



**Interoffice Memorandum**

**DATE:** October 8, 2020  
**TO:** Mayor Jerry L. Demings  
-AND-  
Board of County Commissioners  
**FROM:** Jon V. Weiss, P.E., Director  
Planning, Environmental and Development  
Services Department

**CONTACT PERSON:** **Eric Raasch, DRC Chairman**  
**Development Review Committee**  
**Planning Division**  
**(407) 836-5523**

**Eric P. Raasch,**  
**Jr., AICP**

Digitally signed by Eric P.  
Raasch, Jr., AICP  
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**SUBJECT:** October 27, 2020 – Public Hearing  
Applicant: Michelle Heatherly, Demetree Global  
Collegiate Village Planned Development / Collegiate Village CVC –  
East Parcel Development Plan  
Case # DP-19-12-420 / District 5

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of September 23, 2020, to approve the Collegiate Village Planned Development (PD) / Collegiate Village CVC – East Parcel Development Plan (DP) construct a student housing development with 176 units / 511 beds on a total of 2.79 acres.

The required Specific Project Expenditure Report and Relationship Disclosure Forms have been completed in accordance with the requirements of Article X, Chapter 2, Orange County Code, as may be amended from time to time, and copies of these and the DP may be found in the Planning Division for further reference.

**ACTION REQUESTED:** **Make a finding of consistency with the Comprehensive Plan and approve the Collegiate Village PD / Collegiate Village CVC – East Parcel DP dated “Received September 23, 2020”, subject to the conditions listed under the DRC Recommendation in the Staff Report.**  
**District 5**

JVW/EPR/lme  
Attachments

**CASE # DP-19-12-420**  
Commission District # 5

**1. REQUEST**

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of September 23, 2020, to approve the Collegiate Village Planned Development (PD) / Collegiate Village CVC – East Parcel Development Plan (DP) construct a student housing development with 176 units / 511 beds on a total of 2.79 acres.

**2. PROJECT ANALYSIS**

- A. Location: South of University Boulevard / West of North Alafaya Trail
- B. Parcel ID: 09-22-31-1494-00-002, 09-22-31-1494-00-060,  
10-22-31-9653-00-010
- C. Total Acres: 2.79 gross acres
- D. Water Supply: Orange County Utilities
- E. Sewer System: Orange County Utilities
- F. Schools: N/A
- G. School Population: N/A
- H. Parks: Little Econ Trail – 1.3 Miles
- I. Proposed Use: 176 Student Housing Units / 511 Beds
- J. Site Data: Maximum Building Height: 100' (66' 2" proposed parapet)  
Minimum Living Area: 500 Square Feet  
Building Setbacks:  
10' Front  
10' Side  
10' Rear  
10' Side Street
- K. Fire Station: 67 – 10679 University Boulevard
- L. Transportation: Based on the concurrency management system database dated December 20, 2019, there are failing roadway segments within a one mile radius on University Boulevard. A traffic study and proportionate share agreement may be required prior to obtaining a building permit.

### **3. COMPREHENSIVE PLAN**

The subject property has an underlying Future Land Use Map (FLUM) designation of Commercial and Office and the zoning is PD within the Collegiate Village PD. The PD allows for student housing at this location. The request is consistent with the Comprehensive Plan, as the original PD pre-dated the adoption of the County's Future Land Use Map.

### **4. ZONING**

PD (Planned Development District) (Collegiate Village PD)

### **5. REQUESTED ACTION:**

Approval subject to the following conditions:

1. Development shall conform to the Collegiate Village Planned Development; Orange County Board of County Commissioners (BCC) approvals; Collegiate Village CVC - East Parcel Development Plan dated "Received September 23, 2020"; and to the conditions of approval listed below. 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, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC.
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 authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, 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. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.
3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the

