



Interoffice Memorandum

08-07-15P12:21 RCVD

08-07-15P12:18 RCVD

Handwritten initials, possibly "JA", in black ink.

DATE: July 24, 2015

TO: Katie A. Smith, Deputy Clerk of the Board of County Commissioners, County Comptroller's Office

THROUGH: Cheryl Gillespie, Supervisor, Agenda Development Office

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

CONTACT PERSON: **John Smogor, Planning Administrator**
Planning Division 407-836-5616 and
john.smogor@ocfl.net

SUBJECT: Request for Board of County Commissioners (BCC) Public Hearing

Applicant: James G. Willard, Shutts & Bowen, LLP

Case Information: Case # LUP-15-02-042 (Hamlin West PD/UNP); Planning and Zoning Commission (PZC) Meeting Date: June 18, 2015

Type of Hearing: Rezoning Public Hearing

Commission District: 1

General Location: Generally located between S.R. 429 (Western Beltway) and C.R. 545 (Avalon Road), along the north and south sides of New Independence Parkway.

BCC Public Hearing Required by: Orange County Code, Chapter 30

9-15-15
2PM

Clerk's Advertising Requirements:

(1) At least 15 days before the BCC public hearing date, publish an advertisement in the Legal Notices section of *The Orlando Sentinel* describing the particular request, the general location of the subject property, and the date, time, and place when the BCC public hearing will be held;

and

(2) At least 10 days before the BCC public hearing date, send notices of BCC public hearing by U.S. mail to owners of property within 300 feet of the subject property and beyond.

Spanish Contact Person: IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, CONTACT THE ORANGE COUNTY PLANNING DIVISION, Email: lourdes.o'farrill@ocfl.net 407-836-5686

PARA MÁS INFORMACIÓN, REFERENTE A ESTA VISTA PUBLICA CON RESPECTO A UNA AUDENCIA PUBLICA SOBRE PROPIEDAD EN SU AREA/VECINDAD, FAVOR COMUNICARSE CON LA DIVISIÓN DE PLANIFICACION, AL NUMERO, 407-836-5684.836-5686

Advertising Language:

A request to rezone four (4) parcels containing 155.74 acres from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct up to 763,400 square feet of non-residential uses, including 137,710 square feet of mixed uses and 625,690 square feet of retail / wholesale uses.

Material Provided:

- (1) Names and last known addresses of property owners within 300 feet and beyond (*via email from Fiscal and Operational Support Division*); and
- (2) Location map (*to be mailed to property owners*).

Special instructions to the Clerk:

Please place this request on the September 1, 2015, BCC agenda. Unless stated otherwise, the public hearing should be advertised to begin at 2:00 p.m., or as soon thereafter as the matter may be heard.

Attachment (location map)

c: Chris R. Testerman, AICP, Assistant County Administrator
Jon V. Weiss, Director, Community Environmental Development Services
Department



LOCATION MAP

If you have any questions regarding this map, please call John Smogor at 407-836-5616.

CARTER PARCEL

LEGAL DESCRIPTIONS:

The South 1/2 of the Northwest 1/4 of Section 20, Township 23 South, Range 27 East, Orange County, Florida

LESS AND EXCEPT right of way of Avon Road, also known as County Road 545

AND LESS AND EXCEPT, the Easterly 50.00 feet of the Westerly 83.00 feet of the Southerly 35.00 feet of the Northerly 578.67 feet of the Southwest 1/4 of the Northwest 1/4 of Section 20, Township 23 South, Range 27 East, Orange County, Florida

AND LESS AND EXCEPT, (RIGHT OF WAY PARCEL A) a portion of the Northwest Quarter of Section 20, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows: Commence at the Southwest corner of said Northwest Quarter of Section 20; thence run North 00 degrees 05 minutes 51 seconds West, along the West line of the Northwest Quarter of Section 20, a distance of 163.20 feet to a point on the existing East right of way line of Avon Road said point also being a point on a non-tangent curve, concave Northwesterly, having a radius of 1433.00 feet and a central angle of 12 degrees 18 minutes 58 seconds; thence run Northwesterly along said curve an arc distance of 308.04 feet from a chord bearing of North 06 degrees 03 minutes 45 seconds East along said Easterly right of way line to a point on said curve; thence run North 89 degrees 54 minutes 15 seconds East, a distance of 2.01 feet; thence run North 00 degrees 05 minutes 51 seconds West, a distance of 317.90 feet for a point of beginning; thence continue North 00 degrees 05 minutes 51 seconds West, a distance of 513.67 feet to the existing South right of way line of McKinney Road; thence departing said Easterly right of way line run North 89 degrees 45 minutes 03 seconds East, 40.01 feet along said South right of way line; thence departing said South right of way line run South 00 degrees 05 minutes 45 seconds East, a distance of 124.66 feet to the point of curvature of a curve to the right, concave Northwesterly, having a radius of 2621.48 feet and a central angle of 06 degrees 52 minutes 12 seconds; thence run Southwesterly along the arc of said curve a distance of 1014.33 feet to a point on said curve; thence departing said curve run South 15 degrees 33 minutes 51 seconds West, a distance of 78.45 feet to the point of beginning.

