

### Interoffice Memorandum

DATE:

February 17, 2020

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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** 

**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:

Days Inn Lake Buena Vista Planned Development

/ Land Use Plan (PD / LUP)

Case # CDR-19-10-327

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

LEGISLATIVE FILE # 20-363

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 Days Inn Lake Buena Vista PD to request the following waivers from Orange County Code:

- 1. A waiver from Chapter 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 hedge/tree plantings along the west and east boundaries that abut Parcel ID's 22-24-28-0000-00-021 and 22-24-28-0000-00-045 (Vista Centre PD)
- 2. A waiver from Chapter 38-1278(4) to allow a side yard pavement setback of zero (0) feet, in lieu of thirty (30) feet along the west and east boundaries that abut Parcel ID's 22-24-28-0000-00-021 and 22-24-28-0000-00-045 (Vista Centre PD)

### **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:

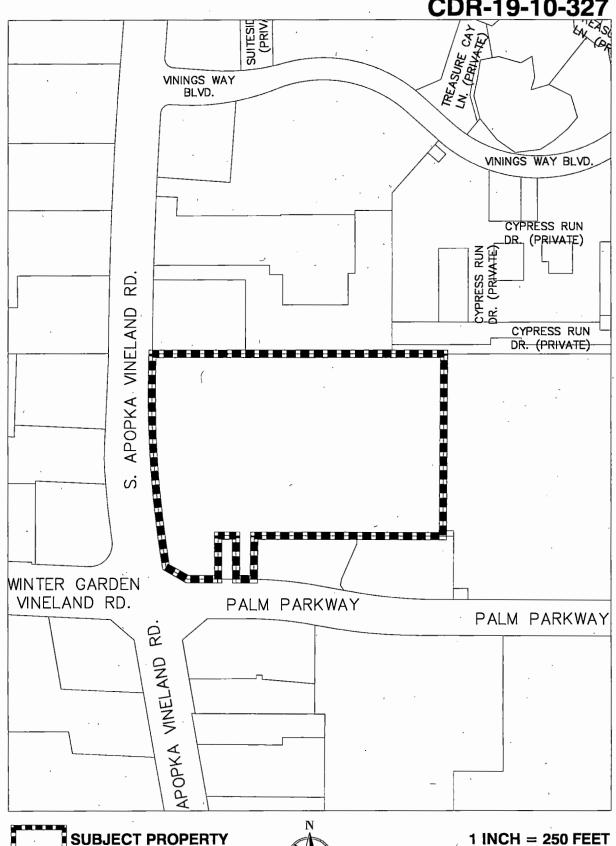
Please place this request on the next available BCC agenda. This item needs to be scheduled concurrently with Vista Centre PD substantial change (CDR-19-10-328). Unless stated otherwise, the public hearing should be advertised to begin at 2:00 p.m., or as soon thereafter as the matter may be heard.

## 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.

DAYS INN LAKE BUENA VISTA PD CDR-19-10-327



SUBJECT PROPERTY



#### LEGAL DESCRIPTION:

Portions of Lots 1, 3, 4, 5, 6, 7 and 8, Block B, and vacated Palm Parkway, LIVENGOOD PARK AT VINELAND, as recorded in Plat Book Q, Page 64, of the Public Records of Orange County, Florida described as follows:

That portion of Lot 1, Block B, LIVENGOOD PARK AT VINELAND, as recorded in Plat Book Q, Page 64, Public Records of Orange County, Florida, lying North of Palm Parkway as shown on VISTA CENTRE REPLAT recorded in Plat Book 18, Pages 117 through 121, Public Records of Orange County, Florida.

#### AND

Commence at the Southwest corner of Tract"A" of said VISTA CENTRE REPLAT and run N.89°59'52"W along the Northerly Right-of-Way line of Palm Parkway as shown on said VISTA CENTRE REPLAT for a distance of 47.20 feet to the point of curvature of a curve concave Northerly, having a radius of 1300.65 feet and a central angle of 10°00'00"; thence run Westerly along the arc of said curve and said right-of-way line for a distance of 227.01 feet; thence run N.79°59'52" W along said Right-of-Way line for a distance of 27.50 feet to the Point of Beginning; thence continue N.79°59'52" W along said Northerly Right-of-Way line for a distance of 72.50 feet to the point of curvature of a curve concave Southerly having a radius of 1095.49 feet and a central angle of 09°11'48"; thence run Westerly along the arc of said curve and said right-of-way line for a distance of 175.84 feet to the West line of Lot 3, Block B of said LIVENGOOD PARK AT VINELAND; thence run N.00°41'I5" E along said West line for a distance of 17.97 feet to the Northwest corner thereof; thence run S.89°59'52" E along the North line of Lots 3 through 8, Block B, of said LIVENGOOD PARK AT VINELAND, for a distance of 280.72 feet; thence run S.00°00'08" W for a distance of 21.14 feet; thence run S.23°53'27" W for a distance of 103.91 feet; thence run S.10°00'08" W for a distance of 17.54 feet; thence run S.34°08'31" E for a distance of 16.51 feet to the Point of Beginning.

