



Interoffice Memorandum

DATE: July 14, 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: July 28, 2020 – Public Hearing
Michelle Heatherly, Demetree Global
Collegiate Village Planned Development
Case # LUPA-19-11-394 / District 5

The Collegiate Village Planned Development is generally located south of University Boulevard and west of Alafaya Trail. Through this request, the applicant is seeking to rezone a 0.73-acre property (Parcel # 10-22-31-9652-10-100) from R-3 (Multiple-Family Dwelling District) to PD (Planned Development District). The property is proposed to be aggregated into the Collegiate Village Planned Development, which is currently entitled for 1,800 student housing beds, 153,600 square feet of commercial, and 123 hotel rooms. No new entitlements are proposed with this request. The request also includes three waivers from Orange County Code to reduce building setbacks and parking requirements within the PD.

On May 21, 2020, the Planning and Zoning Commission (PZC) recommended approval of the request, subject to conditions. A community meeting was held on February 3, 2020 and is summarized in the staff report.

Finally, 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 PD/LUP 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 Planned Development / Land Use Plan dated “Received February 13, 2020”, subject to the conditions listed under the PZC Recommendation in the Staff Report. District 5

Attachments
JVW/EPR/jhs

GENERAL INFORMATION

APPLICANT Michelle Heatherly, Demetree Global

OWNERS Collegiate Village Commercial Property Owners Assn, Inc.;
Collegiate Square, LLC;
CVI – Orlando, LLC;
DAT Mortgage One, LLC;
Mary L. Demetree (as Trustee of the Alpha Trust);
Collegiate Square Tech Center, LLC;
11764 University Boulevard, LLC;
11750 University Boulevard, LLC;
11700 University Boulevard, LLC;
12001 Collegiate Way, LLC;
Collegiate Square Hotel, LLC;
Collegiate Square Realty, LLC

PROJECT NAME Collegiate Village Planned Development (PD)

HEARING TYPE Planned Development / Land Use Plan (PD / LUP)

REQUEST **R-3 (Multiple Family District) to
PD (Planned Development District)**

To rezone 0.73 acre from R-3 (Multiple-Family Dwelling District) (Parcel # 10-22-31-9652-10-100) to PD (Planned Development District). The request also includes the following waivers from Orange County Code:

1. A waiver from Section 38-1476(a) to allow for a reduction in parking requirements for student housing to 0.9 spaces per bedroom, in lieu of 1 space per bedroom.

Applicant Justification: *The new student housing facility will be within a walking/biking distance to the university along with ride share programs and a bus stop route located within the PD limits.*

2. A waiver from Section 38-1254 to allow a setback of 10 feet, in lieu of a setback of 40 feet from Alafaya Trail right-of-way.

Applicant Justification: *The reduction in setback from 40 feet to 10 feet would allow for urban design flexibility and walkability of the PD. Existing properties along Alafaya have already set this precedent.*

3. A waiver from Orange County Code Section 38-1253(b) is requested to allow a reduction in required recreational space to 1.25 acres per one thousand (1,000) projected population, in lieu of 2.5 acres per one thousand (1,000) projected population.

Applicant Justification: *There are other opportunities within the PD that meet the need of recreational space including a master pond and two dedicated open spaces which meet the requirement of 2.5 acres per one thousand project population for the site as a whole.*

LOCATION	Generally south of University Boulevard and West of Alafaya Trail.
PARCEL ID NUMBERS	09-22-31-1494-00-001; 09-22-31-1494-00-002; 09-22-31-1494-00-010; 09-22-31-1494-00-020; 09-22-31-1494-00-030; 09-22-31-1494-00-040; 09-22-31-1494-00-050; 09-22-31-1494-00-060; 09-22-31-1494-00-070; 09-22-31-1494-00-080; 09-22-31-0000-00-059; 09-22-31-0000-00-048; 10-22-31-9652-10-010; 10-22-31-9652-10-010; 10-22-31-9652-10-020; 10-22-31-9652-10-040; 10-22-31-9652-10-060; 10-22-31-9652-10-070; 10-22-31-9652-10-080; 10-22-31-9652-10-090; 10-22-31-9652-10-100; 10-22-31-1258-01-000; 09-22-31-1494-00-021; 10-22-31-9653-00-010; 09-22-31-1495-02-000; 09-22-31-1495-01-000; 09-22-31-0000-00-049; 09-22-31-1494-00-110; 09-22-31-1494-00-100
TRACT SIZE	0.73 acres (portion to be rezoned) 54.25 acres (overall PD)
PUBLIC NOTIFICATION	The notification area for this public hearing was 1,500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred thirty-two (232) notices were mailed to those property owners in the surrounding area. A community meeting was held on February 3, 2020, at Riverdale Elementary School and is summarized further in this report.
PROPOSED USE	1,800 student housing beds; 153,600 square feet of commercial; 123 hotel rooms

STAFF RECOMMENDATION

Development Review Committee – (March 11, 2020)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Collegiate Village Planned Development / Land Use Plan (PD/LUP), dated "Received February 13, 2020", subject to the following conditions:

1. Development shall conform to the Collegiate Village PD Land Use Plan (LUP) dated "Received February 13, 2020," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received February 13, 2020," 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 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 land use 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. The required road right-of-way and/or easements shall be conveyed to the County via separate instrument prior to Construction Plan Approval.

