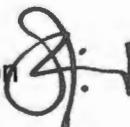




Interoffice Memorandum

July 12, 2022

TO: Mayor Jerry L. Demings  
-AND-  
County Commissioners (BCC)

FROM: Alberto A. Vargas, MArch., Manager, Planning Division 

THROUGH: Jon V. Weiss, P.E., Director  
Planning, Environmental, and Development Services Department

SUBJECT: 2022-2 Regular Cycle Comprehensive Plan  
Amendments 2022-2-A-1-2 and 2022-2-B-FLUE-2 (Village at Avalon)  
Board of County Commissioners (BCC) Transmittal Public Hearing

2022-2 Regular Cycle Comprehensive Plan Amendments 2022-2-A-1-2 and 2022-2-B-FLUE-2 are scheduled for a BCC transmittal public hearing on July 12, 2022. These amendments were heard by the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) at a transmittal public hearing on June 16, 2022.

The report is also available under the Amendment Cycle section of the County's Comprehensive Planning webpage. See:

<http://www.orangecountyfl.net/PlanningDevelopment/ComprehensivePlanning.aspx>

The above-referenced 2022-2 Regular Cycle Amendments scheduled for consideration on July 12 include a privately-initiated Future Land Use Map Amendment located in District 1 and one associated staff-initiated text amendment. The privately-initiated map amendment involves a change to the Future Land Use Map (FLUM) for a property over 10 acres in size. The staff-initiated text amendment entails changes to the Goals, Objectives, and/or Policies of the Comprehensive Plan.

Following the BCC transmittal public hearing, the proposed amendments will be transmitted to the Florida Department of Economic Opportunity (DEO) and other State agencies for review and comment. Staff expects to receive comments from DEO and/or the other State agencies in August 2022. Pursuant to 163.3184, Florida Statutes, the proposed amendments must be adopted within 180 days of receipt of the comment letter. The adoption hearings are tentatively scheduled before the LPA on October 20, 2022, and before the BCC on November 15, 2022.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division, at (407) 836-5802 or [Alberto.Vargas@ocfl.net](mailto:Alberto.Vargas@ocfl.net) or Greg

2022-2 Regular Cycle Amendments 2022-2-A-1-2 and 2022-2-B-FLUE-2

BCC Transmittal Public Hearings

July 12, 2022

Page 2

Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or  
[Gregory.Golgowski@ocfl.net](mailto:Gregory.Golgowski@ocfl.net).

AAV/sw

Enc: 2022-2 Regular Cycle Amendments 2022-2-A-1-2 and 2022-2-B-FLUE-2 BCC  
Transmittal Staff Report

c: Christopher R. Testerman, AICP, Deputy County Administrator  
Joel Prinsell, Deputy County Attorney  
Whitney Evers, Assistant County Attorney  
Roberta Alfonso, Assistant County Attorney  
Gregory Golgowski, AICP, Chief Planner, Planning Division  
Olan D. Hill, AICP, Assistant Manager, Planning Division  
Nicolas Thalmueller, AICP, Acting Planning Administrator, Planning Division  
Read File



# **ORANGE COUNTY PLANNING DIVISION 2022-2 REGULAR CYCLE AMENDMENTS**

2010 - 2030 COMPREHENSIVE PLAN

**BOARD OF COUNTY  
COMMISSIONERS**

**JULY 12, 2022  
TRANSMITTAL PUBLIC HEARING**



**PREPARED BY:**  
ORANGE COUNTY COMMUNITY, ENVIRONMENTAL  
AND DEVELOPMENT SERVICES  
PLANNING DIVISION  
COMPREHENSIVE PLANNING SECTION

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	-and-	
	2022-2-B-FLUE-1 PD Density and Intensity	Text amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County, associated with Amendment 2022-2-A-1-2

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2022-2 Regular Cycle State Expedited Review Comprehensive Plan Amendments  
Privately Initiated Future Land Use Plan Amendment

2023-2025 Comprehensive Plan Test Amendment													
Amendment Number	Comprehensive Planning or Subdivision Change	Owner	Agree	Tax ID Number(s)	General Location (Community)	Future Land Use Map Designation PROB	Future Land Use Map Designation TQ	Zoning Map Designation PROB	Zoning Map Designation TQ	Agree	Project Planner	Staff Rep	LPA Rep
Sublot 1													
2023-2-A-1-2 (Village of Avondale)	LMP-23-09-V10 (Village of Avondale PROB/PT)	PGS Investors Group LLC	St. Barbara Villas, Lennar, Brookfield, Beazer, Republic, P.A.	31280, 14216, 14226, 14230, 14234, 14235, 14237, and 14238 (Village of Avondale PROB/PT); generally located west of State Route 100 and south of Georgia Hwy. 100 and the Georgia County-Lake County line.	Village (V)	Green (Greenway Development Commercial/Industrial Density Residential (GC-PG-CDR02)	A-1 (Orchard Blend Shared)	PG (Planned General Development Shared) (Village of Avondale PROB/PT)	23.17 acres ac/17.11 ac not developable ac.	Jennifer Tolosa	Theresa	Theresa	
2022-2 Regular Cycle Comprehensive Plan Amendments Staff Initiated Comprehensive Plan Test Amendment													
Amendment Number	Sponsor	Description of Proposed Changes to the 2019-2020 Comprehensive Plan (CP)									Project Planner	Staff Rep	LPA Rep
2023-2-PLM-2 (PLM-1.4)	Planning Division	Test amendment to Future Land Use Blueprint Policy PLM-1.4 establishing the maximum densities and intensities for proposed Planned Developments within Georgia County associated with Amendment 2023-2-A-1-2									Jennifer Tolosa	Theresa	Theresa (S-2)

# **2022 SECOND REGULAR CYCLE AMENDMENTS TO THE 2010-2030 COMPREHENSIVE PLAN TRANSMITTAL PUBLIC HEARING**

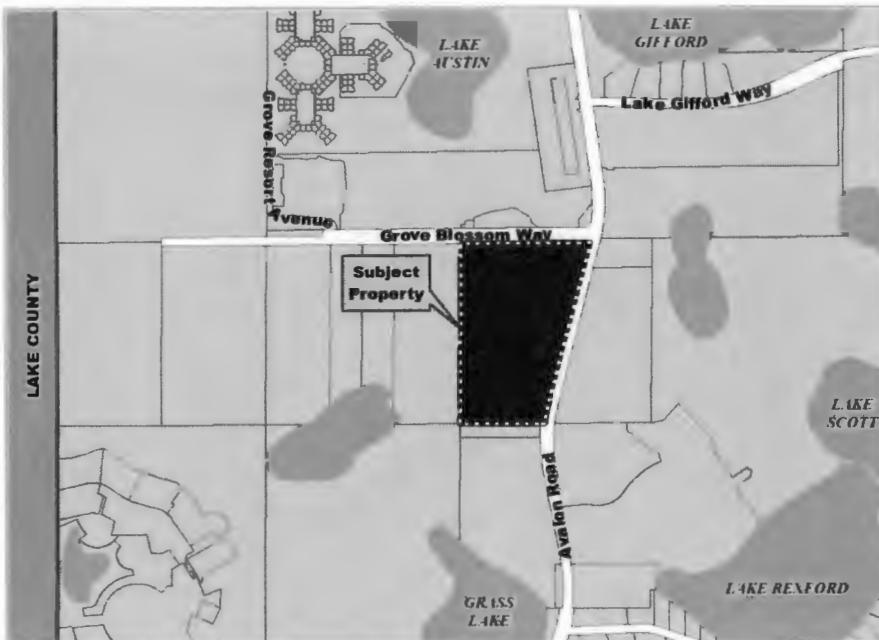
## **INTRODUCTION**

This is the Board of County Commissioners (BCC) transmittal staff report for the Second Regular Cycle Amendments 2022-2-A-1-2 and 2022-2-B-FLUE-2 to the Future Land Use Map (FLUM) and Comprehensive Plan (CP). These amendments were heard by the Local Planning Agency (LPA) during a transmittal public hearing held on June 16, 2022, and will go to the Board of County Commissioners (BCC) for a transmittal public hearing on July 12, 2022.