[CONTAINING 0.903 ACRES, MORE OR LESS]

### TOGETHER WITH:

PORTIONS OF LOTS 7 AND 8, ALL OF LOTS 9 THROUGH 12, BLOCK B, AND PORTIONS OF VACATED PALM PARKWAY AND VACATED MAGNOLIA ROAD, LIVENGOOD PARK AT VINELAND, AS RECORDED IN PLAT BOOK Q, PAGE 64, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF TRACT "A" OF VISTA CENTRE REPLAT AS RECORDED IN PLAT BOOK 18, PAGES 117 THROUGH 121, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND RUN N. 890 59' 52" W ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF PALM PARKWAY AS SHOWN ON SAID VISTA CENTRE REPLAT FOR A DISTANCE OF 47.20 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 1300.65 FEET AND A CENTRAL ANGLE OF 100 00' 00"; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY LINE FOR A DISTANCE OF 227.01 FEET; THENCE RUN N. 790 59'52" W ALONG SAID RIGHT-OF-WAY LINE FOR A DISTANCE OF 27.50 FEET; THENCE RUN N. 340 08' 31" W FOR A DISTANCE OF 16.51 FEET; THENCE RUN N. 100 00'08" E FOR A DISTANCE OF 17.54FEET; THENCE N. 230 53'27" EA DISTANCE OF 103.91 FEET; THENCE RUN N. 000 00'08" E FOR A DISTANCE OF 21.14 FEET TO THE NORTH LINE OF LOT 8, BLOCK B, OF SAID LIVENGOOD PARK AT VINELAND; THENCE RUN S. 890 59' 52" E ALONG THE NORTH LINE OF LOTS 8 THROUGH 12 AND THE EASTERLY EXTENSION THEREOF FOR A DISTANCE OF 265.00 FEET TO THE WEST LINE OF LOT 10 OF SAID VISTA CENTRE REPLAT; THENCE RUN S. 000 14'27" W ALONG THE WEST LINE OF SAID LOT 10 AND TRACT A FOR A DISTANCE OF 171.62FEET TO THE POINT OF BEGINNING.

[CONTAINING 1.09 ACRES, MORE OR LESS]

#### TOGETHER WITH:

The easterly 1/2 of the abandoned Magnolia Road right-of-way north of the easterly extension of the north lot line of Lot 12, Block B, Livengood Park at Vineland, according to the Plat thereof as recorded in Plat Book Q, Page 64, Public Records of Orange County, Florida.

[CONTAINING 0.01 ACRES, MORE OR LESS]

#### **TOGETHER WITH:**

Tract "A", Vista Centre Replat, as recorded in Plat Book 18, Pages 117 through 121 of the Public Records of Orange County, Florida.

[CONTAINING 0.027 ACRES, MORE OR LESS]

LEGAL DESCRIPTION: (CONTINUED)

#### TOGETHER WITH:

Lot 10, according to the Replat of Vista Centre, as recorded in Plat Book 18, Pages 117 through 121, inclusive, of the Public Records of Orange County, Florida.

[CONTAINING 13.68 ACRES, MORE OR LESS]

#### TOGETHER WITH:

Lots 8 and 9, VISTA CENTRE, according to the Replat of Vista Centre, as recorded in Plat Book 18, Pages 117 through 121, inclusive, of the Public Records of Orange County, Florida.

[CONTAINING 7.01 ACRES, MORE OR LESS]

#### TOGETHER WITH:

Lot 5, Vista Centre Replat, as recorded in Plat Book 18, Pages 117 through 121 of the Public Records of Orange County, Florida.

