




## Interoffice Memorandum

DATE: July 13, 2021

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

FROM: Alberto A. Vargas, MArch., Manager, Planning Division  
Planning, Environmental, and Development Services Department 

SUBJECT: Adoption Public Hearing – July 13, 2021 Small-Scale Future Land Use Map Amendments and Concurrent Planned Development Substantial Change  
**Concurrent with Development Order (DO-21-03-081) - Consent Item**

Please find the attached staff report and associated back-up material for the **Small-Scale Future Land Use Map Amendment** (and concurrent PD substantial change) scheduled for a BCC adoption public hearing on July 13, 2021.

The adoption public hearing for Small-Scale Development Amendment SS-21-01-091 to change the Future Land Use of the subject property from Office to High Density Residential – Student Housing was recommended for approval by the Planning and Zoning Commission (PZC) / Local Planning Agency (LPA) on February 18, 2021.

The request also involves a PD substantial change to the Quadrangle Planned Development / Development of Regional Impact (PD/DRI) which is located generally north of University Boulevard, east of Rouse Road, South of Mcculloch Road, and west of N. Alafaya Trail. The existing PD development program allows for 315,822 square feet of commercial, 747 multifamily dwelling units, 2,490,073 square feet of office/showroom, 820 hotel rooms, and up to 2,063 beds of student housing.

Through the PD substantial change, the applicant is seeking to convert the land use on PD Tract 5B to "Student Housing" to allow for up to 750 student housing beds by converting 89,740 square feet of Office entitlements. Additionally, five waivers from Orange County Code are requested related to building separations, building height, parking requirements, unit size, and masonry walls. The Development Review Committee (DRC) recommended approval of the PD substantial change request, subject to conditions, on May 26, 2021.

A virtual community meeting was held on February 16, 2021, with 24 residents in attendance. The general sentiment toward the proposed project was negative.

If the BCC adopts the proposed amendment, the Small-Scale Development Amendment will become effective 31 days after the public hearing, provided no challenges are brought forth for this amendment.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division, at 407-836-5802 or [Alberto.Vargas@ocfl.net](mailto:Alberto.Vargas@ocfl.net), or Jason Sorensen, AICP, Chief Planner, Current Planning Section, at 407-836-5602 or [Jason.Sorensen@ocfl.net](mailto:Jason.Sorensen@ocfl.net).

AAV/JHS/jsh

Enc: Small-Scale Development Amendment BCC Adoption Binder

c: Christopher R. Testerman, AICP, Deputy County Administrator  
Joel Prinsell, Deputy County Attorney  
Whitney Evers, Assistant County Attorney  
Roberta Alfonso, Assistant County Attorney  
Jason Sorensen, AICP, Chief Planner, Planning Division  
Olan D. Hill, AICP, Assistant Manager, Planning Division  
Eric P. Raasch, AICP, Planning Administrator, Planning Division

**Small-Scale Amendment and PD Substantial Change Staff Report**  
**Orange County Planning Division**  
**PZC Hearing Date: February 18, 2021**  
**DRC Meeting Date: May 26, 2021**

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**CASE # SS-21-01-091**

**CDR-20-12-362**

Commission District: #5

**GENERAL INFORMATION**

<b>APPLICANT</b>	Jarod Stubbs, Kimley-Horn and Associates
<b>OWNERS</b>	Red Apple at University North, LLC
<b>HEARING TYPE</b>	Small-Scale Future Land Use Map (FLUM) Amendment / Planned Development (PD) Substantial Change
<b>PROJECT NAME</b>	Data Court Student Housing / The Quadrangle Planned Development / Land Use Plan (PD/LUP)
<b>FLUM REQUEST</b>	<b>O (Office) to</b> <b>HDR – Student Housing</b> (High Density Residential)
<b>PD CDR REQUEST</b>	<p>A PD substantial change to convert the land use on Tract 5B to "Student Housing" to allow for up to 750 student housing beds. In addition, the applicant has requested the following waivers from Orange County Code:</p> <ol style="list-style-type: none"><li>1. A waiver from Section 38-1476 to allow parking for student housing at a ratio of 0.9 spaces per bedroom in lieu of 1.0 spaces per bedroom.  <b>Applicant Justification:</b> <i>Based on the parking study conducted for this site dated December 11, 2020 by James M. Taylor, P.E. a 10% reduction from code required parking is sufficient for the development to function properly.</i></li><li>2. A waiver from Section 38-1259(d) to allow no masonry wall in lieu of a six-foot masonry wall along the right-of-way.  <b>Applicant Justification:</b> <i>Due to the existing sewer easement that lies on the east side of our project site we will be providing over 75' of separation from the Data Ct. right of way and any proposed building. Because we will be providing essentially an enhanced buffer, we do not believe a wall should be necessary. We will also be providing a 10' buffer along the right-of-way.</i></li></ol>