AND LESS AND EXCEPT, right of way of McKinney Road

AND LESS AND EXCEPT (RIGHT OF WAY PARCEL B) right of way of New Independence Parkway, more particularly described as a portion of the West Half of Section 20, Township 23 South, Range 27 East of Orange County, Florida, being more particularly described as follows: Commence at the Southwest corner of the Northwest Quarter of said Section 20; thence run North 89 degrees 38 minutes 51 seconds East along the South line of said Northwest Quarter of Section 20, a distance of 2622.04 feet; thence departing said South line of the Northwest Quarter of Section 20, run North 13 degrees 01 minutes 34 seconds West, a distance of 548.63 feet; thence North 22 degrees 06 minutes 59 seconds West, a distance of 101.27 feet; thence North 13 degrees 01 minutes 34 seconds West, a distance of 200.00 feet; thence North 01 degrees 00 minutes 37 seconds East, a distance of 103.08 feet; thence North 13 degrees 01 minutes 34 seconds West, a distance of 471.78 feet for a point of beginning; thence run North 50 degrees 27 minutes 21 seconds West, a distance of 58.49 feet; thence run South 89 degrees 42 minutes 32 seconds West, a distance of 191.23 feet to a point on a non-tangent curve, concave Southwesterly, having a radius of 1123.25 feet and a central angle of 43 degrees 32 minutes 24 seconds; thence run Southwesterly along said curve an arc distance of 853.58 feet from a chord bearing of South 69 degrees 33 minutes 16 seconds West to a point on said curve; thence departing said curve run South 46 degrees 12 minutes 28 seconds West, a distance of 387.26 feet; thence run South 37 degrees 40 minutes 37 seconds West, a distance of 101.12 feet to a point on a non-tangent curve, concave Northwesterly, having a radius of 1291.23 feet and a central angle of 43 degrees 47 minutes 32 seconds; thence run Southwesterly along said curve an arc distance of 996.91 feet from a chord bearing of South 68 degrees 06 minutes 14 seconds West to the point of tangency; thence run North 90 degrees 00 minutes 00 seconds West, a distance of 88.71 feet to a point on the existing Easterly right of way line of Avon Road (C.R. 545) said point also being a point on a non-tangent curve, concave Northwesterly, having a radius of 1433.00 feet and a central angle of 06 degrees 49 minutes 56 seconds; thence run Northwesterly along said curve an arc distance of 170.88 feet from a chord bearing of North 05 degrees 28 minutes 08 seconds East to a point on said curve; thence departing said curve run South 00 degrees 00 minutes 00 seconds East, a distance of 72.43 feet to the point of curvature of a curve, concave Northwesterly, having a radius of 1121.23 feet and a central angle of 43 degrees 47 minutes 32 seconds; thence run Northwesterly along said curve an arc distance of 856.97 feet to a point on said curve; thence departing said curve run North 57 degrees 31 minutes 03 seconds East, a distance of 101.98 feet; thence run North 46 degrees 12 minutes 48 seconds East, a distance of 387.26 feet to a point on a non-tangent curve, concave Southwesterly, having a radius of 1296.09 feet and a central angle of 07 degrees 27 minutes 23 seconds; thence run Northwesterly along said curve an arc distance of 167.37 feet from a chord bearing of North 48 degrees 05 minutes 28 seconds East to a point on said curve; thence departing said curve run North 37 degrees 10 minutes 52 seconds West, a distance of 183.84 feet to a point on the existing South right of way line of McKinney Road; thence run North 89 degrees 45 minutes 03 seconds East, along said South right of way line a distance of 1071.27 feet; thence departing said South right of way line run South 13 degrees 01 minutes 34 seconds East, a distance of 106.05 feet to the point of beginning.

AND LESS AND EXCEPT, All that part of the South 1/2 of the Northwest 1/4 of Section 20, Township 23 South, Range 27 East, Orange County, Florida, lying South and East of the South Right of Way line of New Independence Parkway.

