

MUNICIPAL PLANNING BOARD

JUNE 21, 2011

Case Number

ZON2011-00005

Applicant

Deborah Gackenback,
Harris Civil Engineers, LLC

Property Owner

Cheryl Smith, President
Dealer Property Holdings, LLC

Property Location

5725 Major Blvd. (southeast side of Major Blvd., south of Vineland Rd., backing up to I-4 and the Florida Turnpike) (±25.8 acres, District 6).

Parcel ID Number

18-23-29-5401-02-002

Requested Action

Rezoning from PD to AC-3 of former Delta Resort property.

Recommendation

Approval of the rezoning.

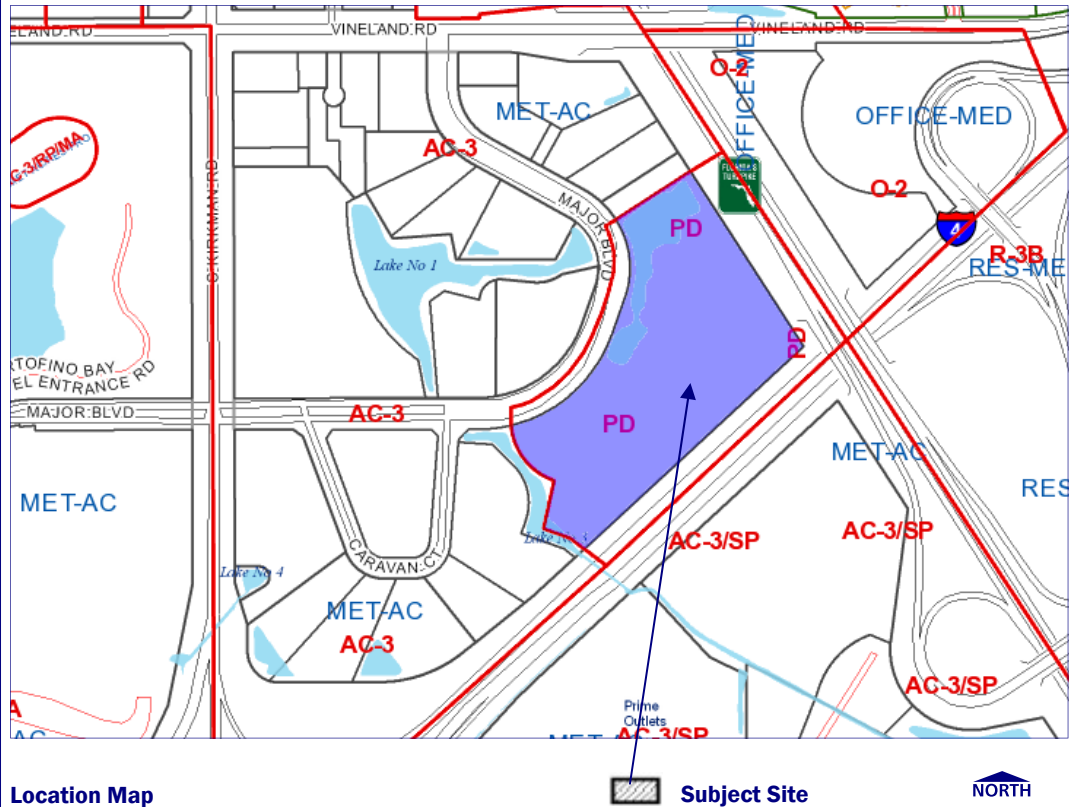
Project Planner

Jim Burnett, AICP



Updated: June 13, 2011

AGENDA ITEM #4 ■ DEALER PROPERTY HOLDINGS (FKA DELTA RESORT) REZONING



SUMMARY

Project Description

The applicant is requesting the rezoning of a ±25.8 acre former Delta Resort, from PD (Planned Development) to AC-3 (Metropolitan Activity Center).

The subject property (shaded area on the above map) is located on the southeast side of Major Blvd., south of Vineland Rd., and with highway frontage on Interstate 4 and the Florida Turnpike. The property is classified as Metropolitan Activity Center on the Future Land Use map.