The above-referenced 2022-2 Regular Cycle Amendments include a privately-initiated map amendment located in District 1 and one staff-initiated text amendment. Since this is the transmittal stage for these amendments, there will be a second round of public hearings for adoption after the Florida Department of Economic Opportunity (DEO) and other State agencies complete their review of the proposed amendments and provide comments, expected in August 2022. Adoption public hearings are tentatively scheduled before the LPA on October 20, 2022 and the BCC on November 15, 2022.

Once the Regular Cycle amendments have been adopted by the BCC, they will become effective 31 days after DEO notifies the County that the plan amendment package is complete. These amendments are expected to become effective in December 2022, provided no challenges are brought forth for any of the amendments.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch., Manager, Planning Division, at (407) 836-5802 or [Alberto.Vargas@ocfl.net](mailto:Alberto.Vargas@ocfl.net), or Gregory Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or [Gregory.Golgowski@ocfl.net](mailto:Gregory.Golgowski@ocfl.net).



**Applicant/Owner:** M. Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A./PRS Investors Group LLP

**Location:** 14300, 14316, 14320, 14324, 14328, 14332, 14454, 14472, and 14500 Avalon Road; generally located west of Avalon Road and south of Grove Blossom Way, east of the Orange County-Lake County line.

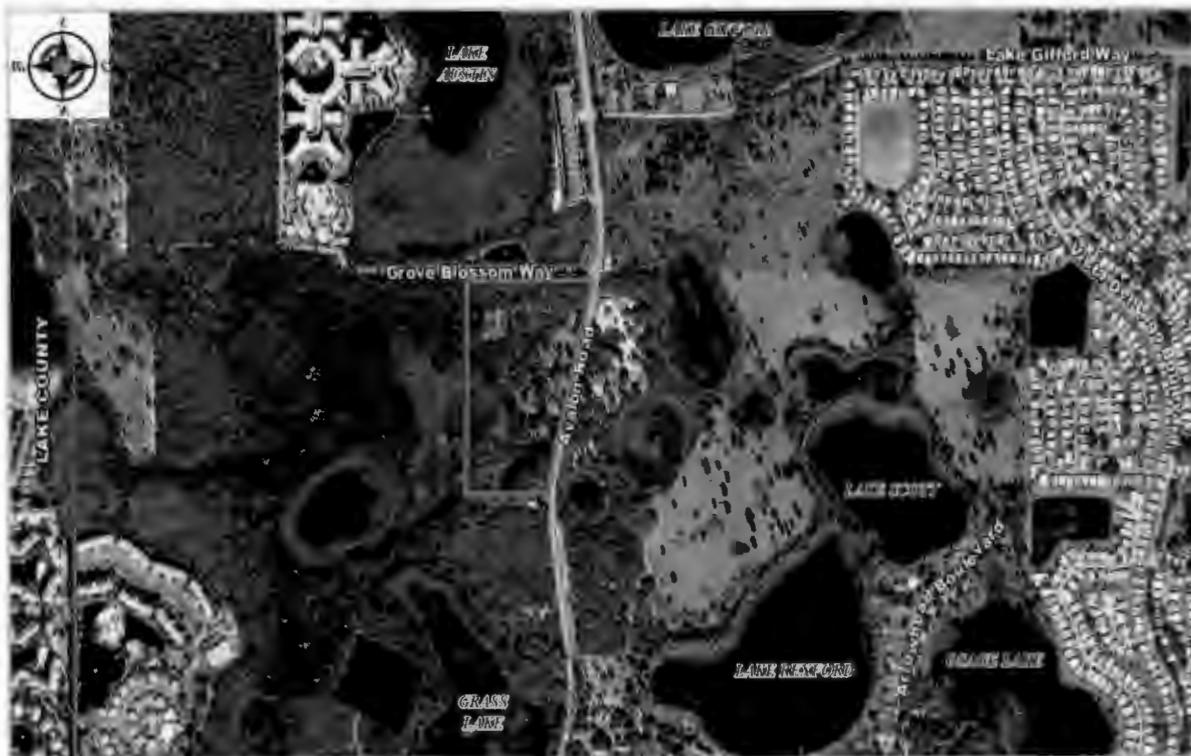
**Existing Use:** Two single-family homes and undeveloped land

**Parcel ID Numbers:**  
31-24-27-0000-00-013/014/017/018/019/024/031/032/037

**Tract Size:** 22.197 gross acres/  
17.118 net developable acres

The following meetings and hearings have been held:		Project Information
Report/Public Hearing	Outcome	
✓ A virtual community meeting was held May 12, 2022, with one member of the public in attendance.	Positive	<b>Request:</b> Village (V) to Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR) and Staff-Initiated Text Amendment to incorporate the proposed development program into Future Land Use Element Policy FLU8.1.4
✓ Staff Report	Recommend Transmittal	<b>Proposed Development Program:</b> Up to 342 multi-family dwelling units and up to 87,120 square feet of C-1 (Retail Commercial District) uses on four acres, at a maximum floor area ratio (FAR) of 0.5
✓ LPA Transmittal June 16, 2022	Recommend Transmittal (5-0)	<b>Public Facilities and Services:</b> Please see the Public Facilities & Services Appendix for specific analysis of each public facility. <b>Environmental:</b> Conservation Area Determination CAD-22-02-043 was issued May 2, 2022, and expires May 2, 2027. CAD-22-02-043 identified 5.019 acres of Class I and 0.06 acre of Class III conservation areas within the project boundary. <b>Utilities:</b> The subject property is located within Orange County Utilities' (OCU's) potable water, wastewater, and reclaimed water service areas. <b>Schools:</b> Per School Capacity Determination OC-22-036, dated June 16, 2022, capacity is available at the elementary, middle, and high schools that would currently serve the project. This determination is valid until December 10, 2022.
BCC Transmittal	July 12, 2022	<b>Concurrent Rezoning:</b> Case LUP-22-06-199 A proposed rezoning from A-1 (Citrus Rural District) to PD (Planned Development District) (Village at Avalon PD/LUP) is proceeding through DRC review and is expected to be considered in conjunction with the requested Future Land Use Map Amendment during the adoption public hearing stage.
State Agency Comments	August 2022	
LPA Adoption	October 20, 2022	
BCC Adoption	November 15, 2022	