PHILLIPS PARCEL

LEGAL DESCRIPTIONS:

The North 500.00 feet of the Northeast 1/4 of the Southeast 1/4 of Section 19, Township 23 South, Range 27 East, Orange County, Florida, lying Easterly of State Road 545 (Avon Road).

And

The North 500.00 feet of the North 1/2 of the Southwest 1/4 of Section 20, Township 23 South, Range 27 East, Orange County, Florida, LESS the right of way of State Road 545 (Avon Road).

And

The South 1/2 of the Northwest 1/4 of Section 20, Township 23 South, Range 27 East, Orange County, Florida, LESS the right of way of State Road 545 (Avon Road) on the West AND LESS the right of way of McKinney Road on the North, AND LESS that portion taken by Orange County by Order of Taking recorded in O.R. Book 3666, page 816, public records of Orange County, Florida,

ALSO LESS AND EXCEPT those portions of the above-described lands conveyed to the Orlando-Orange County Expressway Authority by deed recorded in O.R. Book 7034, page 1352, public records of Orange County, Florida,

ALSO LESS AND EXCEPT all that part of the South 1/2 of the Northwest 1/4 of Section 20, Township 23 South, Range 27 East, Orange County, Florida, lying North and West of the North Right of Way line of New Independence Parkway.

SURVEYOR'S COMMENTS ON TITLE COMMITMENT

Old Republic National Title Insurance Company, Commitment Number 13095374 JAR, effective date March 10, 2014 at 5:00pm.

8. Pipeline easement acquired by Orange County by Order of Taking recorded in O.R. Book 3546, page 1844. (affects subject property and is graphically shown hereon)

9. Resolution No. 83-SW-05 of the Board of County Commissioners recorded in O.R. Book 3639, page 224. (affects subject property and is graphically shown hereon)

10. Agreement for the Delivery and use of Reclaimed Irrigation Water recorded in O.R. Book 3678, page 1114; Supplemental Agreement recorded in O.R. Book 4345, page 1746. (affects subject property, is blanket in nature and can not be graphically shown hereon)

11. Distribution Easement in favor of Florida Power Corporation recorded in O.R. Book 3832, page 631. (does not affect subject property and is not graphically shown hereon)

12. Rights of ingress and egress, light, air and view between the subject property and State Road 429 acquired by the Orlando-Orange County Expressway Authority by deed recorded in O.R. Book 7034, page 1352. (affects subject property and is graphically shown hereon)

13. Perpetual easement acquired by the Orlando-Orange County Expressway Authority by deed recorded in O.R. Book 7034, page 1352. (affects subject property and is graphically shown hereon)

WEST ORANGE LAND PARCEL

LEGAL DESCRIPTION:

The Northeast 1/4 of the Southeast 1/4, lying East of the paved road, less the North 500 feet thereof, and less the South 240 feet in Section 19, Township 23 South, Range 27 East. Also The North 1/2 of the Southwest 1/4 of the Southwest 1/4, less the West 660 feet thereof; and the North 1/2 of the Southwest 1/4, less the North 300 feet and less the South 240 feet of the West 660 feet, lying in Section 20, Township 23 South, Range 27 East, Orange County, Florida.

Less:

All that portion of the Northeast 1/4 of the Southeast 1/4 of Section 19, Township 23 South, Range 27 East, in the County of Orange, State of Florida, included within a Parcel of land 35.00 feet of even width, The Westerly line of said 35.00 foot wide Parcel of land being described as follows.

Beginning at the intersection of the Easterly Right Of Way line of State Road No. 545 and the Southerly line of the Northerly 818.05 feet of said Northeast 1/4 of the Southeast 1/4; Thence Southerly along said Easterly Right Of Way line a distance of 50.00 feet.

AND:

The North one-half of the Southeast one-quarter of Section 20, Township 23 South, Range 27 East lying West of the Western Bightway.

SURVEYOR'S COMMENTS ON TITLE COMMITMENT:

First American Title Insurance Company, Commitment Number 5011612-2037-3210597, effective date July 28, 2014 @ 8:00 A.M.

9. Easement in favor of Progress Energy Florida, Inc. recorded October 1, 2004 in Book 7841, Page 818. (Incorrectly encumbers subject property) (affects subject property and is graphically shown hereon)

10. This Policy does not insure title to any part of the land lying below the ordinary high water mark of any cutting body of water. (affects subject property, is blanket in nature and can not be graphically shown hereon)

Total area of combined parcels is 155.74 acres, more or less.