There are no plans to redevelop the property at this time.

Background

1968: Property annexed into the City of Orlando.
1970: Property replatted as part of Major Center Unit 1 Subdivision.

- 1972-74: Delta Resort hotel buildings and warehouse constructed on site.
- 1990: Three more warehouses and a retail building constructed on site.
- 2003: Delta Resort closes.
- 2006: Delta Resort demolished.
- 01/2007: Property rezoned PD (ZON2006-00048) for multi-phased multi-family, commercial, hotel and office use.
- 10/2010: Property purchased by current owner.

Public Comment

Courtesy notices were mailed to property owners within 300 ft. of the subject property on June 8, 2011. As of the completion of this report, staff has not received any comments from the public concerning this request.

PROJECT ANALYSIS

Project Overview and Background

The vacant ±25.8-acre property is located on the east side of Major Blvd., south of Vineland Rd. and backing up to Interstate 4 and the Florida Turnpike, in the Florida Center neighborhood. The property was annexed in 1968, and was the site of the former Delta Resort, which was closed in 2003 and demolished in 2006. In early 2007, the property was rezoned (ZON2006-00048) from AC-3 (Metropolitan Activity Center) to PD (Planned Development), to allow a mixed use, multi-phased multi-family, commercial, hotel and office use. The applicant recently purchased the property but has not yet determined how the property will be redeveloped. The applicant now requests to revert the property from PD to AC-3, effectively abolishing the PD requirements.

Adjacent Development

The subject property is bordered by the uses, zoning and future land use designations as illustrated in the table at right:

Direction	Adjacent Land Uses	Zoning	Future Land Use
North	Baymont Inn Motel	AC-3 (Metropolitan Activity Center)	Metropolitan Activity Center (MET-AC)
South	(across Interstate 4) Prime Outlets	AC-3/SP (w. North International Drive Special Plan)	MET-AC
East	(across Florida Turnpike) Vacant Land & Interchange	O-2 (Medium Intensity Office - Residential)	Office-Medium Intensity
West	(Across Major Blvd.) Major Centre Plaza	AC-3	MET-AC

Conformance with the GMP/LDC

The property is designated as Metropolitan Activity Center on the Future Land Use map. Per Section 58.341 of the Code, the purpose of the AC-3 zoning district is “to provide for large concentrated areas of residential, commercial, office, industrial, recreational and cultural facilities at a scale which serves the entire metropolitan area, and at the highest intensities to be found anywhere outside of Downtown Orlando. A mixture of land uses is specifically intended—Metropolitan Activity Centers composed of a single type of use shall be strongly discouraged. These activity centers are intended for locations where arterials and four lane collectors and mass transit service are available, providing access to other metropolitan areas.”

Section 58.342 of the Code states that “new Activity Center districts should not be established in locations which will not support their maximum intended intensity” and “all applications for Activity Center zoning shall be accompanied by a Master Plan application in accordance with the requirements of Chapter 65, Part 2H.”

The property being rezoned was zoned AC-3 in 2007 prior to being rezoned PD. The adjacent properties to the north, south and west are still zoned AC-3, so a new AC-3 district is not being created. When the new owners decide on a development program for the site, then they will be required to apply for a Master Plan for that new development, in keeping with the requirements of Chapter 65, Part 2H, of the Code.

The site is accessible from Major Blvd., which is a 2-lane divided Collector providing access between S. Kirkman Rd. and Vineland Rd. Traffic impacts and potential school concurrency issues will be dealt with when the property goes through a future Master Plan process. The rezoning request is consistent with the LDC.

Findings

Subject to the conditions contained herein, the proposed rezoning from PD to AC-3 is consistent with the requirements for approval of rezoning applications contained in Sections 58.213 and 65.366 of the Land Development Code (LDC):

1. The proposed rezoning is consistent with the City’s Growth Management Plan;
2. The proposed rezoning is consistent with the Land Development Code; and
3. The proposed rezoning and eventual redevelopment under an approved Master Plan process will be done in accordance with Chapter 59 of the LDC (the Concurrency Management Ordinance) which ensures that adequate public facilities are available to serve the development.

