




**Interoffice Memorandum**

**DATE:** April 8, 2021

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

**THRU:** Agenda Development BCC

**FROM:** Alberto A. Vargas, MArch, Manager Planning Division 

**CONTACT PERSON:** **Alberto A. Vargas, MArch, Manager Planning Division**  
(407) 836-5354 or [Alberto.Vargas@ocfl.net](mailto:Alberto.Vargas@ocfl.net)

**SUBJECT:** Request Public Hearing on May 11, 2021

**Ordinance/Comprehensive Plan – Adoption of Regular Cycle Amendments, Ordinance, and Concurrent Substantial Change Request**

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**TYPE OF HEARING:** Adoption of Future Land Use Map Amendment, FLU8.1.4 Text Amendment, Ordinance, and Concurrent Substantial Change Request

**APPLICANT/AGENT:** Steven Grigg, Republic ATS, LLC, for Asbury Theological Seminary, Bryan P. Blankenship

**AMENDMENTS:** 2021-1-A-3-1: Planned Development-Commercial/Office (PD-C/O) and Commercial (C) to Medium Density Residential (MDR)

AND

2021-1-B-FLUE-6: Text Amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County

AND

Ordinance for Proposed Amendments

AND

**CONCURRENT SUBSTANTIAL CHANGE REQUEST:** CDR-20-10-304: Asbury Theological Seminary Planned Development/Land Use Plan (PD/LUP)

**DISTRICT #:** 3

**ESTIMATED TIME REQUIRED FOR PUBLIC HEARING:** 2 minutes

**HEARING CONTROVERSIAL:** Yes

**HEARING REQUIRED BY FL STATUTE OR CODE:** Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 38, Article VIII, Division 1, Section 38-1207

**ADVERTISING REQUIREMENTS (PROPOSED AMENDMENTS):** Fiscal & Operational Support Division will publish display advertisement in local newspaper of general circulation.

**ADVERTISING TIMEFRAMES:** At least ten (10) days prior to public hearings for Comprehensive Plan Amendments.

**APPLICANT/ABUTTERS TO BE NOTIFIED:** N/A. Fiscal & Operational Support Division will send notices to all affected property owners.

**MATERIALS BEING SUBMITTED AS BACKUP FOR PUBLIC HEARING REQUEST:** Fiscal & Operational Support Division will provide the Clerk's Office with proof of publication the Friday prior to the Public Hearing.

The staff report binder will be provided under separate cover seven (7) days prior to the public hearing.

**CLERK'S ADVERTISING REQUIREMENTS (SUBSTANTIAL CHANGE REQUEST):** (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:** Para más información en español acerca de estas reuniones públicas o de cambios por ser efectuados, favor de llamar a la División de Planificación, al 407-836-5600.

**ADVERTISING LANGUAGE FOR SUBSTANTIAL CHANGE REQUEST:**

A substantial change to the Asbury Theological Seminary PD/LUP to convert 708,043 square feet of office/commercial uses to 440 multi-family dwelling units and remove the communication tower site from the plan. The communication tower will remain as an approved use within the PD. Additionally, the following eight (8) waivers are requested from Orange County Code:

1. A waiver from Section 38-1254(2)(d) to allow a sixty (60) foot setback along the northeastern property boundary immediately adjacent to the State Road 417 right-of-way, in lieu of the required seventy-five (75) feet.
2. A waiver from Section 38-1258(a) to allow a maximum building height of four (4) stories / fifty-five (55) for buildings located within 100 feet of a single-family zoned property, in lieu of the required one (1) story building.
3. A waiver from Section 38-1258(b) to allow all buildings to be four (4) stories / fifty-five (55) feet in height, in lieu of varying in building height with a maximum of fifty (50) percent of the buildings being three (3) stories (not to exceed forty (40) feet) in height with the remaining buildings being one (1) story or two (2) stories in height.
4. A waiver from Section 38-1258(c) to allow a maximum building height of four (4) stories / fifty-five (55) feet, in lieu of forty (40) feet and three (3) stories.
5. A waiver from Section 38-1258(d) to allow for a maximum building height of four (4) stories / fifty-five (55) feet, in lieu of forty (40) feet and three (3) stories.
6. A waiver from Section 38-1258(f) to allow a multi-family development adjacent to a single-family zoned property without a six-foot high masonry, brick or block wall, in lieu of requiring a six-foot high masonry, brick or block wall. This waiver only applies to the ±950' of property frontage immediately adjacent to the single-family residential zoned properties located at the northwest corner of the northernmost linear extension of the property.

7. A waiver from Section 38-1258(i) to allow the existing chain link fencing along the northernmost linear extension of the property to remain, without landscaping, in lieu of providing alternative fencing and landscaping adjacent to the State Road 417 right-of-way.
8. A waiver from Section 38-1476 to allow a parking ratio of 1.62 spaces per unit, in lieu of 1.5 spaces per unit for one bedroom apartment units and 2 spaces per unit for two and three bedroom apartment units.

**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  
CLERK (IF ANY):**

**Please schedule the public hearings for the proposed amendments and Ordinance concurrent with the public hearing for the Substantial Change request.**

- c: Chris Testerman, AICP, Deputy County Administrator  
Joel Prinsell, Deputy County Attorney, County Attorney's Office  
Jon Weiss, P.E., Director, Planning, Environmental, and Development Services Department  
Eric P. Raasch, AICP, Planning Administrator, Planning Division  
Gregory Gologowski, AICP, Chief Planner, Planning Division  
Olan Hill, AICP, Assistant Manager, Planning Division