



Interoffice Memorandum

DATE: September 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
Date: 2020.09.08 19:11:06 -04'00'

SUBJECT: September 22, 2020 – Public Hearing
Applicant: Michelle Heatherly, Demetree Global
Collegiate Village Planned Development / Collegiate Village CVC –
West Parcel Development Plan
Case # DP-19-12-419 / District 5

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of August 12, 2020, to approve the Collegiate Village Planned Development (PD) / Collegiate Village CVC – West Parcel Development Plan (DP) to construct a student housing development with 366 units / 1,100 beds on a total of 13 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 – West Parcel DP dated “Received April 10, 2020”, subject to the conditions listed under the DRC Recommendation in the Staff Report.**
District 5

JVW/EPR/lme
Attachments

CASE # DP-19-12-419

Commission District # 5

1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of August 12, 2020, to approve the Collegiate Village Planned Development (PD) / Collegiate Village CVC – West Parcel Development Plan (DP) to construct a student housing development with 366 units / 1,100 beds on a total of 13 acres.

2. PROJECT ANALYSIS

- A. Location: South of University Boulevard / West of North Alafaya Trail
- B. Parcel ID: 10-22-31-9652-10-070, 10-22-31-9652-10-080,
10-22-31-9652-10-090, 10-22-31-9652-10-100,
10-22-31-9652-10-010, 10-22-31-9652-10-020,
10-22-31-9652-10-040, 10-22-31-9652-10-060,
09-22-31-0000-00-048, 09-22-31-0000-00-059
- C. Total Acres: 13.00
- 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: 366 Student Housing Units / 1,100 Beds
- J. Site Data: Maximum Building Height: 100' (64' 2" proposed)
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 Medium Density Residential. The zoning is Planned Development within the Collegiate Village PD. The request is consistent with the FLUM designation and the Comprehensive Plan.

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 - West Parcel Development Plan dated "Received April 10, 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

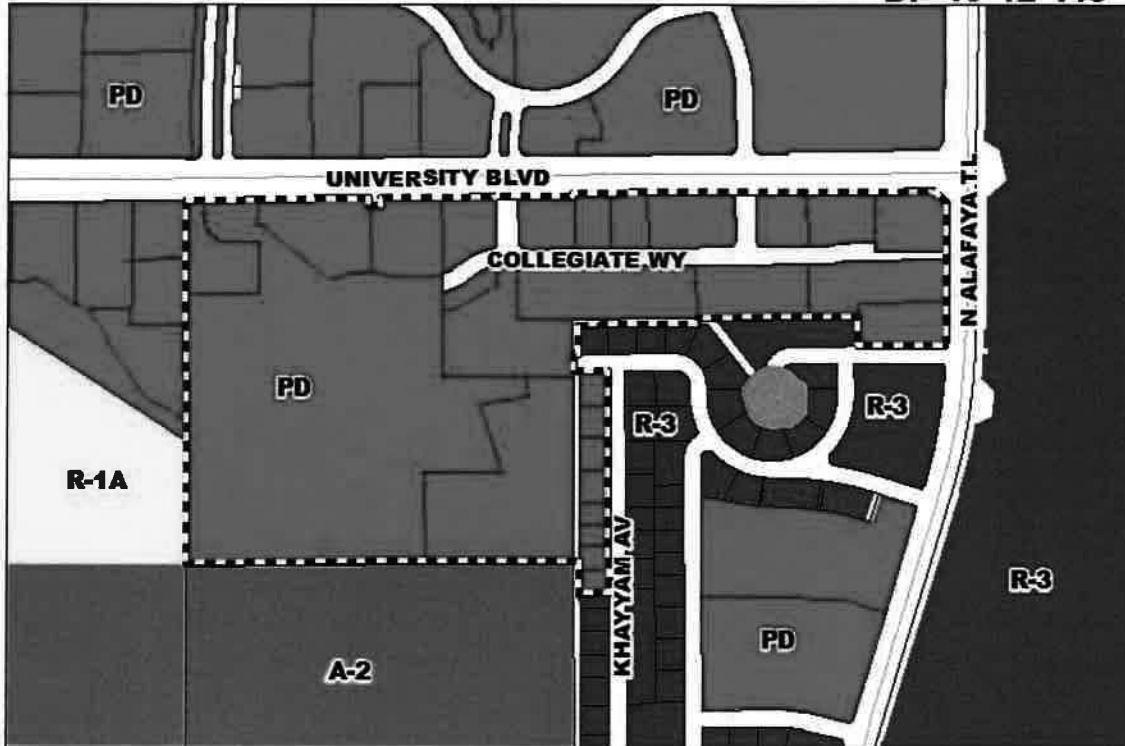
plan shall be conveyed to the County via separate instrument prior to Construction Plan Approval.

8. Unless a Conservation Area Impact (CAI) permit is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland Conservation Areas", prior to Construction Plan approval, no conservation area or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect conservation area impacts.
9. 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.
10. 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.
11. 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.
12. 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.
13. Unless otherwise allowed by County Code, the property shall be platted / replatted prior to the issuance of any vertical building permits.
14. A mandatory pre-application / sufficiency review meeting for the plat 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.

15. Title to lands within this Development Plan shall be aggregated under one titled owner prior to the plat pre-sufficiency meeting and/or at the discretion of the County Engineer.
16. Billboards and new pole signs shall be prohibited. All other signage shall comply with Chapter 31.5 of Orange County Code, and the approved Master Sign Plan.
17. Occupancy of this project shall be by verified students only; any other occupancy, including, but not limited to short term / transient rental, shall be prohibited.
18. With the exception of emergency vehicles, vehicular access to / from the subject development via Socrates Drive and Khayyam Avenue shall be prohibited.