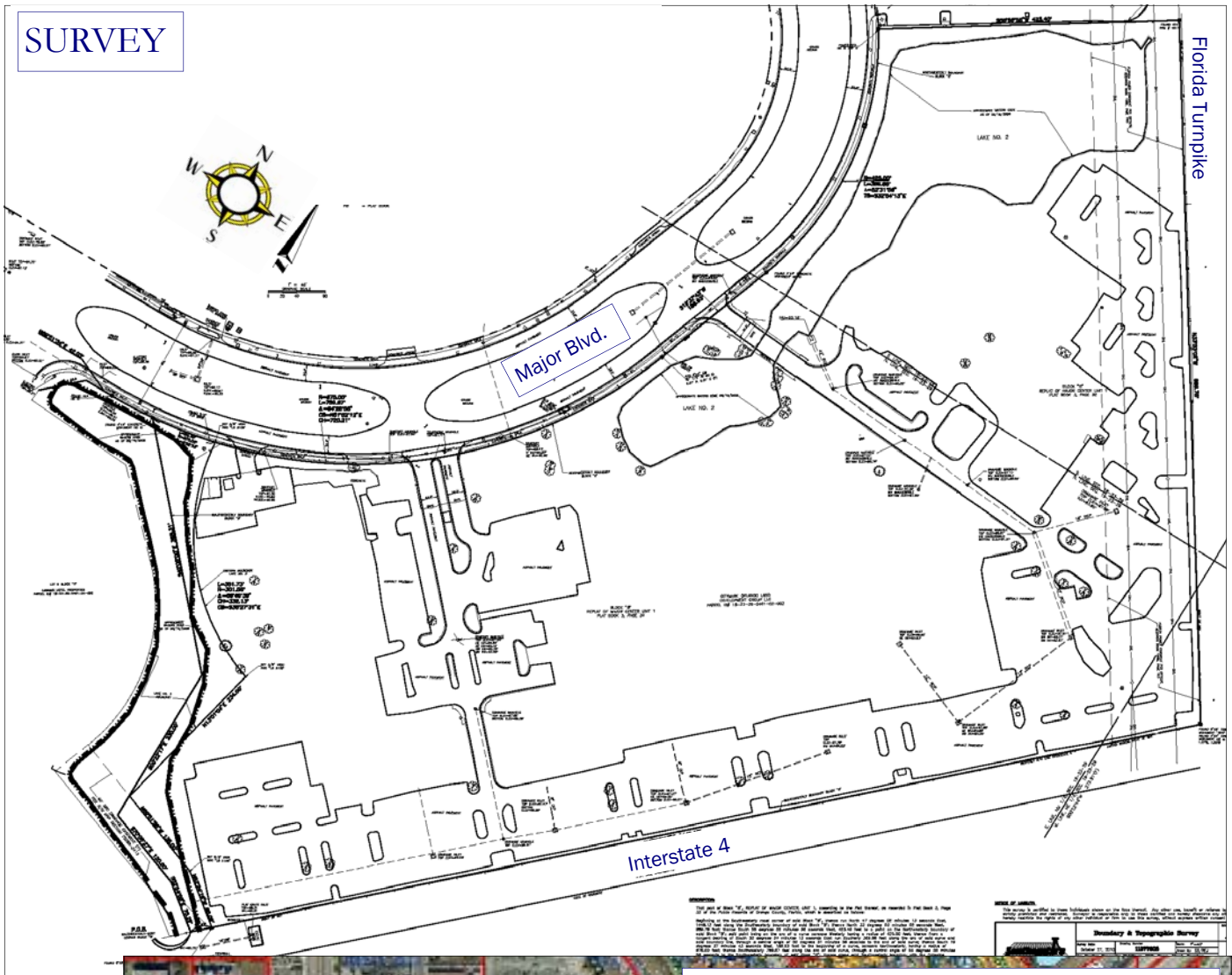
Recommendation

Staff recommends approval of the rezoning of the former Delta Resort site from PD to AC-3.

