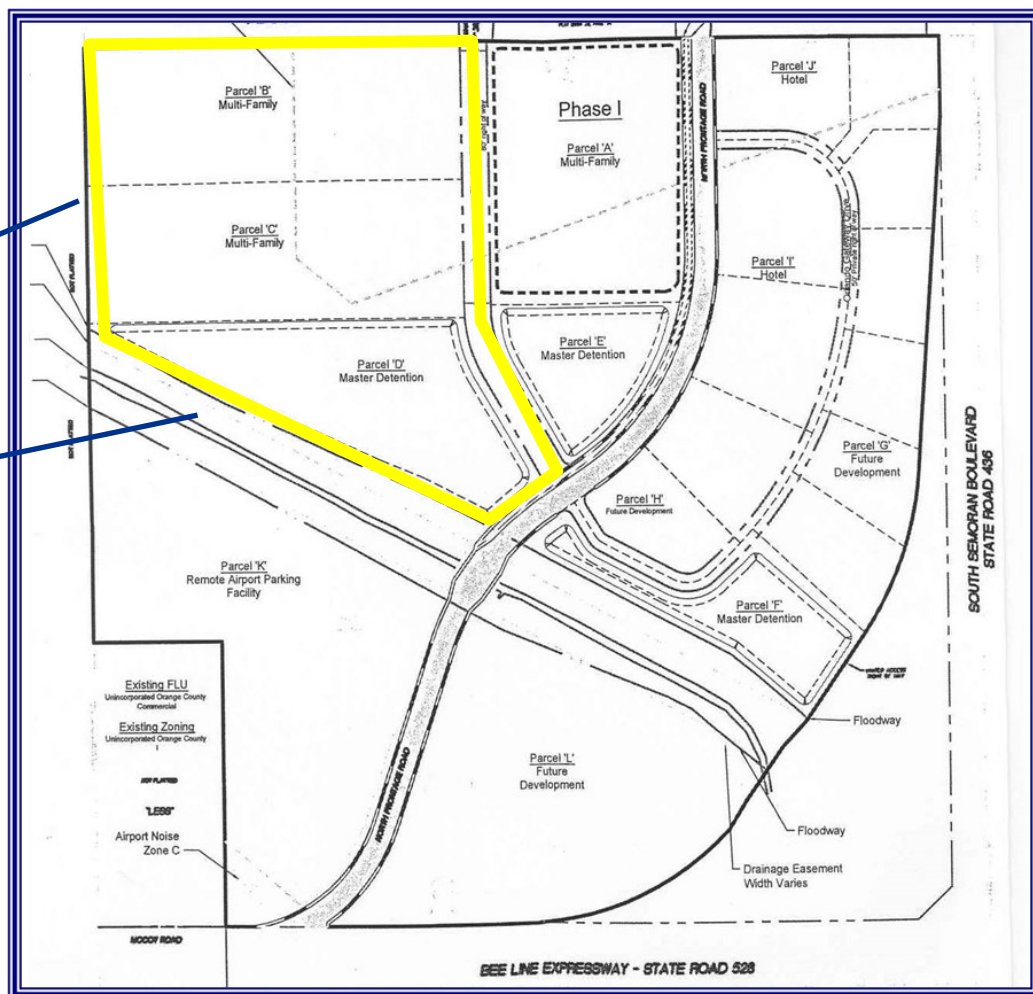
Table 1—Project Context			
	Future Land Use	Zoning	Surrounding Use
North	PUB-REC-INST and CONSERV	P and C/AN	Airport Lakes Park
East	MET-AC	AC-3/AN	The Addison at Gateway apartments and retention
South	MET-AC	AC-3/AN	Future development; rental car and airport parking businesses
West	CONSERV	C/AN	Wetlands and GOAA undeveloped property

CONTEXT continued: 2022 aerial image



Orlando Gateway Master Plan Map (approved 2007)

- Parcels B and C (one combined tax parcel) were originally proposed for 800 units. The current proposal is 871 units.
- Parcel D was originally a master detention pond. The current proposal is for restored wetlands.



CONSISTENCY WITH 163, FLORIDA STATUTES

The proposed GMP amendment is being processed as a small scale amendment to the Official Future Land Use Map in accordance with the requirements of Chapter 163.3184(3), Florida Statutes. As provided in Chapter 163, small scale amendments require one public hearing before City Council (the adoption hearing) and are not subject to review by the Florida Department of Economic Opportunity—Division of Community Planning unless challenged by an affected party within 30 days of the adoption hearing. If not challenged, the amendment is effective 31 days after the adoption.

CONFORMANCE WITH THE GROWTH MANAGEMENT PLAN (GMP)

Urban Activity Center, Metropolitan Activity Center, and Conservation Future Land Uses

Figure LU-1 of the Future Land Use Element provides standards relating to each future land use designation. The Urban Activity Center portion of Figure LU-1 states:

Max. Intensity (before bonuses)	100 units/ac or 1.0 FAR
Min. Intensity	30 units/ac and/or 0.5 FAR
Min. Land Area	40 acres
Allowable Uses	Residential; Office; Commercial*; Public, Recreational & Institutional; Industrial
Min. Transportation Access **	4LA/4LA; 4LA/6LA; 6LA/6LA; 4LA/TS; TS/TS

** 2LC - 2 lane collector
4LC - 4 lane collector
2LA - 2 lane arterial
4LA - 4 lane arterial
6LA - 6 lane arterial
8LA - 8+ lane arterial or
limited access facility
TS - transit station

The Metropolitan Activity Center portion of Figure LU-1 states:

Max. Intensity (before bonuses)	200 units/ac or 3.0 FAR
Min. Intensity	30 units/ac and/or 0.75 FAR
Min. Land Area	100 acres
Allowable Uses	Residential; Office; Commercial*; Public, Recreational & Institutional; Industrial
Min. Transportation Access **	6LA/8LA; 8LA/8LA; 8LA/TS; TS/TS

The Conservation portion of Figure LU-1 states:

Max. Intensity (before bonuses)	1 unit / 5 ac and/or 0.05 F.A.R
Min. Intensity	None
Allowable Uses	Conservation Rec. (Passive Parks and Trails Only)

* *Exceptions/Exemptions: For commercial, industrial, and public, recreational, and institutional uses, the minimum F.A.R applies only within the Traditional City (see Urban Design Element, Figure 1). Within the Traditional City, Large Scale Retailers, as defined in the Land Development Code, shall be exempt from minimum F.A.R. requirements. The minimum residential density shall not apply to nursing homes or to one and two family dwellings in existing platted subdivisions. Residential Social Service Facilities (RSSF), as defined in the Land Development Code, shall be exempt from the minimum density requirements in the Residential Medium Intensity and Office Medium Intensity future land use designations.*

The applicant is requesting to maintain the Urban Activity Center and Conservation future land use designations and eliminate the Metropolitan Activity Center. This lowers the overall maximum development allowance across the properties. The proposed density is 43.6 du/ac. Detailed numbers showing compliance with the FLU limits are in **Table 2**.

