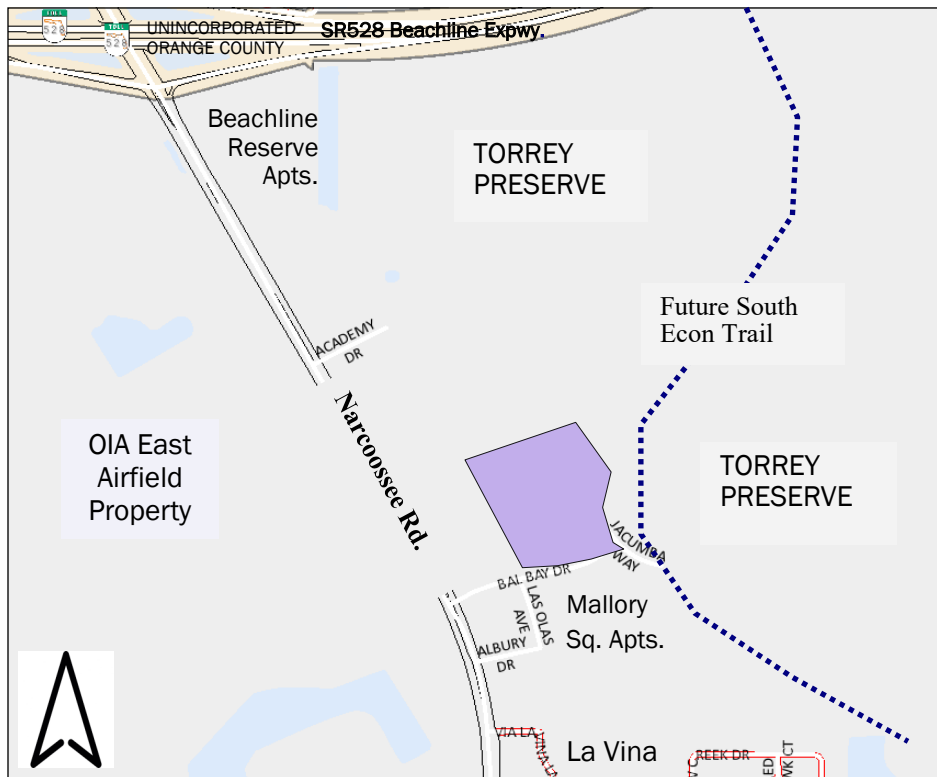


TORREY PRESERVE GMP AMENDMENT