[CONTAINING 22.258 ACRES, MORE OR LESS]

#### TOGETHER WITH:

Lot 3 and that part of Lot 4, VISTA CENTRE REPLAT, according to the plat thereof, as recorded in Plat Book 18, Pages 117 through 121, of the Public Records of Orange County, Florida, being the same property described as follows:

BEGIN at the Northernmost corner of said Lot 4; thence run S46°30'12"E along the Easterly line of said Lot 4 for a distance of 707.62 feet to the Easternmost corner of said Lot 4 thence run S38°29'48"W along the Southeasterly line of said Lot 4 for a distance of 355.00 feet to the Southeast corner of said Lot 4 thence run S89°50'45"W along the South line of said Lots 3 and 4 for a distance of 888.05 feet to the Southwest corner of said Lot 3; thence run N00°03'43"W along the West line of said Lot 3 for a distance of 589.07 feet to the Northwest corner of said Lot 3 and a point on a non-tangent curve concave Northerly having a radius of 1090.74 feet and a chord bearing of N73°21'38"E thence run Easterly along the North line of said Lots 3 and 4 and along the arc of said curve through a central angle of 33°09'18" for a distance of 631.17 feet to the POINT OF BEGINNING.

#### LESS:

Commence at the Easternmost corner of said Lot 4; thence run N46°30'12"W along the Easterly line of said Lot 4 for a distance of 406.53 feet; thence leaving said Easterly line run S43°29'48"W for a distance of 17.22 feet to the POINT OF BEGINNING; thence run S43°29'48"W for a distance of 14.36 feet; thence run S00°20'08"W for a distance of 12.89 feet; thence run S44°49'07"W for a distance of 83.69 feet; thence run N45°10'23"W for a distance of 10.80 feet; thence run S44°19'28"W for a distance of 10.45 feet; thence run N48°12'12"W for a distance of 1.91 feet; thence run S44°34'11"W for a distance of 37.83 feet to a point on a non-tangent curve concave Northeasterly having a radius of 100.55 feet and a chord bearing of N26°36'11"W; thence run Northwesterly along the arc of said curve through a central angle of 24°07'47" for a distance of 42.35 feet to a non-tangent line; thence run N10°54'50"W for a distance of 16.38 feet to a point on a non-tangent curve concave Westerly having a radius of 700.43 feet and a chord bearing of N10°31'59"W; thence run Northerly along the arc of said curve through a central angle of 03°14'03" for a distance of 39.54 feet to a non-tangent line; thence run N15°03'11"W for a distance of 11.65 feet; thence run N22°56'02"W for a distance of 12.65 feet; thence run N03°34'39"W for a distance of 28.95 feet; thence run N65°12'53"E for a distance of 36.70 feet; thence run N69°58'01"E for a distance of 18.35 feet; thence run S44°32'23"E for a distance of 19.29 feet; thence run N44°47'41 "E for a distance of 22.31 feet; thence run N89°31'05"E for a distance of 10.40 feet; thence run S45°18'08"E for a distance of 85.24 feet to the POINT OF BEGINNING.

[CONTAINING 14.272 ACRES, MORE OR LESS]

LEGAL DESCRIPTION: (CONTINUED)

#### TOGETHER WITH:

THAT PART OF LOT 2, VISTA CENTRE REPLAT AS RECORDED IN PLAT BOOK 18, PAGES 117 THROUGH 121 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 2, RUN NORTH 89°50'45" EAST ALONG THE SOUTH LINE OF SAID LOT 2 FOR A DISTANCE OF 354.96 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 00°09'15" WEST FOR A DISTANCE OF 220.30 FEET; THENCE SOUTH 89°59'52" EAST FOR A DISTANCE OF 135.00 FEET; THENCE RUN NORTH 00°00'08" EAST FOR A DISTANCE OF 370.00 FEET; THENCE RUN SOUTH 89°59'52" EAST ALONG THE NORTH LINE OF SAID LOT 2 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF PALM PARKWAY FOR A DISTANCE OF 314.23 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 1090.74 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE AND SAID NORTH LINE AND SAID SOUTHERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 00°03'51" FOR A DISTANCE OF 1.22 FEET; THENCE RUN SOUTH 00°03'43" EAST ALONG THE EAST LINE OF SAID LOT 2 FOR A DISTANCE OF 589.07 FEET; THENCE RUN SOUTH 89°50'45" WEST ALONG THE SOUTH LINE OF SAID LOT 2 FOR A DISTANCE OF 450.51 FEET TO THE POINT OF BEGINNING.