The proposal is compatible with the future land use and zoning designations and with the uses on the properties.

Table 2 — Proposal Compliance with FLU Limits

Parcel	Current FLU and Zoning	Current Max. FLU Allowance	Proposed Size	Proposed Max. FLU Allowance	Proposed Use
B & C 20.0 ac	Urban Activity Ctr 9.7 ac	970 du & 422,532 sq. ft.	17.1 ac	1,070 du & 744,876 sq. ft.	871 du multifamily
	Conservation 10.3 ac	2 du	2.9 ac	0.58 du	Wetlands and open space
D 12.6 ac	Metrop. Activity Ctr 11.0 ac	2,200 du & 1,437,480 sq. ft.	0 ac	—	Wetlands
	Conservation 1.6 ac	0.32 du	12.6 ac	2.52 du	Wetlands

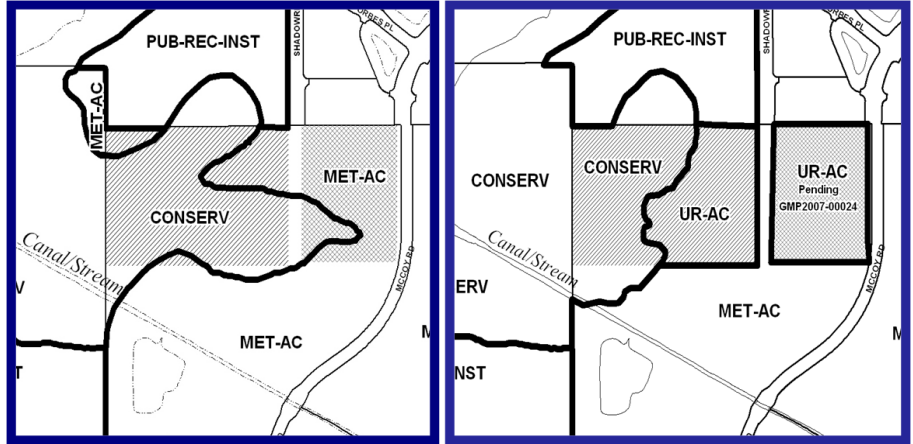
Changes to FLU

Currently, within the 20.1-acre northern ("development") parcel, a little more than half on the western side is designated Conservation future land use, and just under half on the eastern side is designated Urban Activity Center. The southern ("mitigation") parcel is nearly all Metropolitan Activity Center.

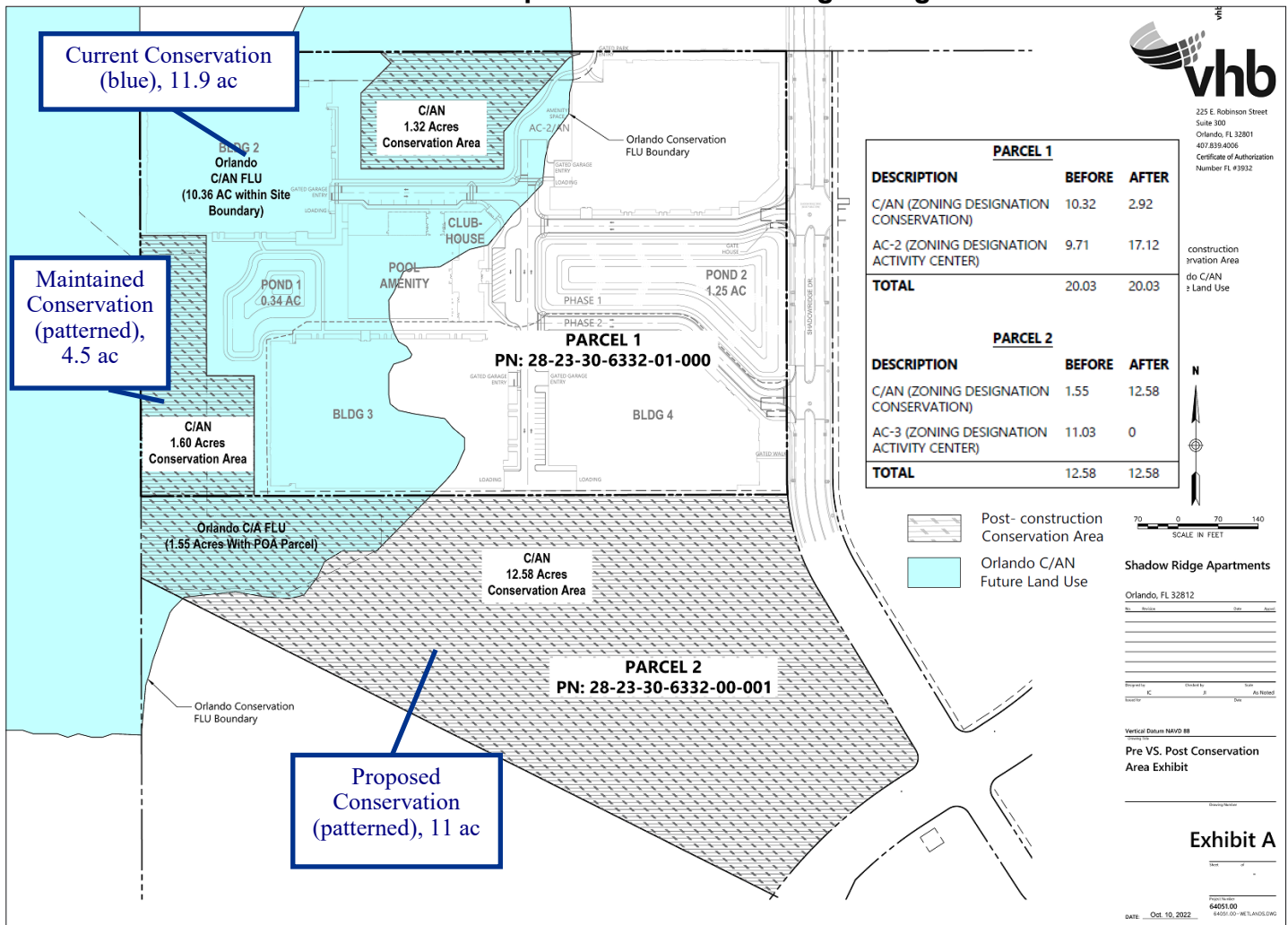
This configuration was established in 2007 and 2008 via MPB and City Council approvals. The Orlando Gateway development (about 120 acres) was planned to include maximum 1,200 dwelling units across Parcels A-C. Because that would reduce conservation area and impact wetlands, 1.41 acres of CONSERV were added to Parcel D (the planned detention pond) in the name of further wetland protection.