7. The following waivers from Orange County Code are granted:
 - a. A waiver from Section 38-1476(a) to allow for a reduction in parking requirements for student housing to 0.9 spaces per bedroom, in lieu of 1 space per bedroom.
 - b. A waiver from Section 38-1254 to allow a setback of 10 feet, in lieu of a setback of 40 feet from Alafaya Trail right-of-way.
 - c. A waiver from Section 38-1253(b) to allow a reduction in required recreational space to 1.25 acres per one thousand (1,000) projected population, in lieu of 2.5 acres per one thousand (1,000) projected population.

8. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated June 4, 2019 shall apply:
 - a. The following waivers from Orange County Code are granted:

- 1) A waiver from Section 38-1259(c) to allow a total of 1,800 beds of student housing, in lieu of 750 bedrooms for Parcel 1, Lots 6 and 6A, and Collegiate Village Inn.
 - 2) A waiver from Section 38-1258(d) and 38-1259(h) to allow a maximum building height up to 100' for student housing, in lieu of a maximum building height of 40' (3-stories) for Parcel 1, Lots 6 and 6A, and Collegiate Village Inn.
 - 3) A waiver from Section 38-1476(a) to allow for a reduction in parking requirements for commercial / retail development to 3.6 spaces, in lieu of 5 spaces per 1,000 square feet of gross floor area for Lots 7, 8, & 9 and commercial development that may be a part of Lot 6 and / or Collegiate Village Inn.
 - 4) A waiver from Section 38-1501 to allow container stores to be a minimum of 160' square feet in lieu of 500 square feet for Lots 7, 8, & 9.
 - 5) A waiver from Section 38-79(87) to allow multiple food vendors to operate as described in the paseo programming on Sheet 4.
9. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated September 20, 2016 shall apply:
- a. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water and wastewater system has been designed to support all development within the PD.
10. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated October 6, 2009, shall apply:
- a. All acreages regarding conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not permit any proposed conservation impacts.
 - b. Billboards and new pole signs shall be prohibited. Ground and fascia signs shall comply with the Master Sign Plan.
 - c. Outdoor storage and display shall be prohibited.
 - d. The Developer shall obtain water and wastewater service from Orange County Utilities.
 - e. The applicant must apply for and obtain a capacity encumbrance letter or vested rights certificate prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to platting. However, nothing in this condition and nothing in the decision to approve this land use

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.

- f. The (Covenants, Conditions, and Restrictions) CC&Rs for senior housing shall include language that at least one owner/resident shall be at least 55 years of age or older, and in no case shall there be any residents 18 years or under. In the event this project becomes market rate housing, it shall be deemed a substantial change, and a Capacity Enhancement Agreement (CEA) and compliance with school concurrency may be required.
- g. A waiver from Section 38-1272(5) is granted to allow a maximum building height of seventy-five (75) feet for the commercial and a maximum building height of one hundred fifty (150) feet for the office in lieu of fifty (50) feet.
- h. A waiver from Section 38-1254(1) is granted to allow a reduction of the PD boundary setback to ten (10) feet in lieu of twenty-five (25) feet.
- i. For Student Housing only, the following waivers are approved:
 - 1) A waiver from Section 38-1476 is granted to allow a reduction of parking spaces to one (1) space per bed in lieu of one and a quarter (1.25) spaces per bed.
 - 2) A waiver from Section 38-1259(d) is granted to allow for decorative fencing and/or landscaping with a two (2) to three (3) foot optional knee wall along the right-of-way in lieu of the required six (6) foot high masonry wall, brick wall, or block wall, along a right-of-way.
 - 3) A waiver from Section 38-1259(b) is granted to allow for a twenty-five (25) foot single-family separation with buffer, fence, or landscaping in lieu of four hundred (400) feet.
- j. Vehicular access to and from the subject development shall be limited to emergency vehicles only from Socrates Drive and Khayyam Avenue.

IMPACT ANALYSIS

Overview

The Collegiate Village PD was established in 1972 and currently has a development program that includes 1,800 student housing beds, 153,600 square feet of commercial, and 123 hotel rooms.

The current request is to add an R-3 zoned parcel to the PD and to request waivers to reduce building setbacks adjacent to Alafaya Trail and to reduce parking requirements for student housing projects. A parking study that supported the parking waiver was submitted by the applicant and approved by the Orange County Transportation Planning.

Land Use Compatibility

The proposed development program is compatible with existing development in the area, and would not adversely impact any adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Comprehensive Plan (CP) Consistency

The subject property has an underlying Future Land Use Map (FLUM) designation of Medium Density Residential (MDR), Office (O), and Commercial (C). Since the PD was established prior to the Comprehensive Plan adoption in 1991, the PD standards are applicable (FLU Policy 8.1.5). Therefore, the proposed PD zoning district and development program is consistent with the FLUM designations, and a CP amendment is not necessary. Additionally, the request is consistent with the following CP provisions:

FLU1.1.2(F) states that student housing may be permitted only on property with a future land use designation of Medium Density Residential, Medium-High Density Residential, High Density Residential, or Planned Development. A planned development zoning classification shall be required for all student housing projects.