Next Steps

1. MPB Minutes will be reviewed and approved by the City Council on July 11, 2011. The rezoning report will then be provided to the City Attorney’s Office for preparation of an Ordinance.
2. City Council 1st & 2nd readings of rezoning ordinance scheduled (of which the 2nd reading is a public hearing).

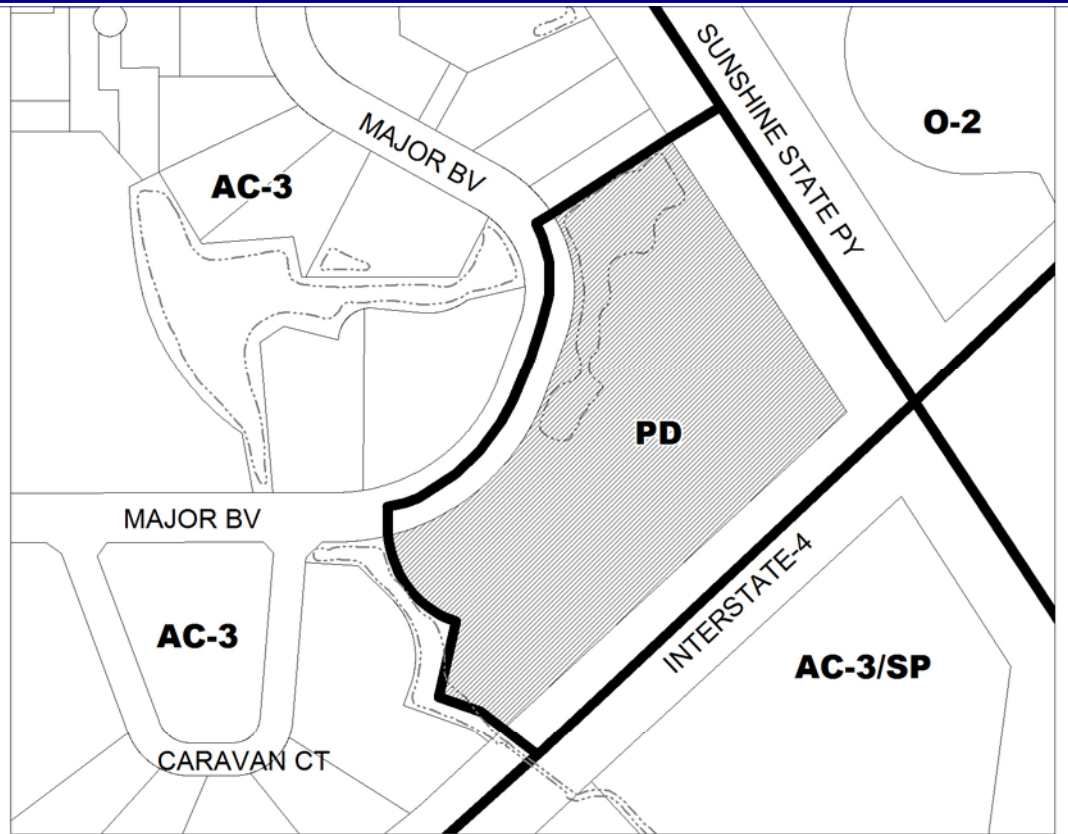
SURVEY



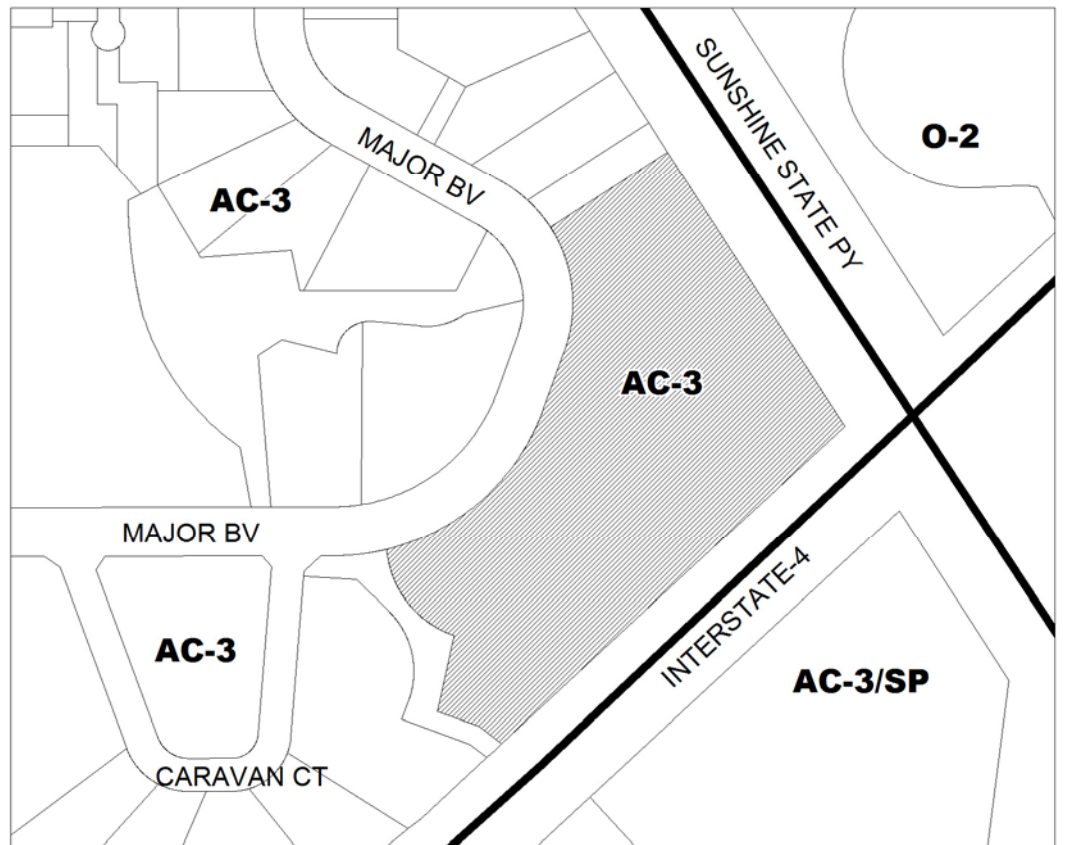
2010 AERIAL PHOTO



ZONING
MAPS



Zoning - Existing ZON2011-00005



Zoning - Proposed ZON2011-00005





CITY OF ORLANDO

June 13, 2011

Appendix A All Conditions For Case #: ZON2011-00005

Primary Contact: DEALER PROPERTY HOLDINGS LLC, (407) 672-0330, FAX: (407) 678-9669, email: cheryl@theautoteam.com
Case Address: 5715 MAJOR BV
Subtype: Rezone
Project #: ZON2011-00005
Project Name: FORMER DELTA RESORT
Case Manager: JIM BURNETT
Case Description: A Request to Rezone the former Delta Resort Property from PD to AC-3.

No.	Title/Description	Updated	Updated By
Land Development			
L509	CONTACT JIM BURNETT, PLANNER III	5/25/2011	J A. Burnett
For questions regarding Land Development plan review, please contact Jim Burnett, Planner III, at (407) 246-3609 or at james.burnett@cityoforlando.net.			
L882	Subject to codes-zoning	5/25/2011	J A. Burnett
Except as provided herein, the development is subject to all codes and ordinances of the State of Florida, City of Orlando, and all other applicable regulatory agencies.			
L999	FUTURE DEVELOPMENT	5/25/2011	J A. Burnett
