

**CASE # DP-24-07-177**

Commission District # 5

**1. GENERAL INFORMATION**

Applicant:	Jonathan Martin, Kimley-Horn & Associates, Inc.
Owner:	BW Arbour Apartments, LLC
Project Name:	The Place at Alafaya Student Housing Planned Development (PD) / The Place at Alafaya Student Housing Development Plan (DP)
Hearing Type:	Development Plan (DP)
Request:	To construct a 1,396 bed Student Housing Development consisting of three (3) multi-story residential buildings with two (2) multi-level garages and associated parking and infrastructure.

**2. PROJECT INFORMATION**

A. Overview:	<p>The subject property is located west of N. Alafaya Trail and south of University Blvd. The property is located within The Place at Alafaya Student Housing Planned Development (PD) which was approved in July 2024 for 2,400 student housing bedrooms (LUP-23-04-127).</p> <p>Through this Development Plan, the applicant seeks to construct a 1,396-bedroom student housing development consisting of three multi-story residential buildings with two multi-level garages and associated infrastructure. The proposal is to demolish the existing development, which was originally constructed as a multi-family development in the 1970s and construct a new student housing development.</p>
B. Location:	South of University Boulevard / West of Alafaya Trail
C. Parcel ID(s):	09-22-31-0000-00-006
D. Total Acres:	25.20 acres

**DRC Staff Report**  
**Orange County Planning Division**  
**BCC Hearing Date: June 17, 2025**

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E. Water Supply:	Orange County Utilities
F. Sewer System:	Orange County Utilities
G. Schools:	N/A
H. School Population:	N/A
I. Parks:	Little Econ Greenway - 0.4 Miles
J. Proposed Use:	1,396 bedrooms Student Housing
K. Site Data:	<p>Maximum Building Height: 5 stories / 70 feet within 300 feet of the northern PD boundary and 8 stories / 110 feet for remainder of site</p> <p>Minimum Living Area: 500 square feet</p> <p>Building Setbacks:</p> <p style="padding-left: 40px;">Front (East) (Alafaya Trail) – 25 feet</p> <p style="padding-left: 40px;">Rear (West) – 25 feet</p> <p style="padding-left: 40px;">Side (North)(South)(East) – 25 feet</p>
L. Fire Station:	Station 67 - 10679 University Blvd
M. Public Notification:	<p>The notification area for this public hearing extended beyond 1,500 feet. Chapter 30-40(c)(3)(a) of Orange County Code requires the owners of the property within 300 feet of the subject property to be notified at least 10 days prior to the date of the hearing. Three hundred and forty six (346) notices were mailed to those property owners in the mailing area.</p>
N. Community Meeting Summary:	<p>A community meeting was held for the associated PD Land Use Plan.</p>
O. Transportation:	<p>Based on the Concurrency Management database (CMS) dated 8/1/2024, there are multiple failing roadway segments within the project's impact area. Alafaya Tr, from University Blvd to Colonial Dr (2 segment(s)), and University Blvd, from Dean Rd to Rouse Rd (1 segment(s)), are failing. This information is dated and subject to change.</p> <p>As required by Section 38-1259(e), Orange County Code, for all student housing projects, a Mobility Plan shall be submitted with the DP to the Transportation Planning Division. The student housing mobility plan shall describe</p>

and depict pedestrian and bicycle systems and facility needs consistent with this section, transit service and facility needs, university and County coordination measures that will be implemented by the developer to manage transportation demand and promote pedestrian and bicycle safety, and designation of appropriate space within the development for carsharing, bike sharing, and electric car charging stations, as they may be implemented within the university area. The student housing mobility plan also shall describe and depict the pedestrian and bicycle safety features cross-sections, marked and stamped crosswalks, safety beacons, traffic signal modifications, pedestrian scale lighting, and other pedestrian and bicycle safety features (with associated funding and maintenance responsibilities) that will be provided and are needed (and warranted, as applicable) to ensure safe pedestrian and bicycle access to adjacent land uses and across major roadways to commercial land uses and transit facilities. Improvements identified by the plans shall be constructed or implemented prior to issuance of a certificate of occupancy and shall be consistent with the most recent editions of Florida Department of Transportation standards.

