

<b>Summary Information</b> <b>Overland Road Scale Future Land Use Amendment and Rezone</b>		
APPLICANT	Bryan Potts	
PROPERTY OWNER(S)	M&I Transport, Inc.	
REQUEST	Amend the Future Land Use designation from Commercial to Industrial	
PROPERTY SIZE	3.19	
PROPERTY LOCATION	9162 Overland Road, Apopka, FL 32703	
PROPERTY TAX ID	17-21-29-5BG-0000-028D, 17-21-29-5BG-0000-028E	
AMENDMENT NUMBER	08.22SS.06	
COMMISSION DISTRICT	3 Constantine	
NEIGHBORHOOD MEETING DATE(S)	12/8/22	
HEARING DATE(S)	P& Z January 4, 2023	BCC: February 14, 2023
EXISTING USE OF SUBJECT PROPERTY	C-2 (Retail Commercial)	
EXISTING ZONING OF SUBJECT PROPERTY	C-3 (General Commercial and Wholesale)	
EXISTING USE AND FUTURE LAND USE DESIGNATION OF PROPERTY TO THE NORTH	EXISTING USE	FUTURE LAND USE DESIGNATION
	C-2 (Retail Commercial)	Commercial
EXISTING USE AND FUTURE LAND USE DESIGNATION OF PROPERTY TO THE EAST	C-2 (Retail Commercial)	Commercial
EXISTING USE AND FUTURE LAND USE DESIGNATION OF PROPERTY TO THE SOUTH	C-2 (Retail Commercial)/ C-3 (General Commercial & Wholesale)	Commercial
EXISTING USE AND FUTURE LAND USE DESIGNATION OF PROPERTY TO THE WEST	Orange County, I-1/I-5 Industrial	Orange County - Industrial

## **CONSISTENCY WITH THE COMPREHENSIVE PLAN**

### **Future Land Use Element Amendment Review Criteria**

The Future Land Use Element of the Comprehensive Plan establishes criteria to be used in the evaluation of proposed future land use amendments, consistent with requirements of State Law, and including individual site compatibility analysis. These criteria include:

- A. Whether the character of the surrounding area has changed enough to warrant a different land use designation being assigned to the property.**

### **Information Provided by Applicant**

The area has been developed with an industrial feel, the adjacent south is C-3 Industrial, west is Industrial in Orange County, north is a used car lot. The area has become very industrial over time. This Land Use amendment will allow the parcel to develop in character with the area.

### **Staff Findings**

The land use of the subject property will not have an impact on the character of the surrounding properties. The adjacent property to the south has an Industrial Future Land Use, with surrounding Commercial. The current zoning is primarily C-2 Retail Commercial district with outdoor storage and used car lots. There are a few existing single-family residences between and adjacent to existing industrial future land use designations and commercial properties. The nature of the area is increasingly industrial and commercial. The district is situated so that such lands have convenient access to major thoroughfares and railroads. The subject site is surrounded by commercial and industrial uses and will have direct access onto Overland Road, which is classified as a local road.

- B. Whether public facilities and services will be able to be available concurrent with the impacts of development at adopted levels of service, or whether approval of the proposal would create internal inconsistency within the Seminole County Comprehensive Plan by impacting adopted levels of service or other related Goals, Objectives and Policies, particularly those addressing capital improvement programs and fiscal feasibility.**

The potential maximum density/intensity of the application is 0.65 Floor Area Ratio with a maximum development potential of 90,322 SF. The following table provides adopted levels of service standards for public services and facilities, and potential impacts of the proposed amendment. Information in the "Potential Impact" section of the table was provided by the applicant.

<b>Facility or Service Level of Service (LOS) And Provider</b>	<b>Potential Impact</b>
Potable Water Facilities LOS: 0.1 gal/s.f./day Provider: Seminole County	9,032 gal/day
Sanitary Sewer Facilities LOS: 0.1 gal/s.f./day Provider: Seminole County/Orange County	9,032 gal/day
Recreation LOS: 1.6 total acres/1000 population 1.8 developed acres/1000 population Provider: Seminole County	N/A
Mass Transit LOS: 1.03 revenue miles/capita Provider: LYNX/Seminole County	Bus stops for LYNX Link 441, are located within 1,000 feet of the subject property, along Orange Blossom Trail (U.S. 441
Solid Waste LOS: Seminole County Landfill LOS: 4.2 lbs/capita/day. Seminole County Transfer Station LOS: 4.3 lbs/capita/day	N/A
Transportation LOS/Traffic Studies Seminole County	The property proposes access onto Overland Road, which is a County maintained road that is classified as local road.
Schools	N/A

### **Staff Findings**

The site is located in Seminole County's utility service area; however, Seminole County serves the area through an agreement with Orange County. The applicant is proposing a truck storage use with no water or sewer on site. The applicant will not be required to connect to water and sewer services if the proposed use changes. Seminole County is in the process of updating its agreement with Orange County and does not currently have any water or sanitary sewer capacity available in this area to serve the proposed development.

