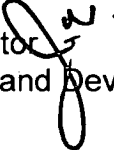





Interoffice Memorandum

DATE: March 6, 2019

TO: Mayor Jerry L. Demings
-AND-
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director 
Planning, Environmental and Development
Services Department

CONTACT PERSON: **Eric Raasch, Interim DRC Chairman** 
Development Review Committee
Planning Division
(407) 836-5523

SUBJECT: March 26, 2019 – Public Hearing
Applicant: Ian McCook, Nvision Development Management
Services
River Run at Valencia Planned Development / River Run at Valencia
Apartments Development Plan
Case # DP-18-08-257 / District 3

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of February 13, 2019, to approve the River Run at Valencia Planned Development (PD) / River Run at Valencia Apartments Development Plan (DP) to construct a 456-bed student housing complex on a total of 12.18 acres.

A community meeting was held for this request on October 3, 2018. Three residents were in attendance and they expressed concerns related to traffic and the timing of construction compared to timing of construction of planned improvements to Econlockhatchee Trail.

The required Specific Project Expenditure Report and Relationship Disclosure Forms have been completed in accordance with the requirements of Article X, Chapter 2, Orange County Code, as may be amended from time to time, and copies of these and the PSP may be found in the Planning Division for further reference.

ACTION REQUESTED: **Make a finding of consistency with the Comprehensive Plan (CP) and approve the River Run at Valencia PD / River Run at Valencia Apartments DP dated "Received January 8, 2019", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 3**

JVW/EPR/lme
Attachments

CASE # DP-18-08-257

Commission District # 3

1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of February 13, 2019, to approve the River Run at Valencia Planned Development (PD) / River Run at Valencia Apartments Development Plan (DP) to construct a 456-bed student housing complex on a total of 12.18 acres.

Per Sec. 38-1259(a), student housing Development Plans require approval through a public hearing before the Board of County Commissioners.

A community meeting was held for this request on October 3, 2018. Three residents were in attendance and they expressed concerns related to traffic and the timing of construction compared to timing of construction of planned improvements to Econlockhatchee Trail.

2. PROJECT ANALYSIS

- A. Location: North of State Road 417 / East of North Econlockhatchee Trail
- B. Parcel ID: 30-22-31-0000-00-022
- C. Total Acres: 12.18 gross acres
- D. Water Supply: Orange County Utilities
- E. Sewer System: Orange County Utilities
- F. Schools: N/A
- G. School Population: N/A
- H. Parks: Downey Park – 2.5 Miles
- I. Proposed Use: 456-Bed Student Housing Complex
- J. Site Data: Maximum Building Height: 60'
Building Setbacks:
 - 50' Front
 - 25' Side
 - 150' Rear
 - 50' NHWE

K. Fire Station: 81 – 901 South Econlockhatchee Trail

L. Transportation: Based on the Concurrency Management System database dated January 4, 2019, there are five (5) failing roadway segments within this project's one-mile impact area. Dean Road from Curry Ford Road to Lake Underhill Road; Econlockhatchee Trail from Lake Underhill Road to Valencia College Lane; Lake Underhill Road from Goldenrod Road to Madeira Avenue, from Madeira Avenue to Dean Road, and from Dean Road to Rouse Road are currently operating below the adopted level of service and there is no available capacity. The applicant will be required to submit a traffic study prior to obtaining an approved capacity encumbrance letter and building permit. The applicant will be required to attend Roadway Agreement Committee to participate in Proportionate Share Agreement.

3. COMPREHENSIVE PLAN

The Future Land Use designation of the subject parcel is Medium Density Residential (MDR). This request is consistent with the Comprehensive Plan and the associated River Run at Valencia Planned Development (PD).

4. ZONING

PD (Planned Development District) (River Run at Valencia PD)

5. REQUESTED ACTION:

Approval subject to the following conditions:

1. Development shall conform to the River Run at Valencia Planned Development; Orange County Board of County Commissioners (BCC) approvals; River Run at Valencia Apartments Development Plan dated "Received January 8, 2019"; 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 BCC, or by action of the BCC.
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 of County Commissioners ("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