FLU1.1.2(F)(1) states that Student housing density shall be calculated based on the number of bedrooms, with four (4) bedrooms equal to one (1) multi-family unit. An alternative density calculation may be permitted upon the approval of the Board of County Commissioners, provided the developer has committed to a mobility plan to be implemented with the development of the student housing project, has demonstrated a need for the additional units, and/or has proposed a redevelopment project located within the area extending one (1) mile east and one (1) mile west of the Alafaya Trail corridor, between McCulloch Road and State Road 408.

FLU1.1.5 states that the County shall encourage mixed-use development, infill development and transit oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area.

FLU1.4.1 states that Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental

features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

FLU8.1.5 states that the location of Planned Development (PDs) within the Urban Service Area that have been approved as of the date of adoption of the 1991 CPP shall be considered consistent with the Comprehensive Plan and included as part of the adopted Orange County Future Land Use Map (FLUM).

OBJ FLU8.2 states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU8.2.1 states that land use changes shall be required to be compatible with existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.2 states that continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

FLU8.2.11 states that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

SITE DATA

Existing Use	Retail / Student Housing / Commercial / Restaurant
Adjacent Zoning	N: PD (Quadrangle Planned Development District) (1984) E: R-3 (Multiple-Family Dwelling District) (1967) W: PD (Boulevard Trust Planned Development District) (1998) S: A-2 (Farmland Rural District) (1957) R-3 (Multiple-Family Dwelling District) (1967)
Adjacent Land Uses	N: Office / Retail E: University of Central Florida W: Restaurant S: Multiple-Family Residential

APPLICABLE PD DEVELOPMENT STANDARDS

PD Perimeter Setback 25 ft. (Commercial)
 10 ft. (Residential) (*previous waiver*)

Maximum Building Height: 100 ft. for student housing (*Previous waiver*)

Minimum Building Setbacks

Alafaya Trail Setback: 10 ft. from property line (*waiver requested*)
Collegiate Way Setback: 10 ft.
University Blvd. Setback: 120 ft. from roadway centerline or 50 ft. from property line
Rear Setback: 10 ft.
Side Setback: 10 ft.

SPECIAL INFORMATION

Community Meeting Summary

A community meeting was held for this request on February 3, 2020, at Riverdale Elementary School. Four residents and interested members of the community attended and expressed a neutral tone with no concerns.

Environmental

The Environmental Protection Division has reviewed the plans and has not identified any issues or concerns.

Transportation / Concurrency

University Boulevard, from Semoran Boulevard to Alafaya Trail, is designated as a multi-modal corridor per Orange County Transportation Element Policy T2.2.9. The policy supports the development of multimodal transportation corridors to increase the viability of walking, biking, and transit along these corridors. Transportation improvements shall focus on operational enhancements, intersection improvements that provide for safe movement of pedestrians and bicyclists, high-visibility pavement markings and refuge islands for pedestrians, multiuse paths, landscaping, bicycle facilities, increased transit service and bus shelters, and facilities and design that support transit-oriented development. Development within these corridors shall be subject to the site design standards in Policy T2.2.4, as determined by a transportation impact study.

Transportation Planning staff has reviewed the parking study and supports the parking waiver of 0.90 space per bedroom in lieu of 1.0 space.

Water / Wastewater / Reclaim

	<u>Existing service or provider</u>
Water:	Orange County Utilities
Wastewater:	Orange County Utilities
Reclaimed:	N/A

Schools

Orange County Public Schools (OCPS) staff has reviewed the request but did not identify any issues or concerns.

Parks and Recreation

Parks and Recreation staff have reviewed the proposed request and have not provided any issues or concerns.

State of Florida Notice

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 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.

Specific Project Expenditure Report and Relationship Disclosure Form

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – (May 21, 2020)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Collegiate Village Planned Development / Land Use Plan (PD/LUP), dated "Received February 13, 2020", subject to ten (10) conditions and removal of condition 10(i)(1).

1. Development shall conform to the Collegiate Village PD Land Use Plan (LUP) dated "Received February 13, 2020," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated

"Received February 13, 2020," 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 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 land use 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. The required road right-of-way and/or easements shall be conveyed to the County via separate instrument prior to Construction Plan Approval.
7. The following waivers from Orange County Code are granted:
 - a. A waiver from Section 38-1476(a) to allow for a reduction in parking requirements for student housing to 0.9 spaces per bedroom, in lieu of 1 space per bedroom.
 - b. A waiver from Section 38-1254 to allow a setback of 10 feet, in lieu of a setback of 40 feet from Alafaya Trail right-of-way.
 - c. A waiver from Section 38-1253(b) to allow a reduction in required recreational space to 1.25 acres per one thousand (1,000) projected population, in lieu of 2.5 acres per one thousand (1,000) projected population.
8. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated June 4, 2019 shall apply:
 - a. The following waivers from Orange County Code are granted:
 - 1) A waiver from Section 38-1259(c) to allow a total of 1,800 beds of student housing, in lieu of 750 bedrooms for Parcel 1, Lots 6 and 6A, and Collegiate Village Inn.
 - 2) A waiver from Section 38-1258(d) and 38-1259(h) to allow a maximum building height up to 100' for student housing, in lieu of a maximum building height of 40' (3-stories) for Parcel 1, Lots 6 and 6A, and Collegiate Village Inn.
 - 3) A waiver from Section 38-1476(a) to allow for a reduction in parking requirements for commercial / retail development to 3.6 spaces, in lieu of 5 spaces per 1,000 square feet of gross floor area for Lots 7, 8, & 9 and commercial development that may be a part of Lot 6 and / or Collegiate Village Inn.
 - 4) A waiver from Section 38-1501 to allow container stores to be a minimum of 160' square feet in lieu of 500 square feet for Lots 7, 8, & 9.
 - 5) A waiver from Section 38-79(87) to allow multiple food vendors to operate as described in the paseo programming on Sheet 4.
9. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated September 20, 2016 shall apply:

- a. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water and wastewater system has been designed to support all development within the PD.
10. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated October 6, 2009, shall apply:
- a. All acreages regarding conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not permit any proposed conservation impacts.
 - b. Billboards and new pole signs shall be prohibited. Ground and fascia signs shall comply with the Master Sign Plan.
 - c. Outdoor storage and display shall be prohibited.
 - d. The Developer shall obtain water and wastewater service from Orange County Utilities.
 - e. The applicant must apply for and obtain a capacity encumbrance letter or vested rights certificate prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to platting. However, nothing in this condition and nothing in the decision to approve this land use 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.
 - f. The (Covenants, Conditions, and Restrictions) CC&Rs for senior housing shall include language that at least one owner/resident shall be at least 55 years of age or older, and in no case shall there be any residents 18 years or under. In the event this project becomes market rate housing, it shall be deemed a substantial change, and a Capacity Enhancement Agreement (CEA) and compliance with school concurrency may be required.
 - g. A waiver from Section 38-1272(5) is granted to allow a maximum building height of seventy-five (75) feet for the commercial and a maximum building height of one hundred fifty (150) feet for the office in lieu of fifty (50) feet.
 - h. A waiver from Section 38-1254(1) is granted to allow a reduction of the PD boundary setback to ten (10) feet in lieu of twenty-five (25) feet.
 - i. For Student Housing only, the following waivers are approved:
 - 1) ~~A waiver from Section 38-1476 is granted to allow a reduction of parking spaces to one (1) space per bed in lieu of one and a quarter (1.25) spaces per bed.~~

- 2) A waiver from Section 38-1259(d) is granted to allow for decorative fencing and/or landscaping with a two (2) to three (3) foot optional knee wall along the right-of-way in lieu of the required six (6) foot high masonry wall, brick wall, or block wall, along a right-of-way.
 - 3) A waiver from Section 38-1259(b) is granted to allow for a twenty-five (25) foot single-family separation with buffer, fence, or landscaping in lieu of four hundred (400) feet.
- j. Vehicular access to and from the subject development shall be limited to emergency vehicles only from Socrates Drive and Khayyam Avenue.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested PD (Planned Development District) subject to ten (10) conditions listed in the staff report. The applicant was present and agreed with the staff recommendation. There was one member of the public along with their representative present to speak in opposition to the request citing concerns of drainage, plat issues, aesthetics, and traffic impacts.

Staff indicated that two hundred thirty-two (232) notices were sent to property owners extending beyond 1,500 feet surrounding the property, and that staff had received no responses.

A discussion ensued regarding two waivers from the same section of Code for parking and it was suggested to strike through condition 10(i)(1) since it is covered by the new waiver. After further discussion, a motion was made by Chairman Spears, and seconded by Commissioner Dunn to recommend APPROVAL of the requested PD (Planned Development District) zoning and associated waivers, subject to ten (10) conditions in the staff report and with the removal of condition 10(i)(1). The motion carried on an 8-0 vote.

