

CASE # DP-24-08-203

Commission District # 4

1. GENERAL INFORMATION

Applicant:	Sam J. Sebaali, Thomas & Hutton
Owner:	Meadow Woods Acquisition, LLC
Project Name:	Southchase Planned Development (PD) / Phase 1B - Parcel 44 Preliminary Subdivision Plan (PSP) / Parcel 44A - Multi-Family (Development Plan) DP
Hearing Type:	Development Plan (DP)
Request:	To construct 280 multi-family apartments on 11.9 acres.

2. PROJECT INFORMATION

A. Overview:	<p>The subject property is located south of W. Wetherbee Road and west of S. Orange Avenue within the Southchase Planned Development (PD). The PD includes uses such as low and high density residential, commercial, office and industrial. A change determination request was approved in February 2023 to convert 32,340 square feet of commercial to 280 mid-rise multi-family residential dwelling units based on trip equivalencies, creating a new Parcel 44A from Parcel 44. PD Condition of Approval 9(a) dated February 7, 2023 required the development plan for parcel 44A to be reviewed by the Mayor and Board of County Commissioners at a public hearing.</p> <p>Through this request, the applicant is requesting to construct 280 multi-family residential units on 11.9 acres with an associated stormwater facility on 2.58 acres (Parcel 44A).</p>
B. Location:	South of West Wetherbee Road / West of South Orange Avenue
C. Parcel ID(s):	23-24-29-8238-00-050, 23-24-29-8238-02-000

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D. Total Acres: 14.50 gross acres

E. Water Supply: Orlando Utilities Commission

F. Sewer System: Orange County Utilities

G. Schools:

Capacity Enhancement	School Level	Elementary	Middle	High
	CSA:	NN		
	School:	SOUTHWOOD ES	SOUTH CREEK MS	CYPRESS CREEK HS
	Analysis of Existing Conditions			
	School Capacity (2021-2022)	643	1,131	2,762
	Enrollment (2021-2022)	502	1,123	3,285
	Utilization (2021-2022)	78.0%	99.0%	119.0%
	LOS Standard	110.0%	100.0%	100.0%
	Available Seats	205	8	0
	Analysis of Reserved Capacity			
	School Level	Elementary	Middle	
	Encumbered Capacity	0	84	115
	Reserved Capacity	0	6	42
	Adjusted Utilization	78.1%	107.3%	124.6%
	Adjusted Available Seats	205	0	0
	Analysis of Proposed Development			
	Students Generated	39.480	18.200	22.400
	Adjusted Utilization	84.2%	108.9%	125.4%
	AVAILABLE/NOT AVAILABLE	AVAILABLE	NOT AVAILABLE*	NOT AVAILABLE
	Number of Seats to Mitigate	0.000	18.200	22.400

H. School Population: 80

I. Parks: Deputy Brandon Coates Community Park - 0.1 Miles

J. Proposed Use: 280 Multi-Family Residential Dwelling Units

K. Site Data: Maximum Building Height: 50' or 4 stories* (*> 150' from single family residential property for buildings 50' or 4 stories in height)

Building Setbacks:

Front (East) 25 feet

Side (North) 25 feet

Side (South) 25 feet

Rear (West) 25 feet

L. Fire Station: Fire station Fire Station 55 - 801 Greenway Professional Ct.

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- M. Public Notification: The notification area for this public hearing extended beyond 1000 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. Seven hundred and forty (740) notices were mailed to those property owners in the mailing area.
- N. Community Meeting Summary: A community meeting was not required for this case.
- O. Transportation: 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.
- Based on the Concurrency Management database (CMS) dated 11/13/2024, there is a failing roadway segment within the project's impact area along Wetherbee Rd, from Landstar Blvd to Boggy Creek Rd. This information is dated and subject to change.