The developer of "student housing development" shall provide a shuttle service to and from UCF. The shuttle service shall operate five (5) days per week during the academic year. The developer shall enter into a formal agreement with UCF or other operator/management company regarding the operation, maintenance, and funding for the shuttle service. Prior to construction plans approval, the developer shall provide documentation to Orange County confirming the execution of such agreement. The County reserves the right to verify compliance with the condition, periodically during the operation of the "student housing development."

**P. Environmental Protection Division:**

This site is located within the Econlockhatchee River Protection Ordinance area. Basin-wide regulations may apply. This may include, but is not limited to, increased buffer size, more

stringent habitat protection regulations, increased stormwater requirements, and additional landscaping requirements. This site is located within the Okeechobee Basin Management Action Plan (BMAP) Area. Installation of enhanced nutrient-reducing OSTDS regulated in Sections 373.811 and 403.067, Florida Statutes, is not applicable to this request since development within this property is required to connect to the Orange County Utilities wastewater system.

No construction, clearing, filling, alteration or grading is allowed within or immediately adjacent to a wetland/surface water, or within an upland buffer, without first obtaining a Natural Resource Impact Permit (NRIP) approved by the County and obtaining other applicable jurisdictional agency permits.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled species (endangered, threatened, or species of special concern). The applicant is responsible to determine the presence of these concerns and to verify and obtain, if necessary, any required habitat permitting of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

Q. Comprehensive Plan:

The subject property has a Future Land Use (FLUM) designation of Planned Development-High Density Residential (Student Housing) PD-HDR (Student Housing) and is currently zoned Planned Development (PD) which is consistent with the FLUM designation. The request is consistent with the comprehensive plan.

R. Zoning:

PD (Planned Development District)

**3. REQUESTED ACTION:**

**Development Review Committee (DRC) Recommendation – (April 16, 2025)**

**Make a finding of consistency with the Comprehensive Plan and approve the substantial change to The Place at Alafaya Student Housing Planned Development (PD) / The Place at Alafaya Student Housing Development Plan (DP) dated "Received March 27, 2025", subject to the following conditions:**

1. Development shall conform to The Place at Alafaya Student Housing Planned Development; Board approvals; The Place at Alafaya Student Housing Development Plan dated "Received March 27, 2025"; 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 Board, or by action of the Board.
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 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, as may be amended, 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. If applicable, an Acknowledgement of contiguous Sustainable Agricultural Land pursuant to Section 163.3163, Florida Statutes, as may be amended, must be executed and recorded in the Public Records of Orange County, Florida, prior to issuance of any permits associated with this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.
7. Development plan (DP) approval by the DRC (or Board, 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.
8. For modifications to a determined BFE (Zone AE), floodway, or flood hazard area boundaries on the Flood Insurance Rate Maps (FIRMs), a FEMA Conditional Letter of Map Revision (CLOMR) application must be submitted to FEMA prior to site construction plan approval; the FEMA approved CLOMR must be obtained prior to the approval of the first vertical building permit for the site and a subsequent FEMA Letter of Map Revision (LOMR) reflecting final construction will be required prior to issuance of the first certificate of occupancy. Prior to scheduling the Development Plan for a BCC public hearing, the property owner shall record in the official records of Orange County, Florida, an Indemnification and Hold Harmless Agreement, in a form satisfactory to the County, which indemnifies Orange County, Florida, from any and all liability associated with the commencement of horizontal site work prior to obtaining the CLOMR.

