



Interoffice Memorandum

08-16-16A10:32 RCVD

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DATE: August 12, 2016 08-16-16A10:35 RCVD

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

Project Name: Ginn Property Planned Development / Land Use Plan (PD / LUP) - Case # CDR-16-04-142

Type of Hearing: Substantial Change

Applicant: John T. Townsend, Donald W. McIntosh Associates, Inc.

Commission District: 4

General Location: Generally located on both sides of State Road 417 (Central Florida Greenway), west /southwest of Boggy Creek Road; approximately ¼ mile east of Rhode Island Woods Circle; and north of Wyndham Lakes Boulevard

*September 20, 2016
@ 2 pm*

**BCC Public Hearing
Required by:**

Orange County Code, Chapter 30, Article III,
Section 30-89 and Orange County Code, Chapter
38, Article VIII, Division 1, Section 38-1207

**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 PD substantial change for the following waivers from Orange County Code, and applicable to PD Parcels 1a, 1b, 4, 5, and 6 only:

1. A waiver from Section 38-1251(b) to allow a maximum Impervious Surface Ratio (ISR) of 0.55 for residential use, in lieu of a maximum ISR of 0.30.
2. A waiver from Section 38-1272(a)(5) to allow a maximum non-residential height of fifty (50) feet, or one-hundred twenty (120) feet for hotel use, in lieu of a maximum height of fifty (50) feet or thirty-five (35) feet when within one-hundred (100) feet of any residential district (internal or external to the PD).

3. A waiver from Section 38-1327 to allow a maximum Impervious Surface Ratio (ISR) of 0.85 for commercial, industrial and office uses, in lieu of a maximum ISR of 0.70.

Material Provided:

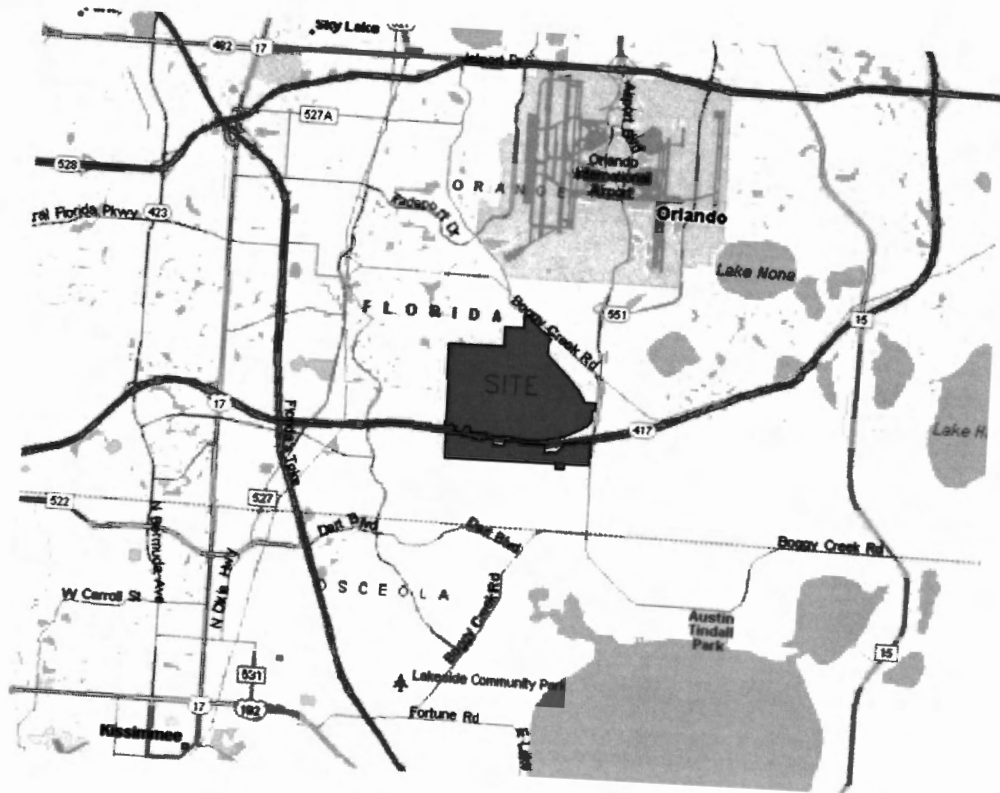
- (1) Names and last known addresses of property owners within 300 feet and beyond (*via email from Fiscal and Operational Support Division*); and
- (2) Location map (*to be mailed to property owners*).