Future development of this site shall be subject to approval of a Master Plan or Planned Development rezoning.			
Building			
B520	Miscellaneous	5/2/2011	D N. Fields
This case is not applicable to Building Plan Review at this time.			
For questions regarding Building Plan Review issues contact Don Fields at (407) 246-2654 or don.fields@cityoforlando.net.			
Engineering/Zoning			
K002	Contact-Grayson	5/24/2011	K S. Grayson
For questions regarding Engineering or Zoning contact Keith Grayson at (407)246-3234 or keith.grayson@cityoforlando.net.			
K500	Sidewalk	5/24/2011	K S. Grayson
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.			
K505	Engineering Standards Manual	5/24/2011	K S. Grayson
The City Council Adopted the Engineering Standards Manual (ESM), Fourth Edition on March 9, 2009. All plans must conform to the ESM and all construction must be accomplished in accordance to the ESM.			
K509	Sewer-Misc.	5/24/2011	K S. Grayson
The subject site has sanitary sewer capacity credit available upon redevelopment.			
K525	Sewer-FDEP	5/24/2011	K S. Grayson
This project requires a Florida Department of Environmental Protection (FDEP) permit for the sanitary sewer system. The Office of Permitting Services processes the permit for projects with reserved sewer capacity. At the time of FDEP permit submittal to the Office of Permitting Services, the following is required:			
1. Permit Application - signed/sealed by the owner. This Bureau will complete page 10 of 11 when the construction			