**AERIAL**



## **FUTURE LAND USE - CURRENT**



**Current Future Land Use:**  
Village (V)

### **Special Area Information**

Growth Center: U.S. 192  
Growth Center

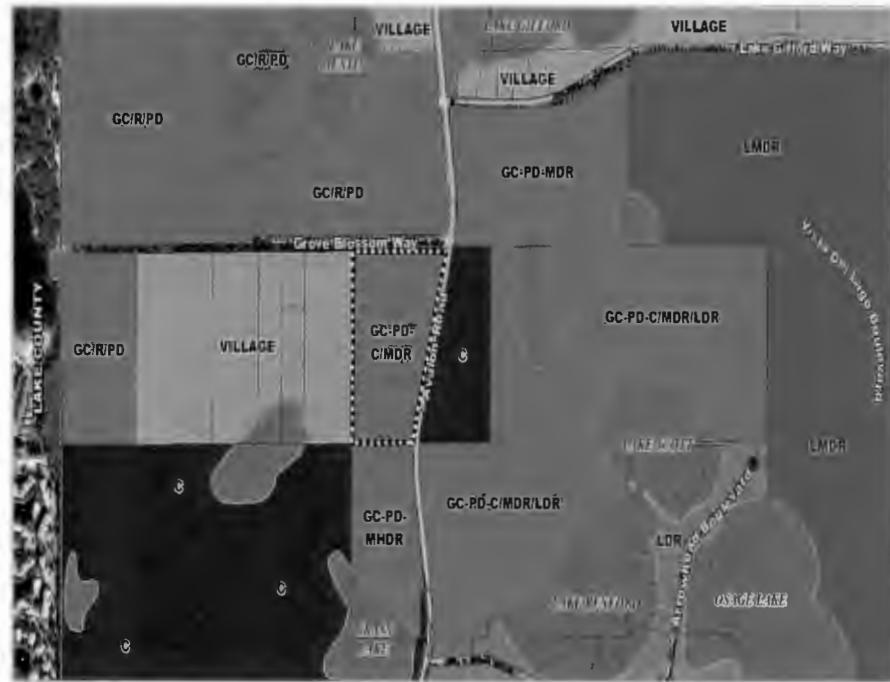
JPA: N/A

Rural Settlement: N/A

Overlay District: N/A

Airport Noise Zone: N/A

## **FUTURE LAND USE – PROPOSED**



**Proposed Future Land Use:**  
Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR)

## **ZONING - CURRENT**



## Zoning:

### A-1 (Citrus Rural District)

### **Existing Uses:**

## N: The Grove Resort & Waterpark and Palisades Condominiums

S: Future 360-unit Registry on Grass Lake multi-family community

E: Future Sutton Lakes mixed-use development (700 single-family attached and detached homes and 20,000 square feet of C-1 uses) and undeveloped land

### W: Undeveloped land

## Staff Recommendations

1. **FUTURE LAND USE MAP AMENDMENT 2022-2-A-1-2:** Make a finding that the information contained in the application for the proposed amendment is sufficiently complete; that the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes; and recommend to the Local Planning Agency that the amendment, 2022-2-A-1-2, be TRANSMITTED to the state reviewing agencies.
2. **FUTURE LAND USE TEXT AMENDMENT 2022-2-B-FLUE-2:** Make a finding the proposed amendment has the potential to be found "in compliance," as defined by Section 163.3184(1)(b), Florida Statutes, and recommend to the Local Planning Agency that Amendment 2022-2-B-FLUE-2 be TRANSMITTED to the state reviewing agencies.

## Analysis

### 1. Background and Development Program

The applicant, Rebecca Wilson of Lowndes, Drosdick, Doster, Kantor & Reed, P.A., is requesting to change the Future Land Use Map (FLUM) designation of the 22.197-acre subject property from Village (V), a classification unique to the Horizon West planning area in southwest Orange County, to Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR). The site is located southwest of the intersection of Avalon Road and Grove Blossom Way, approximately one-half mile north of the U.S. 192 tourist commercial corridor, and is comprised of nine individual parcels—two single-family residential homesites and seven presently-undeveloped properties. The site consists of 17.118 upland acres, 5.019 acres of Class I wetlands, and 0.06 acre of Class III wetlands, established via Conservation Area Determination CAD-22-02-043, issued by the Orange County Environmental Protection Division (EPD) on May 2, 2022. It is the intent of the prospective developer, Aventon Companies, to develop the combined 22.197 acres for a mixed-use project featuring up to 87,120 square feet of C-1 (Retail Commercial District) uses on four acres at the corner of Avalon Road and Grove Blossom Way, at a maximum floor area ratio (FAR) of 0.5, and up to 342 multi-family dwelling units. The site's wetland acreage is proposed to remain undisturbed.

The subject property received its Village FLUM designation through its inclusion in the Horizon West Study Area in 1995. The site, however, does not lie within any of the six Special Planning Areas (Villages) that have been adopted to date, nor is it contiguous to the nearest Special Planning Area, Village I, located roughly one-half mile to the north. Rather, as depicted on the current Future Land Use Map, the property is wholly situated within the U.S. 192 Growth Center boundary, as are the six neighboring Village-designated parcels to the west (not included in this application). The applicant, therefore, is seeking to formally incorporate the property into the U.S. 192 Growth Center through the submittal of this amendment application to enable the proposed mixed-use project to move forward. Inclusion in the Growth Center would allow for the development of the site at a density and intensity above its current maximum permitted density of one dwelling unit per ten acres—the cap imposed on Village-designated properties located outside a Special Planning Area.

As illustrated on the aerial map, the subject property is located in an area characterized by a mix of resort development; existing and planned residential communities featuring a variety of housing types, including multi-family units, townhomes, single-family detached homes, and manufactured homes; and approved commercial uses that will provide goods and services to both visitors and the surrounding residential population. Two short-term rental resorts, The Grove Resort & Waterpark

and the Palisades Condominiums, lie directly north of the site. Both developments are part of the BB Groves South PD and have corresponding Growth Center/Resort/Planned Development (GC/R/PD) FLUM designations. The Registry on Grass Lake PD, with an adopted FLUM designation of Growth Center-Planned Development-Medium-High Density Residential (GC-PD-MHDR), is situated immediately south of the subject property and is approved for the future development of a 360-unit multi-family community.

The Sutton Lakes PD is located east of the subject property and has an approved development program of up to 700 attached and detached residential units and 20,000 square feet of C-1 (Retail Commercial District) uses. This PD—presently undeveloped—has a Growth Center-Planned Development-Commercial/Medium Density Residential/Low Density Residential (GC-PD-C/MDR/LDR) FLUM designation. The Avalon Grove PD, located immediately north of Sutton Lakes, is entitled for the future construction of up to 600 multi-family units, in accordance with its adopted Growth Center-Planned Development-Medium Density Residential (GC-PD-MDR) FLUM classification.