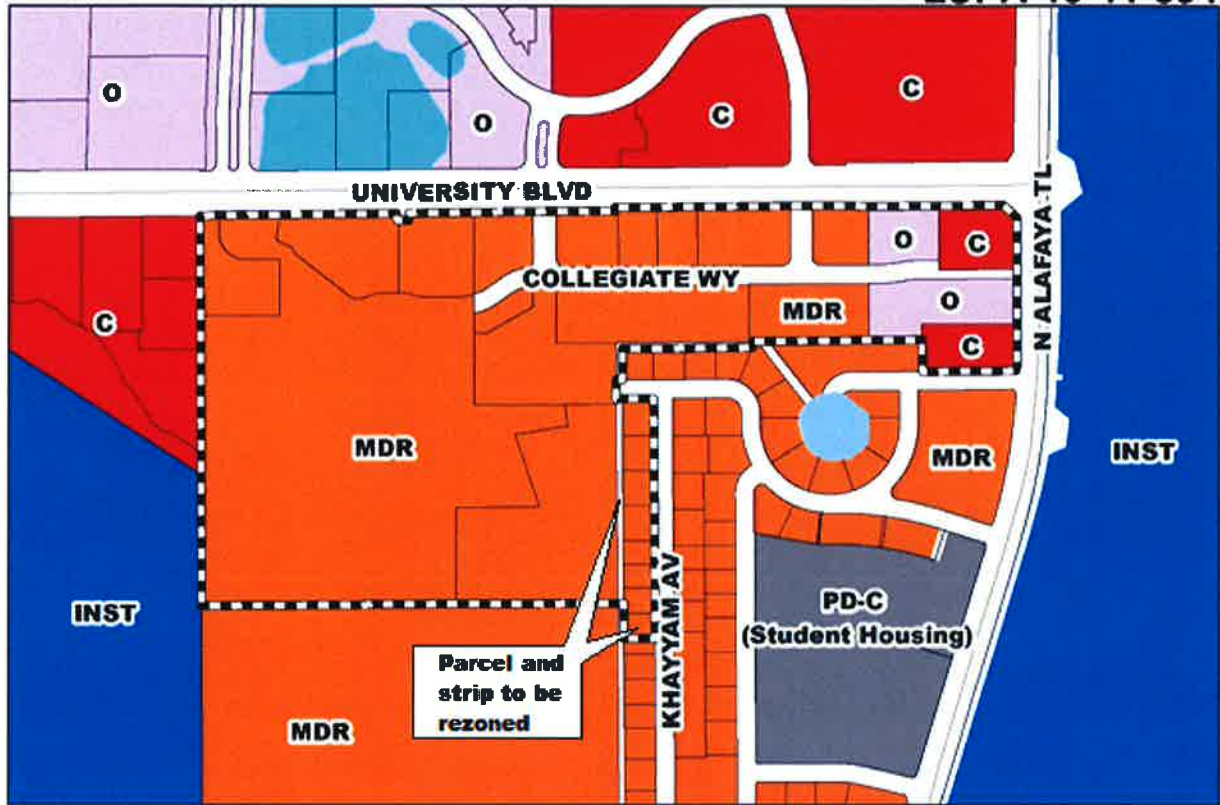
Motion / Second *Gordon Spears / Jimmy Dunn*

Voting in Favor *Gordon Spears, Jimmy Dunn, Evelyn Cardenas, Carlos Nazario, JaJa Wade, Eddie Fernandez, Nelson Pena, and Diane Velazquez.*

Voting in Opposition *None*

Absent *Mohammed Abdallah*

LUPA-19-11-394



Subject Property



Subject Property

Future Land Use Map

FLUM: Medium Density Residential (MDR)
 Commerical (C)
 Office (O)

APPLICANT: Michelle Heatherly, Demetree Global

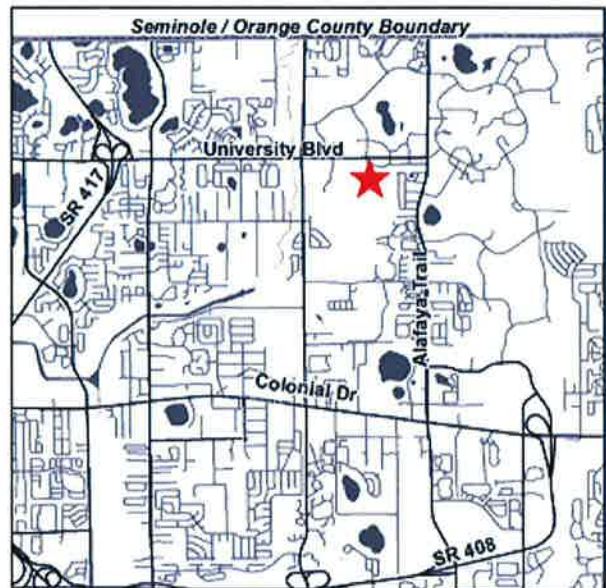
LOCATION: Generally south of University Boulevard
 and west of Alafaya Trail.

