

DATE: 10-JAN-2007
TO: Development Review Committee
FROM: David C. Heath, Chairman
PLAN NUMBER: 5036241
PLAN NAME: LAGUNA PRESERVE PRELIMINARY SUBDIVISION PLAN
COMMISSION DISTRICT: 6

1. PROJECT ANALYSIS

A. Location: NORTH OF 37TH STREET, EAST OF WESTMORELAND
DRIVE PARCEL ID# 11-23-29-9493-00-030;
040; 050; 060

B. Total Acres: 13.3 Density: 4 DU/AC

C. Water Supply: OUC

D. Sewer System: ORANGE COUNTY

E. Schools: PINELOCH ES 0.4 M 384 CAP 697 ENR
MEMORIAL MS 1.3 M 830 CAP 763 ENR
OAK RIDGE HS 3.5 M 2600 CAP 2233 ENR

F. School Pop: 4

G. Parks: Kaley Square± 1 mile

H. Proposed Uses: SINGLE FAMILY 9 DWELLING UNITS

I. Lot Dimension: MAX BLDG HT:
35 FT (2-STORIES)
MIN LOT SIZE: 10,000 SF
MIN LIVING AREA: 1,200 SF
MIN LOT WIDTH: 85 FT
MIN BLDG SETBACKS:
25 FT FRONT
7.5 FT SIDES
30 FT REAR
15 FT SIDE STREET
50 FT NHWE

J. Fire Station: 50 - 1415 W 29TH STREET

2. COMPREHENSIVE POLICY PLAN:

This project has a Future Land Use designation of Low Density (4 d.u. per acre), and is therefore consistent with the CPP.

3. ZONING:

R-1A

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4. Information - All three schools are over capacity. A relief school opens in 2009 for the high school. (OCPS)
5. Information - The Developer shall obtain wastewater service from Orange County Utilities. ((UD)
6. Revised Plan - This project is located within OUC's water territory. Change water provider to OUC and submit a letter from OUC that indicates that OUC will service this project with water. (UD)
7. Revised Plan - Remove construction details, i.e. proposed main sizes, invert elevations, easement sizes, from the plan sheet. These will be reviewed at time of construction plan approval. (UD)
8. Revised Plan - Construct pump station to Orange County Utilities' standards and dedicate to Orange County. The location of the pump station will be determined at time of construction plan approval. (UD)
9. Information - The nearest connection point is a 6-inch force main located at the intersection of 35th Street and West Moreland. (UD)
10. Information - Parks has reviewed the plan and has no comments at this time. (Parks)
11. Information - The Health Department has no objections if sewer is available. If septic is to be proposed, the development shall meet the 4-lots per acre requirement. (Health)
12. Information - Conservation Area Determination (CAD) Number 06-200 is complete for this project. The Class letter dated September 25, 2006 approves the Lake Holden conservation area limit as agreed on October 6, 2006 and surveyed on November 20, 2006. (EPD)
13. Revised Plan - On Sheet 3 and 4 of 5, correct to show different symbols for Normal High Water Elevation (NHWE) Contour and NHWE per Plat. (EPD)
14. Revised Plan - On Sheet 3 and 4 of 5, add a label stating the CAD Number that approves the conservation area boundary survey line, Wetland Identification Number and Class. (EPD)
15. Revised Plan - Add label to 25-foot upland buffer stating

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"25-foot Undisturbed Natural Buffer". (EPD)

16. Revised Plan - The PSP shall show all lakefront conservation areas (as defined in Chapter 15 Orange County Code) and associated wetland setbacks (buffers) as designated conservation easement or tract according to 34-152(f)(1) b and shown on the plat. Designate the maintenance by the Home Owner's Association and the development rights dedicated to Orange County. (EPD)
- 17.A) Revised Plan - The PSP shall show Pollution Abatement Swales upland of the Lake Holden conservation area buffer in accordance with Chapter 34-132. Show the location of all swales and include a "typical" cross section in the plans. The swale shall be placed in a Pollution Abatement Easement and shown on the plat. Designate the maintenance by the Homeowner's Association. (EPD)

B) Revised Plan - Provide a note that the environmental swales shall be constructed with the infrastructure. Show the location of the proposed environmental swales. (Sheet 4) (DE)
18. Revised Plan - The PSP shall show Conservation areas clearly marked with permanent signage stating "Conservation Area No dumping, land-clearing, or other disturbance to soils or vegetation permitted beyond this point." These signs shall be located on 50-foot centers in common areas on landward edge of the buffer. Provide a typical sign showing the dimensions of the sign at 12 by 12 inches minimum and at least 24 inches above grade. (EPD)
19. Revised Plan - On Sheet 4 of 5, eliminate the portion of untreated drainage/runoff conveyance from 37th Street to Lake Holden. (EPD)
20. Revised Plan - Add note on Sheet 4 of 5 indicating that an Orange County Conservation Area Impact Permit (CAI) will be obtained before conducting work in existing ditch conveying drainage from the PSP and 37th Street if located in the Lake Holden conservation area or associated buffer. (EPD)
21. Information - The removal, alteration or encroachment within a Class I Conservation Area shall only be allowed in cases where no other feasible or practical alternatives exist that will permit a reasonable use of the land or where there is an overriding public benefit. (EPD)