Now, the applicant proposes to convert the majority of the development parcel to UR-AC and convert all of the mitigation parcel to CONSERV. Altogether, that results in 17.1 ac of UR-AC and 15.5 ac of CONSERV (an increase of 3.6 ac Conservation). It eliminates all of the MET-AC designation.

2007 Changes to Future Land Use



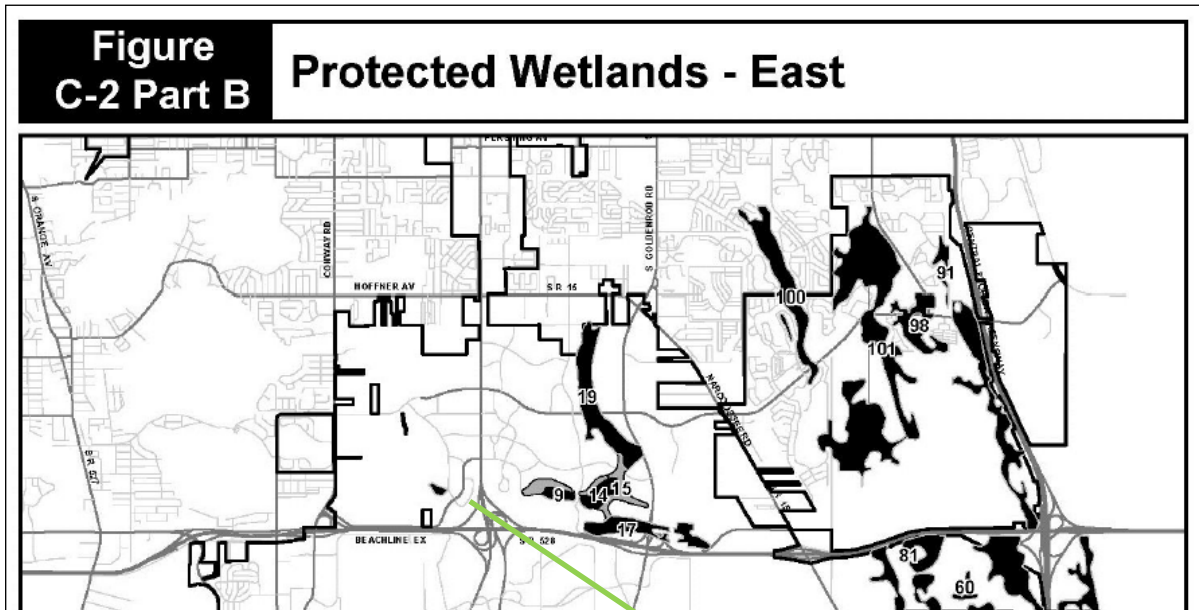
Details of Proposed FLU and Zoning Changes



Protected Wetlands

The Protected Wetlands map within the GMP’s Conservation Element map (Fig. C-2 Part B) shows a protected area in the direct vicinity of the subject parcels. (The subject parcels are discussed here as the northern, rectangular, 20-acre “Development Parcel” and the southern, triangle-shaped, 12-acre “Mitigation Parcel.”) These properties were annexed in 1985 and given development rights via AC-3 zoning in 1991, about the same time as the City completed its comprehensive wetlands study. Staff is tasked with interpreting the GMP policies, maps, and zoning development rights as they relate to the applicant’s proposal to impact protected wetlands.

The GMP allows discretion in determining the exact boundaries of Protected Wetlands. Conservation Element Policy 1.4.4 (1994) states the maps (Protected Wetland-General Location Map Series, Figures C-2A and C-2B) show “general location and extent of these wetland systems,” but that state agency jurisdictional boundaries would preside. The map series itself was drawn at a large scale, with a note at the bottom that the images are illustrative and general.



When interpreting the GMP map via an aerial image, it is clear that at least part of the development parcel includes Protected Wetlands. It is not clear exactly where, nor how much. The aerial image shows a larger natural system surrounding Lake Mare Prairie that stretches east to Airport Lakes Park and southeast into the subject parcels, terminating (at least, above ground) at McCoy Road and SR 528. Airport Lakes Park is a 56-acre park developed with grant funds from Florida Communities Trust, a state fund for environmental resource protection.



Reference point:
Shadowridge Dr.
(kidney-shaped
street)

With the map uncertainty in mind, and in conjunction with the applicant's jurisdictional wetlands map (see Environmental Assessment on **Page 11** of this report), staff has interpreted the GMP policies as follows:

GMP Conservation Policy 1.4.4 states:

TIER ONE - PROTECTED WETLANDS - The removal, alternation, or encroachment within an area designated as a Protected Wetland shall only be allowed in order to accommodate low density and intensity land uses. It is the intention of the City to restrict development in Protected Wetlands to those activities that have minimum or no post-development impacts upon the functions of the wetland, so that no net loss of wetland functions results from the activity. Regulation of Protected Wetlands shall not constitute a taking of private property. Allowable uses of property may include any natural use of the wetland environment, walking trails, private and public parks of passive orientation, wetland enhancement projects, and single family residential at a density of 1 dwelling unit per 5 acre lot. Silviculture pursuant to current Florida Department of Agriculture-Division of Forestry Best Management Practices may also be approved in limited circumstances. A limited Transfer of Development Rights option has also been provided, as specified in Conservation Policy 1.4.6.

[...]

TIER TWO - The second tier of the City's wetland approach involves those wetland areas greater than 0.5 acres in size and not designated as Protected. The City of Orlando shall protect these environmentally sensitive lands consistent with the applicable environmental regulatory agencies' permitting requirements. The City reserves the right to contact and provide comments to those agencies, or to intervene during the permit application review and issuance process. The City shall not issue engineering permits for site alterations without prior issuance of the required permits from the other environmental regulatory agencies.

This policy goes on to provide an allowance and the process for removal, when deemed appropriate:

The removal, alteration, or encroachment within an area designated as a Protected Wetland shall only be allowed where the applicant is able to demonstrate that there is no practical alternative which reduces or avoids the adverse impact to the wetland. If the applicant has demonstrated that there are no reasonable alternatives, impacts to these wetlands shall only be allowed to provide roadway and utility access to uplands which could not otherwise be developed. When possible, road crossings shall occur at the most narrow point of the wetland and be designed so that water flow and wildlife movement are not interrupted.