As mandated by **Future Land Use Element Policy FLU7.4.6**, all new development within a Growth Center must apply for a PD (Planned Development District) zoning classification to specifically identify densities, intensities, and mix of land uses. Accordingly, the applicant is petitioning to rezone the subject property from A-1 (Citrus Rural District) to PD (Planned Development District) to create the Village at Avalon PD and establish design and development standards for the mixed-use project. This rezoning application, Case LUP-22-06-199, is currently proceeding through DRC review and is expected to be considered concurrently with this requested FLUM Amendment during the adoption public hearing stage.

## 2. Project Analysis

### Consistency

The requested FLUM amendment appears to be **consistent** with the applicable Goals, Objectives, and Policies of the Comprehensive Plan.

As stated previously, the subject property is located in an area characterized by a mix of resort development, existing and planned residential communities featuring a variety of housing types, and approved commercial uses that will provide goods and services to both visitors and the surrounding residential population.

As established in **Future Land Use Element Policy FLU1.1.4.F**, Growth Centers are a future land use designation implemented through Joint Planning Area agreements with an outside jurisdiction. These agreements typically provide, at a minimum, that the County will not incur initial capital costs for utilities. The subject property is located within Orange County Utilities' (OCU's) potable water, wastewater, and reclaimed water service areas. OCU has communicated that a 24-inch potable water main, a 16-inch forcemain, and a 12-inch reclaimed water main are in place within the right-of-way of abutting Grove Blossom Way. OCU notes that water, wastewater, and reclaimed water demands and connection points will be addressed as the mixed-use project proceeds through the Development Review Committee (DRC) review and construction permitting processes. OCU adds that no plant improvements are needed to maintain level of service (LOS) standards. Connection points and transmission system capacity will be evaluated at the time of Master Utility Plan review and permitting or at the request of the applicant.

Staff finds the proposed Growth Center-Planned Development-Commercial/Medium Density Residential designation and associated mixed-use development program consistent with **Future Land**

Use Element Policy FLU1.1.1, which mandates that urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay (Scenario 5), Growth Centers, and to a limited extent, Rural Settlements. Staff views the 22.197-acre subject property as an underutilized parcel that provides an opportunity for infill development on the site's 17.118 upland acres that would likely benefit both area residents and tourists, while simultaneously ensuring the protection of the onsite wetlands, consistent with Conservation Element Objective C1.4, which establishes that Orange County shall protect identified wetland areas and existing native wildlife (flora and fauna) habitats.

In accordance with Future Land Use Element Policy FLU1.1.2.A, the applicant has established the maximum desired development program for the residential component of the project, proposing up to 342 multi-family units under the "urban-scale" Medium Density Residential future land use designation, which allows single- and multi-family residential development at a maximum density of 20 dwelling units per net acre. The proposal to construct up to 342 multi-family units is consistent with Housing Element Objective H1.1, which states that Orange County will support private sector housing production capacity sufficient to meet current and anticipated housing needs. It is staff's belief that the proposed multi-family component of the mixed-use project would contribute to the mix of available housing options in an area of the County deemed appropriate for urban uses, as set forth in Future Land Use Element Policy FLU1.1.1.

Staff notes that the provision of affordable housing options in this area of the County is crucial and would help further the goals of Orange County's Housing for All 10-Year Action Plan, which aims to preserve and create 30,300 affordable and attainable housing units by 2030. It is staff's belief that the requested FLUM Amendment and associated residential development program are consistent with Orange County's commitment to ensuring that sufficient land is available to meet the identified housing needs of its present and future residents.

Staff further finds the proposed project consistent with Future Land Use Element Objective OBJ FLU2.2, which establishes that Orange County shall develop, adopt, and implement mixed-use strategies and incentives as part of its comprehensive plan and land development code efforts, including standards for determining consistency with the Future Land Use Map. Other objectives of mixed-use development include reducing trip lengths, providing for diverse housing types, using infrastructure efficiently and promoting a sense of community. With respect to the project's commercial element, it is staff's belief that the incorporation of a well-designed commercial center featuring up to 87,120 square feet of C-1 uses on four acres at the corner of Avalon Road and Grove Blossom Way would complement neighboring residential and resort development and could alleviate the need to travel south to the heavily-commercial US 192 corridor for goods and services. Staff notes that the commercial and residential design and development standards for the project will be established through the PD rezoning process and refined during the DP review stage.

Staff notes that in addition to submitting their amendment application package, the applicant team has engaged in discussions with the District 1 Commissioner's Office on such topics as affordable housing, the creation of a walkable and bikeable mixed-use community, protection of the natural environment, and support for future transit in the vicinity of the subject site, if applicable. As outlined in an April 29, 2022, email message to the District 1 Commissioner's Office, the applicant team has specifically discussed the following matters:

- **Wetland Preservation:** The prospective developer is proposing no impacts to the 5.019-acre Class I wetland delineated through CAD-22-02-043, which also extends offsite to the west. The prospective developer intends to preserve this area as a visual amenity for their residents.

- **Tree Preservation:** The applicant team has communicated that all trees in the wetland area will be preserved (unless exotic, thereby requiring removal). The prospective developer intends to save the trees near the wetlands as part of a trail system around the wetland and to build around any significant stands of trees.
- **Eight-Foot Sidewalks:** The development team has proposed the provision of a sidewalk trail eight feet in width around the wetland preserve to create a pleasant walking and biking trail for their residents.
- **80%-120% Area Median Income (AMI):** Based on the lower density nature of the development, the applicant team has stated that their development costs will lead them to be able to have rents that are affordable within the 80%-120% AMI range. The prospective developer has asserted that they are not requesting any money from the state or County to accomplish this nor are they seeking any impact fee waivers related to affordable housing, as they are not proposing a formal deed restriction or condition of approval. Instead, they have noted that it is a market-driven outcome based on the floor plans and type of building product they intend to offer.
- **Integration of Commercial with Residential:** The prospective developer intends to provide pedestrian and vehicular connectivity to the four-acre commercial site they are setting aside on the hard corner of Avalon Road and Grove Blossom Way to ensure a walkable community. The prospective developer further plans to provide pedestrian access to all of the onsite amenities.
- **Support for Future Transit:** The prospective developer intends to provide a bus shelter and dedicated land or easement for the shelter if requested or applicable, based on current or future planned bus routes.
- **Parking Variance and EV Charging Stations:** The development team intends to request a parking variance to lower the parking count to approximately 1.7 spaces per unit and will be providing at least 12 electric vehicle (EV) charging stations at parking spaces and garages

Staff emphasizes that the discussions that have occurred to date are preliminary and stresses that restrictions or conditions may not be placed on a Future Land Use Map Amendment, as established in Future Land Use Element Policy FLU8.2.1. These topics will be addressed in greater detail during the PD rezoning and Development Plan (DP) stages of the project.

### **Community Meeting**

A virtual community meeting was held for this proposed amendment on May 12, 2022. 703 notices were mailed, but only one member of the public attended the meeting. The meeting participant raised no questions or voiced any objections about the proposed mixed-use project.

