



Orange County Government

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Decision Letter

Board of County Commissioners

Tuesday, July 9, 2024

2:00 PM

County Commission Chambers

24-800

√Case # LUP-23-04-127

Jonathan A. Martin, P.E., Kimley-Horn and Associates, Inc., The Place at Alafaya Student Housing Planned Development; District 5

Consideration: This request is to rezone one (1) parcel containing 25.41 gross acres from UR-3 (University Residential District) to PD (Planned Development) in order to construct a 2,400 bed student housing development. The following waivers from Orange County Code are being requested for the Planned Development. 1. A waiver from Section 38-1258 (b) to allow multi-family buildings at a height of five (5) stories and seventy (70) feet within three hundred (300) ft. of the north property line, and multi-family buildings at a height of eight (8) stories and one hundred ten (110) feet for the remainder of the site, in lieu of a maximum height of three (3) stories, and forty (40) tall. 2. A waiver from Section 38-1258(d) to allow no masonry, brick or block wall in lieu of a six-foot high masonry, brick, or block wall shall be constructed, wherever a multi-family development is located adjacent to single family zoned property. 3. A waiver from Section 38-1259 (b) to allow no separation between student housing development and single-family zoned property in lieu of a minimum distance separation of four hundred feet (400'). 4. A waiver from Section 38-1259 (c) to allow development of twenty-four hundred (2,400) total bedrooms in lieu of not more than seven hundred and fifty (750) total bedrooms. 5. A waiver from Section 38-1476 (a) to allow for student housing parking at a ratio of nine tenths (0.9) spaces per bedroom, in lieu of one (1.0) space per bedroom; pursuant to Orange County Code, Chapter 30

Location: District 5; property located at 11600 Mackay Boulevard; South of University Boulevard / North of Lokantosa Trail / West of Alafaya Trail; Orange County, Florida (legal property description on file in Planning Division)

Revised Conditions of Approval #11 and #20:

~~11. In compliance with FEMA regulations, property owners or engineers shall provide a Letter of Map Change (LOMC) for the conditions listed below. 1. Developments in the 1 % annual chance flood (100-year flood) floodplain without established Base Flood Elevations (BFE) depicted as Zone A: A Letter of Map Revision (LOMR) should be submitted to FEMA to establish the BFE. Once approved, the FEMA approval LOMR must be included in the construction plan review~~

~~package. 2. Modifications to Flood Insurance Rate Map (FIRM) depicted as Zone AE: For modifications to base flood elevations, floodway, or flood hazard area boundaries on the Flood Insurance Rate Maps (FIRMs), a Conditional Letter of Map Revision (CLOMR) should be submitted to FEMA. The FEMA approved CLOMR should be uploaded to LDMS prior to the construction plan approval. A subsequent Letter of Map Revision (LOMR) reflecting final construction will be required. A documentation hold will be set at the Certificate of Occupancy/Construction Certification for this LOMR. The LOMR application should be submitted to FEMA within 30 days of the project completion. The FEMA approved LOMR must be submitted and uploaded to LDMS to release the documentation hold. 3. Development in the Floodway: A no-rise certification must be submitted to the Stormwater Management Division for review. If a no-rise certification is not applicable, follow the CLOMR and LOMR submission process as outlined in item 2. 4. Compensation Storage: All projects within the 1 % annual chance flood (100-year flood) floodplain must provide compensation storage for displaced floodwater. Please refer to Orange County Code Section 19 for more information.~~

11. 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.

20. 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.

A motion was made by Commissioner Bonilla, seconded by Commissioner Scott, to make a finding of consistency with the Comprehensive Plan; further, approve the request to rezone one (1) parcel containing 25.41 gross acres from UR-3 (University Residential District) to PD (Planned Development) in order to construct a 2,400 bed student housing development, subject to the twenty-five (25) conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report dated June 6, 2024; and further, modify conditions of approval #11 and #20. The motion carried by the following vote:

Aye: 7- Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott



THE FOREGOING DECISION HAS BEEN FILED
WITH ME THIS 25TH DAY OF JULY 2024.



for DEPUTY CLERK
BOARD OF COUNTY COMMISSIONERS

Note: This document constitutes the final decision of the Board of County Commissioners on this matter. If, upon the Board's subsequent review and approval of its minutes, an error affecting this final decision is discovered, a corrected final decision will be prepared, filed, and distributed. re