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Interoffice Memorandum

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DATE: February 17, 2020

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

THROUGH: Cheryl Gillespie, Supervisor, Agenda Development Office

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

CONTACT PERSON: Eric Raasch, DRC Chairman
Development Review Committee *EPR*
Planning Division
(407) 836-5523 or Eric.RaaschJr@ocfl.net

SUBJECT: Request for Board of County Commissioners (BCC) Public Hearing

Applicant: Peter Pensa, AVID Group

Case Information: Vista Centre Planned Development / Land Use Plan (PD / LUP)
Case # CDR-19-10-328

Type of Hearing: Substantial Change

Commission District: 1

General Location: Generally north of Palm Parkway and east of S. Apopka Vineland Road

BCC Public Hearing Required by: Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

April 21, 2020
@ 2pm

Clerk's Advertising Requirements:

(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:

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, CONTACT THE ORANGE COUNTY PLANNING DIVISION: Front Desk, 407-836-8181

PARA MÁS INFORMACIÓN, REFERENTE A ESTA VISTA PUBLICA CON RESPECTO A UNA AUDENCIA PUBLICA SOBRE PROPIEDAD EN SU AREA/VECINDAD, FAVOR COMUNICARSE CON LA DIVISIÓN DE PLANIFICACION, AL NUMERO, 407-836-8181

Advertising Language:

A PD substantial change to the Vista Centre PD to permit a Fast Food restaurant on Parcel 1A, and request the following waivers from Orange County Code:

1. A waiver from Section 24-4(a)(2) to provide no landscape strip and no hedge or tree plantings, in lieu of a seven (7) foot landscape strip and tree/hedge plantings along the east boundary of Parcel ID 22-24-28-0000-00-045 and the west boundary of Parcel ID 22-23-28-0000-00-021 (both Parcel 1a), where both abut parcel ID 22-24-28-5112-00-030 (Days Inn Lake Buena Vista PD).
2. A waiver from Section 24-4(a)(2) to provide no landscape strip and no hedge or tree plantings, in lieu of a seven (7) foot landscape strip and tree/hedge plantings on each side of the common boundary between Parcel ID's 22-24-28-0000-00-021 (Parcel 1a) & 22-24-28-5112-00-020 (Parcel 1b) (internal to the PD).

3. A waiver from Section 24-4(a)(2) to provide a three (3) foot minimum/seven (7) foot average landscape strip, in lieu of a seven (7) foot landscape strip along the north boundary of Parcel ID's 22-24-28-0000-00-021 & 22-24-28-0000-00-045 (both Parcel 1a).
4. A waiver from Section 38-1272(a)(3) to allow a rear yard setback reduction from twenty-five (25) feet to twenty (20) feet (for the building) and five (5) feet (for the drive-thru facility porte-cochere) on Parcel ID 22-24-28-0000-00-021 (Parcel 1a).
5. A waiver from PD boundary rear setback to allow a rear yard setback reduction from twenty (20) feet to five (5) feet for the drive-thru facility porte-cochere on Parcel id # 22-24-28-0000-00-021 (Parcel 1a).
6. A waiver from Section 38-1287(4) to allow a side yard pavement setback of zero (0) feet, in lieu of thirty (30) feet along the east boundary of Parcel ID 22-24-28-0000-00-045 and the west boundary of Parcel ID 22-24-28-0000-00-021 (both Parcel 1a), where both abut Parcel ID 22-24-28-5112-00-030 (Days Inn Lake Buena Vista PD).
7. A waiver from Section 38-1287(4) to allow a side yard pavement setback of zero (0) feet, in lieu of thirty (30) feet on each side of the common boundary between Parcel ID's 22-24-28-0000-00-021 (Parcel 1a) & 22-24-28-0000-00-020 (Parcel 1b) (internal to the PD).
8. A waiver from Section 38-1287(4) to allow a rear yard pavement setback reduction from twenty (20) feet to three (3) foot minimum/seven (7) foot average along the north boundary of Parcel ID's 22-24-28-0000-00-021 & 22-24-28-0000-00-045 (both Parcel 1a).
9. A waiver from Section 38-1287(4) to allow a front yard pavement setback reduction from twenty-five (25) feet to twenty (20) feet on Parcel ID's 22-24-28-0000-00-021 & 22-24-28-0000-00-045 (both Parcel 1a).