9. In accordance with Orange County Code, Chapter 30, Article VIII, Division 2, Section 30-280(e) of the Orange County Site Development Ordinance, the applicant shall submit a Stormwater Facility O&M Plan. The submittal of a proposed O&M plan shall be required prior to final approval of the project and prior to the initiation of any construction activities. O&M of all constructed stormwater management facilities shall be the owner's responsibility unless maintenance of the facility is conveyed to and accepted by the county or by another entity that has been given the O&M responsibility through an easement or other legal conveyance. For stormwater facilities not being dedicated to Orange County, the submittal of a proposed O&M Plan shall contain, at a minimum, the following information: 1) a schedule for mowing stormwater ponds, including around structures, 2) a schedule for algae control for wet bottom ponds, 3) a schedule for disking dry ponds, 4) a schedule for inspection of pipes, underdrains, control structures, pond slopes, and any other permitted stormwater management control or conveyance structures, 5) a method for identifying and repairing or replacing damaged structures or eroded pond banks, and, 6) additional requirements as necessary to address specific site conditions related to land use, soil conditions, water table, annual rainfall, and the age of the system.
10. Pursuant to Article XII, Chapter 30, Orange County Code, as may be amended, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential properties must obtain concurrency prior to approval of the plat; non-residential properties that are required to plat must obtain concurrency for any lot with an assigned use prior to approval of the plat (lots without an assigned use shall be labeled as "future development") and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.
11. The developer of "student housing development" shall provide a shuttle service to and from UCF. The shuttle service shall operate five (5) days per week during the academic year. The developer shall enter into a formal agreement with UCF or other operator/management company regarding the operation, maintenance, and funding for the shuttle service. Prior to Certificate of Occupancy, the developer shall provide documentation to Orange County confirming the execution of such agreement. The County reserves the right to verify compliance with the condition, periodically during the operation of the "student housing development.
12. A Master Utility Plan (MUP) for the DP shall be submitted to Orange County Utilities at least thirty (30) days prior to submittal of the first set of construction plans. Construction plans within this PD shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan

