

CASE # CDR-25-12-307

Commission District: # 5

GENERAL INFORMATION

APPLICANT Brad Wester, Driver McAfee Hawthorne & Diebenow

OWNER Costco Wholesale Corp

PROJECT NAME Silver City Properties Planned Development (PD)

PARCEL ID NUMBER(S) 03-22-30-7874-00-010 (affected parcels)

TRACT SIZE 35.52 gross acres (overall PD) / 13.15 acres (affected parcel)

LOCATION North of University Boulevard / East of Semoran Boulevard

REQUEST A waiver from Orange County Section 38-1476(a) for Phase 1, Lot 1 to reduce minimum parking requirement to allow 4.3 spaces for each 1,000 square feet in lieu of 5.0 spaces for each 1,000 square feet.

Applicant Justification: This request is supported by a detailed parking study that observed and analyzed the peak period parking demands of this existing and operational Costco Warehouse on it's busiest business days. The study concluded that the peak parking ratio this site experiences is 4.2 spaces for each 1,000 square feet. The requested wavier for 4.3 spaces for each 1,000 square feet exceeds this peak parking demand ratio and will maintain sufficient parking availability to meet the needs of the customers.

PUBLIC NOTIFICATION 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 three hundred (300) feet of the subject property to be notified at least 10 days prior to the date of the hearing. Three hundred and thirty-three (333) notices were mailed to those property owners in the mailing area.

IMPACT ANALYSIS

Project Overview

The Silver City Properties PD contains 35.52 gross acres and was originally approved in 2000. The existing development program allows for 220,000 square feet of commercial in Phase 1 (which encompasses Lots 1, 2 & 3) and 2,400 student housing beds and 30,000 square feet of commercial uses in Phase 2 (which is Lot 4). The PD is located north of University Boulevard and east of Semoran Boulevard, with Lot 1 (which is the affected area of this request) currently developed with a grocery store (Costco

Warehouse) with ancillary gas station, while Lot 2 is currently developed with a drive-thru quick service restaurant.

Through this request, the applicant is seeking a waiver to reduce the code minimum parking requirement to allow 4.3 spaces for each 1,000 square feet in lieu of 5.0 spaces for each 1,000 square feet of the existing Costo Warehouse parking lot.

Land Use Compatibility

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

Comprehensive Plan (CP) Consistency

The subject property has a Future Land Use Map (FLUM) designation of Planned Development PD- Commercial / High Density Residential (Student Housing) (PD-C/HDR) on the Future Land Use Map and is currently zoned Planned Development (PD). The Silver City Properties PD was last amended in April 2025 and currently allows up to 600 student housing units (2,400 beds) and 250,000 square feet of commercial uses. The request appears to be consistent with the Comprehensive Plan.

Overlay Ordinance

The subject property is not located within an Overlay District.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a JPA.

Environmental

Environmental Protection Division (EPD) staff has reviewed the proposed request and did not identify any issues or concerns.

Transportation Planning

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.

Existing/Valid transportation capacity entitlements not found. This development for the expansion of a Gas Canopy and additional Gas Pumps will require transportation

capacity via a Capacity Encumbrance Letter (CEL) Application. NOTE: Should this project be located near failing roadways then a traffic study will be required with the CEL application. Please contact the Concurrency Management Office at 407-836-6110 for more information.

Based on the approved Standard Procedures Manual for Specific Transportation Analysis Methodology Plan (STAMP), published February 27, 2024 (Sec.30-562-2 of the Code of Ordinances), an operational traffic analysis study (intersection analysis) will be required at DP level for proposed developments projected to generate 50 or more net PM peak hour vehicle trips. The operational traffic study will be based on the most updated STAMP.

Community Meeting Summary

A community meeting was not required for this request.