### **Staff-Initiated Text Amendment**

Future Land Use Element Policy FLU8.1.4 establishes the development programs for Planned Development (PD) and Lake Pickett (LP) FLUM designations adopted since January 1, 2007. The development program for this requested amendment is proposed for incorporation into Policy FLU8.1.4 via a corresponding staff-initiated text amendment, Amendment 2022-2-B-FLUE-2. If adopted, the maximum development program for Amendment 2022-2-A-1-2 will be as follows:

Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
<u>2022-2-A-1-2</u> <u>Village at Avalon</u>	<u>Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR)</u>	<u>Residential: Up to 342 multi-family dwelling units</u> <u>Commercial: Up to 87,120 square feet of C-1 (Retail Commercial District) uses on four acres, at a maximum floor area ratio (FAR) of 0.5</u>	<u>2022-</u>

### Compatibility

The requested FLUM amendment and associated development program appear to be **compatible** with the development trend of the surrounding area. Future Land Use Element Objective FLU8.2 states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions, while **Policy FLU8.2.1** requires land use changes to be compatible with the existing development pattern and development trends in the area. The nature of the proposed mixed-use project is consistent with its location within the U.S. 192 Growth Center, characterized by a mix of resort development, existing and planned residential communities featuring a variety of housing types, and approved commercial uses that will provide goods and services to both visitors and the surrounding residential population.

It is staff's belief that the proposed mixed-use project would contribute to the County's larger goals of promoting compact urban form consistent with the County's Growth Center Policies, providing for a range of living options, efficiently using existing and planned infrastructure, reducing trip lengths, and encouraging accessibility via multiple modes of transportation. Staff, therefore, recommends transmittal of this requested amendment.

### Public Facilities and Services

**Environmental.** The Orange County Environmental Protection Division (EPD) has reviewed the proposed amendment application and has provided the following analysis:

#### EPD Review Summary:

- The applicant's Conservation Area Determination, CAD-22-02-043, identified 5.019 acres of Class I and 0.06 acres of Class III conservation areas within the project boundary.
- The current estimated net developable acreage is 17.118 acres.
- Any wetland encroachments will require submittal of an application for a Conservation Area Impact (CAI) Permit.

#### FLUM Amendment Comments:

1. Conservation Area Determination - Orange County Conservation Area Determination CAD-22-02-043 was completed, with a certified survey of the conservation area boundary approved by the Environmental Protection Division (EPD) on May 2, 2022. CAD-22-02-043 identified

5.019 acres of Class I and 0.06 acres of Class III conservation areas within the project boundary, resulting in 17.118 acres of uplands.

2. Conservation Area Impacts - Any wetland encroachments will require submittal of an application for a Conservation Area Impact (CAI) Permit to EPD as outlined in Chapter 15, Article X, Wetland Conservation Areas.
3. Habitat Permit Compliance - Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled species (endangered, threatened, or species of special concern). The applicant is responsible for determining the presence of these concerns and verifying and obtaining, if necessary, any required habitat permitting by the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
4. Jurisdictional Coordination - This environmental review only addresses Orange County's environmental regulatory code. However, the project shall also obtain and comply with all other existing environmental permits and applicable environmental regulations of, but not limited to, the Army Corps of Engineers (ACOE), the Florida Department of Environmental Protection (FDEP), the applicable Water Management District, the U.S. Fish and Wildlife Service (USFWS), and the Florida Fish & Wildlife Conservation Commission (FWC). It is possible that one of the other agencies could deny the request even if the County approves it, or they may have other natural resource protection requirements. Therefore, it is imperative that this proposal be addressed on a multi-agency basis.

**Additional Comments:**

1. Erosion Control - Use caution to prevent erosion during construction along the boundary of the property, into wetlands and buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control. Minimize the extent of area exposed at one time, apply perimeter controls where necessary, and perform maintenance checks every seven (7) days and after every 1/2-inch rain. The construction entry area shall be designed to prevent trucks from tracking soil onto local roads, and the affected storm drainage system shall be protected. This may require periodic street sweeping. *Reference Orange County Code Chapter 34 Subdivision Regulations, Article VII Stormwater Management, Division 2 General Design Criteria, Sec. 250 Open Drainage Facilities, (g).*
2. Demolition - Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to EPD. For more information, or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400. *Reference Orange County Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 4 Asbestos requirements, Section 108 Notification procedure and requirements, Subsection A(1).*
3. Solid Waste Disposal - Any miscellaneous garbage, hazardous waste, yard waste (including excess fertilizers, herbicides, and pesticides), and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.
4. Existing Septic and Well - If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management

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District about the system permit application, modification, or abandonment prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies. Contact the FDOH for the septic system and both FDOH and the Water Management District for wells. *Reference Orange County Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal for details on Individual On-Site Sewage Disposal.*

**Transportation.** The applicant is requesting to change the 22.197-acre subject property from Village (V) to Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR) to develop a mixed-use project with up to 342 multi-family dwelling units and 87,120 square feet of commercial space on four (4) acres. Analysis of the project trips from the currently-approved future land use designation versus the proposed classification indicates that the proposed development will result in an increase in the number of p.m. peak trips and, therefore, impact area roadways. Based on the Concurrency Management System (CMS) database, several roadways within the project's impact area are not operating at acceptable levels of service, and capacity is not available to be encumbered.

Transportation Planning notes that the site is located along a constrained/backlogged facility or multimodal corridor.

Based on trip generation estimates from the 11th Edition of the Institute of Transportation Engineers *Trip Generation Handbook*, the allowable development based on the currently-approved future land use designation will generate 14 p.m. peak hour trips. Development of the desired mix of uses in accordance with the requested GC-PD-C/MDR future land use classification will generate 387 p.m. peak hour trips, resulting in a net increase of 373 p.m. peak hour trips.

The subject property is located on the west side of Avalon Road just south of Grove Blossom Way. Based on the Concurrency Management System (CMS) database dated May 24, 2022, several roadway segments currently operate at Level of Service F, and capacity is not available to be encumbered. Other roadway segments within the project's impact area operate at acceptable levels of service. This information is dated and is subject to change.

The existing roadway network analysis revealed the following roadway segments are operating below their adopted LOS standard:

- Avalon Road from U.S. 192 to Hartzog Road
- Avalon Road from Hartzog Road to Western Way
- Avalon Road from Western Way to Flamingo Crossings Boulevard
- U.S. 192 from the Lake County Line to the Osceola County Line.

Based on YR 2025, the following roadway segments are operating below their adopted LOS standard:

- Avalon Road from U.S. 192 to Hartzog Road
- Avalon Road from Hartzog Road to Western Way
- Avalon Road from Western Way to Flamingo Crossings Boulevard
- U.S. 192 from the Lake County Line to the Osceola County Line.

Based on YR 2040, the following roadway segments are operating below their adopted LOS standard:

- Avalon Road from U.S. 192 to Hartzog Road
- Avalon Road from Hartzog Road to Western Way
- Avalon Road from Western Way to Flamingo Crossings Boulevard

- Hartzog Road from Avalon Road to Western Way
- U.S. 192 from the Lake County Line to the Osceola County Line.