TRACT SIZE: 54.25 gross acres

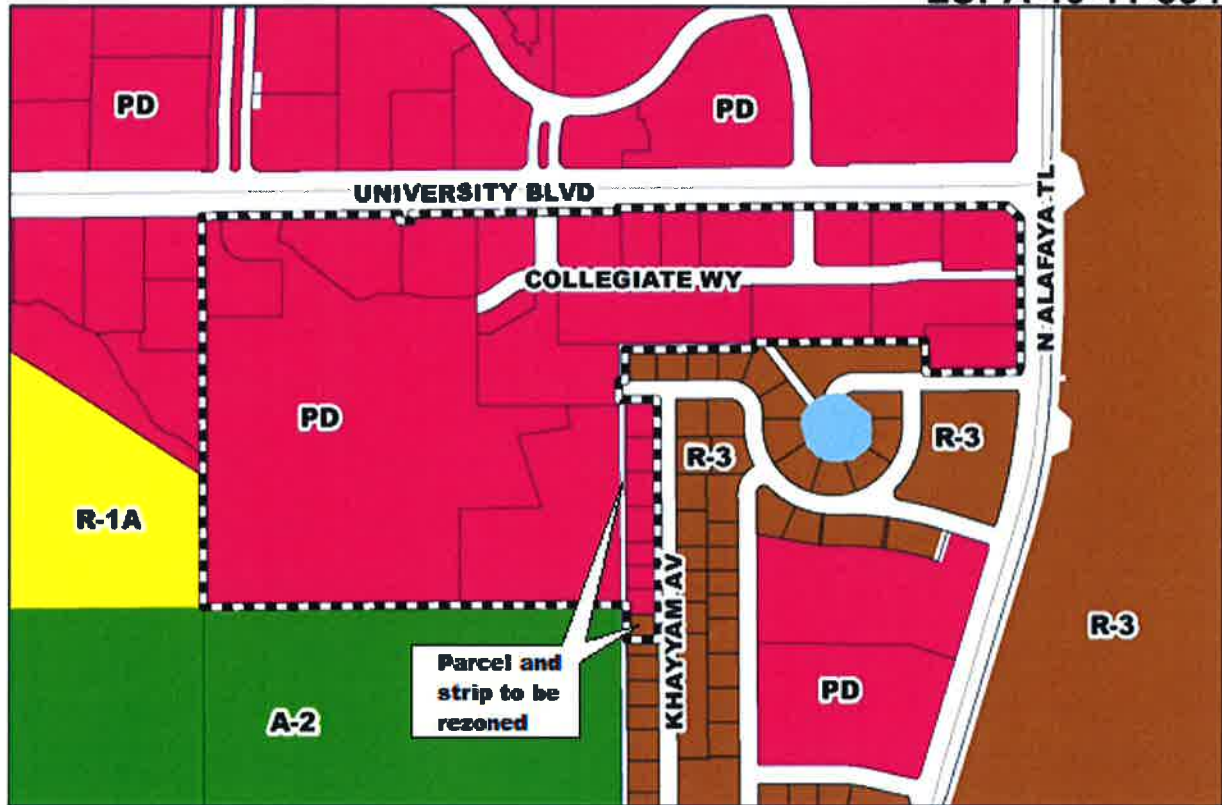
DISTRICT: # 5

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

1 Inch = 500 feet



LUPA-19-11-394



Subject Property



Subject Property

Zoning Map

Zoning: Planned Development District (PD)
 Multiple-Family Dwelling District (R-3) to
 Planned Development District (PD)

APPLICANT: Michelle Heatherly, Demetree Global

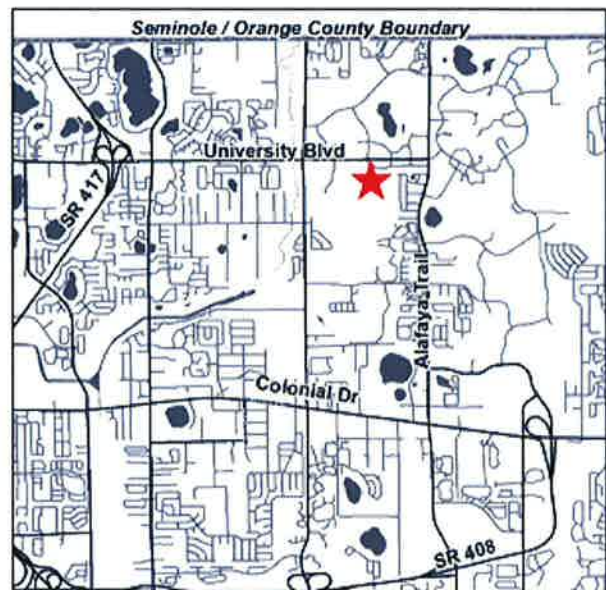
LOCATION: Generally south of University Boulevard
 and west of Alafaya Trail.

TRACT SIZE: 54.25 gross acres

DISTRICT: # 5

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

1 Inch = 500 feet



LUPA-19-11-394



 **Subject Property**



1 inch = 500 feet

Collegiate Village PD / LUP (Cover Sheet)

CASE NUMBER: LUPA-19-11-394

COLLEGIATE VILLAGE PD

LAND USE PLAN FOR CVI - ORLANDO, LLC
 ORANGE COUNTY, FLORIDA

DATE: 1/16/2020

SHEET INDEX

SHEET NUMBER	SHEET TITLE
C00	COVER
C1.0	SYMBOLS AND ABBREVIATIONS
C2.0	NOTES
C3.0	SITE PLAN

APPROVED TAX MAPS
 1. PARCEL MAP FOR ORANGE COUNTY, CASE NO. 19-00000-00-048, 10/22/2019, APPROVED BY THE BOARD OF COUNTY COMMISSIONERS.
 2. PARCEL MAP FOR ORANGE COUNTY, CASE NO. 19-00000-00-048, 10/22/2019, APPROVED BY THE BOARD OF COUNTY COMMISSIONERS.
 3. PARCEL MAP FOR ORANGE COUNTY, CASE NO. 19-00000-00-048, 10/22/2019, APPROVED BY THE BOARD OF COUNTY COMMISSIONERS.
 4. PARCEL MAP FOR ORANGE COUNTY, CASE NO. 19-00000-00-048, 10/22/2019, APPROVED BY THE BOARD OF COUNTY COMMISSIONERS.