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 the Clerk:

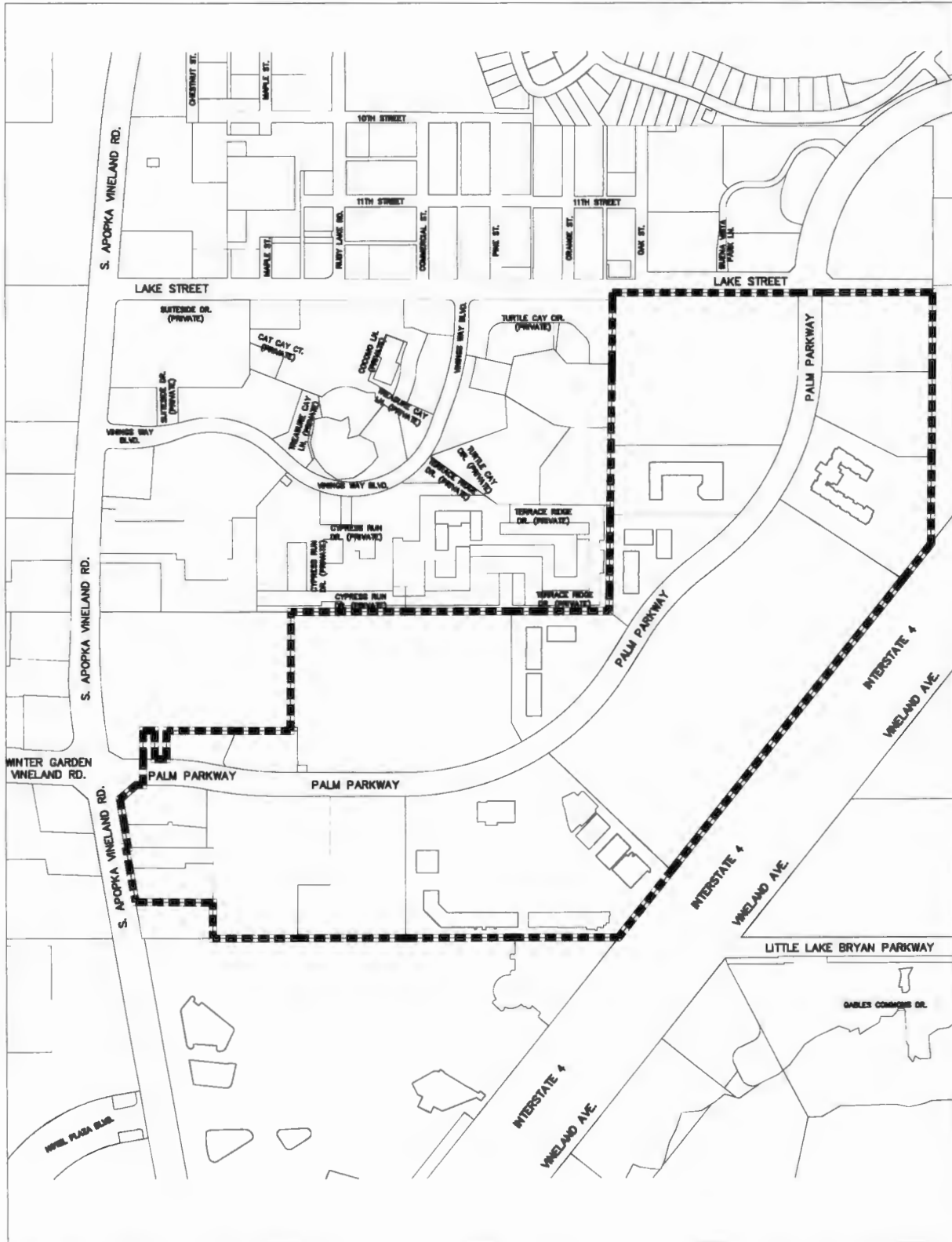
Please place this request on the next available BCC agenda. **This item needs to be scheduled concurrently with Days Inn Lake Buena Vista PD substantial change (CDR-19-10-327).** Unless stated otherwise, the public hearing should be advertised to begin at 2:00 p.m., or as soon thereafter as the matter may be heard.