SURVEYOR'S NOTES:

Bearings shown hereon are based on the North line of the southwest quarter of Section 20-23-27 as being North 89°37'40" East, (an assumed bearing for angular designation only.)

This Survey was performed with the benefit of an insurance Title Commitment, as noted for each parcel.

There may be easements and restrictions of record and/or private agreements not furnished to this surveyor or shown on this boundary survey that may affect property rights and/or land use rights of the subject property.

There may be environmental issues and/or other matters regulated by various Departments of Federal, State or Local Governments affecting the subject property not shown on this survey.

This Survey was performed for the sole and exclusive benefit of the entities listed hereon and shall not be relied upon by any other entity or individual whatsoever.

This Survey is not valid without the signature and original raised seal of a Florida licensed surveyor and mapper.

Underground utilities and improvements were not located, unless shown hereon.

Subject properties fall within Zones "A", No Base Flood Elevations determined and Zone "X", areas determined to be outside the 0.2% annual chance floodplain, according to the F.I.R.M. map # 120179C0375F Map date September 25, 2008.

Elevations shown hereon are based on Orange County Vertical Datum, benchmark # S-608-051, elevation being 156.03. (National Geodetic Vertical Datum 1929)

Orlando Sentinel

Published Daily
ORANGE County, Florida

STATE OF FLORIDA

COUNTY OF ORANGE

Before the undersigned authority personally appeared **Sheri Schmitz / Adeliris DelValle / Brian Hall / Charity Casas / Jean M. Gailie**, who on oath says that he/ she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of **Hamlin West PD/UNP**, in ORANGE County Florida, was published in said newspaper in the issues **08/23/15**

Affiant further says that the said ORLANDO SENTINEL is a newspaper published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Jean M. Gailie

Printed Name of Affiant

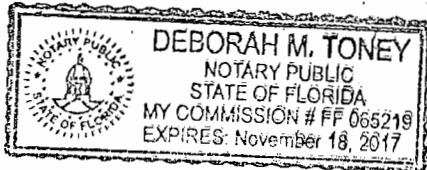
Jean M. Gailie

Signature of Affiant

Sworn to and subscribed before me on this **24** day of **August, 2015** by above said affiant, who is personally known to me (X) or who has produced identification ().

[Signature]

Signature of Notary Public (Typed, Printed or Stamped)



Ad No. 3497923

ORANGE COUNTY NOTICE OF PUBLIC HEARING

The Orange County Board of County Commissioners will conduct a public hearing on September 15, 2015, at 2 p.m., or as soon thereafter as possible, in the County Commission Chambers, First Floor, County Administration Center, 201 South Rosalind Avenue, Orlando, Florida, regarding a request by:

Applicant: James G. Willard, Shotts & Bowen, LLP, Hamlin West PD/UNP, Case # LUP-15-02-042

Consideration: Request to rezone four (4) parcels containing 155.74 acres from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct up to 763,400 square feet of non-residential uses, including 137,710 square feet of mixed uses and 625,690 square feet of retail/wholesale uses; pursuant to Orange County Code, Chapter 30.

Location: District 1; property generally located between S.R. 429 (Western Beltway) and C.R. 545 (Aviation Road), along the north and south sides of New Independence Parkway, Orange County, Florida (legal property description on file)

You may obtain a copy of the legal property description by calling the Comptroller Clerk of the Board of County Commissioners, 407-836-7300; or pick one up at 201 South Rosalind Avenue, Fourth Floor, Orlando, Florida.

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, CONTACT THE ORANGE COUNTY PLANNING DIVISION, 407-836-5600; Email: planning@occf.net

PARA MÁS INFORMACIÓN, REFERENTE A ESTA VISTA PÚBLICA CON RESPECTO A UNA AUDIENCIA PÚBLICA SOBRE PROPIEDAD EN SU AREAVICINIDAD, FAVOR COMUNICARSE CON LA DIVISION DE PLANIFICACION, AL NUMERO, 407-836-5686.

If you wish to appeal any decision made by the Board of County Commissioners at this meeting you will need a record of the proceedings. You should ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you require special accommodations under the Americans with Disabilities Act of 1990, please call 407-836-5631 no later than two business days prior to the hearing for assistance. Si usted requiere ayuda especial bajo la ley de Americanos con Incapacidades de 1990, por favor llame al 407-836-3111.

Martha O. Hoynie, County Comptroller
As Clerk of the Board of
County Commissioners
Orange County, Florida

ORG3497923

08/23/15