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VICINITY MAP



PROJECT TEAM

OWNER/DEVELOPER
 WILLIAM C. DEMETREE FAMILY
 OFFICE, INC.
 DBA DEMETREE GLOBAL
 2727 WINTER PARK BLVD, SUITE 315
 WINTER PARK, FL 32789
 407.432.6191

CIVIL ENGINEER
 LAND DESIGN
 100 SOUTH ORANGE AVE. SUITE 700
 ORLANDO, FL 32801
 2727 WINTER PARK BLVD, SUITE 315
 WINTER PARK, FL 32789
 CONTRACT NAME: DAVID CASTEL

DATE	DESCRIPTION	BY	CHK
1/16/2020	PREPARED	DAVID CASTEL	
1/16/2020	CHECKED	DAVID CASTEL	
1/16/2020	APPROVED	DAVID CASTEL	

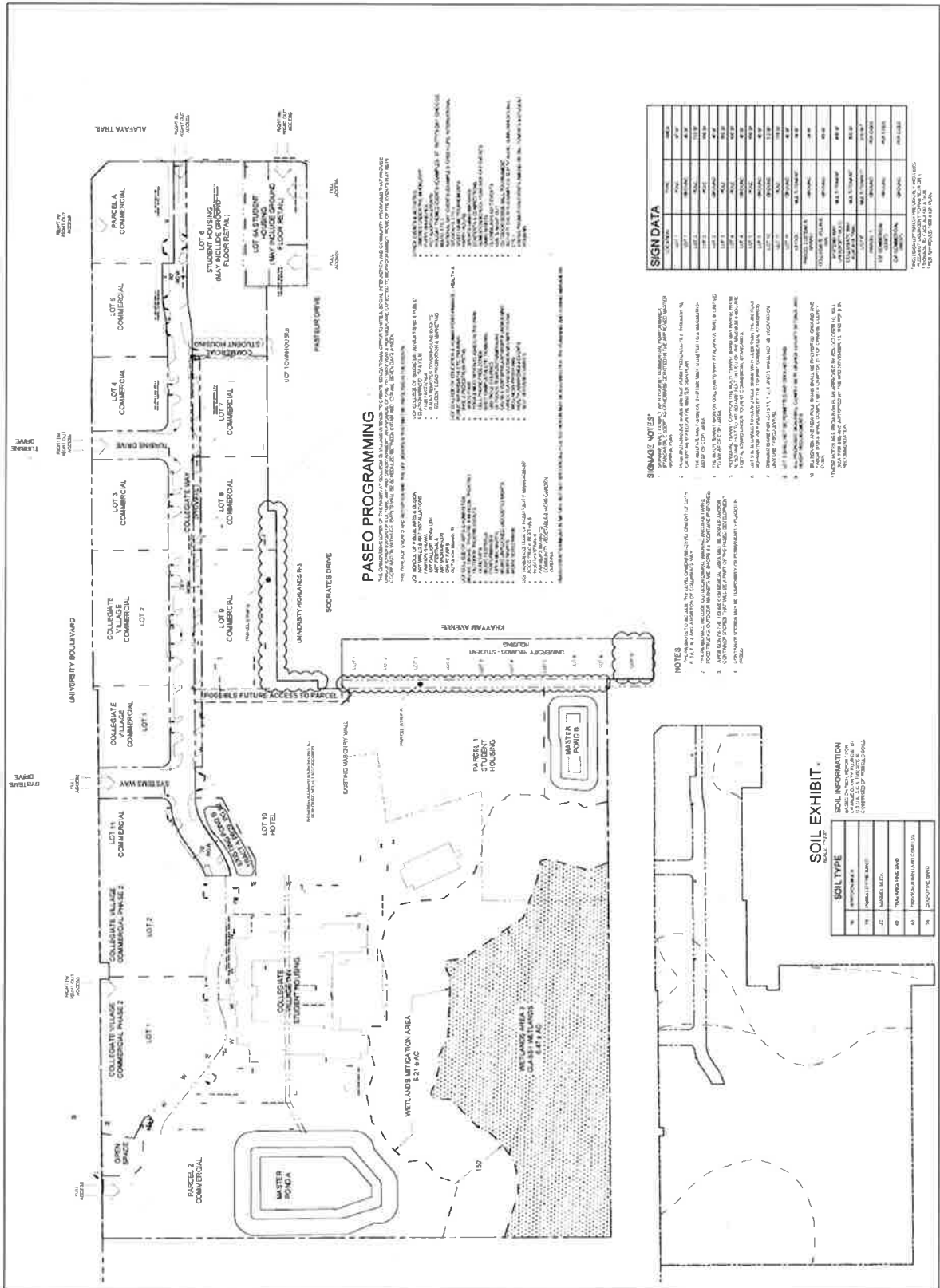
TAX PARCEL ID NUMBERS

09-22-31-1494-00-048	10-22-31-8652-10-100	09-22-31-1494-00-040
09-22-31-1494-00-049	09-22-31-1494-00-048	09-22-31-1494-00-050
09-22-31-1494-00-050	09-22-31-1494-00-049	09-22-31-1494-00-070
09-22-31-1494-00-070	09-22-31-1494-00-080	09-22-31-1494-00-080
09-22-31-1494-00-080	09-22-31-1494-00-080	09-22-31-1494-00-080
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RECEIVED
 By DRC Office at 12:39 pm, Feb 13, 2020