Special instructions to the Clerk:

Please place this request on the next available 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



VICINITY MAP

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

#CDR16-04-142
Ginn / Greenway Park LUP

CDR-16-04-142
Ginn PD

Wetherbee Road

Boggy Creek Road

Subject Property

State Road 417

Boggy Creek Road



LEGAL DESCRIPTION (GREENWAY PARK DRI. LLC OWNERSHIP)

DESCRIPTION:

Lot 2, GINN-AIRPORT, according to the plat thereof, as recorded in Plat Book 55, Pages 44 through 49, LESS AND EXCEPT:

- (A) All of the plat of J LAWSON BOULEVARD, according to the plat thereof, as recorded in Plat Book 58, Pages 64 through 68.
- (B) That part deeded to D.R. Horton, Inc. in that certain Special Warranty Deed recorded December 6, 2002, in Official Records Book 6693, Page 3100.
- (C) That part deeded to Orange County, Florida, in that certain Special Warranty Deed recorded August 11, 2004 in Official Records Book 7570, Page 4831.
- (D) That part deeded to Spano & Associates, Inc. in that certain Special Warranty Deed recorded February 9, 2005 in Official Records Book 7821, Page 3389.
- (E) That part deeded to D.R. Horton, Inc. in that certain Special Warranty Deed recorded September 23, 2005 in Official Records Book 8209, Page 3627, all in the Public Records of Orange County, Florida.

AND:

Tracts PD-1 (Retention Area), PD-2 (Retention Area), PD-3 (Retention Area), and PD-4 (Retention Area) of J LAWSON BOULEVARD, according to the plat thereof, as recorded in Plat Book 58, Pages 64 through 68, in the Public Records of Orange County, Florida.

AND:

Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, Lot 6, Tract R-1, Tract R-2, Tract R-3 and Tract R-4, BEACON PARK BOULEVARD, according to the plat thereof, as recorded in Plat Book 71, Pages 145 through 149 of Public Records of Orange County, Florida.

AND:

A PORTION OF LOT 1, GINN-AIRPORT AS RECORDED IN PLAT BOOK 55, PAGES 44 THROUGH 49, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SECTION 29, TOWNSHIP 24 SOUTH, RANGE 30 EAST, ALSO BEING THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 24 SOUTH, RANGE 30 EAST, THENCE SOUTH 89°49'23" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF SAID SECTION 29, A DISTANCE OF 2,652.01 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 29; THENCE SOUTH 89°42'59" WEST ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 29, A DISTANCE OF 2,669.45 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 29; THENCE NORTH 00°10'46" EAST, ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 A DISTANCE OF 1,781.56 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD 417 (CENTRAL FLORIDA GREENEWAY); THENCE DEPARTING SAID WEST SECTION LINE AND ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING 16 COURSES, SOUTH 85°46'28" EAST, A DISTANCE OF 1,155.95 FEET; THENCE SOUTH 78°22'03" EAST, A DISTANCE OF 1,008.41 FEET; THENCE SOUTH 59°12'34" EAST, A DISTANCE OF 111.80 FEET; THENCE SOUTH 75°05'26" EAST, A DISTANCE OF 161.81 FEET; THENCE SOUTH 85°46'28" EAST, A DISTANCE OF 140.99 FEET; THENCE NORTH 44°01'52" EAST, A DISTANCE OF 156.20 FEET; THENCE NORTH 85°41'41" EAST, A DISTANCE OF 404.47 FEET; THENCE NORTH 89°42'42" EAST, A DISTANCE OF 381.18 FEET; THENCE SOUTH 04°13'32" WEST, A DISTANCE OF 355.00 FEET; THENCE SOUTH 85°04'33" EAST, A DISTANCE OF 820.06 FEET; THENCE NORTH 04°13'32" EAST, A DISTANCE OF 355.00 FEET; THENCE SOUTH 84°34'04" EAST, A DISTANCE OF 95.04 FEET; THENCE SOUTH 83°51'55" EAST, A DISTANCE OF 60.03 FEET; THENCE SOUTH 83°42'55" EAST, A DISTANCE OF 445.29 FEET; THENCE NORTH 85°41'44" EAST, A DISTANCE OF 202.23 FEET; THENCE SOUTH 83°29'03" EAST, A DISTANCE OF 380.19 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE, SOUTH 04°13'19" WEST, A DISTANCE OF 9.80 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,612.00 FEET, A CENTRAL ANGLE OF 08°05'10" AND A CHORD DISTANCE OF 227.50 FEET WHICH BEARS SOUTH 00°10'44" WEST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 227.50 FEET; THENCE SOUTH 86°29'29" WEST, A DISTANCE OF 10.00 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,622.00 FEET, A CENTRAL ANGLE OF 07°30'54" AND A CHORD DISTANCE OF 212.59 FEET WHICH BEARS SOUTH 07°37'10" EAST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 212.74 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 86°31'31" AND A CHORD DISTANCE OF 34.27 FEET WHICH BEARS SOUTH 31°53'09" WEST, THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 37.75 FEET; THENCE SOUTH 75°08'54" WEST, A DISTANCE OF 16.34 FEET TO A POINT OF CURVATURE OF A NONTANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,662.00 FEET, A CENTRAL ANGLE OF 03°26'53" AND A CHORD DISTANCE OF 100.00 FEET WHICH BEARS SOUTH 13°59'44" EAST, THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 100.02 FEET; THENCE NORTH 75°08'54" EAST, A DISTANCE OF 15.57 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE 88°15'15" AND A CHORD DISTANCE OF 34.81 FEET WHICH BEARS SOUTH 60°43'29" EAST; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 38.51 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1,622.00 FEET, A CENTRAL ANGLE OF 00°09'13" AND A CHORD DISTANCE OF 4.35 FEET WHICH BEARS SOUTH 16°40'27" EAST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 4.35 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1,504.00 FEET, A CENTRAL ANGLE OF 10°58'10" AND A CHORD DISTANCE OF 287.51 FEET WHICH BEARS SOUTH 11°15'59" EAST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 287.95 FEET; THENCE SOUTH 05°46'54" EAST, A DISTANCE OF 93.25 FEET; THENCE NORTH 84°13'06" EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTH 05°46'54" EAST, A DISTANCE OF 86.81 FEET; THENCE SOUTH 02°59'35" EAST, A DISTANCE OF 136.22 FEET; THENCE SOUTH 00°12'16" EAST, A DISTANCE OF 151.43 FEET TO A POINT ON THE SOUTHERLY LINE OF SECTION 28-24-30; THENCE SOUTH 89°46'42" WEST, ALONG SAID SOUTHERLY SECTION LINE A DISTANCE OF 249.73 FEET TO THE POINT OF BEGINNING.

AND:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 24 SOUTH, RANGE 30 EAST, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; GO THENCE NORTH 89°13'39" EAST, ALONG THE NORTH LINE OF SAID SECTION, 2723.29 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°13'39" EAST, 658.51 FEET; THENCE GO SOUTH 01°45'45" EAST 330.15 FEET, THENCE GO SOUTH 89°13'39" WEST 661.52 FEET; THENCE GO NORTH 01°13'35" WEST 330.15 FEET TO THE POINT OF BEGINNING.

Together containing 1423.066 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

TOTAL AREA GINN DRI: 1,766.63 ACRES

#CDR16-04-142

Ginn / Greenway Park LUP