Attachment (location map)

c: Chris R. Testerman, AICP, Deputy County Administrator
Jon V. Weiss, Director, Planning, Environmental, and Development Services
Department

If you have any questions regarding this map, please call the Planning Division at 407-836-5600.

VISTA CENTRE PD CDR-19-10-328



 SUBJECT PROPERTY



1 INCH = 600 FEET

**VISTA CENTRE PD
CDR-19-10-328**

LEGAL DESCRIPTION:

ALL THAT CERTAIN LAND LOCATED IN ORANGE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:

TRACT 3 (LESS THAT PART ABANDONED LYING WITHIN THE RIGHT-OF-WAY OF VISTA BOULEVARD), ABANDONED LOT 2, BLOCK "B" (LESS THAT PART LYING WITHIN THE RIGHT-OF-WAY OF VISTA BOULEVARD), ABANDONED LOTS 13 THROUGH 20, INCLUSIVE, BLOCK "B", THAT CERTAIN ABANDONED 30-FOOT ALLEY ADJACENT TO LOTS 10, 11, 12 AND 13, BLOCK "B" THAT CERTAIN ABANDONED 30 FOOT ALLEY LYING NORTH OF LOT 20, BLOCK "B", AND ALSO THAT PART OF THE WEST ONE-HALF OF ABANDONED MAGNOLIA ROAD EAST OF BLOCK "B" LYING BETWEEN THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 12 AND THE EASTERLY EXTENSION OF THE NORTH LINE OF THE 30-FOOT ALLEY NORTH OF LOT 20, ALL BEING IN LIVENGOOD PARK AT VINELAND, AS RECORDED IN PLAT BOOK Q, PAGE 64, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 24 SOUTH, RANGE 28 EAST, RUN SOUTH 00°14'27" WEST, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 22 ALSO BEING THE WEST LINE OF VISTA CENTRE, AS RECORDED IN PLAT BOOK 16, PAGES 74 THROUGH 77, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, A DISTANCE OF 494.77 FEET, THENCE NORTH 89°59'52" WEST, A DISTANCE OF 515.72 FEET, THENCE SOUTH 00°41'15" WEST, A DISTANCE OF 117.97 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF VISTA BOULEVARD, AS RECORDED IN SAID VISTA CENTRE, SAID POINT BEING ON A CURVE, CONCAVE SOUTHERLY, HAVING A CENTRAL ANGLE OF 00°48'10" AND A RADIUS OF 1095.49 FEET, THENCE FROM A TANGENT BEARING OF NORTH 89°11'42" WEST, RUN WESTERLY ALONG SAID RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE, A DISTANCE OF 15.35 FEET TO THE POINT OF TANGENCY, THENCE NORTH 89°59'52" WEST, A DISTANCE OF 33.52 FEET, THENCE NORTH 00°41'15" EAST, A DISTANCE OF 117.86 FEET, THENCE NORTH 89°59'52" WEST, A DISTANCE OF 48.87 FEET, THENCE SOUTH 00°41'15" WEST, A DISTANCE OF 117.86 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF VISTA BOULEVARD, THENCE NORTH 89°59'52" WEST, ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 84.18 FEET, THENCE NORTH 60°39'33" WEST, A DISTANCE OF 67.73 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF APOPKA-VINELAND ROAD (STATE ROAD NO. 535), SAID POINT BEING ON A CURVE, CONCAVE EASTERLY, HAVING A CENTRAL ANGLE OF 11°36'25" AND A RADIUS OF 2860.82 FEET, THENCE FROM A TANGENT BEARING OF NORTH 09°02'00" WEST, RUN NORTHERLY ALONG SAID RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE, A DISTANCE OF 579.54 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST 1/4 OF THE NORTHWEST 1/4, THENCE NORTH 89°51'34" EAST, A DISTANCE OF 795.80 FEET TO THE POINT OF BEGINNING.