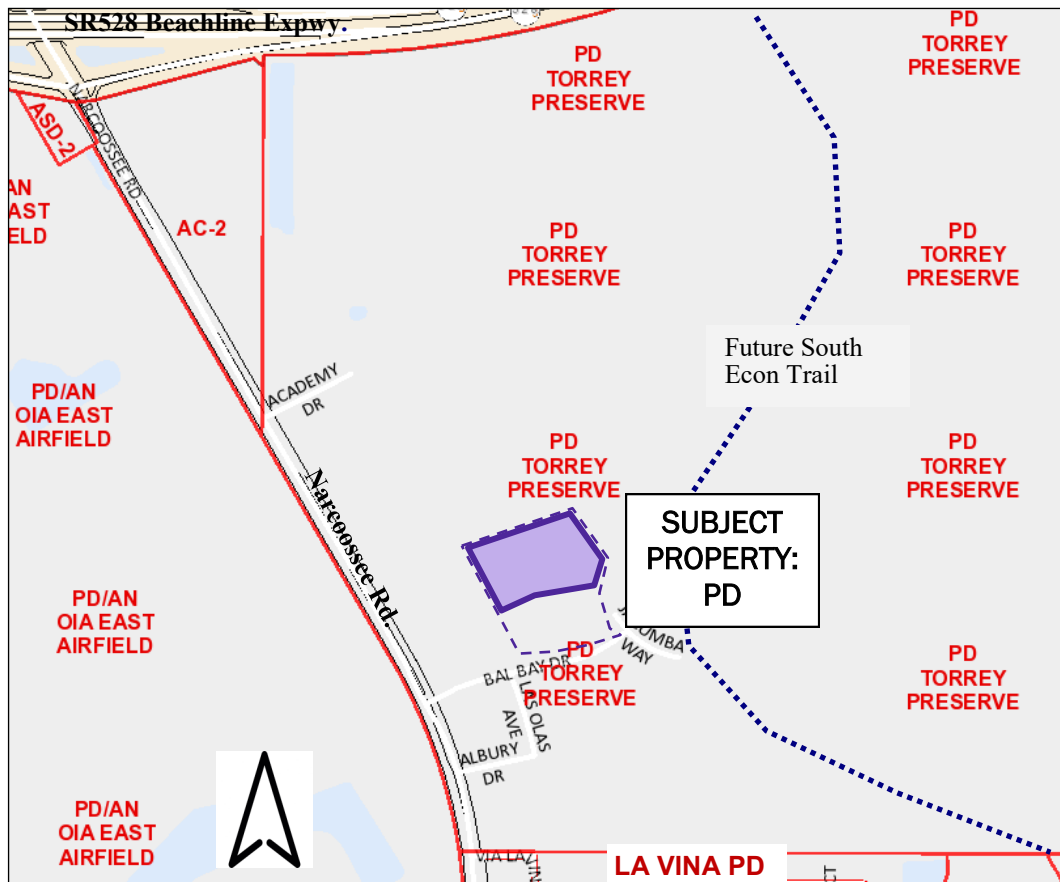
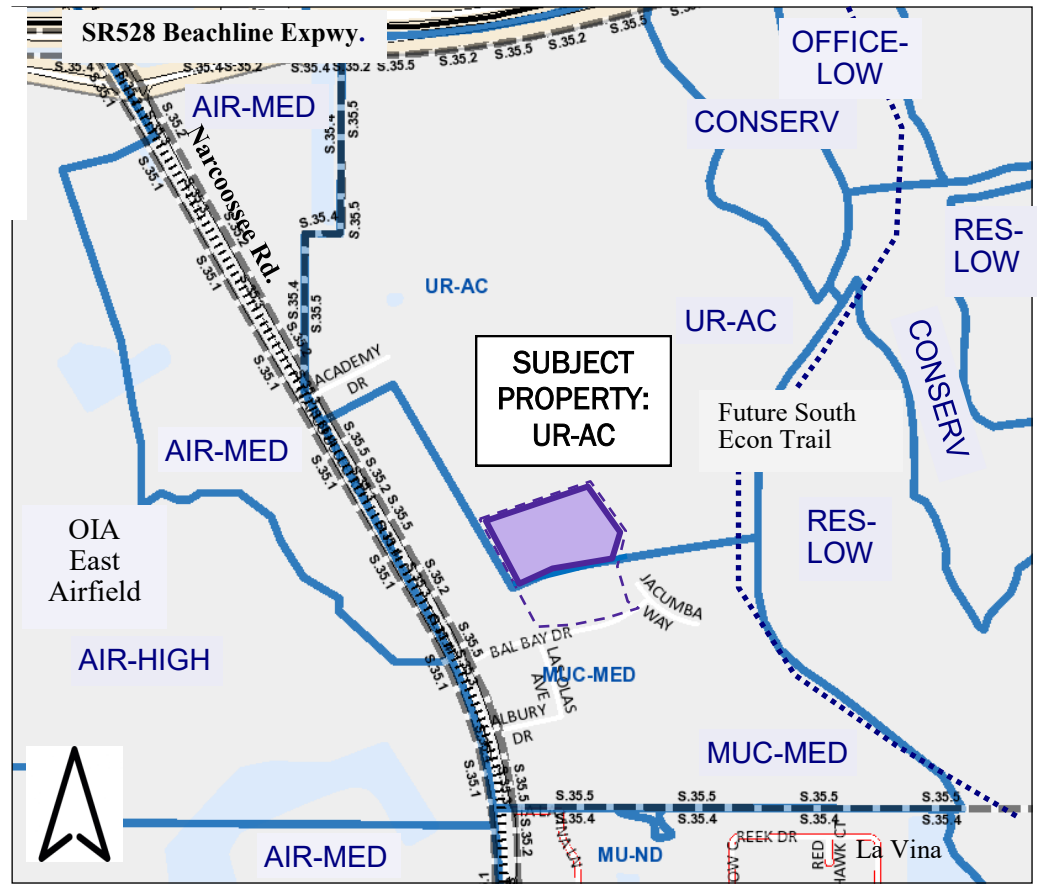