[CONTAINING 4.952 ACRES, MORE OR LESS]

#### TOGETHER WITH:

A PORTION OF LOT 2, VISTA CENTRE REPLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 18, PAGES\_117 THROUGH 121, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 2 AND RUN NORTH 89°50'45" EAST ALONG THE SOUTH LINE OF SAID LOT 2 FOR A DISTANCE OF 354.96 FEET; THENCE RUN NORTH 00°09'15" WEST FOR A DISTANCE OF 220.30 FEET; THENCE RUN SOUTH 89°59'52" EAST FOR A DISTANCE OF 135.00 FEET; THENCE RUN NORTH 00°00'08" EAST FOR A DISTANCE OF 370.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OP PALM PARKWAY; THENCE RUN NORTH 89°59'52" WEST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 237.82 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 1403.40 FEET AND A CENTRAL ANGLE OF 10°00'00"; THENCE RUN WESTERLY ALONG THE ARC OF SAID CURVE AND SAID SOUTHERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 244.94 FEET; THENCE RUN NORTH 79°59'52" WEST ALONG SAID RIGHT-OF-WAY LINE FOR A DISTANCE OF 33.82 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE RUN SOUTH 00°09'49"WEST ALONG THE WESTERLY LINE OF SAID LOT 2 FOR A DISTANCE OF 241.49 FEET; THENCE RUN SOUTH 89°50'11' EAST ALONG SAID WESTERLY LINE FOR A DISTANCE OF 200.67 FEET; THENCE RUN SOUTH 00°14'27" WEST ALONG SAID WESTERLY LINE FOR A DISTANCE OF 200.67 FEET; THENCE RUN SOUTH 00°14'27" WEST ALONG SAID WESTERLY LINE FOR A DISTANCE OF 176.23 FEET TO THE POINT OF BEGINNING.

[CONTAINING 6.128 ACRES, MORE OR LESS]

#### **TOGETHER WITH:**

A portion of Lot 1,VISTA CENTRE REPLAT, according to the plat thereof as recorded in Plat Book 18, Page 117, Public Records of Orange County, Florida, being more particularly described as follows:

Commence at the Southwest corner of said Lot 1 and run North 10°07'12" West along the East Right-of-Way line of State Road 535 and the West line of said Lot 1 for a distance of 96.04 feet to the Point of Beginning; thence continue North 10°07'12" West along said line for a distance of 107.13 feet to the Southerly Right-of-Way line of Palm Parkway; thence run the following courses and distances along said Southerly Right-of-Way line and the Northerly line of said Lot 1: North 49°44'35" East 89.18 feet; South 89°59'52" East 111.90 feet to the point of curvature of a curve concave Southerly having a radius of 987.99 feet and a central angle of 10°00'00"; thence run Easterly along the arc of said curve for a distance of 172.44 feet; thence run South 79°59'52" East 11.88 feet to the Northeast corner of said Lot 1; thence run South 00°09'49" West along the East line of said Lot 1 for a distance of 158.81 feet; thence run North 85°18'38" West for a distance of 144.18 feet; thence run North 00°00'08" East for a distance of 11.26 feet; thence run North 89°59'52" West for a distance of 16.25 feet; thence run South 00°00'08" West for a distance of 10.25 feet; thence run North 89059'52" West for a distance of 184.00 feet to the Point of Beginning.

[CONTAINING 1.285 ACRES, MORE OR LESS]

#### LEGAL DESCRIPTION: (CONTINUED)

#### TOGETHER WITH:

Portions of Lots 1 and 2, VISTA CENTRE REPLAT, according to the plat thereof, as recorded in Plat Book 18, Pages 117 through 121, Public Records of Orange County, Florida and portions of Block D, vacated Tangerine Trail and Poinsetta Drive, LIVENGOOD PARK, according to the plat thereof, as recorded in Plat Book Q, Page 64, Public Records of Orange County, Florida, described as follows:

Begin at the Southwest corner of said Lot 1, VISTA CENTRE REPLAT and run N 10°07'12" W along the Easterly Right of Way line of State Road 535 and the Westerly line of said Lot 1 for a distance of 96.04 feet; then run S 89°59'52" E for a distance of 184.00 feet thence run N 00°00'08" E for a distance of 10.25 feet; thence run S 89°59'52" E for a distance of 16.25 feet; thence run S 00°00'08" W, for a distance of 11.26 feet; thence run S 85°18'38" E, for a distance of 183.91 feet thence run S 08°14'41" W for a distance of 80.34 feet to a Westerly corner of said Lot 2, VISTA CENTRE REPLAT, then run S 00°24'42' W along the Westerly line of said Lot 2 for a distance of 65.00 feet; thence run N 89°38'12" W for a distance of 116.00 feet thence run S 00°21'48" W for a distance of 21.00 feet thence run N 89°38'12" W for a distance of 233.58 feet to the Easterly right of way line of State Road 535; thence run N 10°07'12" W along said Right of Way line for a distance of 86.17 feet; thence run S 89°50'11" E along said right of way line for a distance of 10.16 feet to the Point of Beginning.