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22. Information - If impact is limited to buffer area, then a CAI Permit shall be obtained before construction plan approval. (EPD)
23. Information/Part of Motion - If a Class I wetland impact is proposed, then the public hearing of the PSP shall occur on the same day as review of the CAI by the Board of County Commissioners. (EPD)
24. Revised Plan - On all applicable sheets, add a note "Approval of this plan does not constitute approval of a permit for the construction of a boat dock. Any person desiring to construct a boat dock within this county shall first apply for a permit prior to the installation of the boat dock. Application shall be made to the Orange County Environmental Protection Division." (407-836-1400) [15-341]. (EPD)
25. Revised Plan - Prior to PSP approval, the Orange County Environmental Protection Division (EPD) requires a habitat survey to identify any wildlife or plants listed as threatened, endangered, or species of special concern found on site or determined to use the site. Orange County Comprehensive Policy Plan, Policy 1.7.2. (EPD)
26. A) Information - This PSP is within the recommended response distance of 2.5 miles in the Fire Rescue Element of the Orange County Comprehensive Plan as it is located 0.9 miles to Station 50 - 1415 W 29th Street. (OCFRD)
- B) Information - The plans submitted and reviewed by the Office of the Fire Marshal do not provided enough information for a complete review regarding fire department requirements. *Unable to review fire department access to actual structure as only the lots are shown. (OCFRD)
- C) Revised Plan - Street parking shall be prohibited since fire department access is designed to meet the minimum 20 feet in width. If on-street parking is requested, it shall not be included in the required 20' width. (Section 18.2.2.1 & 18.2.2.5.1 NFPA 1, 2003 Edition ((FFPC 2004 Edition)). Designate on plans the areas to be designated as "no parking" and post these areas per 18.2.2.5.8 NFPA 1, 2005 Edition (FFPC). (OCFRD)
- D) Information - Fire Department access road shall extend to within 50 ft of a single exterior door providing access to the interior of the building. * Comment in regards to lots 3 and 7. (Section 18.2.2.2, NFPA 1, 2003 Edition ((FFPC 2004

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Edition)) (OCFRD)

Contact Gean Olin of the OCFRD at (407) 836-8305 for further direction.

27. Information - No right-of-way is required for Westmoreland Drive or 37th Street from this project. (PWE)
28. Information - This area was platted in February of 1986 as Lots 3-6 of Wyndham Estates, PB 17/6. (DE) (Z)
29. Revised Plan - Move the parcel ID numbers up under the title using 30-point font or larger. (DE)
30. A. Revised Plan - There are too many elevation lines on Sheet 4. Remove the normal high water line per plat. Provide only one wetland and buffer line as approved by OCEPD. Provide only one 50-foot setback line. Distinguish the lines more effectively. (DE)

B. Revised Plan - Sheet 4 'Master Site Plan' is too busy. Remove some of the layers and put them on a separate page. (Z)
31. Revised Plan - The typical road section is an inverted crown which is not allowed: especially, since the inlets are shown at the curb line. Provide a road section that is consistent with Orange County Code. (Sheet 4) (DE)
32. A. Revised Plan - Provide a table or note stating the ownership and maintenance of the street, pond and lift station. (DE)

B. Revised Plan - Add a tract table that lists each of the tracts, what the tract is and assign ownership and maintenance to each. (Z) (P)
33. Revised Plan - Provide a typical cross-section for the pond showing top, bottom and design elevations, maintenance berm, side slopes and seasonal high water elevation, etc. consistent with OC Code Section 34-250. (DE)
34. Revised Plan - Replace the curb detail with appropriate curb detail for a crowned street. (DE)
35. Revised Plan - The pavement sections as shown do not meet Orange County Code. Show only one thickness for concrete, remove limerock and crushed shell, provide soil cement,