P. Environmental Protection Division:

This environmental review only addresses Orange County environmental regulatory code, however, the project shall also obtain and comply with all other existing environmental permits and applicable environmental regulations of, but not limited to: the Army Corps of Engineers, the Florida Department of Environmental Protection, and the applicable Water Management District, the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC). It is possible that one of the other agencies could deny a request even if the County approves it. It is imperative that this proposed plan be addressed on a multi-agency basis. The permittee must comply with the most stringent requirements.

Use caution to prevent erosion during construction along the boundary of the property, into surface waters, wetlands and upland buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control. Minimize the extent of area exposed at one time, apply perimeter controls where necessary, and perform maintenance checks every seven (7) days and after every 1/2 inch rain. The construction entry area shall be designed to prevent trucks from tracking soil onto local roads and the affected storm drainage system shall be protected. This may require periodic street sweeping.

No person shall cause, let, suffer, allow, or permit the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities, such as loading, unloading, storing, or handling; without taking reasonable precautions to prevent such emissions including but not limited to application of water, dust suppressants, planting of vegetation, point of activity controls (hoods, filters, etc.) and other measures.

Q. Comprehensive Plan:

The subject property has a Future Land Use Map (FLUM) designation of Commercial (C) on the Future Land Use Map and is currently zoned Planned Development (PD). The Southchase PD was originally approved in 1987 prior to the adoption of the Comprehensive Plan. The proposed Development Plan is therefore consistent with the designation and a Comprehensive Plan Amendment is not necessary. The request therefore appears to be consistent with the Comprehensive Plan.

R. Zoning:

PD (Planned Development District)

3. REQUESTED ACTION:

Development Review Committee (DRC) Recommendation – (June 25, 2025)

Make a finding of consistency with the Comprehensive Plan and approve the substantial change to the Southchase PD / Phase 1B – Parcel 44 PSP / Parcel 44A – Multifamily DP dated "Received July 22, 2025", subject to the following conditions:

1. Development shall conform to the Southchase Planned Development; Board approvals; Phase 1B - Parcel 44 Preliminary Subdivision Plan; Board approvals; Parcel 44A - Multi-Family Development Plan dated "Received July 22, 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. Prior to construction plan approval, documentation with supporting calculations shall be submitted which certifies that the existing drainage system and ponds have the capacity to accommodate this development and that this project is consistent with the approved master drainage plan (MDP) for this PD. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas.
9. Prior to construction plan approval, documentation must be provided certifying that this project has the legal right to tie into the master drainage system.
10. Prior to construction plan approval, Applicant shall execute to the County's satisfaction and record in the public records either (i) an agreement between the Lot 5 owner, their successor, and/or assigns and the Tract B-6B owner, (ii) an amendment to the Covenants, Conditions, and Restrictions (CC&Rs), or (iii) other legal instrument as feasible, stipulating that the owner of Lot 5 will allow access and construction activities to occur on that remaining unbuilt portion of the access easement when development for Tract B-6B has been approved.
11. Tract B ownership must be transferred in perpetuity to the owner of Lot 5 prior to the issuance of any Certificate of Occupancy associated with this development
12. Associated offsite infrastructure including, but not limited to, connecting roadways, roadway improvements, and public utilities, and the installation and operation of the turnlanes along West Wetherbee Road, and along Orange Avenue must be submitted as an E-Plan along with the required surety per Chapter 21-202 and 21-208, and be issued a Certificate of Completion prior to the issuance of any Certificate of Occupancy associated with this development.
13. Ownership and maintenance of Tract B must be reflected in the Covenants, Conditions, and Restrictions and any supplements and/or amendments thereto (CC&Rs) as recorded in the public records of Orange County. Evidence of such language in the CC&Rs shall be provided shall be provided to Orange County Development Engineering prior to construction plan approval.
14. If warranted or necessary, the Tract B-6 outfall system to Tract S-11 of Southchase Phase 1B Village 11A as depicted on the approved Preliminary Subdivision Plan and SFWMD Permit 48-00356-S must be depicted on the site construction plans, and a drainage easement dedicated to Orange County prior to any Certificate of Occupancy associated with this development.