Transportation Planning notes that no road agreements are required for this project. Per Transportation Planning, there are planned and programmed roadway improvements for C.R. 545 (Avalon Road) associated with a Roadway Conceptual Analysis (RCA) Study for the widening of C.R. 545 (Avalon Road) from U.S. 192 to Hartzog Road. The purpose of the study is to assess and recommend roadway improvements anticipated to improve safety and traffic flow in the area. The study considers the social and environmental impacts of adding travel lanes and other features such as, but not limited to, drainage conveyance and treatment improvements, proposed multi-purpose paths, raised medians, lighting, landscaping, and intersection improvements. Project length is approximately 1.6 miles. The roadway conceptual analysis is approximately 51% complete at the time of this report (May 2022). This information is dated and subject to change. Transportation Planning adds that 30 feet of right-of-way is needed for C. R. 545 South. Please contact the Transportation Planning Division to begin the right-of-way process.

Final permitting of any development on this site will be subject to review and approval under the capacity constraints of the County's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Plan.

**Utilities.** The subject property lies within Orange County Utilities' (OCU's) potable water, wastewater, and reclaimed water service areas. Per OCU, there is a 24-inch potable water main within the right-of-way of Grove Blossom Way. With respect to wastewater, a 16-inch forcemain is in place within the Grove Blossom Way right-of-way. Reclaimed water is also available, with a 12-inch reclaimed water main within the Grove Blossom Way right-of-way. OCU notes that water, wastewater, and reclaimed water demands and connection points will be addressed as the mixed-use project proceeds through the Development Review Committee (DRC) review and construction permitting processes. OCU adds that no plant improvements are needed to maintain level of service (LOS) standards. This evaluation pertains solely to water and wastewater treatment plants. Connection points and transmission system capacity will be evaluated at the time of Master Utility Plan review and permitting or at the request of the applicant.

**Schools.** Per School Capacity Determination OC-22-036, dated June 16, 2022, capacity is available at the elementary, middle, and high schools that would currently serve the project. This determination is valid until December 10, 2022.

### 3. Policy References

**OBJ FLU2.2 – Orange County** shall develop, adopt, and implement mixed-use strategies and incentives as part of its comprehensive plan and land development code efforts, including standards for determining consistency with the Future Land Use Map. Other objectives of mixed-use development include reducing trip lengths, providing for diverse housing types, using infrastructure efficiently and promoting a sense of community.

**OBJ FLU8.2 – COMPATIBILITY.** Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following polices shall guide regulatory decisions that involve differing land uses.

**OBJ H1.1** – The County will continue to support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

**OBJ C1.4** – Orange County shall protect identified wetland areas and existing native wildlife (flora and fauna) habitats.

**FLU1.1.1** – Urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay (Scenario 5), Growth Centers, and to a limited extent, Rural Settlements.

**FLU1.1.2** – The Future Land Use Map shall reflect the most appropriate maximum and minimum densities for residential development.

Residential development in Activity Centers and Mixed Use Corridors, the Horizon West Village and Innovation Way Overlay (Scenario 5) and Growth Centers may include specific provisions for maximum and minimum densities.

The densities in the International Drive Activity Center shall be those indicated in the adopted Strategic Development Plan.

**FLU1.1.2.A** – The following are the maximum residential densities permitted within the Urban Service Area for all new single use residential development or redevelopment. Future Land Use densities for the following categories shall be:

FLUM Designation	General Description	Density
<b>Urban Residential – Urban Service Area</b>		
Low Density Residential (LDR)	Intended for new residential projects within the USA where urban services such as water and wastewater facilities are present or planned. This category generally includes suburban single family to small lot single-family development.	0 to 4 du/ac
Low Medium Density Residential (LMDR)	Recognizes low- to medium-density residential development within the USA, including single family and multi-family residential development.	0 to 10 du/ac
Medium Density Residential (MDR)	Recognizes urban-style multifamily residential densities within the USA.	0 to 20 du/ac
Medium-High Density Residential (MHDR)	Recognizes a transition in density between highly urbanized areas and medium density residential development that support public transit and neighborhood serving amenities within a reasonable pedestrian walkshed.	0 to 35 du/ac
High Density Residential (HDR)	Recognizes high-intensity urban-style development within the USA.	0 to 50 du/ac
(Amended 8/92, Ord. 92-24, Policy 1.1.11-r; Amended 11/17, Ord. 2017-19)		

**FLU1.1.4.F – GROWTH CENTER(S)** – Growth Centers are a Future Land Use designation implemented through Joint Planning Area agreements with an outside jurisdiction. These agreements provide at a minimum that the County will not incur initial capital costs for utilities. Orange County has two Growth Centers – one in the northwest referred to as the Northwest Growth Center and one in the southeast referred to as Growth Center/Resort/PD.

**FLU7.4.4** – Urban intensities shall be permitted in designated Growth Centers when urban services are available from other sources as approved by Orange County, consistent with the appropriate policies of the Comprehensive Plan. If services and facilities sufficient to maintain adopted level of service standards are not available concurrent with the impacts of development, the development will be phased such that the services and facilities will be available when the impacts of development occur or the development orders and permits will be denied.

**FLU7.4.5** Development in Growth Centers shall only occur when someone other than Orange County incurs the initial capital cost of the required urban facilities and the incremental cost of the required urban services. Consistent with applicable law, paybacks shall be implemented with respect to future users benefiting from the supplied facilities and services; but such paybacks shall not be from Orange County except as a conduit.

The provision of service by Orange County may be permitted when all of the following criteria are met:

- A. The connection point(s) to Orange County facilities exists within two (2) miles (as measured along existing road right-of-way) of the proposed "affordable housing development";
- B. Capacity is available at the time of the requested Growth Center amendment;
- C. Extension of services and facilities and reservation of capacity is at the expense of someone other than Orange County. (Added 8/92, Ord. 92-24; Amended 10/11, Ord. 2011-08, Policy 1.2.4)

**FLU7.4.6** – Within a Growth Center, all new development must apply for Planned Development zoning, in order to specifically identify densities, intensities and mixture of land use.

Additionally, all new development and substantial redevelopment in portions of Growth Centers located within the Wekiva Study Area shall adhere to the development standards adopted to implement the Wekiva Parkway and Protection Act, Ch. 369, Part III, FS.

Such standards shall include, but are not limited to one or more of the following:

- (1) Additional stormwater treatment and retention (maintenance of water quality and recharge);
- (2) Enhanced wastewater treatment;
- (3) Limitations of certain allowed uses within the most vulnerable portions of the Study Area;
- (4) Subdivision standards;
- (5) Open space requirements;

- 
- (6) "Smart growth" roadway design standards;
  - (7) Parking lot design standards,
  - (8) Upland habitat protection, and
  - (9) Such other measures as required to protect ground and surface water in the Wekiva Study Area.