When impacts to Protected Wetlands are permitted, mitigation above and beyond that required by other environmental regulatory agencies shall be required, as specified in Chapter 63 of the Land Development Code, except for projects in the public interest.

The proposal to build multifamily residential is not a "low density [or] intensity" land use as allowed by the Tier One policy; to mitigate, the applicant has proposed a "wetland enhancement project" as allowed by the policy — a contiguous wetland area on the adjacent parcel, for no net loss of function. The development entitlements within the mitigation parcel will be ceded to Conservation land use.

Because impacts to Protected Wetlands are proposed, "mitigation above and beyond" is required; applicant has created a mitigation and maintenance plan that will be codified in a new GMP subarea policy.

The applicant summarizes the wetlands plan as follows ("Attachment D" refers to an item within the application document itself, not this report):

To make the habitat on the proposed conservation area comparable to the areas of conservation being relocated from the Shadowridge Apartments project area, 5.24 acres of the man-made reservoir, will be planted per the Bio-Tech Consulting, Inc., Monitoring and Maintenance Plan to achieve successful enhancement of the replacement conservation area, please see **Attachment D**. This monitoring and maintenance plan proposes to plant five (5) species of trees at a total density of approximately 500 trees per acre, increasing both density and diversity of the tree community. Currently, the 1.05-acre island is a small mixed forested wetland system. Both red maple and bald cypress have successfully recruited into the compensating storage system from that island, but they are primarily limited to the edges and the outer banks of the man-made feature. Planting the entire storage area will establish a successful mixed conifer-hardwood swamp. Therefore, tree plantings are proposed for the enhancement of the 5.24 acres of the man-made wetland area.

CONFORMANCE WITH THE GMP — ENVIRONMENTAL ASSESSMENT

The Growth Management Plan Conservation Element Policy 1.4.1 states that all projects requiring Municipal Planning Board and City Council review shall provide an Environmental Assessment; however, the City shall determine if the submittal is appropriate on a case by case basis. Developments exempt from this requirement include those located within Planned Developments (subject to the conditions therein) as well as within the "Urbanized Disturbed Lands" shown in Figure C-1 of the GMP Conservation Element. This property is outside of the Urbanized Disturbed Lands; therefore, an environmental assessment is required.

A Level C environmental report was submitted for this project. This includes a location map; aerial photograph; ground-level site photographs; wetlands map; Q-WET ranking; ecosystems description and analysis; environmental impacts map; and endangered or threatened species map.

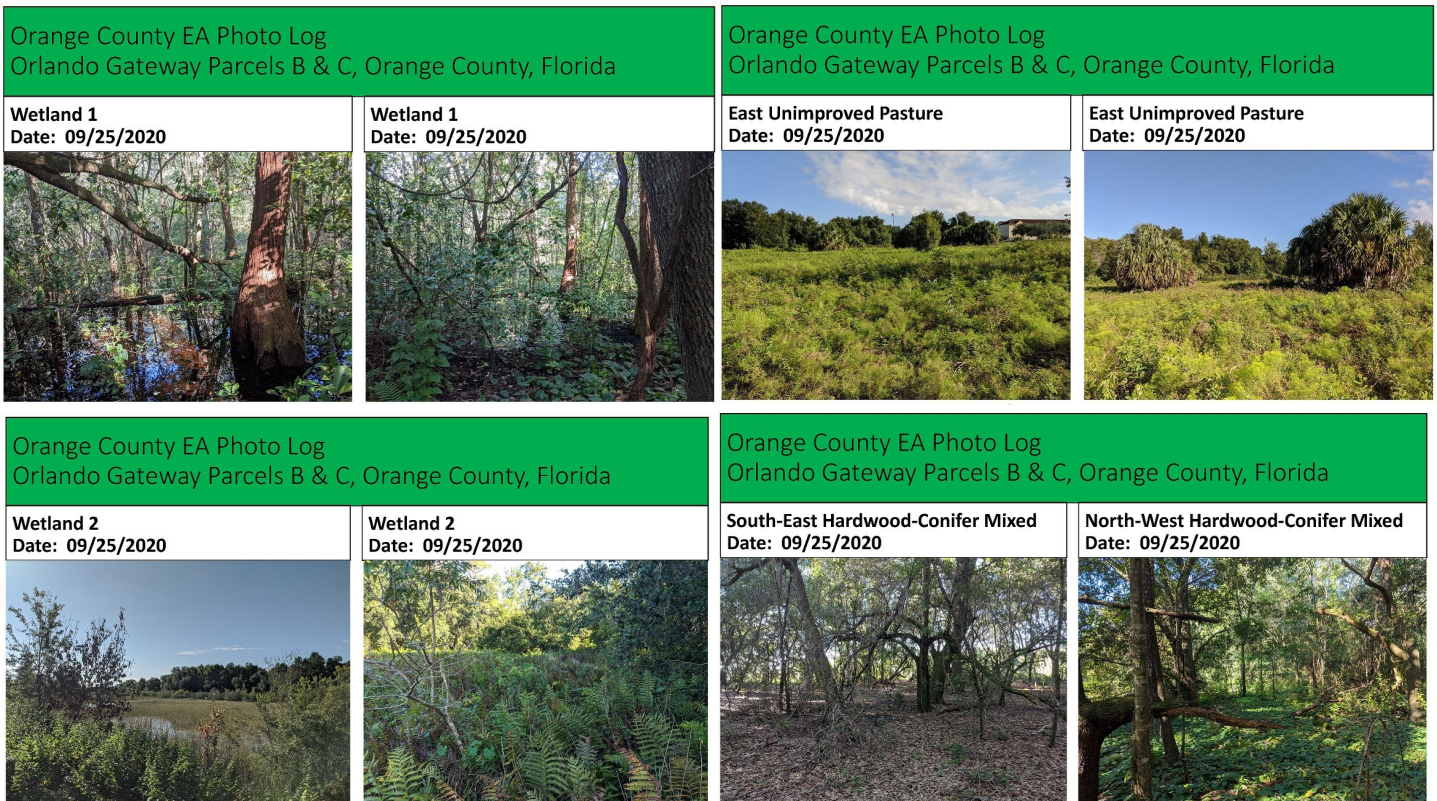
The ecosystems analysis, conducted in September 2020, indicates that there are three land-use classifications on the Development Parcel: the upland land use types/vegetative communities are Unimproved Pastures (212) and Hardwood-Conifer Mixed (434). The wetland/surface water land use type/vegetative community found on the site is classified as Wetland Forested Mixed (630). See images below and diagram on **Page 12**.