#### LESS AND EXCEPT:

That portion of the described property lying within Lot 2, VISTA CENTRE REPLAT, according to the Plat thereof recorded in Plat Book 18, Pages 117 through 121, inclusive, Public Records of Orange County, Florida.

#### ALSO DESCRIBED AS:

Portions of Lot 1, VISTA CENTRE REPLAT, according to the plat thereof as recorded in Plat Book 18, Pages 117 through 121, inclusive, Public Records of Orange County, Florida and portions of Block D, vacated Tangerine Trail and Poinsetta Drive, LIVENGOOD PARK, according to the plat thereof, as recorded in Plat Book Q, Page 64, Public Records of Orange County, Florida, being more particularly described as follows:

Begin at a rebar marking the Southwest corner of said Lot 1, VISTA CENTRE REPLAT, said point lying on the easterly right-of-way line of State Road 535 (Variable width right-of-way); thence North 10°07'12" West along said right-of-way line a distance of 96.04 feet to a rebar; thence South 89°9'52" East a distance of 184.00 feet to a rebar; thence North 00°00'08" East a distance of 10.25 feet to a rebar; thence South 89°59'52" East a distance of 16.25 feet to a nail in pavement; thence South 00°00'08" West a distance of 11.26 feet to a rebar; thence South 85°18'38" East a distance of 144.19 feet to a nail in pavement on the west line of Lot 2, VISTA CENTRE REPLAT; thence South 00°09'49" West along the west line of said Lot 2 a distance of 82.68 feet to a nail in pavement, thence South 89°0'11" East along the west line of said Lot 2 a distance of 28.31 feet to a rebar; thence South 00°4'42" West along the west line of said Lot 2 a distance of 65.00 feet to a rebar; thence North 89°38'12" West a distance of 116.00 feet to a nail; thence South 00°21'48" West a Distance of 21.00 feet to a rebar; thence North 89°8'12" West a distance of 233.58 feet to a nail in pavement on said easterly right-of-way line of State Road 535; thence North 10°07'12" West along said right-of-way line a distance of 86.17 feet to a nail; thence South 89°50'11" East a distance of 10.16 feet to the POINT OF BEGINNING.

#### [CONTAINING 1.356 ACRES, MORE OR LESS]

#### TOGETHER WITH:

Portions of Lots 1 through 6, Block D, vacated Poinsettia Drive and Tract 4, LIVENGOOD PARK AT VINELAND, according to the plat thereof as recorded in Plat Book Q, Page 64, of the Public Records of Orange County, Florida, described as follows:

Commence at the Southwest corner of Lot 1, Vista Centre Replat, according to the plat thereof, as recorded in Plat Book 18, Pages 117 through 121, Public Records of Orange County, Florida, and run S 89°50'11" E, along the South line of Lot 1 and the Westerly line of Lot 2 of said Vista Centre Replat, for a distance of 355.15 feet; thence run S 00°24'42" W, along said Westerly line, for a distance of 65.00 feet to the Point of Beginning; thence continue S 00°24'42" W, along said Westerly line for a distance of 135.67 feet; thence run S 00°14'27" W, along said Westerly

### LEGAL DESCRIPTION: (CONTINUED)

line for a distance of 28.00 feet to the South line of the North 28.00 feet of said Tract 4; thence run N 89°38'12" W along said South line for a distance of 323.12 feet to the Easterly right-of-way line of State Road 535 (A/K/A South Apopka Vineland Road); thence N 10°07'12" W along said Easterly right-of-way line for a distance of 145.09 feet; thence run S 89°38'12" E for a distance of 233.58 feet; thence run N 00°21'48" E for a distance of 21.00 feet; thence run S 89°38'12" E for a distance of 116.00 feet to the Point of Beginning.

[CONTAINING 1.157 ACRES, MORE OR LESS]

#### **TOGETHER WITH:**

THAT PORTION OF THE RIGHT-OF-WAY OF VISTA BOULEVARD (A/K/A PALM PARKWAY) LOCATED EAST OF STATE ROAD 535 (A/K/A SOUTH APOPKA VINELAND ROAD) AND SOUTH OF LAKE STREET.

[CONTAINING 9.068 ACRES, MORE OR LESS]

**TOTAL ACREAGE: 83.196 ACRES, MORE OR LESS** 

SOURCE: LEGAL DESCRIPTIONS WERE OBTAINED FROM DEEDS AND ACREAGES WERE OBTAINED FROM ORANGE COUNTY PROPERTY APPRAISER PARCEL/GIS RECORDS.