Schools

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

Specific Project Expenditure Report and Relationship Disclosure Forms

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

ACTION REQUESTED

Development Review Committee (DRC) Recommendation – (March 25, 2026)

Make a finding of consistency with the Comprehensive Plan and approve the substantial change to the Silver City Properties PD dated "Received March 6, 2026," subject to the following conditions:

1. Development shall conform to the Silver City Properties Planned Development (PD) dated "Received March 6, 2026," 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 March 6, 2026," 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 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 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

DRC Staff Report
Orange County DRC Office
BCC Hearing Date: May 5, 2026

- 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. 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.
 8. New 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.
 9. A waiver from Orange County Section 38-1476(a) is granted for Phase 1, Lot 1 to reduce minimum parking requirement to allow 4.3 spaces for each 1,000 square feet in lieu of 5.0 spaces for each 1,000 square feet.
 10. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated April 8, 2025 shall apply:
 - a. The following conditions of approval are applicable to Phase 2, Lot 4 only:
 - i. A minimum 5-foot-wide sidewalk shall be provided along the east side of the parcel at the private street from University Boulevard to North Forsyth Road prior to the Certificate of Occupancy for Phase 1.
 - ii. Developer shall enter into an agreement with the County for the ownership, construction, and maintenance of the proposed overhead pedestrian bridge as well as the necessary ancillary easements and agreements; such easements and agreements shall be reviewed and approved by the County for this project and

recorded in Public Records of Orange County, Florida prior to issuance of the first building permit for the project.

- iii. A waiver from Orange County Code Section 38-1476(a) is granted to reduce the code minimum parking requirement for student housing to 0.9 spaces per bedroom in lieu of the code minimum 1 space per bedroom.
- iv. The developer must submit an updated flood study/report to the Stormwater Manager addressing the following concerns:
 - 1) Flood Claims: Address any FEMA flood claims adjacent to the site.
 - 2) Storm Event Analysis: Use multi-day storm events in the analysis.
 - 3) Pipe Connection: Clarify the connection between the existing depression area (remnant of the original Zone A/wetland) and the stormwater ponds, confirming its impact on floodplain storage.
 - 4) Compensatory Storage: Verify compensatory storage provisions within the pond system to ensure compliance with floodplain storage requirements.
 - 5) Buffer Area/Landscaping: Confirm the 7.8-acre buffer area's relationship to previous compensatory storage calculations.

This study and report must be approved by Stormwater Management prior to the first construction permit approval associated with the project.

Additionally, the developer must submit a Conditional Letter of Map Revision (CLOMR), and no construction permit for this project will be issued until FEMA provides an approval letter to the County. After construction is completed, the developer must submit a Letter of Map Revision (LOMR), and a Certificate of Occupancy (C/O) will not be issued until FEMA's approval is received.

- 11. Except as amended, modified, and / or superseded, the following Board Conditions of Approval, dated September 10, 2024, shall apply to Phase 2, Lot 4 only:
 - a. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such

approval has been provided to the Environmental Protection Division of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S., as may be amended.

- b. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish and Wildlife Conservation Commission (FWC).
- c. 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.
- d. 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 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.
- e. Short term/transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.
- f. 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