Location Map

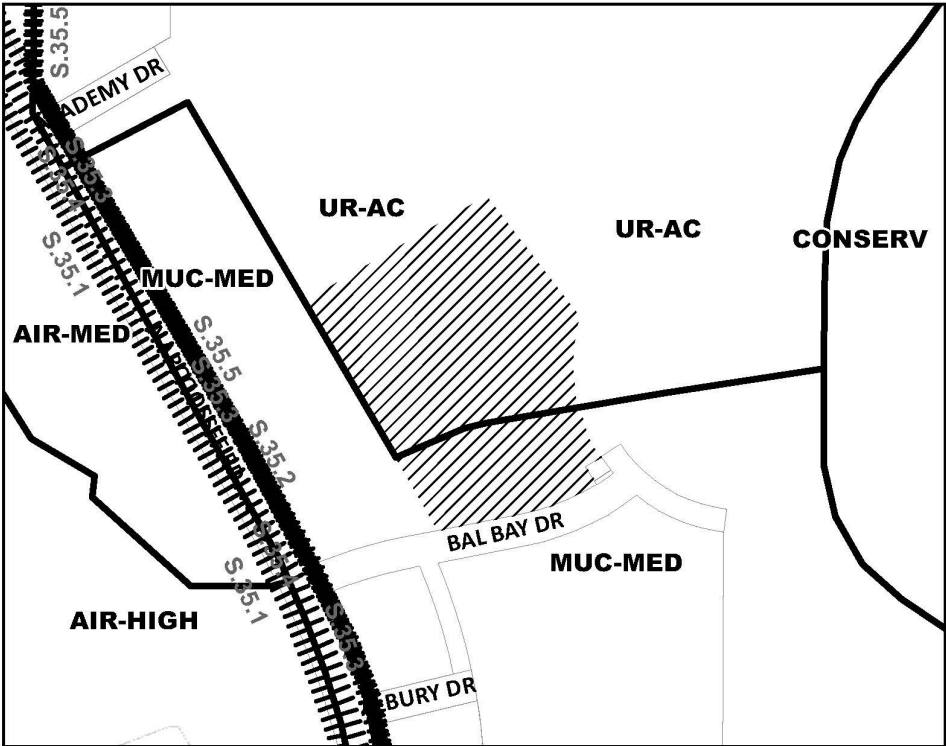
Subject Area

SUMMARY

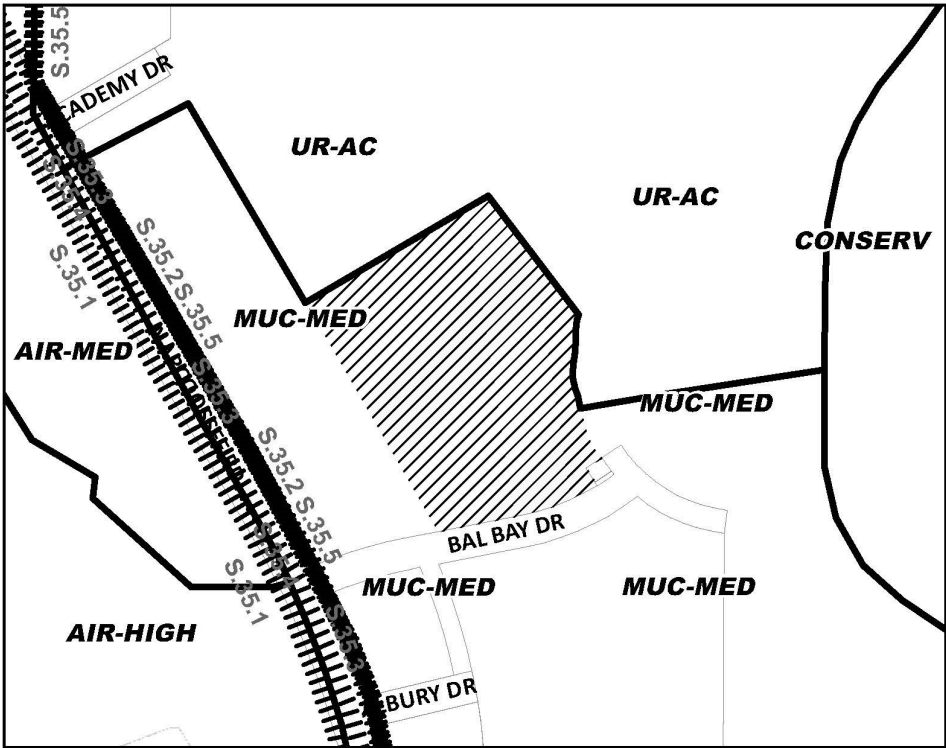
Applicant Tom Cavanaugh PAC-TP6 Apts. LLC Owner Bal Bay Realty, Inc Project Planner Megan Barrow, AICP Updated: October 11, 2022	Property Location: 8553 Narcoossee Rd. (east side of Narcoossee Rd., between SR 528 Beachline Expwy. and Dowden Rd., west of Randal Park); portion of parcel #31-23-31-0000-00-001; ±14.9 acres, District 1. Applicant's Request: 1. Change the future land use designation on 8 acres from Urban Activity Center (UR-AC) to Mixed Use Corridor Medium Intensity (MUC-MED) within the Torrey Preserve PD. <i>[Related: MPL2022-10071 Master Plan approval for 3-story, 280-unit apartment development.]</i>	Staff's Recommendation: Approval of the request, subject to the conditions in this report. Public Comment Courtesy notices were mailed to property owners within 300 ft. of the subject property the week of Oct. 3, 2022. As of the published date of this report, staff has not received any comments from the public concerning this request.
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FUTURE LAND USE CHANGE