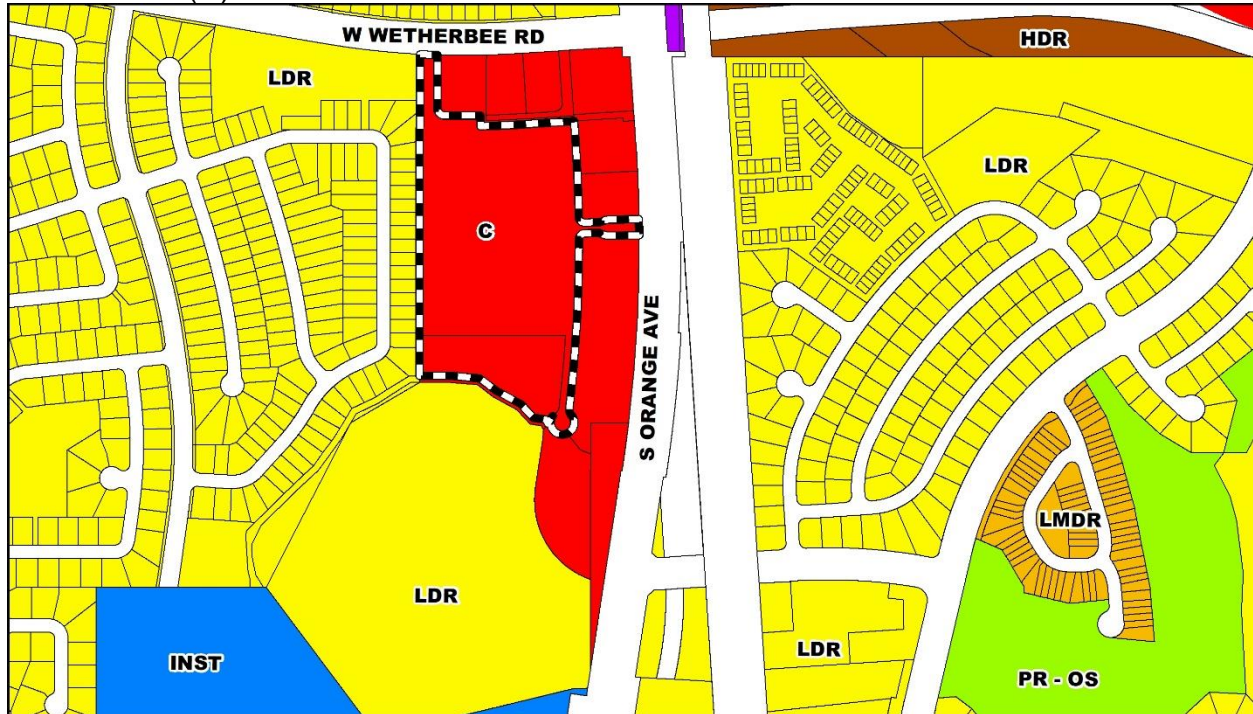
15. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing wastewater systems have been designed to support all development within the DP, and that construction plans are consistent with an approved and up-to-date Master Utility Plan for the PD.
16. 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 Supervisor at NPDES@ocfl.net. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.
17. 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.
18. Prior to issuance of any certificate of completion, all storm drain inlets shall have metal medallion inlet markers installed. Text on the marker shall read "No Dumping, Only Rain in the Drain." Specification detail will be provided within all plan sets. Contact the Orange County Environmental Protection Division National Pollutant Discharge Elimination System (NPDES) Supervisor at NPDES@ocfl.net for details.
19. 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).

20. 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.
21. The site shall be stabilized following grubbing, clearing, earth work or mass grading to establish a dense stand of grass, or shall incorporate other approved Best Management Practices, on all disturbed areas if development does not begin within 7 days. Final stabilization shall achieve a minimum of seventy percent (70%) coverage of the disturbed land area and shall include a maintenance program to ensure minimum coverage survival and overall site stabilization until site development. Prior to clearing or grubbing, or approval of mass grading or constructions plans a letter of credit or cash escrow acceptable to the County shall be submitted to guarantee the required site stabilization and maintenance of all disturbed areas. The County Engineer shall establish the amount of the letter of credit or cash escrow.
22. Short term/transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.
23. 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.
24. 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.