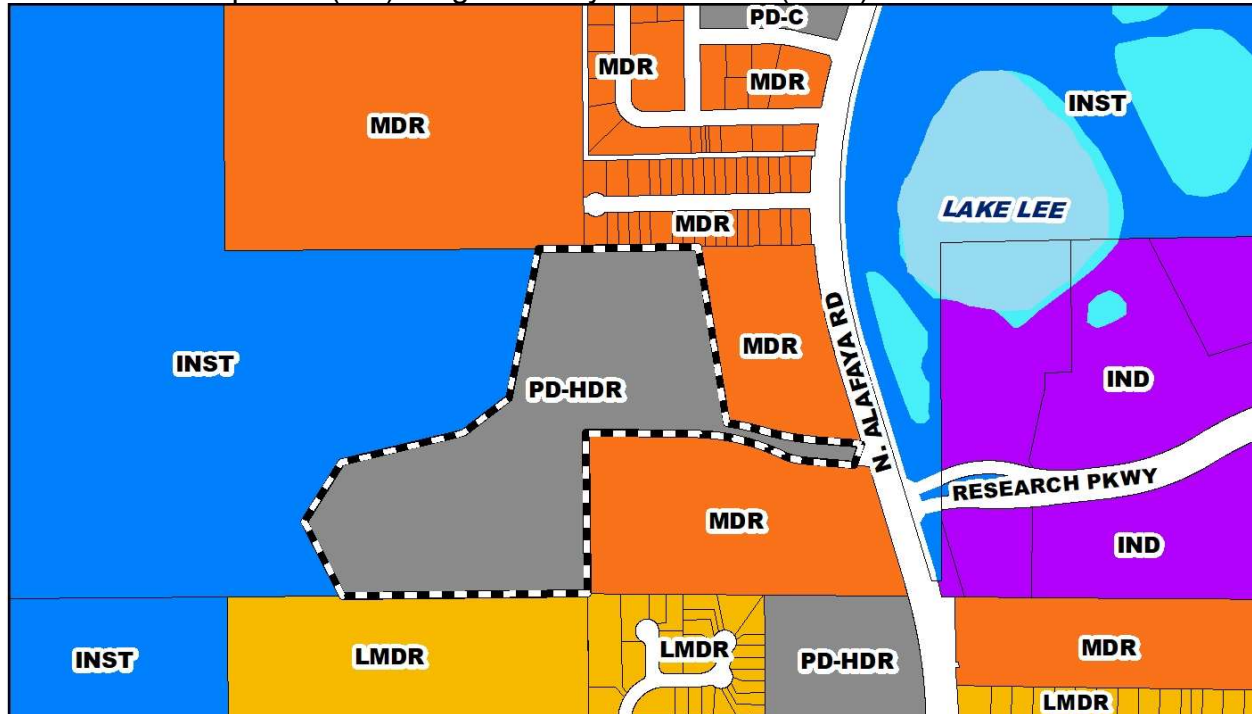
- submittal. The MUP and updates must be approved prior to Construction Plan approval.
13. The owner of the student housing complex shall provide a security service twenty-four-seven through the property management staff. Also, the owner shall provide additional security for known special events, including during annual move in and football game days.
  14. Per Sec. 38-1259(a) of Orange County Code, a student housing development plan shall require approval through a public hearing before the Board of County Commissioners.
  15. In order to qualify as student housing, all units must comply at all times with the definition of student housing in Section 38-1, Orange County Code, as such definition exists as of the date of approval of this development plan. Failure to comply with such definition may subject the project to code enforcement and/or increased impact fees, as well as any applicable concurrency requirements.
  16. Short term rental shall be prohibited. Length of stay shall be for a minimum of 180 consecutive days.
  17. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code, as may be amended.
  18. The stormwater management system shall be designed to retain the 100-year/24-hour storm event onsite, unless documentation with supporting calculations is submitted which demonstrates that a positive outfall is available. If the applicant can show the existence of a positive outfall for the subject basin, then in lieu of designing for the 100-year/24-hour storm event, the developer shall comply with all applicable state and local stormwater requirements and regulations. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas.
  19. Written authorization from "11841 Jefferson Commons Circle Orlando, LLC" allowing connection and/or modification to the drainage system is required and must be provided to the Development Engineering Division prior to site construction plan approval.
  20. Prior to plat approval, the Utility Easements recorded in Official Records 2694, Page 1614 shall be modified, relocated, or vacated to eliminate conflicts with the proposed development.
  21. Unless otherwise allowed by County Code, the property shall be platted/replatted prior to the issuance of any vertical building permits.
  22. A mandatory pre-application/sufficiency review meeting for the plat/replat shall be required prior to plat submittal and concurrent with construction plan submittal. The applicant shall resolve, to the County's satisfaction, all items identified in the pre-application/ sufficiency review meeting prior to formal submittal of the plat to the County.