Future Land Use - Existing GMP2022-10034



Future Land Use - Proposed GMP2022-10034



PROJECT ANALYSIS

Project Description

This application is a request to change the future land use on 8 acres within the Torrey Preserve PD. The area is part of a proposed 14.9-acre multifamily development whose Master Plan is under concurrent review (MPL2022-10071). Currently, the property is split between Urban Activity Center (UR-AC) and Mixed Use Corridor Medium Intensity (MUC-MED); this amendment would bring the entire development parcel under one future land use designation, MUC-MED.

Previous Actions:

- 6/1998: Subject ±536-acre Bal Bay property annexed into City (Doc. #31260) as part of the Brunetti Holdings; future land uses of Airport Support Medium Intensity, Airport Support/Resource Protection and Conservation placed on the total property (case #s GMP98-065 and GMP98-115).
- 11/2004: Future Land Use changed for Bal-Bay property from Airport Support Medium Intensity, Airport Support/Resource Protection and Conservation to Urban Activity Center, Mixed Use Corridor Medium Intensity, Office Low Intensity, Residential Low Intensity, and Conservation (GMP2004-00004, Doc. #040823916).
- 8/2009: Sub-Area Policy Amended (Doc. No. 0906081103).
- 2015: MOU (Memorandum of Understanding) approved relative to development of Vista Park, Bal Bay (now Torrey Preserve) and Vista Commerce Center (Brunetti East).
- 3/2020: Determination issued (DET2020-10042) relative to school concurrency vesting.
- 10/2020: Master Sign Plan determination approved (DET2020-10167).
- 12/2020: Ord. #2020-60 (ZON2020-10005) adopted, for Torrey Preserve PD development of commercial/restaurant uses, hotels, public benefit uses, apartments, single-family and townhouses and preservation of wetlands and conservation areas (adoption of the PD was also the effective date of MPL2020-10031 Framework Master Plan for development of the Torrey Preserve PD, and MPL2020-10032 Master Plan approval of the 1st phase of Torrey Preserve (a 4-story ±284-unit apartment complex on Parcel 11).
- 7/2021: Determination issued (DET2021-10120) relative to revised roadway cross sections for Torrey Preserve PD and subsequent SPMP submittals.
- 6/2022: Plat for Mallory Square Apartments recorded, including segments of Bal Bay Dr. and Las Olas Ave.

Project Context

The ±536-acre Torrey Preserve property is generally located on the east side of Narcoossee Rd., south of SR 528/Beachline Expwy., west of the Randal Park PD and north of the La Vina PD and Dowden Rd. The subject area (within Parcel 11) is located on the north side of Bal Bay Dr. (Street B), across from the Mallory Square Phase 1 apartments, and on the northeast side of Las Olas Ave. (Street E), which will be extended to the northwest, along with construction of additional internal street segments.