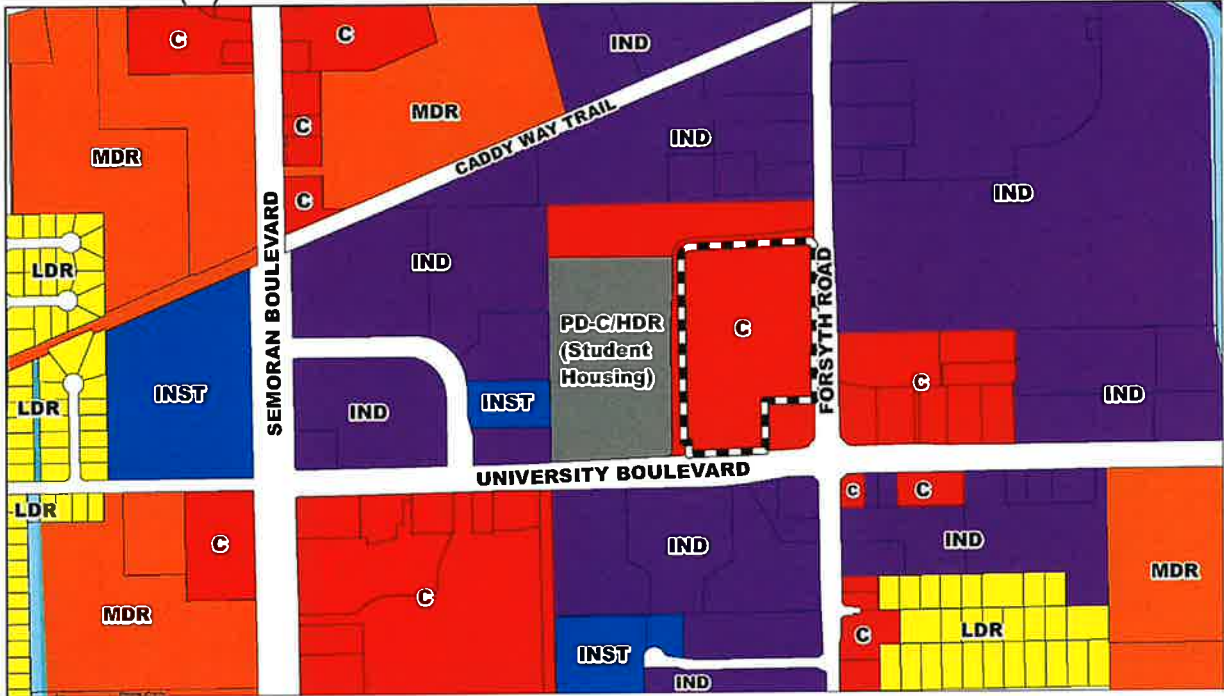
project to code enforcement and/or increased impact fees, as well as any applicable concurrency requirements.

- g. 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.
- h. All facades of the structured parking shall reflect the character, scale, massing and materiality of the principal structures surrounding them. These facades shall be architecturally treated to compliment the principal building, including but not limited to roof treatments, wall finishes, and color palette.
- i. The owner of the student housing complex shall provide twenty-four-seven security through property management staff, a contracted security company, Full Sail Campus Security or a combination thereof. Also, the owner shall provide adequate additional security and/or staffing as required for known special events.
- j. The following waivers from Orange County Code are granted:
 - i. A waiver from Section 38-1272(a)(3)(a) to allow a minimum required front (south) building setback for commercial buildings along the east one hundred fifty feet (150'), to ten feet (10') in lieu of the minimum required thirty feet (30').
 - ii. A waiver from Section 38-1259(3) to allow a student housing complex to contain up to 2,400 beds in lieu of not more than 750 total bedrooms.
 - iii. A waiver from Section 38-1272(a)(5), to allow commercial buildings a maximum height of seventy feet (70') for buildings located between ninety feet (90') and three hundred fifty feet (350') from University Boulevard right-of-way and a maximum height of ninety-five feet (95') for buildings located beyond three hundred fifty feet (350') from University Blvd right-of-way, in lieu of fifty feet (50').
 - iv. A waiver from Section 38-1258 (2), to allow residential buildings a maximum height of seventy feet (70') for buildings located between ninety feet (90') and three hundred fifty feet (350') from University Boulevard right-of-way and a maximum height of ninety-five feet (95') for buildings located beyond three hundred fifty feet (350') from University Blvd right-of-way, in lieu of three (3) stories or forty feet (40') in height.
 - v. A waiver from Section 38-1254(c)(1) to allow a zero foot (0') minimum front setback between interior lot lines in lieu of the minimum twenty five foot (25') setback.

- vi. A waiver from Section 38-1254(c)(3) to allow a zero foot (0') minimum rear setback between interior lot lines in lieu of the minimum twenty five foot (25') setback.
12. Except as amended, modified, and / or superseded, the following Board Conditions of Approval, dated January 9, 2024 shall apply to Phase 1, Lot 2 only:
- a. A waiver from Orange County Code Section 38-1272(3)(b) is granted to allow 8 feet setback for accessory structures along Forsyth Road in lieu of the required 30 feet setback from collector roads.
13. All the Board Conditions, dated June 18, 2019, have been struck.
14. Except as amended, modified, and / or superseded, the following Board Conditions of Approval, dated January 5, 2016 shall apply:
- a. The billboards identified as "BB 2" and "BB 4" shall be removed within 90 days of the submittal of the first permit to convert the other signs to digital display.
 - b. The billboard identified as "BB 3" shall be allowed to operate as a three-faced billboard.

