



# Orange County Government

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

## Decision Letter

### Board of County Commissioners

---

Tuesday, April 23, 2024

2:00 PM

County Commission Chambers

---

**24-419** Adoption of Future Land Use Map Amendment SS-23-10-072, FLU8.1.4 Text Amendment 23-10-FLUE-10, Ordinance, and Concurrent PD Substantial Change Request CDR-23-07-214, Christopher Leppert, Kimley-Horn and Associates, Inc. (Continued from April 9, 2024)

a. Amendment SS-23-10-072

**Consideration:** To change the Future Land Use designation from Industrial (IND) to Planned Development - High Density Residential Student Housing (PD-HDR Student Housing), pursuant to Orange County Code, Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30  
**Location:** District 5; property located at 3133 N. Alafaya Trail; generally located north of Science Drive, east of N. Alafaya Trail; Orange County, Florida (legal property description on file in Planning Division)

And

b. Amendment 23-10-FLUE-10

**Consideration:** Text Amendment to Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County.

And

c. Ordinance for Proposed Amendment

**Consideration:** An Ordinance pertaining to Comprehensive Planning in Orange County, Florida; Amending the Orange County Comprehensive Plan, commonly known as the "2010-2030 Comprehensive Plan," as amended, by adopting Small-Scale development amendments pursuant to Section 163.3187, Florida Statutes; and providing effective dates.

And

d. CDR-23-07-214

**Consideration:** Substantial change request to amend the existing University Center Park North PD development program from 112,500 square feet of industrial uses, and 12,500 square feet of retail commercial uses to 91,227 square feet of industrial uses, 2,704 square feet of retail commercial uses, and 626 student housing beds. In addition, eight (8) waivers are requested from Orange County Code: 1. A waiver from Section 38-1252(b)(1) to allow a maximum impervious coverage of seventy-five (75) percent, in lieu of the seventy (70) percent. 2. A waiver from Section 38-1254(1)(a) to allow a minimum setback of fifteen (15) feet from the west and south boundaries of the PD, in lieu of the 25' minimum setback from all boundaries of the PD. 3. A waiver from Chapter 38-1254(1)(b) to allow a minimum setback of fifteen (15) feet from a functionally classified road (west boundary along Alafaya Trail), in lieu of the minimum setback of twenty-five (25) feet. 4. A waiver from Chapter 38-1254(1)(c) to allow a minimum setback of fifteen (15) feet from all other existing street rights-of-way (south boundary along science drive), in lieu of the minimum setback of twenty (20) feet. 5. A waiver from Chapter 38-1254(4)(b) to allow a maximum building height of eighty-three (83) feet (including the parking garage), in lieu of the maximum building height of thirty-five (35) feet within one hundred (100) feet of any single-family residential use or district. 6. A waiver from Chapter 38-1259 (b) to allow the minimum separation of a student housing development from a single-family zoned property of eighty (80) feet, in lieu of the minimum separation of four hundred (400) feet. 7. A waiver from Section 38-1476(o) to allow 0.90 parking spaces per bedroom in lieu of one (1) space per bedroom. 8. A waiver from Section 38-1484(d) to allow all but twenty (20) required bicycle parking spaces to be located no more than five hundred (500) feet from the primary entrance served, in lieu of one hundred-twenty (120) feet; pursuant to Orange County Code, Part II, Chapter 163, Florida Statutes and Orange County Code Chapter 30

**Location:** District 5; property located at 3133 N. Alafaya Trail; generally located north of Science Drive, east of N. Alafaya Trail; Orange County, Florida (legal property description on file in Planning Division)

New Condition of Approval #20:

20. Prior to or concurrently with the Development Plan approval by the BCC, the applicant shall enter into a Proportionate Share Agreement for Transportation Concurrency.

Previous Conditions of Approval #20, #21 & #22 are renumbered to Conditions of Approval #21, #22 & #23:

~~20.~~ 21. A shuttle with transportation to and from UCF shall be provided to residents of the student housing complex.