The soil types are: Basinger fine sand, frequently ponded, 0 to 1 percent slopes (#3); Pomello fine sand, 0 to 5 percent slopes (#34); Samsula muck (#40); Sanibel muck (#42); and Smyrna-Smyrna, wet, fine sand, 0 to 2 percent slopes (#44).

The environmental consultant indicated on the Q-WET Rating System form that the two wetland areas on site are of medium size, functioning as a minor connection (e.g., runoff wetlands, ditch, low velocity flow) with moderate-quality existing vegetation. The consultant judged the hydrology as "modified" to "severely modified" and common within the City of Orlando (rather than "very scarce" or "somewhat common"). There was unlikely to be listed species and low observed wildlife usage. It was judged to have low active and passive recreation value.

About half of the property is within either FEMA FIRM Zone AE, representing the 1% annual chance floodplain (100-year event), or Zone X (shaded), which represents a 0.2% chance (moderate flood risk, between 100– and 500-year event).

The site is required to include an average 25 ft. buffer as measured from the delineated wetland lines that must be maintained with native plantings consistent with GMP Conservation Policy 1.4.5.





Legend

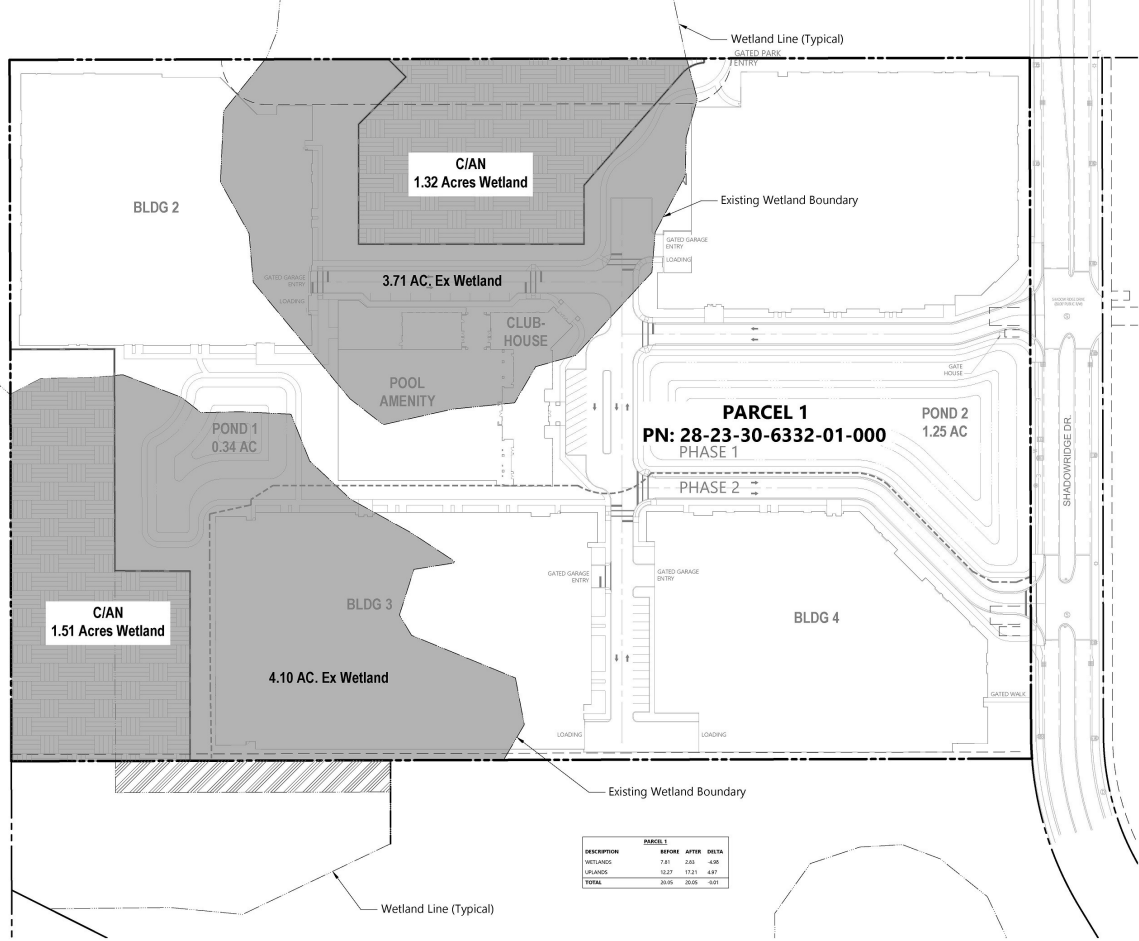
Orlando Gateway Parcel B project

FLUCCS Categories

212: Unimproved Pastures

434: Hardwood-Conifer Mixed

630: Wetland Forested Mixed



225 E. Robinson Street
Suite 300
Orlando, FL 32801
407.539.4306
Certificate of Authorization
Number FL #3932

- Pre-Development Wetland Areas
- Wetland Areas Previously Impacted/Mitigated by Others Outside of Project Area
- Post-Development Wetland Areas

N

50 0 50 100
SCALE IN FEET

Shadow Ridge Apartments

Orlando, FL 32812

Pre Vs. Post Wetland Area Exhibit

Exhibit B

The ecosystems analysis of the mitigation parcel describes it as “flat with small changes in elevation averaging from 5 to 10 feet. A flood storage compensation pond was excavated on the parcel to approximately 5 feet below the natural grade. An island was left in the center of the pond at the approximate natural ground level.” The analysis indicates that there are seven land-use classifications on site: the upland land use types/vegetative communities are Open Land (190) and Temperate Hardwoods (425). The wetland/surface water land use type/vegetative communities found on the site are Ditch/Canal (510), Reservoir (530), Mixed Wetland Hardwoods (617); Mixed Wetland Forest (630), and Wetland Prairie (643).

The soil types are: Basinger fine sand, frequently ponded, 0 to 1 percent slopes (#3); St. Johns fine sand (#37); Samsula muck (#40); and Sanibel muck (#42).

The environmental consultant indicated on the Q-WET Rating System form that wetland on site is small and isolated, with an adequate buffer and moderate-quality existing vegetation. The consultant judged the hydrology as adequate and the overall wetland as somewhat common within the City of Orlando (rather than "very scarce" or "common").

No protected wildlife species were observed during the site visit; one protected plant species, giant airplant, was observed. The IPaC and FNAI searches identified twelve (12) protected wildlife species have the potential to occupy habitats within and immediately adjacent to the proposed replacement area, although they vary in probability.

All of the site is within FEMA FIRM Zone AE, representing the 1% annual chance floodplain (100-year event).