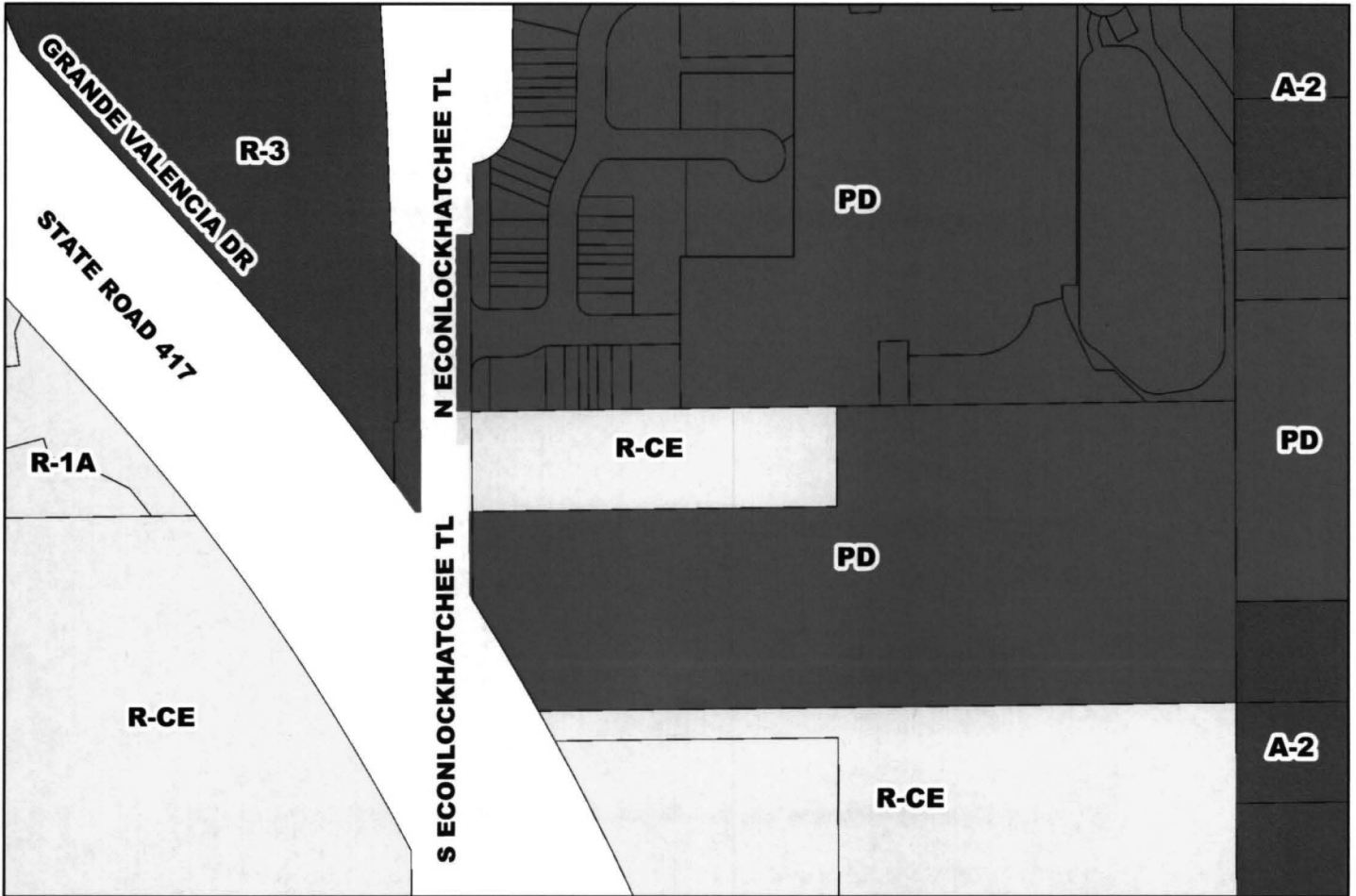
approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County 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, 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 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. Development plan (DP) approval by the DRC (or BCC, 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.
7. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to issuance of the initial certificate of occupancy. Nothing in this condition and nothing in the decision to approve this development plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
8. 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 National Pollutant Discharge Elimination System (NPDES) Supervisor at the Orange County Environmental Protection Division for details.
9. 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 Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.
10. 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 & Wildlife Conservation Commission (FWC).
11. Unless a Conservation Area Impact (CAI) permit is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland Conservation Areas", no conservation area or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect conservation area impacts.
12. The covenants, conditions, and restrictions (CC&Rs), or as appropriate, a recorded restrictive covenant on the property, and a note on the plat shall contain notification to potential purchasers, builders, or tenants of this

development that a regional water treatment plant is located adjacent to the southern boundary of this PD.

13. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water and wastewater systems have been designed to support all development within the PD.
14. All existing structures shall be removed prior to building permit approval.
15. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
16. Prior to construction plan approval, documentation with supporting calculations shall be submitted which certifies that this project is consistent with approved master stormwater plan for this Planned Development.
17. Unless otherwise allowed by County Code, the property shall be platted prior to the issuance of any vertical building permits.
18. A mandatory pre-application/sufficiency review meeting for the plat shall be required prior to plat submittal and concurrent with construction plan submittal. The applicant shall resolve, to the County's satisfaction, all items identified in the pre-application/ sufficiency review meeting prior to formal submittal of the plat to the County.
19. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Construction Plan submittal and must be approved prior to Construction Plan approval for any streets and/or tracts anticipated to be dedicated to the County and / or to the perpetual use of the public.