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- provide 6" base, and provide 12" of stabilized sub grade.
(DE)
36. Discussion - When the location of potable water is determined, DRC needs to review as a Revised Plan, at a minimum. (DE)
37. Discussion - Staff recommends a neighborhood meeting for this PSP prior to the BCC Public Hearing. (DE)
38. Revised Plan - Provide a 35-foot curb return radius. (TE)
39. Information - The proposed subdivision screen wall shall not block sight distance for motorists entering Westmoreland Drive from Case Drive. (TE)
40. A) Information - Transportation Planning conducted a preliminary concurrency assessment of the roadway network within one mile of this proposed development. Based on the Concurrency Segment Information database dated 01/02/07, capacity is available to be encumbered for this project, however it should be noted that the available capacities are a snapshot at this specific date and time and are subject to change (TP).
- B) Information - Holden Avenue. Programmed roadway improvement to widen to 4 lanes from John Young Parkway to Orange Blossom Trail. Construction scheduled to begin October 2007 - Legacy Project (TP)
- C) Information - Orange Blossom Trail. No improvements scheduled. (TP)
41. Information - This project is located within District #6. This project is proposing to construct 9 detached single-family residential units, with a minimum living area of 1,200 square feet, on a total of 13.3 acres. (P)
42. Information - This project proposes to be constructed in 1 phase. (P)
43. Revised Plan - On Note 6, remove the word "proposed." (P)
44. Revised Plan - On Note 7 of Development Notes, the Projected School Age Children shall be listed as 4 (9 units x 0.404 = 4). (P)

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45. Revised Plan - Remove Note 5 under "General Notes" as it is incorrect. (P)
46. Discussion - What is the hatched area at the rear of the lake front lots? (P)
47. Revised Plan - The setback lines for irregular Lots 3, 4, 6, and 7 appear to be drawn incorrectly. (P)
48. Revised Plan - Add a note that states that the Open Space shall be 10% (show as percentage) and what type of open space is proposed. (P)
49. Revised Plan - Remove Note 10: "Total Impervious Area .." as it is not necessary. (P)
50. Discussion - What is "Green Area" shown on Note 10? Is this open space? (P)
51. Discussion - Are sidewalks proposed along 37th Street? (P)
52. Revised Plan - Note 2 under "General Notes" shall state that the minimum living area shall be under heat and air. (P)(Z)
53. Information - This project proposes to be constructed in 1 phase. (P)
54. Revised Plan - Add a side street setback of 15 feet to the setback notes. (Z)
55. Revised Plan - Lot 1 has a 15-foot setback from S. Westmoreland Drive, not 7.5' as shown. (Z)
56. Revised Plan - There is a Gazebo shown on the survey sheet however it is not shown on the Master Site Plan. Is this existing or new? If it is to stay it shall be shown in a separate tract with ownership/maintenance assigned to the HOA. (Z)
57. Revised Plan - Add a signage note that states that signage shall comply with Ch 31.5. (Z)
58. Revised Plan - Add a 50-foot NHWE setback to the setback notes. (Z)(P)
59. Revised Plan - The Gazebo is beyond the 50-foot NHWE setback it shall be moved to meet the required setback. (Z)

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60. Revised Plan - Per the subdivision regulations "Corner lots shall be at least (10) ten feet greater in width than the established in Chapter 38". Lot 9 does not appear to be meeting this criteria. (Z)

61. Revised Plan - The building envelope lines are drawn incorrectly. (Z)

62. Information - A tree survey/mitigation plan is not required as this is in an existing subdivision. (Z)

RECOMMENDATION:

The recommendation shall be determined. In the event the DRC recommends approval of this project, the following Conditions of Approval shall apply:

1. Development shall conform to the Laguna Preserve Preliminary Subdivision Plan dated "Received November 6, 2006," and to the following conditions of approval. Development based upon this approval shall comply with all applicable federal, state and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances and regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the actual preliminary subdivision plan dated "Received November 6, 2006," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or his or her authorized agent) to the Board of County Commissioners at the public hearing where this development was approved, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or his or her authorized agent) if it was expressly made to the Board at a public hearing where the development was considered or approved.

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3. A Municipal Service Benefit Unit (MSBU) shall be established for the standard operation and maintenance of street lighting inventory including leasing, fuel and energy costs for this project. Street lighting fixtures, poles, and luminaries used in this project shall be selected from the approved inventory list supplied by the Orange County Comptroller. Street lighting fixtures, poles, and luminaries used in this project shall be supplied and installed by the utility company that services the area of the project, as authorized by law or agreement, and thereafter maintains the street lighting inventory. The developer shall obtain approval of the street lighting fixtures, poles, and luminaries from the Orange County Comptroller Special Assessment Section via a "Letter of Commitment" prior to the installation of the street lighting fixtures, poles, and luminaries and prior to the plat being recorded by Orange County Comptroller Official Records section. All installation costs and street lighting operational costs prior to the effective date of the MSBU approval by the Orange County Board of County Commissioners shall be the sole responsibility of the developer.
4. Unless a Conservation Area Impact permit is approved by Orange County consistent with Chapter 15 prior to Construction Plan approval, no conservation area or buffer encroachments are permitted. (EPD)
5. Prior to earth work or construction, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection. (EPD)
6. The stormwater management system shall be designed to retain the 100-year/24-hour storm event onsite, unless documentation with supporting calculations is submitted, which demonstrates that a positive outfall is available. If the applicant can show the existence of a positive outfall for the subject basin, then the developer shall comply with all applicable state and local stormwater requirements and regulations. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas. (DE)