- C. Whether the site will be able to comply with flood prone regulations, wetland regulations (if subject property is located within the Environmentally Sensitive Lands Overlay), and all other adopted development policies and regulations.**

**Staff Findings**

Per Sec. 60.4 of the Land Development Code of Seminole County (LDCSC) a complete tree survey will be required at the time of Final Engineering.

Based on FIRM map with an effective date of 2007, there appears to be no floodplains on the subject property. Based on a review of aerial photographs and wetland geographic information system data, there appear to be no wetlands on the subject property.

Based on a preliminary analysis, there appear to be no endangered and threatened wildlife on the subject property. In the event of discovering contrary evidence, a listed species survey will be required prior to the approval of Final Engineering.

- D. Whether the proposal adheres to other special provisions of law and the Seminole County Comprehensive Plan (e.g., the Wekiva River Protection Act, Seminole County Urban/Rural boundary, etc.)**

**Staff Findings**

The proposed project is located within the Little Wekiva Drainage Basin and the Wekiva Study Area. These areas have special protections for surface and groundwater resources. Staff found the site may be required to hold additional retention at Final Engineering unless the system model and design are shown to be sufficient with no adverse effects to downstream conveyance. The site is also in a high recharge area and will have to meet those requirements during Final Engineering.

The subject property is also within the County's Urban Bear Management Area and must comply with the requirements outlined in Chapter 258 of the Seminole County Code of Ordinances (2015-33).

- E. Whether the proposed Future Land Use is compatible with existing surrounding development and future land uses in accordance with *FLU Exhibit: Compatible Transitional Land Uses*.**

**Staff Findings**

The subject property is compatible with transitional land uses with adjacent commercial FLU properties.

- F. Whether the proposed Future Land Use designation furthers the public interest by providing or enabling the provision of:**

1. Sites for public facilities or facility improvements in excess of requirements likely to arise from development of the site (applicable to PD Future Land Use);
2. Dedications or contributions in excess of Land Development Code requirements (applicable to PD Future Land Use);
3. A range of obtainable housing opportunities and choices, including affordable or workforce housing;
4. Economic development (enabling higher paying jobs);
5. Reduction in transportation impacts on areawide roads;
6. Mass transit and a variety of transportation choices; and
7. Whether the proposed Future Land Use designation is consistent with other applicable Seminole County Comprehensive Plan Goals, Objectives and Policies, and supports and is consistent with the Central Florida Regional Growth Vision, the Strategic Regional Policy Plan and the State Comprehensive Plan.

### **Staff Findings**

#### **Policy FLU 2.7 - Location of Employment Uses, including Industrial Uses**

The County shall ensure that future Plan amendments to land use designations intended to foster employment uses, including industrial uses, that are proposed adjacent to or in close proximity to areas intended for residential uses only shall be supportive of the character of the residential areas and shall be of sufficient size to allow such buffers as are necessary to protect residences from the adverse impacts of smoke, fumes, vibrations, light, glare, odors, and noise that may result from the employment uses.

#### **Policy TRA 2.4.3 - Promote Infill Development**

To make the most efficient use of the existing transportation network, encourage multi-modal transportation and reduce greenhouse gas emissions within existing urban areas, and to discourage urban sprawl, the County shall enforce policies, performance frameworks and regulations that promote the redevelopment of neighborhoods and neighborhood scale nonresidential development consistent with the Future Land Use Element.

#### **Regional Growth Principles From The Central Florida Regional Growth Vision**

ENCOURAGE a diverse, globally competitive economy.

#### **Policies of The East Central Florida Strategic Regional Policy Plan Furthered Or Supported By The Application**

Policy 3.9 - Development should avoid or properly mitigate adverse impacts to listed species.

Policy 9.4 - Promote the incorporation of nonstructural methods of stormwater management.