Appendix A
All Conditions For Case #: ZON2011-00005

No.	Title/Description	Updated	Updated By
Engineering/Zoning			
	plans are approved. 2. Construction Plans - six sets, signed/sealed by the engineer. The plans are to include the on-site and off-site sewer design together with the City's details. If a lift station is part of the sewer design, the engineer is to submit the shop drawings for the lift station (private or public).		
	The construction plans are reviewed by the City of Orlando's Waste Water Bureau and returned to the Office of Permitting Services when approved. This Office will contact the engineer to pick up the application and two sets of the approved plans or the transport to FDEP. The remaining sets will be retained by the Office for distribution.		
	Reminder: PLEASE ALLOW 3-4 WEEKS FOR THIS PROCESS		
K530	Sewer-Laterals	5/24/2011	K S. Grayson
	All sanitary sewer construction is to be in accordance with the Engineering Standards Manual Second edition. One lateral for each lot is required. Section 27.03 (J) of the ESM provides that a double wye is not acceptable.		
K550	Concurrency-Chapter 59	5/24/2011	K S. Grayson
	Please be advised that the development of this project/property is subject to the terms and provisions of Concurrency Management Chapter 59 of the City Code and the Committed Trip Allocation Policy.		
K580	Storm-NPDES	5/24/2011	K S. Grayson
	Construction activities including clearing, grading and excavating activities shall obtain an Environmental Protection Agency (EPA) National Pollution Discharge Elimination System (NPDES) permit, except: Operations that result in the disturbance of less than five acres total land area which are not part of a larger common plan of development or sale.		
K585	Storm-Water Management District	5/24/2011	K S. Grayson
	The owner/developer is required to design and construct an on-site storm water system in accordance with the Orlando Urban Storm Water Management Manual. Approval from South Florida Water Management District is required. The system is to be privately owned and maintained.		
K605	FDOT	5/24/2011	K S. Grayson
	Any construction and/or discharge in to the I-4 (Interstate 400) right of-way of will require Florida Department of Transportation (FDOT) approval/permit prior to construction.		
K6100	n-Site Fees	5/24/2011	K S. Grayson
	At the time of development, the owner/developer is required to pay an on-site inspection fee at a rate of 3% of the on-site improvements, excluding the building, in accordance with City Land Development Code, Section 65.604.		
K628	Plat	5/24/2011	K S. Grayson
	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.		
K634	Refuse Containers	5/24/2011	K S. Grayson
	In accordance with City Code Section 28.6 (f) 1-3, the Office of Permitting Services is authorized to make a determination of approval/disapproval of refuse container sites. Approval/disapproval of the use of commercial hand pick-up of refuse from any non-residential entity shall be determined solely by the Refuse Collection Bureau Staff.		
K638	Recommendation	5/24/2011	K S. Grayson
	The Office of Permitting Services recommends approval of the proposed Rezone, the conditions contained in this report are for future development within the subject site.		
K655	Floodplain	5/24/2011	K S. Grayson
	This site is located within a floodplain. The finished floor elevation must be one (1) foot above the 100' flood elevation.		
	All future elevation shown on a boundary/topographic survey shall use the North American Vertical Datum of 1988		