The results of this environmental assessment may be used to create mitigation and development conditions. GMP Conservation Element Policy 1.4.1 states:

The City shall consider the findings of the Environmental Assessment in the development review process, and shall apply the appropriate policies found in this Conservation Element. After review of the Environmental Assessment, the Department's recommendations may include, but are not limited to:

- 1. Protection of the Environmentally Sensitive Lands consistent with the applicable environmental regulatory agencies, and require that the applicant submit signed copies of all environmental permits prior to issuance of engineering permits or final plat by the City;*
- 2. For Protected Wetlands, and wetlands under 0.5 acres, require site design to minimize impact of development on environmentally sensitive features;*
- 3. Require creation of buffers and conservation easements;*
- 4. Request other permitting agencies to protect wetlands of special value to the City which may otherwise be exempted from their permitting process; and/or*
- 5. Require a contribution to the Environmental Trust Fund. Such conditions shall become part of the development approval.*

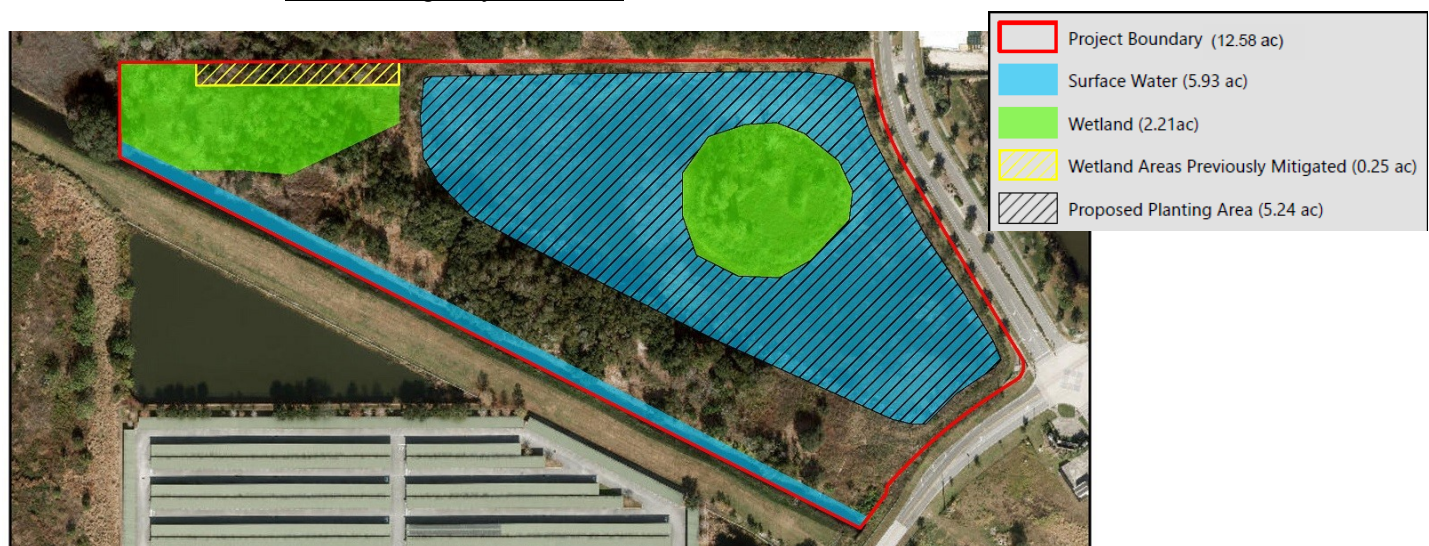
(Amended December 12, 2005, Effective February 28, 2006, Doc. No. 051212903; Amended September 21, 2015, Effective November 6, 2015, Doc. No. 1509211203; Amended August 28, 2017, Effective October 27, 2017, Doc. No. 1708281201)

PROPOSED SUBAREA POLICY S.31.2

Upon review of the environmental assessment and as allowed by GMP Conservation Element Policies 1.4.1 and 1.4.4, staff is recommending a subarea policy that sets wetland monitoring and maintenance standards for the Orlando Gateway Apartments development.

The proposed language is as follows (additions are underlined; there are no deletions):

Subarea Policy S.31.2 The Orlando Gateway Apartment project on Shadowridge Drive is committed to mitigating wetland impacts on the immediate area of development. The plan is designed to establish successful conservation areas in a native vegetative condition in an effort to enhance the wildlife habitat value, vegetative composition and overall functional quality of each area. This subarea is subject to a monitoring and maintenance plan agreement between the property owner(s) and the City of Orlando. The agreement must be executed before permits for any site work or wetland clearing may be issued.



PUBLIC FACILITIES ANALYSIS

State law requires the City to perform a public facilities evaluation for GMP amendments that would increase the allowable density or intensity of a property. The proposed GMP amendment to change the future land use designation to Urban Activity Center (UR-AC) and Conservation (CONSERV) would permit densities and intensities on the two subject properties less than that permitted under the existing Metropolitan Activity Center (MET-AC), UR-AC, and CONSERV future land use designations. 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 densities/intensities permitted by the existing MET-AC, UR-AC, and CONSERV future land use designations, respectively (11.0 ac @ 200 du/ac and 3.0 FAR; 9.7 ac @ 100 du/ac and 1.0 FAR; and 11.9 ac @ 1 du/5 ac = 3,172.3 du & 1,860,012 sq. ft.)

Evaluation 2 — This evaluation considered the impact of developing the site at the maximum densities/intensities permitted by the proposed City's UR-AC and CONSERV future land use designations, respectively (17.1 ac @ 100 du/ac and 1.0 FAR; and 15.5 ac @ 1 du/5 ac = 1,073.1 du and 744,876 sq. ft.).

Net Decrease/Increase — There is a net decrease of 2,099.2 residential units and 1,115,136 sq. ft. nonresidential.

The proposed development would represent a decrease in impact. No further analysis is required.

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 not adversely impact the level of service for potable water and wastewater, and there is sufficient capacity available within the Community Park and Neighborhood Park areas. The property lies within the OUC water and electric areas and within the County sanitary sewer area and reclaimed water service territory. Sanitary sewer and reclaimed water services will be provided by Orange County Utilities.