LandDesign

Collegiate Village PD / LUP



PASEO PROGRAMMING
 THE COMMUNITY CENTER AND PASEO PROGRAMMING IS A KEY COMPONENT OF THE DEVELOPMENT. THE COMMUNITY CENTER WILL PROVIDE A SPACE FOR COMMUNITY MEETINGS, EVENTS, AND ACTIVITIES. THE PASEO PROGRAMMING WILL INCLUDE A WALKING AND BIKING TRAIL, A PLAYGROUND, AND A PARKING AREA. THE COMMUNITY CENTER AND PASEO PROGRAMMING WILL BE A KEY COMPONENT OF THE DEVELOPMENT AND WILL PROVIDE A SPACE FOR COMMUNITY MEETINGS, EVENTS, AND ACTIVITIES.

SIGN DATA

Lot	Sign Type	Area (sq ft)	Height (ft)	Notes
1	Sign 1	100	10	
2	Sign 2	200	20	
3	Sign 3	300	30	
4	Sign 4	400	40	
5	Sign 5	500	50	
6	Sign 6	600	60	
7	Sign 7	700	70	
8	Sign 8	800	80	
9	Sign 9	900	90	
10	Sign 10	1000	100	
11	Sign 11	1100	110	
12	Sign 12	1200	120	
13	Sign 13	1300	130	
14	Sign 14	1400	140	
15	Sign 15	1500	150	
16	Sign 16	1600	160	
17	Sign 17	1700	170	
18	Sign 18	1800	180	
19	Sign 19	1900	190	
20	Sign 20	2000	200	
21	Sign 21	2100	210	
22	Sign 22	2200	220	
23	Sign 23	2300	230	
24	Sign 24	2400	240	
25	Sign 25	2500	250	
26	Sign 26	2600	260	
27	Sign 27	2700	270	
28	Sign 28	2800	280	
29	Sign 29	2900	290	
30	Sign 30	3000	300	
31	Sign 31	3100	310	
32	Sign 32	3200	320	
33	Sign 33	3300	330	
34	Sign 34	3400	340	
35	Sign 35	3500	350	
36	Sign 36	3600	360	
37	Sign 37	3700	370	
38	Sign 38	3800	380	
39	Sign 39	3900	390	
40	Sign 40	4000	400	
41	Sign 41	4100	410	
42	Sign 42	4200	420	
43	Sign 43	4300	430	
44	Sign 44	4400	440	
45	Sign 45	4500	450	
46	Sign 46	4600	460	
47	Sign 47	4700	470	
48	Sign 48	4800	480	
49	Sign 49	4900	490	
50	Sign 50	5000	500	
51	Sign 51	5100	510	
52	Sign 52	5200	520	
53	Sign 53	5300	530	
54	Sign 54	5400	540	
55	Sign 55	5500	550	
56	Sign 56	5600	560	
57	Sign 57	5700	570	
58	Sign 58	5800	580	
59	Sign 59	5900	590	
60	Sign 60	6000	600	
61	Sign 61	6100	610	
62	Sign 62	6200	620	
63	Sign 63	6300	630	
64	Sign 64	6400	640	
65	Sign 65	6500	650	
66	Sign 66	6600	660	
67	Sign 67	6700	670	
68	Sign 68	6800	680	
69	Sign 69	6900	690	
70	Sign 70	7000	700	
71	Sign 71	7100	710	
72	Sign 72	7200	720	
73	Sign 73	7300	730	
74	Sign 74	7400	740	
75	Sign 75	7500	750	
76	Sign 76	7600	760	
77	Sign 77	7700	770	
78	Sign 78	7800	780	
79	Sign 79	7900	790	
80	Sign 80	8000	800	
81	Sign 81	8100	810	
82	Sign 82	8200	820	
83	Sign 83	8300	830	
84	Sign 84	8400	840	
85	Sign 85	8500	850	
86	Sign 86	8600	860	
87	Sign 87	8700	870	
88	Sign 88	8800	880	
89	Sign 89	8900	890	
90	Sign 90	9000	900	
91	Sign 91	9100	910	
92	Sign 92	9200	920	
93	Sign 93	9300	930	
94	Sign 94	9400	940	
95	Sign 95	9500	950	
96	Sign 96	9600	960	
97	Sign 97	9700	970	
98	Sign 98	9800	980	
99	Sign 99	9900	990	
100	Sign 100	10000	1000	

SOIL EXHIBIT
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NOTES
 1. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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Notification Map