25. As part of a separate E-Plan, the Developer shall improve the Wetherbee Road & the site access intersections as follows, prior to issuance of a Certificate of Occupancy for the proposed projects:
- a. Design, engineer, permit, and construct one (1) eastbound right-turn lane of 290 feet at each of the two site access points on Wetherbee Road.
- As part of a separate E-Plan, the Developer shall improve the South Orange Avenue & the site access intersection as follows, prior to issuance of a Certificate of Occupancy for the proposed projects:
- b. Design, engineer, permit, and construct one (1) northbound left-turn lane of 340 feet at the site access point on South Orange Avenue.

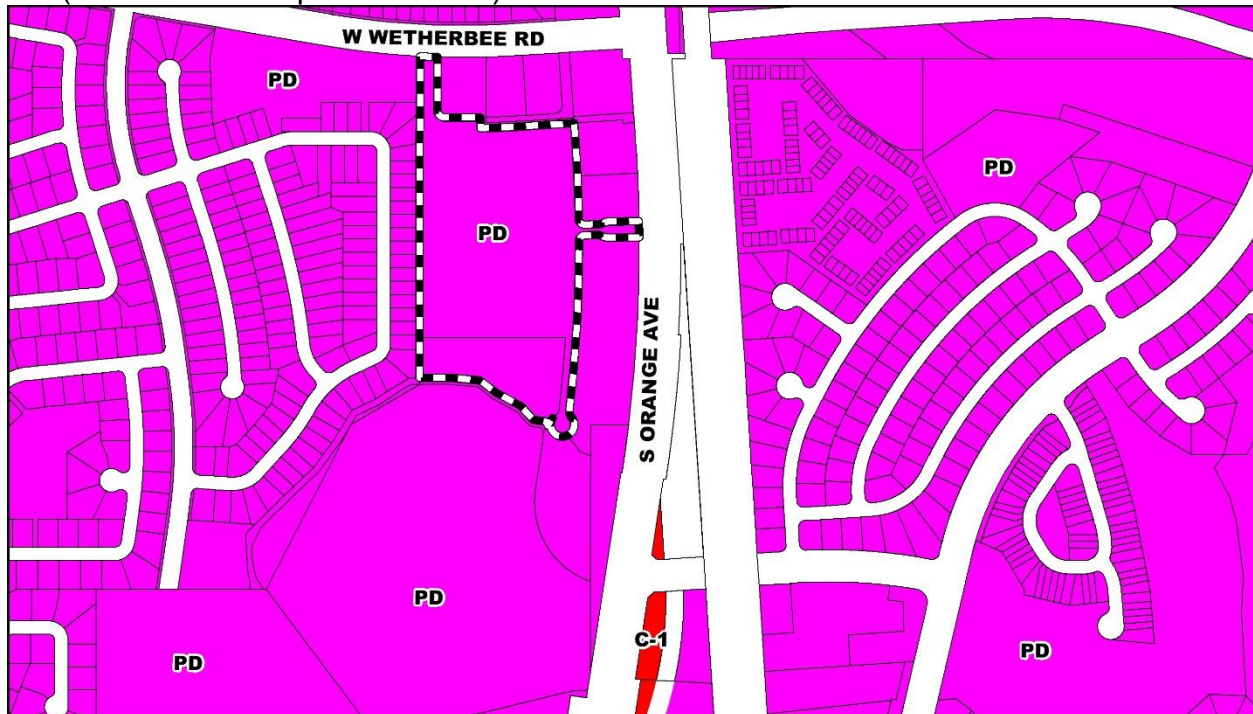
FUTURE LAND USE

Commercial (C)