 Subject Property



 Subject Property

Zoning Map

ZONING: PD (Planned Development District)

APPLICANT: Ian McCook, Nvision Development Management Services

LOCATION: North of State Road 417 / East of North Econlockhatchee Trail

TRACT SIZE: 12.18 gross acres

DISTRICT: 3

S/T/R: 30/22/31

1 inch = 292 feet



RIVER RUN AT VALENCIA STUDENT HOUSING DP18-08-257

RIVER RUN AT VALENCIA	
DEVELOPMENT NOTES FOR LAND USE	
PROPOSED DEVELOPMENT PROGRAM	STUDENT HOUSING DEV.
PARCEL ID NO.	30-22-31-0000-00-022
PARCEL ADDRESS	113
CURRENT ZONING=	PD
PROPOSED ZONING=	PD
APPROVED FUTURE LAND USE=	MEDIUM DENSITY RES.
TRACT SIZE	12.18 AC.
MAXIMUM APT. BUILDING HEIGHT	60 FT.
MAXIMUM NO. OF UNITS=	114 UNITS
PROPOSED DENSITY	10.6 UNITS/AC.
MINIMUM SQ.FT.OF LIVING AREA	500 SQ.FT.
PARKING SPACE TO BED RATIO	1:1
MAXIMUM TOTAL NO.OF BEDS	456 BEDS
ORANGE COUNTY CAD#03-028, WETLANDS TO BE MITIGATED=	2.48 AC.
ORANGE COUNTY CAD#03-028, WETLANDS TO BE PRESERVED=	0.79 AC.
DEVELOPABLE ACREAGE AREA	10.76 AC.
WETLANDS BUFFER PROVIDED=	0.63 AC.
PROPOSED BUILDING SETBACKS FROM PROPERTY LINES	
FRONT	75.0 FT.
REAR	25.0 FT.
1 STORY CLUBHOUSE SETBACK ON NORTH SIDE	25.0 FT.
4 STORY APT.BLDG.SETBACK FROM SOUTH PROPERTY LINE	25.0 FT.
4 STORY APT. BLDG. SETBACK FROM NORTH PROPERTY LINE	150.0 FT.
LANDSCAPE BUFFER PROVIDED	
WEST (FRONT)	15.0 FT.
EAST	25.0 FT.
NORTH	25.0 FT.
SOUTH	25.0 FT.
SUPPORT SERVICES PROVIDER	
WATER	ORANGE COUNTY UTILITIES
SEWER	ORANGE COUNTY UTILITIES

PROPOSED AREA CALCULATIONS			
DEVELOPABLE ACREAGE AREA	10.76	AC.	100%
IMPERVIOUS AREA	6.30	AC.	59%
PERVIOUS AREA	4.46	AC.	41%
OPEN SPACE CALCULATIONS			
CATEGORY A	4.46	AC.	
CATEGORY B (POND)	0.00*	AC.	
CATEGORY C (CONSERVATION)	0.79	AC.	
TOTAL PROVIDED	5.25	AC.	43%
TOTAL REQUIRED	2.69	AC.	25%

* THE POND DOES NOT QUALIFY FOR CATEGORY B OPEN SPACE BECAUSE IT DOES NOT MEET THE MINIMUM REQUIREMENTS OF SECTION 38-134 b

REQUIRED PARKING CALCULATIONS	
20	TYPE A (1 BEDROOM)
64	TYPE B (2 BEDROOM)
60	TYPE C (3 BEDROOM)
32	TYPE D (4 BEDROOM)
176	TOTAL UNITS
1 SPACE PER BED = (20+128+152+40+360) = 456 SPACES	
ALLOWABLE COMPACT SPACES (25%) = 114 SPACES	
PROVIDED PARKING	
112	8'X20' COMPACT SPACE
111	9'X20' STANDARD SPACE
224	10'X18' STANDARD SPACE
9	12'X20' HANDICAP SPACE
456	TOTAL

Tract		Area (sf)	Area (Acreage)	Ownership Entity	Maintenance
A	Developable Area	451,539	10.37	POA	POA
B	Stormwater Pond	17,214	0.40	POA	POA
C	Utility Easement-North	100	0.00	POA	POA
D	Conservation Tract	61,861	1.42	POA	POA
Sub-total			12.18	30%	

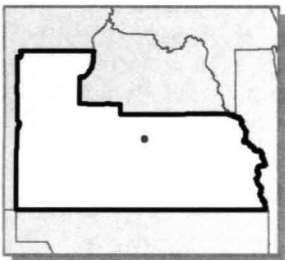
*The conservation areas and buffers shall be platted as a Tract and have the development rights dedicated to Orange County

SITE DATA & NOTES

RIVER RUN AT VALENCIA STUDENT
HOUSING
ORLANDO, FLORIDA

**WOHLFARTH CONSULTING
GROUP LLC**
ENGINEERS & PLANNERS
246 N. WESTMONTA DRIVE
ALAMONTA SPRINGS, FL 32714
(407) 750-3123
ORLANDO





River Run at Valencia PD / River Run at Valencia Apartments DP



Parcels		Subject Property		Jurisdiction		Hydrology	
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1 : 2,400
1 in : 200 ft