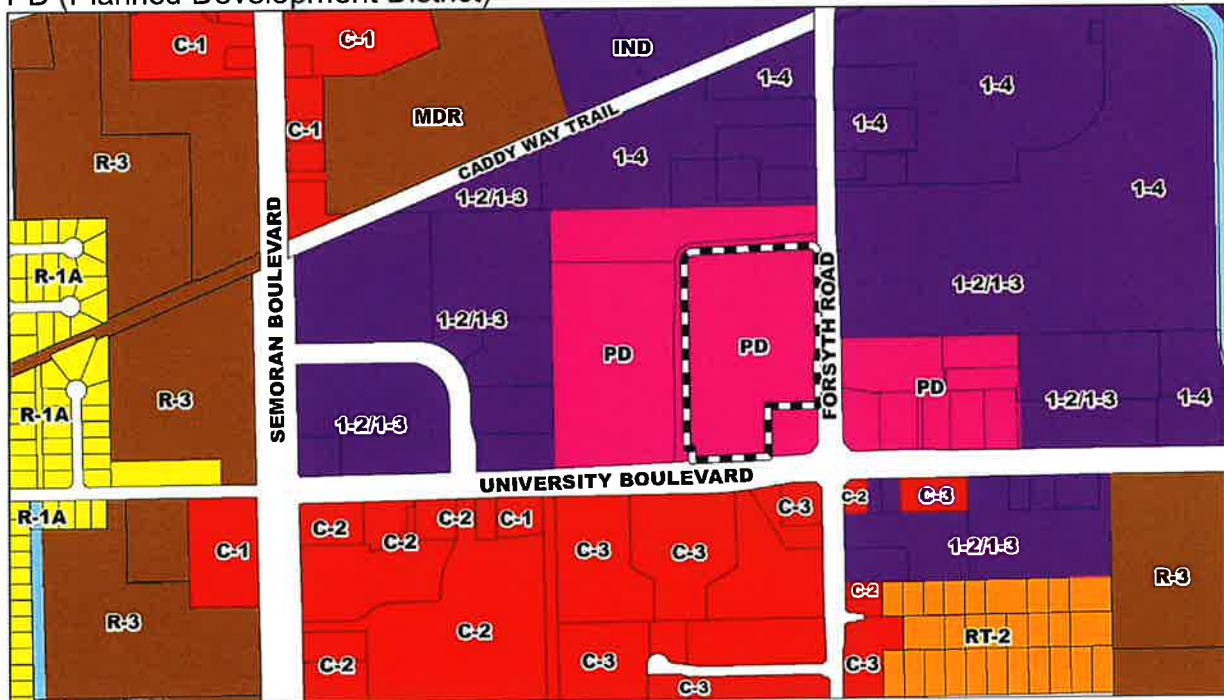
FUTURE LAND USE

Commercial (C)



ZONING

PD (Planned Development District)



Silver City Properties (Cover Sheet)



COSTCO
WHOLESALE CORPORATION
1000 W. UNIVERSITY BLVD.
SUITE 100
ORANGE, FL 32813
PH: 407.841.1000



THOMAS
LAND USE PLANNING
1000 W. UNIVERSITY BLVD.
SUITE 100
ORANGE, FL 32813
PH: 407.841.1000

LAND USE PLAN





REGISTERED PROFESSIONAL ENGINEER
STATE OF FLORIDA
NO. 12345
DATE 03/06/2026

FT230010
MARCH 25, 2026
COVER SHEET
1

LAND USE PLAN
FOR
SILVER CITY PROPERTIES PD
CDR-25-12-307
ORANGE COUNTY, FLORIDA
PARCEL ID NO: 03-22-30-7874-00-010 (AFFECTED PARCEL)




LEGAL DESCRIPTION


PARCEL OR PART THEREOF OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AS SHOWN IN PLAT BOOK 0 PAGES 11 AND 12 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

CONTAINING 15.2 ACRES MORE OR LESS.