Table 1—Project Context			
	Future Land Use	Zoning	Surrounding Use
North	Urban Activity Center (UR-AC)	Torrey Preserve PD	Vacant Land
East	UR-AC & Mixed Use Corridor, Medium Intensity (MUC-MED)	Torrey Preserve PD	Vacant Land & Stormwater Pond
South	MUC-MED	Torrey Preserve PD	Mallory Square Apts. Ph. 1
West	MUC-MED	Torrey Preserve PD	Vacant Land

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 GMP

The property comprising the proposed apartment development is currently split between the Urban Activity Center (UR-AC) and Mixed Use Corridor, Medium Intensity (MUC-MED) future land use designations; each portion must meet the minimum/maximum density for the corresponding designation. With split future land use designations, the minimum number of units would need to be 351 dwelling units, where only 280 units are now proposed. Rather than increasing the density of the portion of the property under UR-AC future land use, the applicants have applied to change the 8 acres of UR-AC to MUC-MED, which is a lower intensity, so that the entire 14.9-acre parcel can be under MUC-MED future land use. No changes are required to the Torrey Preserve PD.

Figure LU-1 of the Future Land Use Element provides development and use standards for each future land use designation. The MUC-MED portion of Figure LU-1 states:

Max. Intensity (before bonuses)	30 units/ac or 0.50 FAR
Min. Intensity *	15 units/ac and/or None
Min. Land Area	Not applicable
Allowable Uses	Residential; Office; Commercial; Public, Recreational & Institutional
Min. Transportation Access **	4LC, 2LA, 4LA, 6LA

* 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.

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

The applicant’s request for the MUC-MED future land use designation is compatible and consistent with the proposed zoning designation and the residential use on the property.

Subarea Policy S.35.2

Policy S.35.2 establishes the maximum development capacity and major development parameters for the Torrey Preserve property. The proposed GMP amendment does not affect any of the standards within the subarea policy, such as use of natural features, a master stormwater system, transportation system requirements, and Activity Center standards. By removing Activity Center from this area, the proposed multifamily development does not have to abide by these specific rules in the policy.

Environmental

GMP 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 Planned Developments, which must submit environmental assessments at time of rezoning. Therefore, no environmental assessment is required. This policy does not affect any state, federal, or other local assessment or permitting requirements, recommendations, or remediation related to existing and former uses.

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 Mixed Use Corridor Medium Intensity (MUC-MED) on 8 acres would permit densities and intensities lower than that of the existing Urban Activity Center (UR-AC) designation. This evaluation assumes that the property is developed at the maximum 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 and intensity permitted by the existing UR-AC future land use designation (8 acres @ 1.0 FAR and 100 du/ac = 348,480 sq. ft. and 800 du).

Evaluation 2 — This evaluation considered the impact of developing the site at the maximum density/intensity permitted by the proposed MUC-MED future land use designation (8 acres @ 0.5 FAR and 30 du/ac = 174,240 sq. ft. and 240 du).

Net Decrease/Increase — There is a net decrease of 174,240 square feet and 560 dwelling units. No further analysis is required.

Potable Water, Wastewater and Parks

The sites are in Community Park Sector 5 and Neighborhood Park Service Area 21, which have capacity available. The properties lie within the OUC water and electric areas and within the City wastewater area.

Conformance with the Land Development Code

Development Standards

A Master Plan has been submitted concurrent with this future land use and rezoning application. The applicant has concurrently applied for Master Plan approval (MPL2022-10031), through which the details of building size, setbacks, parking, landscaping, buffers, access, etc., will be assessed.

The site plan will be consistent with the requirements of the LDC.

Transportation

Details of transportation access, standards, etc., will be reviewed with the Master Plan. As this is an expansion of an existing MUC-MED corridor, access standards as set in the GMP are already met.

Capital Improvement Program

The City has no capital improvement projects near the subject sites.