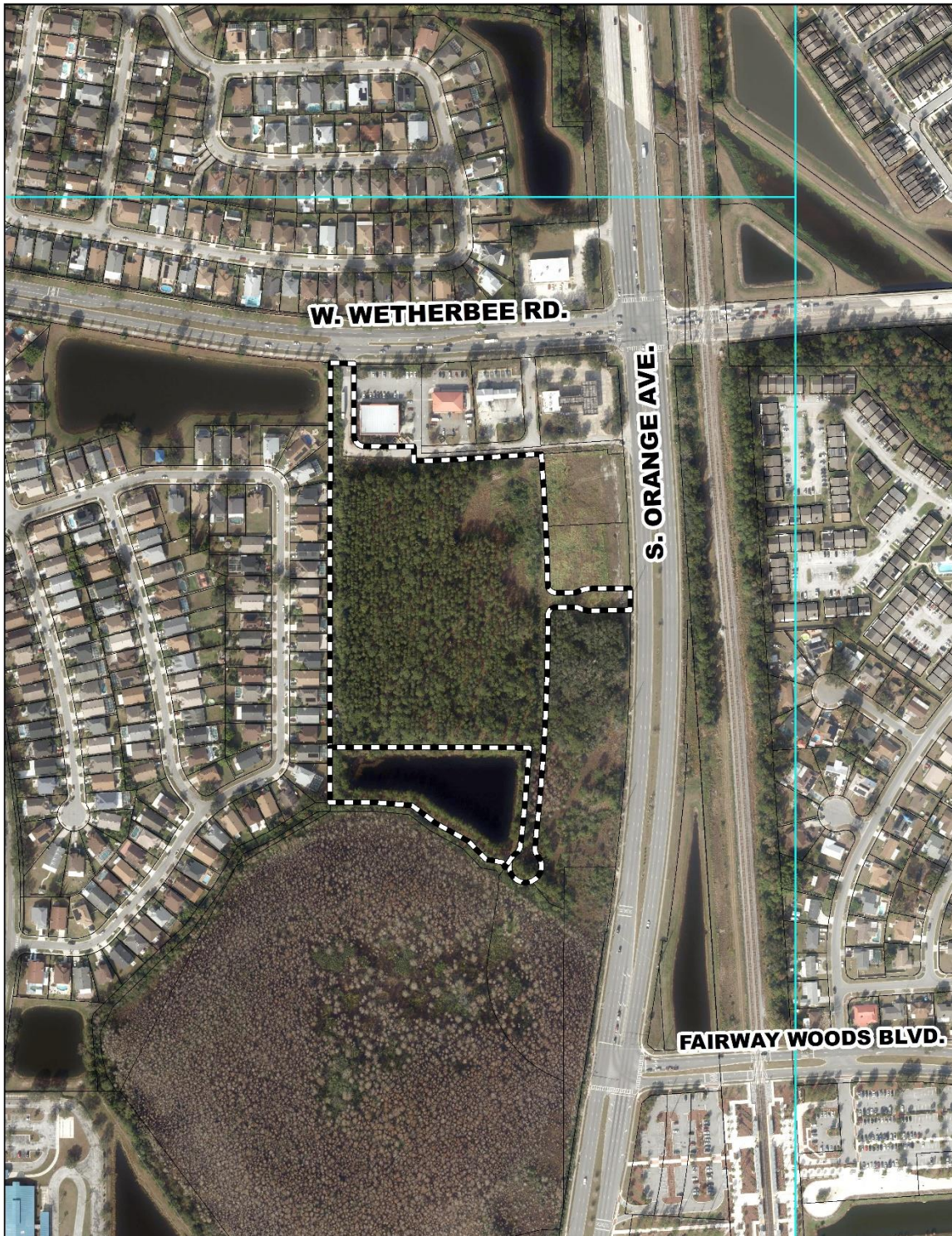


ZONING

PD (Planned Development District)



AERIAL



Site Plan Sheet

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Notification Map