23. Prior to issuance of a Certificate of Occupancy for the student housing project:
  - a. The developer will submit a signal retiming plan for the Alafaya Trail and Research Parkway intersection in coordination with Orange County Traffic Engineering for approval by FDOT to address the westbound right-turn movement deficiency.
24. The Developer shall submit to FDOT for their approval the below improvements for Alafaya Trail and Alafaya Woods Court, prior to issuance of a Certificate of Occupancy for the student housing project:
  - a. Design, engineer, permit, and construct an extension of the southbound left-turn lane (SBL) at the Alafaya Trail and Alafaya Woods intersection to increase its length. This will be accomplished by reallocating surplus length from the northbound left-turn lane (NBL) at Research Parkway to the southbound left-turn lane (SBL) at Alafaya Woods Court to increase queuing capacity, subject to FDOT approval.
25. All acreages identified as wetlands, surface waters and upland buffers are considered approximate until finalized by a Wetland Determination (WD) and/or a Natural Resource Impact Permit (NRIP). Approval of this plan does not authorize any direct or indirect wetland/surface water impacts.
26. Unless a Natural Resource Impact Permit (NRIP) is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland and Surface Water Protection", prior to Construction Plan approval, no wetland, surface water or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect wetland and surface water impacts.

## FUTURE LAND USE

Planned Development (PD) / High Density Residential (HDR)



## ZONING

PD (Planned Development District)



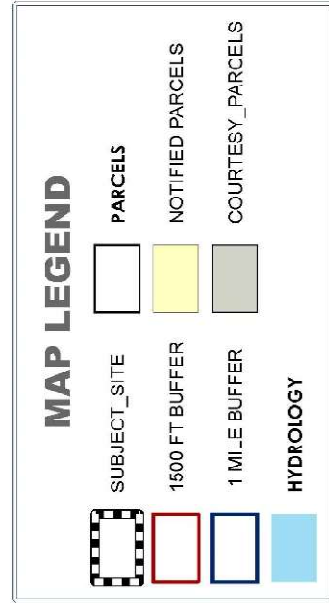
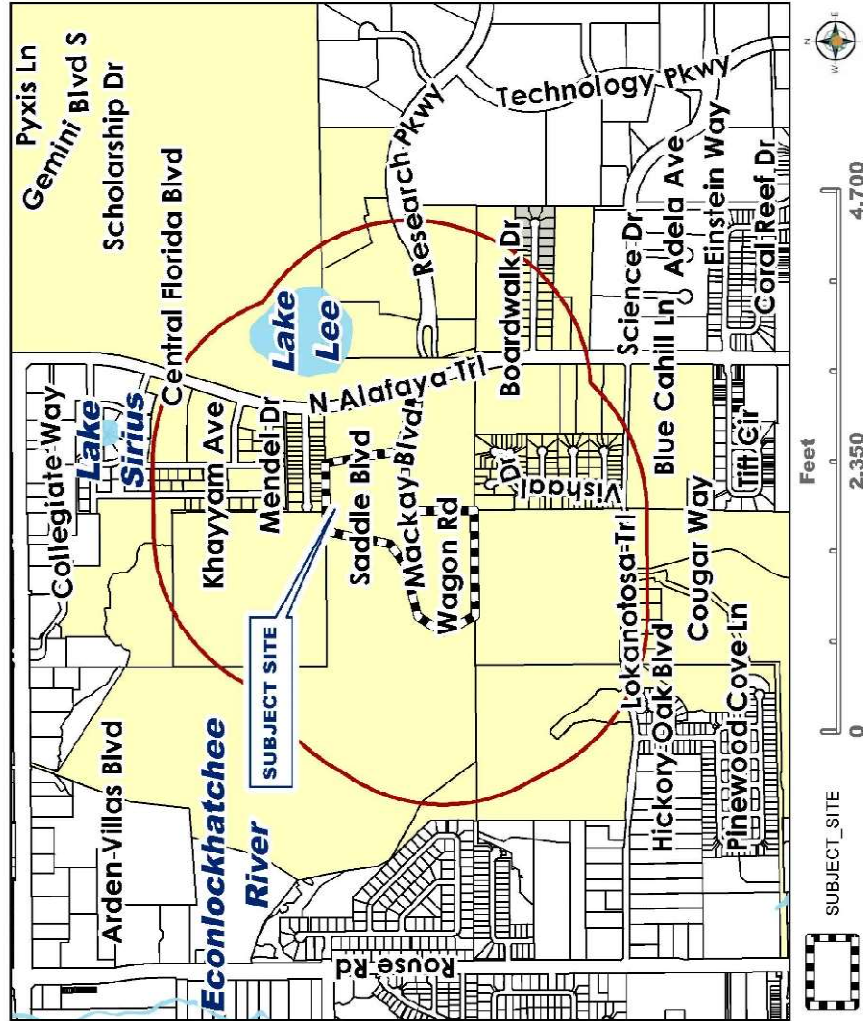
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# Notification Map

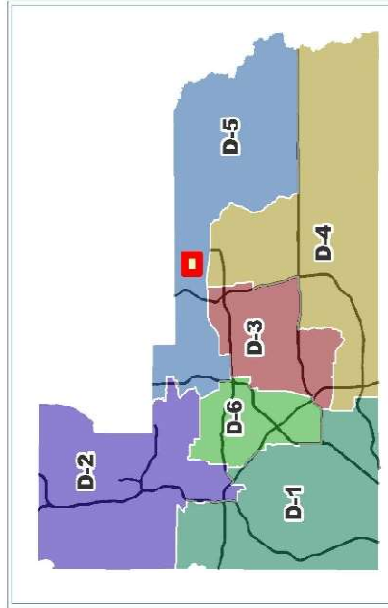


## Public Notification Map

The Place at Alafaya DP-24-07-177



BUFFER DISTANCE: 1500  
 # OF NOTICES: 346



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