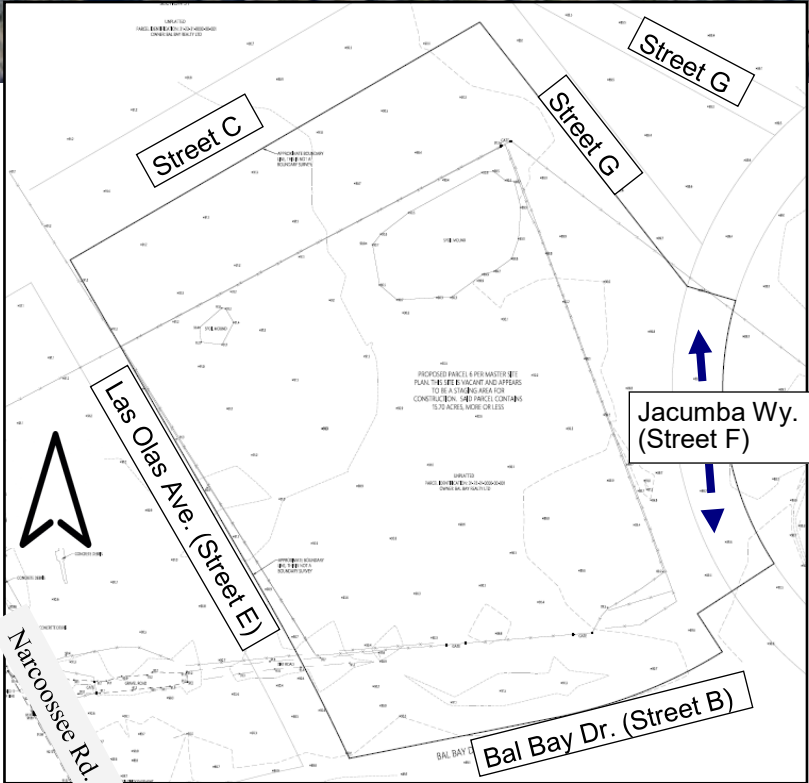
School Capacity and Concurrency

This GMP amendment reduces development capacity; thus, OCPS capacity review is not required. The applicant has applied for concurrency with the Master Plan.