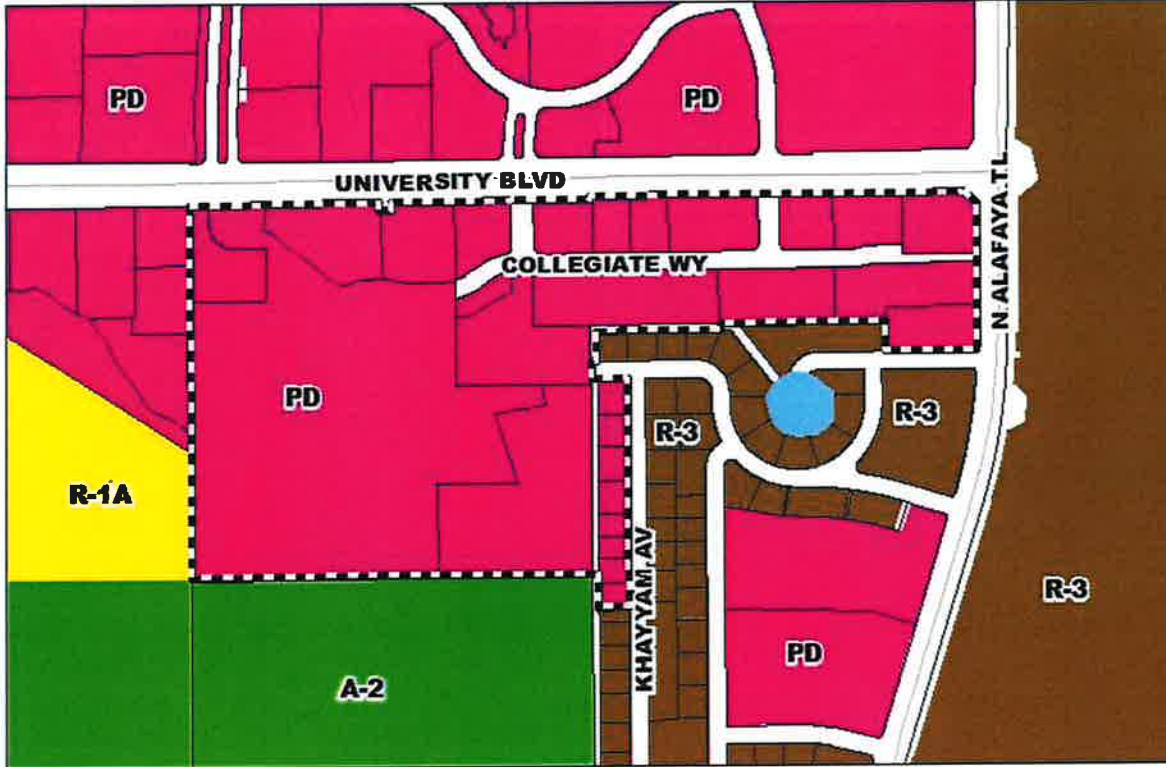
obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this development plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. Development plan (DP) approval by the DRC (or BCC, as applicable), shall automatically expire if construction plans are required and have not been submitted and approved within two (2) years from DP approval; if construction plans are not required, such DP shall expire two (2) years from approval unless a building permit has been obtained within such two-year period. The foregoing notwithstanding, the DRC may, upon good cause shown, grant successive one (1) year extensions to the expiration date of a DP if the developer makes written request to the DRC chair prior to the expiration date.
7. Required road right-of-way for both Alafaya Trail and University Boulevard, including any required easements, within the boundary of this development plan shall be conveyed to the County via separate instrument prior to Construction Plan Approval.

8. Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, 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 by the developer.
9. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to issuance of the initial certificate of occupancy. Nothing in this condition and nothing in the decision to approve this development plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
10. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water and wastewater systems, including hydraulically dependent development, have been designed to support all development within the PD.
11. Prior to construction plan approval, documentation with supporting calculations shall be submitted which certifies that the existing drainage system and pond have the capacity to accommodate this development and that this project is consistent with the approved master drainage plan (MDP) for this PD.
12. Prior to construction plan approval, documentation must be provided certifying that this project has the legal right to tie into the master drainage system.
13. Unless otherwise allowed by County Code, the property shall be platted / replatted prior to the issuance of any vertical building permits.
14. A Right-of-Way use agreement shall be required for the use and maintenance of the concrete pull-out / garbage pick-up area within Pasteur Drive right-of-way, prior to issuance of a Right-of-Way permit.
15. Pasteur Drive shall be improved to County standards from the westernmost entrance to the parking garage as part of the construction plans.

Zoning Map

DP-19-12-420



Subject Property



Subject Property

**Zoning Map**

**Zoning:** Planned Development District (PD)

**APPLICANT:** Michelle Heatherly, Demetree Global

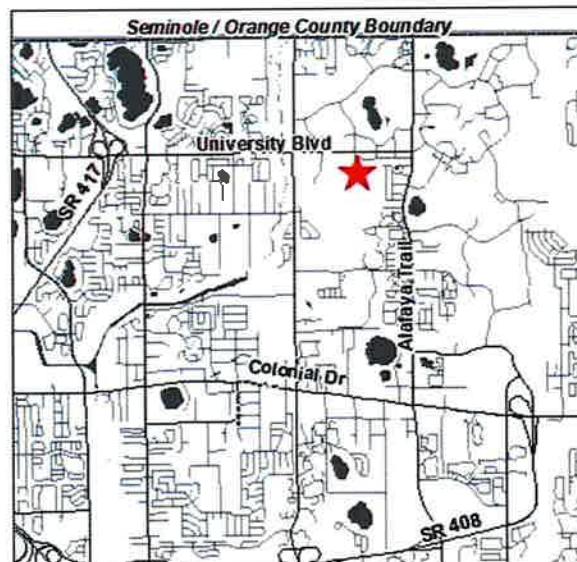
**LOCATION:** Generally south of University Boulevard and west of Alafaya Trail.