LOCATION / VICINITY MAP
SCALE: NTS




AERIAL MAP
SCALE: NTS




SOILS MAP
SCALE: NTS



FEMA MAP
SCALE: NTS



FLUCCS MAP
SCALE: NTS



PROJECT CONTACTS

CONTACT	PHONE	EMAIL
OWNER		
DESIGNER		
CONSULTANTS		

RECEIVED
By DRC Office at 10:34 am, Mar 06, 2026

SILVER CITY PROPERTIES PD
ORANGE COUNTY, FL







Notification Map

Public Notification Map

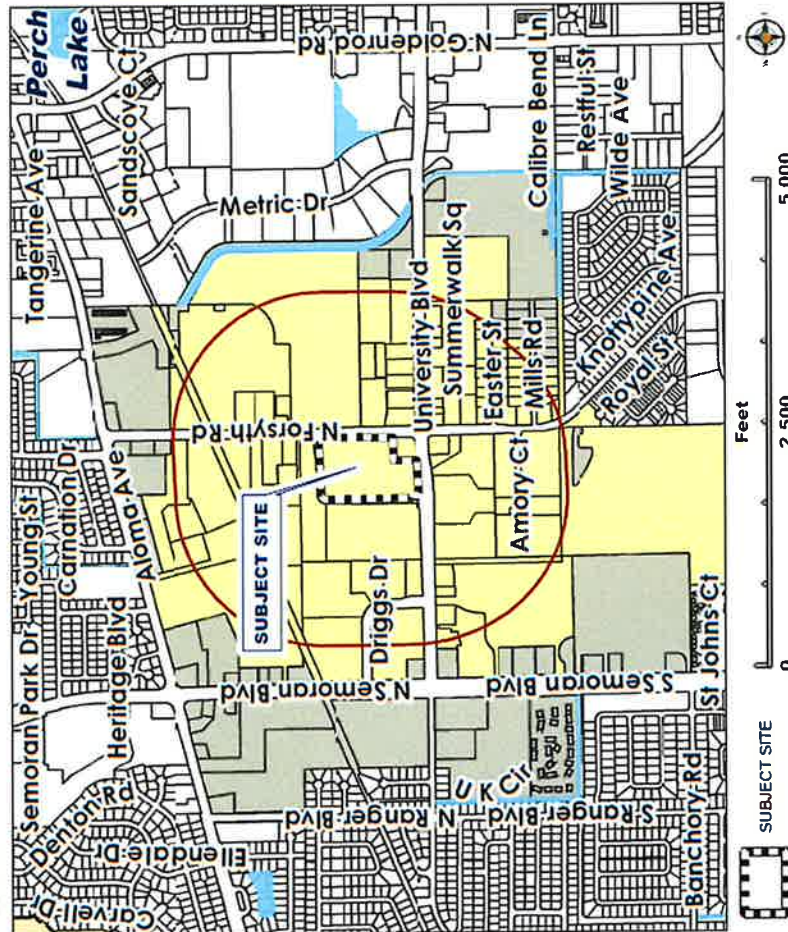
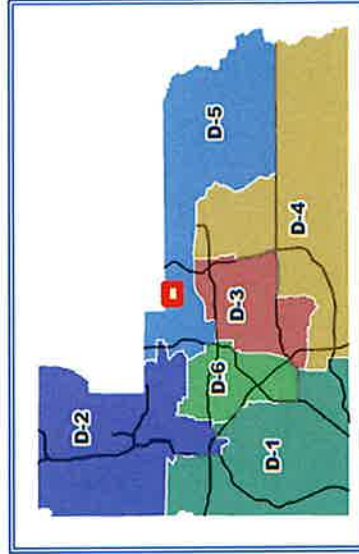
Silver City Properties PD_CDR-25-12-307



MAP LEGEND

	SUBJECT SITE		NOTIFIED PARCELS
	1500_FT_BUFFER		COURTESY PARCELS
	HYDROLOGY		PARCELS

BUFFER DISTANCE: 1500
 # OF NOTICES: 333



S:\Business Systems\Board Administration\5. SUBSTANTIAL CHANGE\2026\DRCSilver City Properties PD (CDR-25-12-307)\Silver City Proper