Zoning Map

DP-19-12-419



Subject Property



Subject Property

Zoning Map

Zoning: Planned Development District (PD)

APPLICANT: Michelle Heatherly, Demetree Global

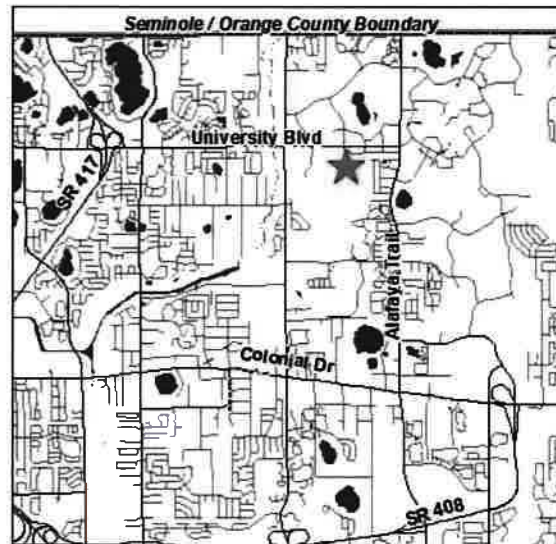
LOCATION: Generally south of University Boulevard and west of Alafaya Trail.

TRACT SIZE: 54.25 gross acres (overall PD)
 13.00 gross acres (subject property)

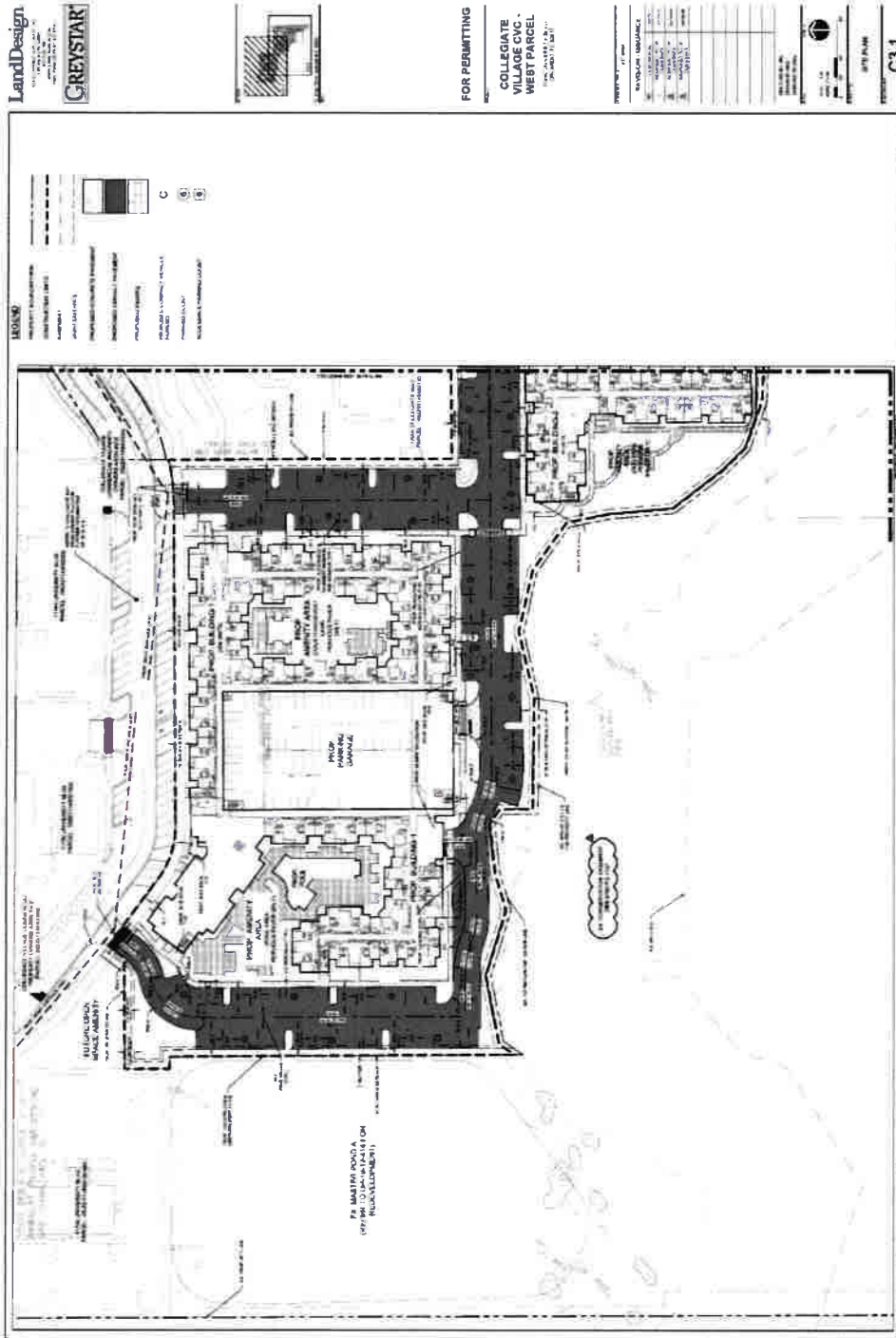
DISTRICT: # 5

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

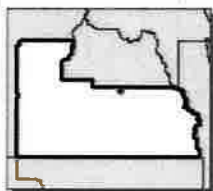
1 inch = 500 feet



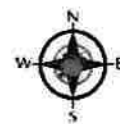
Site Data & Notes Sheet & Site Plan Sheet



Aerial



**Collegiate Village PD Collegiate
Village CVC West
PDP Case # DP-19-12-419**



	Parcels		Subject Property		Jurisdiction		Hydrology
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1 : 2,400
1 in : 200 ft