Appendix A
All Conditions For Case #: ZON2011-00005

No.	Title/Description	Updated	Updated By
Engineering/Zoning			
	(NAVD 88). K665TREE REMOVAL	5/24/2011	K S. Grayson
	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 at (407) 246-2283 for a Tree Encroachment permit prior to encroaching within 6' of any existing 4" caliper or larger tree as per Orlando Land Development Code, Section 60.211.		
Fire			
	F814TRC-Contact-Richardson	6/2/2011	J E. Richardson
	For any questions regarding fire issues, please contact Jack Richardson at 407.246.3150 or at jack.richardson@cityoforlando.net. 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.		
Growth Management			
	G550CONTACT-DROEGE	5/17/2011	M Droege
	For questions regarding Growth Management plan review, please contact Mary-Stewart Droege at (407) 246-3276 or mary-stewart.droege@cityoforlando.net		
	G990GMP	5/17/2011	M Droege
	The Comprehensive Planning Studio has no objections to this rezoning.		
Police			
	V500Contact-OPD	5/10/2011	M M. Bonk
	This case is not applicable to CPTED (Crime Prevention through Environmental Design) Review at this time.		
	For questions regarding Police plan review, please contact Maryann Bonk at (407) 246-2454 or maryann.bonk@cityoforlando.net.		
Unknown			
	T000Contact Transportation Planning	5/17/2011	N Jurus-Ottini
	For questions regarding Transportation Planning plan review, please contact Nancy Ottini at 407-246-3529 or nancy.jurus-ottini@cityoforlando.net		
	T006Recommendation	6/3/2011	B R. Hutt
	The Transportation Planning Division supports the applicant's request.		
	T007Requirements	6/3/2011	B R. Hutt
	The Transportation Planning Division supports the applicant's request provided that the owner/applicant complies with the following: All future development proposals within the subject site will be subject to meeting city codes.		
	T501Transportation Impact Fees	5/17/2011	N Jurus-Ottini
	Any future construction, change in use, addition, or redevelopment of a site or structure shall be subject to a review for Transportation Impact Fees.		
	A Transportation Impact Fee assessment will be done at the time of building permit review. This fee will be calculated based on the proposed building's use and gross square footage, as submitted in the final permit set of plans. Any additional Transportation Impact Fees assessed on this project shall be due prior to building permit issuance.		
	For a copy of the complete ordinance or impact fee rate chart, you may reference our website at: http://www.cityoforlando.net/planning/Transportation/ifees.htm		
	T504Transportation Impact Fee Credits	5/17/2011	N Jurus-Ottini
	Any exemptions or credits against the Transportation Impact Fee must be reviewed prior to permit issuance. All Transportation Impact Fee Credits shall be initiated and processed by the Transportation Impact Fee Coordinator.		
	T505Transportation Concurrency	5/17/2011	N Jurus-Ottini

Appendix A
All Conditions For Case #: ZON2011-00005

No.	Title/Description	Updated	Updated By
------------	--------------------------	----------------	-------------------

Unknown

All new construction, changes in use, additions or redevelopments are required to submit a Concurrency Management application as a part of the building plan review process. A Concurrency Management application is available on the City's website: <http://www.cityoforlando.net/permits/forms/concurrency.htm>

The applicant shall comply with all applicable requirements of Chapter 59, the Concurrency Management Ordinance, to ensure that all public facilities and services are available concurrent with the proposed development. Approval of this application shall not be deemed to provide any vested rights.

T506PROPORTIONATE FAIR SHARE

6/3/2011

B R. Hutt

The City has established a Proportionate Fair-Share Program which provides a method to mitigate the impacts of new development on transportation facilities with the cooperative efforts of the public and private sector. The City of Orlando's Transportation Planning Staff shall be reviewing the proposed development plan for the Proportionate Fair-Share of construction of the planned overpass that will connect Grandnational Dr. (or W. Oak Ridge Rd.) to Major Blvd. on the north side of Interstate 4. The Proportionate Fair-Share contribution shall be due prior to the issuance of building permits related to the project.