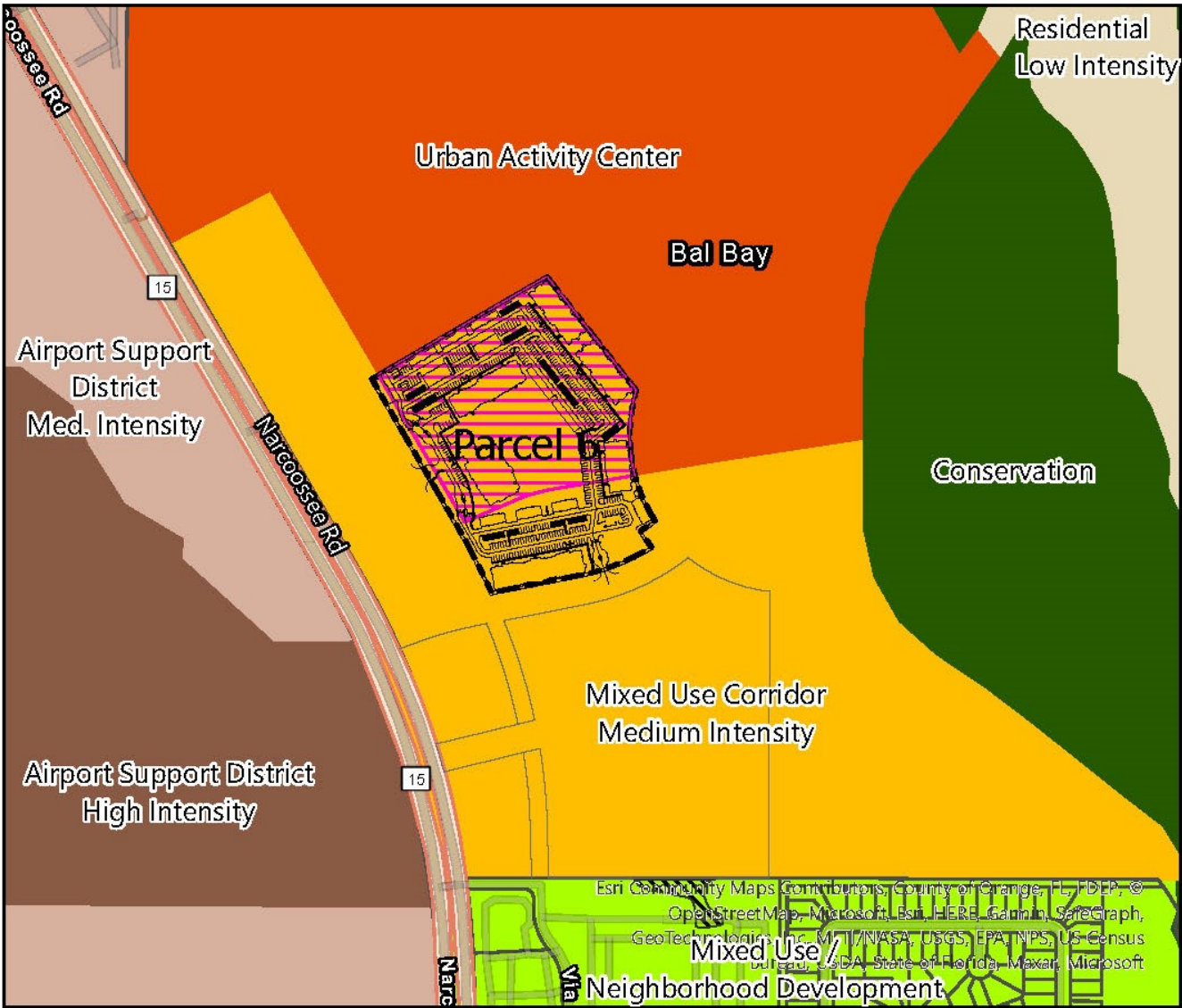
AERIAL PHOTO



SITE SURVEY



FUTURE LAND USE AND SITE PLAN DIAGRAM



Legend

	Parcel 6 Boundary	FLU Designation		MU-ND		UR-AC
	Surrounding City Parcels			MU-ND/RES-PRO		Transitional Wildlife Habitat Overlay
	Narcoossee Road			MU-ND/TWH		Resource Protection Overlay
	Area_of_Change			MUC-MED		
				RES-LOW		

Source: Future Land Use Data from City of Orlando

Findings

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

1. The proposal is consistent with 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 use is consistent with the City's Growth Management Plan.
5. The proposed use is consistent with the purpose and intent of the IP zoning district and all other requirements of the LDC.
6. The proposed use will be compatible with surrounding land uses and the general character of the area.
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 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 designation's 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.

Urban Design

Urban Design review is not applicable to this case at this time.

All comments and conditions related to Urban Design shall be placed in the Master Plan report.

Transportation

Recommend approval with conditions.

Water Reclamation

Water Reclamation review is not applicable to this case at this time.

Development Review

Recommend approval with conditions.

Police

Recommend approval.

Building

Building Plan review is not applicable to this case at this time.

Parks

Recommend approval.

Contact Information

Growth Management

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

Urban Design

For questions regarding Urban Design plan review, please contact Chris DeLoatche at 407.246.3624 or chris.deloatche@orlando.gov.

Transportation

For questions regarding Transportation Planning review, please contact Jacques Coulon at 407.246.3427 or jacques.coulon@orlando.gov.

Development Review

For questions regarding Development Review contact Keith Grayson at 407.246.3234 or keith.grayson@orlando.gov.

Fire

For any questions regarding fire issues, please contact Chip Howard at 407.246.2143 or charles.howard@orlando.gov.

Parks

For questions regarding Parks Plan Review issues, contact Denise Riccio at 407.246.4249 or denise.riccio@orlando.gov.

Water Reclamation

For questions about Water Reclamation Division review, please contact Julio Morais, P.E. 407.246.3724 or julio.morais@orlando.gov and/or Dave Breitrick, P.E., Engineering and Mapping Manager 407.246.3525 or david.breitrick@orlando.gov.

Impact Fees

For questions regarding Impact Fee issues, contact Nancy Jurus-Ottini at 407.246.3529 or nancy.jurus-ottini@orlando.gov.

Police

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

Public Works

For any questions regarding Site Engineering's comments, please contact Owen Blakely at owen.blakely@orlando.gov or 407.246.3758.

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.