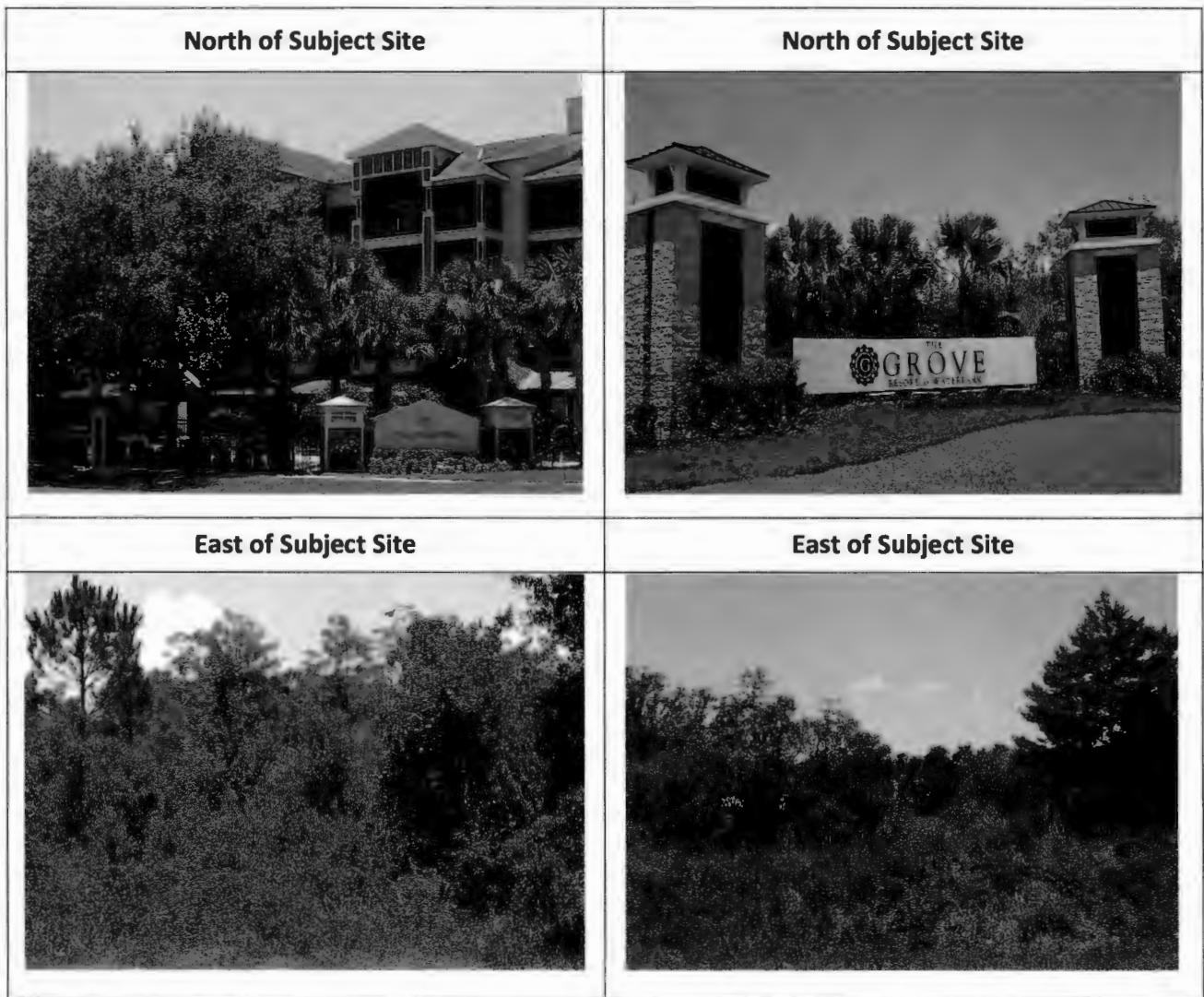
(Added 11/95, Ord. 95-35, Ord. 2007-20, Policy 1.2.5)

**FLU8.2.1** – Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

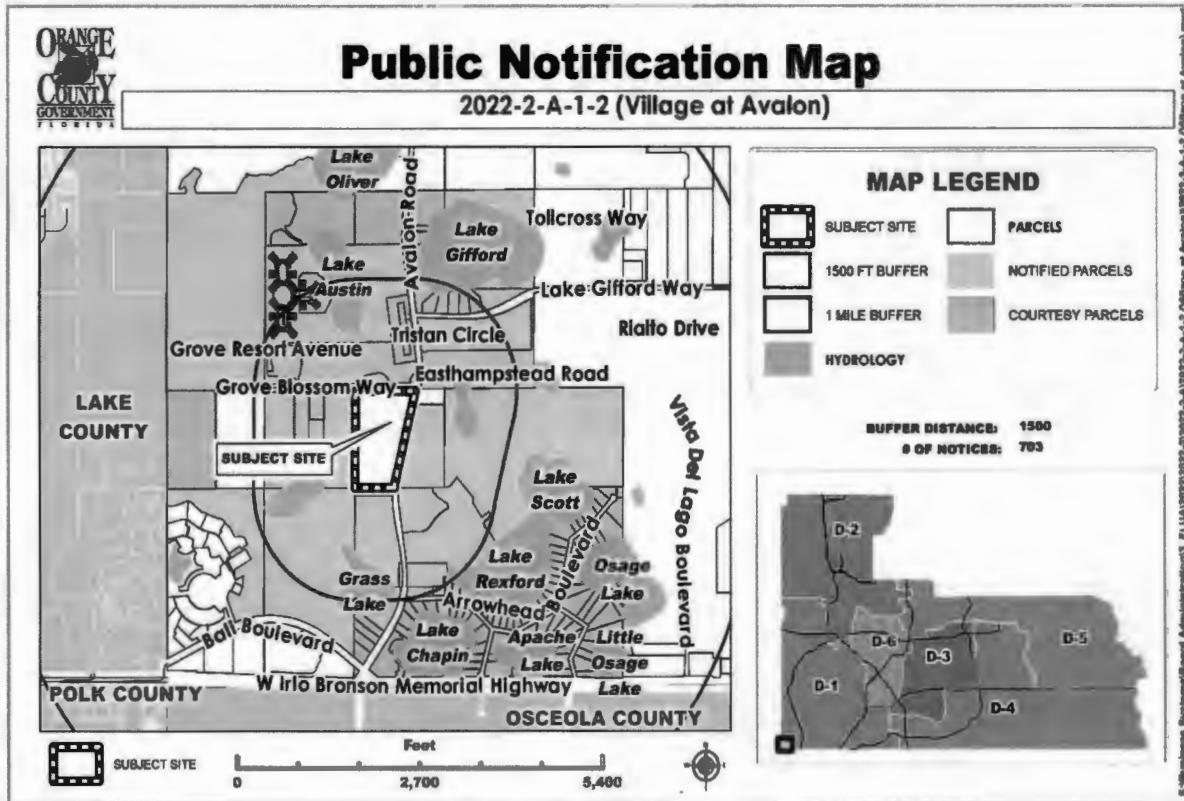
**Site Visit Photos**

<b>Subject Site</b>	<b>Subject Site</b>
<b>Subject Site</b>	<b>Subject Site</b>
<b>South of Subject Site</b>	<b>West of Subject Site</b>

**Site Visit Photos**



## PUBLIC NOTIFICATION MAP



### Notification Area

- 1,500 feet plus neighborhood and homeowners' associations within a one-mile radius of the subject site
- 703 notices sent



**Environmental Protection Division**

**CONSERVATION AREA  
DETERMINATION**

**Determination No:** CAD-22-02-043

**Date Issued:** May 2, 2022

**Date Expires:** May 2, 2027

**Activity Location:**

Avalon Road, Winter Garden, FL 34787

Parcel ID Nos.: 31-24-27-0000-00-031, 31-24-27-0000-00-014, 31-24-27-0000-00-037, 31-24-27-0000-00-013, 31-24-27-0000-00-024, 31-24-27-0000-00-017, 31-24-27-0000-00-018, 31-24-27-0000-00-032, 31-24-27-0000-00-019

Parcel Description: See attached

Orange County Commission District: 1

**Permittee / Authorized Entity:**

PRS Investors Group, LLP  
c/o Robert Gaherty  
Aventon Holdings II, LLC  
Email: [bgaherty@aventoncompanies.com](mailto:bgaherty@aventoncompanies.com)

The Environmental Protection Division (EPD) has received your certified survey received on April 20, 2022, which accurately depicts the approved limits of the jurisdictional surface waters and/or wetlands (conservation areas) on the referenced property. This Determination is binding for a period of five years.