**TRACT SIZE:** 54.25 gross acres (overall PD)  
2.79 gross acres (DP area)

**DISTRICT:** # 5

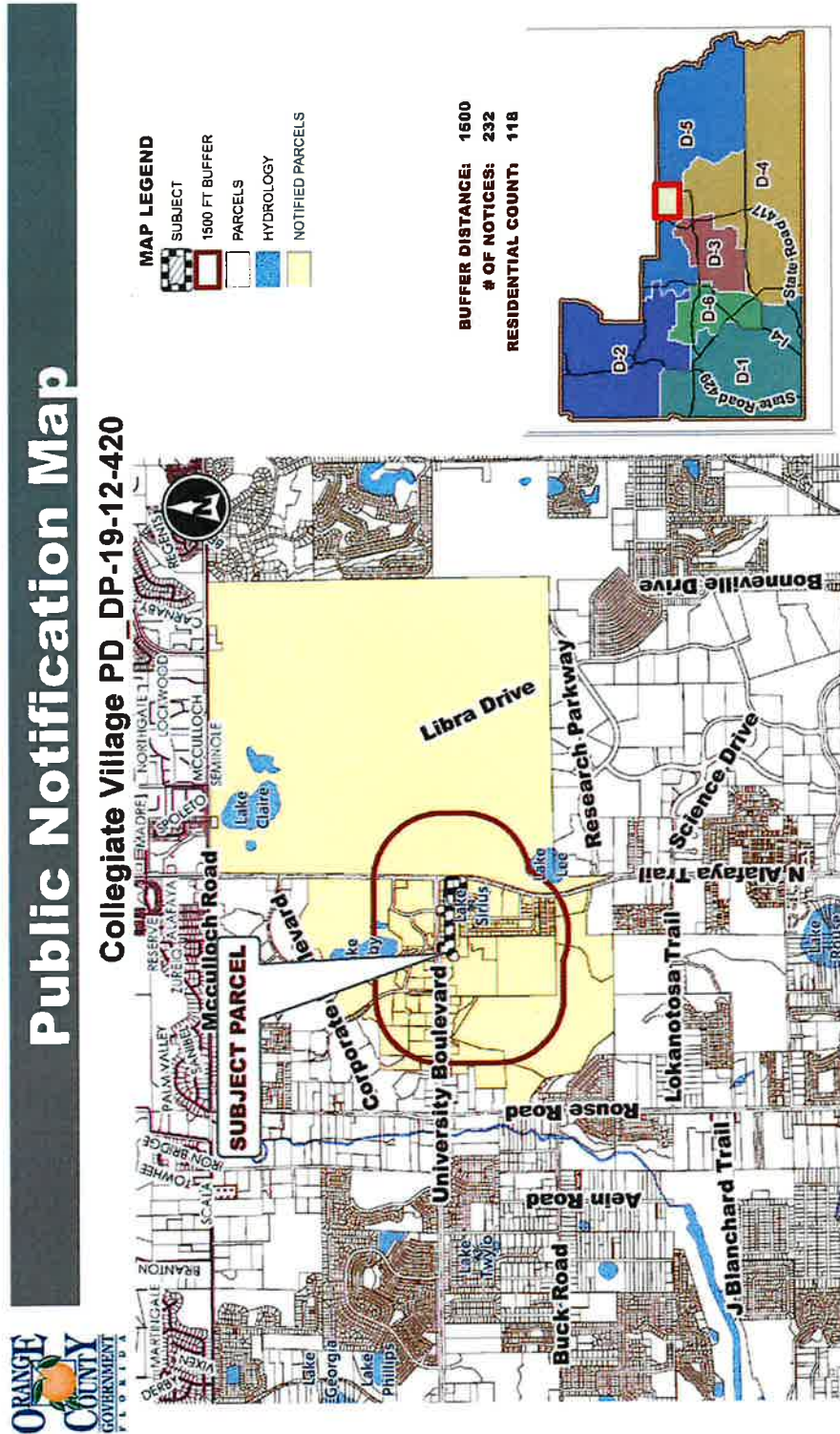
**S/T/R:** 09/22/31 & 10/22/31

1 inch = 500 feet





# Notification Map



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