~~24.~~ 22. The following waivers from Orange County Code are granted:

- a. A waiver from Section 38-1252(b)(1) to allow a maximum impervious coverage of seventy-five (75) percent, in lieu of seventy (70) percent.
- b. A waiver from Section 38-1254(1)(a) to allow a minimum setback of fifteen (15) feet from the west and south boundaries of the PD, in lieu of the 25' minimum setback from all boundaries of the PD.
- c. A waiver from Chapter 38-1254(1)(b) to allow a minimum setback of fifteen (15) feet from a

functionally classified road (west boundary along Alafaya Trail) in lieu of the minimum setback of twenty-five (25) feet.

d. A waiver from Chapter 38-1254(1)(c) to allow a minimum setback of fifteen (15) feet from all other existing street rights-of-way (south boundary along Science Drive), in lieu of the minimum setback of twenty (20) feet.

e. A waiver from Chapter 38-1254(4)(b) to allow a maximum building height of eighty-three (83) feet (including the parking garage), in lieu of a maximum building height of thirty-five (35) feet within one hundred (100) feet of any single-family residential use or district.

f. A waiver from Chapter 38-1259(b) to allow the minimum separation of a student housing development from a single-family zoned property of eighty (80) feet, in lieu of a minimum separation of four hundred (400) feet.

g. A waiver from Section 38-1476(a) to allow 0.90 parking spaces per bedroom in lieu of one (1) space per bedroom.

h. A waiver from Section 38-1484(d) to allow all but twenty (20) required bicycle parking spaces to be located no more than five hundred (500) feet from the primary entrances served in a secure location interior to the building, in lieu of one hundred-twenty (120) feet.

~~22- 23.~~ Except as amended, modified, and / or superseded, the following Board Conditions of Approval dated November 2, 1987, shall apply:

a. Commercial square footage shall not exceed ten percent (10%) of any one (1) building and must be located within the building, except as noted below. Total commercial square footage not to exceed 12,500 square feet. Free-standing commercial uses shall not be permitted, except for a building with a bank with drive-in teller fronting Alafaya Trail and a day care center fronting Science Drive. The day care center's outdoor play area is to be surrounded by a 6-foot high masonry wall.

b. Permitted uses shall be those proposed by the applicant (as listed below) except as prohibited in Condition #22(a) and the following:

- Chemical Products Manufacturing and Processing
- Ceramics Manufacturing
- Manufacturing of Metal, Plastic, or Cardboard Containers

Those uses proposed by the application are:

- Banks
- Ceramics Manufacturing
- Chemical Products Manufacturing and Processing
- Child Care
- Computer Manufacturing; Service and Sales

- Data Processing Services
- Electrical Machinery and Equipment Manufacturing
- Glass and Glass Products Manufacturing
- Industrial Controls Sales, Service and Manufacturing
- Manufacturing of Metal, Plastic or Cardboard Containers
- Pharmaceutical Products Manufacturing and Sales
- Photographic Equipment & Supplies Manufacturing & Processing
- Printing, Bookbinding, Lithography, and Publishing Plant
- Professional Offices
- Restaurants
- Retail Sales of: Bakery Products; Books; Gifts; News Stand; and Office Supplies
- Signs, Identification & Directional, or which advertise products manufactured, process, stored or sold on the premises
- Technical and Trade Schools for Persons 18 years old or older Testing of Materials, Equipment and Products
- Warehousing
- Other Uses which are similar or compatible
- Student Housing

c. Responsibility for maintenance of landscape buffers and retention areas shall be identified on the Development Plan submittal for the affection parcel(s).

d. Only two access points will be permitted along Science Boulevard. At a minimum, access improvements shall include right and left turn lanes.

e. Phasing required for traffic generation figures to be submitted to the Orange County Commission before Development Plan Approval at DRC.

A motion was made by Commissioner Bonilla, seconded by Commissioner Wilson, to make a finding of consistency with the Comprehensive Plan; further, adopt Amendments SS-23-10-072, Industrial (IND) to Planned Development - High Density Residential - Student Housing (PD-HDR-Student Housing) and 23-10-FLUE-10 text amendment to Future Land Use Policy FLU8.1.4; further, adopt associated Ordinance 2024-06; further, make a finding of consistency with the Comprehensive Plan; further, approve the substantial change subject to the twenty-two (22) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated March 18, 2024; further approve new Condition of Approval #20; and further, approve renumbered Conditions of Approval #21, #22 & #23. The motion carried by the following vote:

**Aye:** 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Bonilla

**Absent:** 1 - Commissioner Scott

THE FOREGOING DECISION HAS BEEN FILED WITH ME THIS 2ND DAY OF MAY 2024.



for J. Night  
DEPUTY CLERK  
BOARD OF COUNTY COMMISSIONERS  
ORANGE COUNTY, FLORIDA

*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.*

th