The conservation area(s), as delineated in the field have been classified as follows:

<u>Wetland Identification Number</u>	<u>Class</u>	<u>FLUCCS<sup>1</sup>/ Remarks</u>
W-1 <sup>2</sup>	I	641 Freshwater Marshes & 630 Wetland Forested Mixed / Larger than 40 acres
W-2	III	617 Mixed Wetland Hardwoods / Isolated; Less than five acres

*<sup>1</sup>Florida Land Use, Cover and Forms Classification System (FLUCCS) Handbook, Florida Department of Transportation, January 1999 (Third Edition)*

*<sup>2</sup>W-1 extends offsite*

Approved, subject to the following conditions:

1. The enclosed survey accurately depicts the limits of the jurisdictional surface waters/wetlands on the referenced property, as confirmed by EPD during the site inspection. This determination letter, along with the approved survey, constitutes final approval of the CAD.
2. The limits of wetlands and surface waters delineated on the approved survey are only binding for a period of five years from the date of CAD issuance provided physical conditions on the property do not change so as to alter the boundaries of surface waters or wetlands during that period. The limitations of this condition cannot be modified to allow for a longer duration without a complete reassessment of the limits of surface waters and wetlands occurring on the project. Changes in surface waters or wetland boundaries resulting from work authorized by a permit pursuant to Chapter 15, Article X, Section 15-376, will not be considered as altering the boundary for the purposes of this condition.
3. Please be advised that this permit does not grant approval to clear trees and vegetation in uplands. A site work, building, or tree mitigation permit is required in order to remove any trees or vegetation. A building permit limits clearing to the building pad including permanent power, driveway, on site disposal systems, and 15 feet around the building pad, per Orange County Code, Section 15-304. Contact 407-836-5807 for questions regarding additional clearing.
4. This CAD does not provide relief from other local, state, or federal policies, which regulate activity on the subject property. If this determination conflicts with those of any other Agency, Department, or Division, the applicant must rectify the conflict or comply with the most stringent conditions.
5. No construction, clearing, alteration, filling or grading is allowed within the limits of the conservation area unless approved by the County.
6. The property owner/permittee is also responsible for addressing any adverse secondary impacts to surface waters, wetlands, or conservation areas that may occur as a result of the development of the site.
7. The County may revoke this CAD upon finding that the applicant has submitted inaccurate information to the County regarding the delineation of surface waters or wetlands on the project site.
8. This CAD supersedes any existing determinations made on this parcel.

9. An upland buffer of a minimum of 25 feet is recommended for all Class I, II, and III wetland systems unless scientific data dictate a larger or smaller buffer based on wetland function or local conditions.

If you should have any questions concerning this permit, please contact Nicole Salvatico at 407-836-1494 or [Nicole.Salvatico@ocfl.net](mailto:Nicole.Salvatico@ocfl.net).

Project Manager:

*N. Salvatico*

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Nicole Salvatico, Senior Environmental Specialist

Authorized for the Orange County Environmental Protection Division by:

*Tim Hull* for

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David D. Jones, P.E., CEP, Environmental Protection Officer

NS/NT/TMH/DJ/gfdjr:

Attachment: Approved Survey

c: PRS Investors Group LLP, 15137 Innis Lake Road, Caledon East, Ontario, L7C-3A1

Joel Thomson, Thomson Environmental Consulting, LLC, [joel@thomsonenv.com](mailto:joel@thomsonenv.com)

Lisa Prather, South Florida Water Management District, [lprather@sfwmd.gov](mailto:lprather@sfwmd.gov)

Conservation Planning Services, FWC, [conservationplanningservices@MyFWC.com](mailto:conservationplanningservices@MyFWC.com)

Rocco Campanale, Orange County Property Appraiser's Office, [rcampanale@ocpafl.org](mailto:rcampanale@ocpafl.org)

Property Descriptions

31-24-27-0000-00-031

BEG 210 FT S OF NW COR OF SW1/4 OF NE1/4 RUN S 195 FT E 678.07 FT N 95 FT E TO RD R/W ST RD 545 TH NELY 102.4 FT W 907.87 FT TO POB & N 210 FT OF SW1/4 OF NE1/4 W OF RD IN SEC 31-24-27 (LESS N 30 FT) ALL IN SEC 31-24-27

31-24-27-0000-00-014

S 200 FT OF N 510 FT OF E1/2 OF SW 1/4 OF NE1/4 LYING W OF ST RD #545 IN SEC 31-24-27

31-24-27-0000-00-037

THAT PART OF SW1/4 OF NE1/4 LYING W OF RD (LESS N 525 FT & LESS S 647 FT) IN SEC 31-24-27 2804/1338 & OR B&P 6025/3371, ON 06-13-00, INST CT

31-24-27-0000-00-013

N 207 FT OF S 647 FT OF SW 1/4 OF NE 1/4 W OF STATE RD IN SEC 31-24-27

31-24-27-0000-00-024

N 230 FT OF S 440 FT OF SW1/4 OF NE1/4 W OF ST RD & THAT PT OF S 440 FT OF E1/2 OF SW1/4 OF NE1/4 LYING W OF ST RD # 545 IN SEC 31-24-27 OR 987/349 OR B&P 4468/1923, ON 06-30-92, INST QM

31-24-27-0000-00-017

S 210 FT OF W1/2 OF SW1/4 OF NE1/4 SEC 31-24-27 (LESS S 100 FT THEREOF) 2722/942 OR B&P 4875/2205, ON 03-31-95, INST QC

31-24-27-0000-00-018

S 100 FT OF W1/2 OF SW1/4 OF NE1/4 ON W SIDE OF SR 545 IN SEC 31-24-27 OR B&P 4468/1923, ON 06-30-92, INST QM

31-24-27-0000-00-032

BEG 405 FT S & 423 FT E OF NW COR OF SW1/4 OF NE1/4 RUN S 120 FT E 250 FT N 120 FT W 250 FT TO POB & S 15 FT OF N 525 FT OF E1/2 OF SW1/4 OF NE1/4 W OF ST RD 545 IN SEC 31-24-27 3334/1103

31-24-27-0000-00-019

BEG 405 FT S OF NW COR OF SW1/4 OF NE1/4 RUN E 423 FT S 120 FT W 423 FT N 120 FT TO POB IN SEC 31-24-27 OR B&P 4757/4152, ON 06-15-94, INST PR