	Potable Water (MGPD)	Wastewater (MGPD)	Comm. Parks (Acres) for CPS 4	Neigh. Parks (Acres) for NPSA 17
Capacity	100.10	52.16	210.13	35.50
Reported Demand—2021	83.69	41.51	105.59	1.74
Projected increase in Demand 2022-2026	4.55	2.75	7.94	0.58
Projected increase in Supply 2022-2026	0.00	0	0.00	0.00
Demand from GMP2022-10006	-0.46	(0.44)	(5.98)	(3.45)
Net Available Capacity	12.32	8.34	102.58	36.63

Consistent with GMP Recreation Policy 1.1.1, park land must be consistent with overall City level of service standards of 3.25 acres per 1,000 population, which has a Unit Equivalent of 0.0067 acres per multi-family residence in community and neighborhood parks. Land used for stormwater retention, drainage structures or wetlands shall not be counted towards park land requirements.

For the maximum 871 residential units proposed, 5.8 acres of park land is required. This has been provided via access

to the community-level Airport Lakes Park (approx. 16 ac) directly to the north, and at the neighborhood level via the 38,000 sq. ft. (0.87 acre) amenity spaces within the development itself, including a pool, outdoor dining, games, walking paths, and a dog park.

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

Transportation

The City has adopted a Transportation Concurrency Exception Area (TCEA) citywide. Therefore, the City requires projects to support the multi-modal transportation system. Projects generating 1,000 trips or more per day are required to submit a transportation study and mitigate for impacts to the roadway network.

Transportation analysis is included in the Master Plan staff report.

Capital Improvement Program

The City has no Capital Improvement Program (CIP) projects that directly affect the subject site.

School Capacity

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 16.2 of the Agreement. Included in the list of exemptions are DRIs that have filed a complete application for a development order prior to May 1, 2005 (Section 16.2(j)).

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 and zoning applications.

OCPS capacity is under review; staff has not yet received a formal determination. Based on OCPS enrollment estimates as of Oct. 3, 2022, staff recommends approval of this land use/zoning change.

CONFORMANCE WITH THE LAND DEVELOPMENT CODE (LDC)

The subject properties are currently zoned AC-3/AN, AC-2/AN, and C. The applicant is requesting an rezoning to AC-2/AN and C/AN in order to develop an apartment development with amenities.

AC-2—Urban Activity Center District

Section 58.341 of the LDC identifies the purpose of the AC-2 district as follows: "The AC-2 district is intended to provide for concentrated areas of residential, commercial, office, industrial, recreational and cultural facilities serving major sub-regions of the Orlando urban area, and at intensities significantly higher than in surrounding neighborhoods. Although some Urban 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 four lane collectors and mass transit service are available, providing access between metropolitan subregions and complementing the primary arterial transportation system."

The proposed development is for multifamily residential use. Other allowed uses in AC-2 are: offices, services, grocery, restaurants, cinema, gas stations, offices, hospitals, hotels, single family residential, civic including schools and colleges, park/plaza, and/or other uses consistent with the City's AC-1 district.

Development Standards

Details of LDC compliance, including density, setbacks, landscaping, buffers, parking, signage, and more can be found in the Master Plan staff report (MPL2022-10049).

The standards must be consistent with the GMP classifications proposed and discussed in this report.

ORANGE COUNTY COMMENT

(None)

PUBLIC COMMENT

(None)

FINDINGS

Subject to the conditions contained herein, the proposal is consistent with the requirements for approval of the annexation, future land use and zoning applications contained in Chapter 65 of the Land Development Code (LDC):

1. The proposed Future Land Use Map amendment is consistent with State Comprehensive Plan (Chapter 187, Florida Statutes).
2. The proposed Future Land Use Map amendment is consistent with the East Central Florida Strategic Policy Plan.
3. The proposed Future Land Use Map amendment is consistent with the provisions of Chapter 163, Part II, Florida Statutes.
4. The proposed Future Land Use Map amendment is consistent with the objectives and policies of the City's adopted Growth Management Plan (GMP); particularly Figure LU-1.
5. The proposed Future Land Use Map amendment and rezoning are consistent with the purpose and intent of the requirements of the Land Development Code.
6. The proposed Future Land Use Map amendment and rezoning are compatible with the surrounding development pattern.
7. 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 GMP Future Land Use amendment and rezoning subject to the conditions below:

CONDITIONS OF APPROVAL

Growth Management

Recommend approval with conditions.

1. **DENSITY OF DEVELOPMENT**
Development of the subject property at densities/intensities higher than what is permitted by the current zoning designations shall not be permitted prior to the effective date of this GMP amendment.
2. **GENERAL CODE COMPLIANCE**
Development of the proposed project shall be consistent with the conditions in this report. Conditions in this report shall supersede conflicting provisions in all codes and ordinances of the City of Orlando. The project shall comply with applicable requirements of the State of Florida, and all other applicable regulatory agencies. All other applicable state or federal permits must be obtained before commencing development.
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. **REVIEW BY CITY ATTORNEY'S OFFICE**
Municipal Planning Board recommendation of the conditions contained herein is subject to review by the City Attorney's Office for legal sufficiency and drafting of implementing documents.
5. **SITE PLAN**
The site plan shall indicate FEMA flood zone boundaries and types.
6. **MAINTENANCE PLAN**
 - a. *As specified in proposed Subarea Policy S.31.2, a wetlands maintenance agreement between the Orlando Gateway property owners within this application or any future owners shall be executed before any site work or wetlands clearing permits may be issued by the City of Orlando.*
 - b. *Monitoring and Maintenance Plan shall be modified as follows: "Greater than 85 percent coverage by desirable wetland species after 5 years." Additional language shall be added to address frequency of maintenance on site; keeping the conservation area free of litter, rubbish, debris, or the like; and the ability for City staff to visit the site at any time to evaluate goals and adherence to the agreement.*

Water Reclamation

Recommend approval with conditions.

See staff report for MPL2022-10049.

Parks

Recommend for approval with conditions.

See staff report for MPL2022-10049.

Community Planning and Urban Design

No review required.

Transportation

Recommend for approval.

Public Works

Recommend for approval with conditions.

Be advised this site is partially located within a FEMA Zone AE SFHA (floodplain). Compensatory storage volume will be required and a floodplain permit will be required (including CLOMR submittal to FEMA).

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.
2. Water quality recovery shall be recovered per the requirement of the Water Management District. Please provide model demonstrating the recovery analysis. A Water Management District water treatment permit will be required prior to commencement of work.
3. 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."
4. All proposed and existing sidewalk that is touched during construction will need to be updated to the newest ADA requirement.
5. Sidewalk construction shall be required at the time of this substantial improvement per Sec. 61.225 and 66.200 of the City of Orlando's Muni Code. Proposed sidewalks must be constructed along the entire length of the property and shall be located against the public right-of-way.
6. A City Service Agreement is required by the Owner if portion of sidewalk is within private property. The easement would protect the Owner from maintaining the sidewalk and from other potential issues. Otherwise, the Owner would be responsible to maintain and be liable for potential litigation if someone is injured on a failing sidewalk that is in disrepair.
7. Please clarify whether the sidewalk will be paver. Please note that if pavers are to be constructed beyond the property line and out into the City's Right of Way the owner is required submit a signed and recorded a Right-of-Way Pavers Agreement. Sidewalk portion of driveway must still be composed of 3,000 psi concrete. Refer to http://www.cityoforlando.net/permits/wp-content/uploads/sites/29/2014/03/Pavers_Encroach_Agmt1.pdf.
8. Construction activities including clearing, grading and excavating activities shall obtain an EPA NPDES permit, except: Operations that result in the disturbance of less than one acre 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 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.

9. Please submit a detailed, scalable, fully dimensioned site plan of the location. The site plan should include but not be limited to the site legal description, the building, streets, sidewalks and property lines, and the location of the proposed work. Site plans should clarify what is existing and what proposed.
10. 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 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.
11. Please submit a signed and dated private improvements cost sheet. Cost sheet forms and instructions are available at our website at www.cityoforlando.net/permits.
12. Please be advised that a portion of the site is located within the floodplain. Grading shall be flushed to match with the existing grade of the site, and existing grade will be maintained without any fill in the 100-year floodplain. However, if alteration of grading or structures is proposed and displaced existing 100 year flood plain, a compensating storage must be provided for any displaced flood water.
13. Other comments may arise depending on the contents submitted to permitting.
14. Since portion of the site is located with a flood zone AE, please provide the flood zone boundary on the requested survey to demonstrate that no grading/filling is proposed within flood zone AE.
15. In accordance with FEMA requirements, a letter of map revision (LOMR) is required by the owner/engineer. Compensation storage must be provided for all floodwater displaced by development within 100-year flood plain.
16. Artificial turf must be treated as impervious area and must be included in the impervious area for stormwater management.

Other comments may arise depending on the contents submitted to Permitting.

Development Review

No review required.

Fire

Recommend for approval with conditions.

TRC fire code review is preliminary in nature and is not an official approval of the project as a whole. It is intended to expose or prevent evident design deficiencies with State and City Fire Codes. The architectural design of the building, life safety features, floor plans, egress system, fire protection systems, fire department access and MEP will be reviewed in detail for State, Fire Code, FFPC and City Fire Code compliance at the time of permit application.

1. The design of all buildings must account for fire department access. The access road itself must extend 50 ft. 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]
2. An approved turnaround shall be provided for fire apparatus where an access road is a dead end in access of 150 ft. When a dead end road will not accommodate an approved t-turn or turn-about a minimum width of 25 ft. will be required. All fire department access roadways shall have an 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]
3. 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)

Police

No review required.

Building

No review required.

Solid Waste

No review required.

Informational Comments

Transportation

1. The site will be required to meet all transportation related City Code and Engineering Standards Manual requirements when plans are submitted to Permitting Services.

Development Review

At the time of future Board Action or Development, the property will be subject to the following condition and/or requirements:

1. The City Council Adopted the Engineering Standards Manual (ESM), Fifth Edition on April 18, 2016. All plans must conform to the ESM and all construction must be accomplished in accordance to the ESM.
2. All future elevation shown on a boundary/topographic survey shall use the North American Vertical Datum of 1988 (NAVD 88).
3. All new construction, change in use, additions, or redevelopments are required to submit a Concurrency Management application as a part of the building plan review process.
4. This property is required to plat in accordance with Section 65.401 of the City's Land Development Code prior to the issuance of building permits.
5. Contact the Bureau of Parks (407) 246-2283 for a tree removal permit before removing any 4" caliper or larger trees. Contact the Bureau of Parks (407) 246-2283 for a tree encroachment permit prior to encroaching within the canopy of any 4" caliper or larger trees.
6. As per Section 61.225 of the Land Development Code, a 5 foot wide concrete sidewalk is required along all dedicated rights-of-way. Any existing sidewalk damaged or broken is to be repaired.
7. The owner/developer is required to pay the Sewer Benefit Fee in accordance with the Sewer Service Policy and Chapter 30 of the Land Development Code.
8. The Orlando City Council approved a Resolution at the January 27, 1997 City Council Meeting. Section 61.226 of the City's Land Development Code provides for a Street Tree Trust Fund. The developer is responsible for the installation of street trees prior to final of the building permit. The Street Tree specifications are 12'-14' height of canopy tree.

Fire

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.

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.

Parks

For informational purposes: The City has implemented a Parks Impact Fee on all residential housing units to help meet the recreation needs of Orlando's residents. All new housing units are subject to the fee.

Any new construction, change in use, addition or redevelopment of a site or structure shall be subject to a review for Parks Impact Fees. Applicable fees will be due at the time of building permit issuance, subject to change upon final permit plan review.

A Parks Impact Fee credit may be given on residential units that were or are going to be demolished if eligibility requirements are met. For questions and information regarding Parks Impact Fee rates, you may contact Nancy Ottini at (407) 246-3529 or nancy.jurus-ottini@orlando.gov

Any exemptions or credits against the Parks Impact Fee must be reviewed prior to permit issuance. All Parks Impact Fee Credits shall be reviewed and processed by the Parks Impact Fee Coordinator, if applicable, upon request by applicant.

Contact Information

Growth Management

For questions regarding Growth Management plan review, please contact Megan Barrow at 407.246.3363 or megan.barrow@orlando.gov.

Transportation

For questions regarding Transportation Planning plan review, please contact Jacques Coulon at 407.246.2293 or megan.barrow@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.

Water Reclamation

For questions regarding Water Reclamation plan review, please contact Julio Morais at 407.246.3724 or julio.morais@orlando.gov, or Dave Breitricks, P.E. at 407.246.3525 or david.breitricks@orlando.gov.

Public Works

For questions regarding Public Works plan review, please contact Owen Blakely at owen.blakely@orlando.gov or 407-246-3758.

Police

For questions regarding Police plan review or to obtain a copy of the brochure, please contact Audra Rigby at 407.246.2454 or audra.rigby@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.

Building

For questions regarding Building plan review issues contact Don Fields at (407) 246-2654 or don.fields@orlando.gov.

Parks

For questions regarding Parks plan review issues contact Denise Riccio at 407.246.4249 or denise.riccio@orlando.gov.

Review/Approval Process—Next Steps

1. MPB minutes scheduled for review and approval by City Council.
2. Forward to City Attorney's Office for legal review.
3. 1st reading of the Ordinance.
4. 2nd reading of the Ordinance.
5. GMP package sent to the Florida Department of Economic Opportunity (DEO) for review.
6. The ordinance becomes effective after 31 days.