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3. A waiver from Section 38-1258(j) to allow buildings to have twenty-five feet (25') separation in lieu of thirty feet (30') for two-story buildings, forty feet (40') for three-story buildings, fifty feet (50') for four-story buildings, sixty feet (60') for five-story buildings, seventy feet (70') for six-story buildings, and eighty feet (80') for seven-story buildings.

**Applicant Justification:** *Due to the constraints of the site and the existing sewer easement that runs through the eastern portion of the site we cannot meet building separation requirements for all buildings and there is also the potential a parking garage connected to a proposed student housing building will be required.*

4. A waiver from Section 38-1501 to allow a minimum unit size of 300 sf in lieu of 500 sf.

**Applicant Justification:** *In order to provide dorm style student housing units within this development we need flexibility in our unit size to provide more cost-effective options for students.*

5. A waiver from Section 38-1259(K) to allow a maximum building height of 7 stories (75 feet) in lieu of 3 stories (40 feet).

**Applicant Justification:** *In order to meet the demand for student housing with the site constraints on-site, increased vertical construction is needed.*

**LOCATION**

Generally located on the west side of Data Court, north of Corporate Boulevard.

**PARCEL ID NUMBER**

04-22-31-7292-00-011 (PD Tract 5B)

**TRACT SIZE**

473.15 gross acres (overall PD)  
6.25 gross acres (affected parcel only)

**PUBLIC NOTIFICATION**

The notification area for this public hearing was beyond 1,000 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred ninety-seven (297) notices were mailed to those property owners in the mailing area.

**COMMUNITY MEETING**

A virtual community meeting was held on January 25th, 2021 and is summarized further in this report.

**PROPOSED USE**

Student housing development with 750 beds.

**STAFF RECOMMENDATION**

**Planning**

**Future Land Use Map Amendment**

**Make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of the requested High Density Residential – Student Housing (HDR – Student Housing) Future Land Use.**

**Development Review Committee – (May 26, 2021)**

**PD/LUP Change Determination Request**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Quadrangle Planned Development / Land Use Plan (PD/LUP), dated “Received May 27, 2021”, subject to conditions (listed under “Action Requested” further in this report).**

**SUBJECT PROPERTY ANALYSIS**

**Overview**

The applicant is seeking to change the Future Land Use Map designation for the subject property from Office to High Density Residential-Student Housing in order to construct a student housing project with 750 beds. Additionally, this parcel is “Tract 5B” in the Quadrangle Planned Development (PD) and currently allows for office uses. The PD substantial change request is to change the permitted uses from Office to Student Housing.

The subject property is an undeveloped lot located west side of Data Court, north of Corporate Boulevard and approximately 0.5-miles from the northern Alafaya Boulevard entrance to the University of Central Florida. Data court ends in a cul-de-sac where two student housing developments are located along with a K-8 private school. The subject site is the last undeveloped site adjacent to this cul-de-sac. There is a single-family neighborhood 625 feet to the west (Orange County Code requires a separation of 400 feet to single-family residential) and the K-8 private school is situated in-between the subject site and the residential neighborhood.

**Existing FLUM Development Program**

The property's existing FLUM designation of Office is consistent with the current approved Quadrangle PD, however, there is no current development program defined for the parcel.

**Proposed FLUM Development Program**

The proposed HDR (Student Housing) Future Land Use Map designation with the submitted PD substantial change to the Quadrangle PD would allow the applicant to construct a student housing project with up to 750 beds. The maximum buildout for the proposed future land use would be 1,250 units, however, that scenario is limited by the existing Planned Development / DRI.

**Land Use Compatibility**

The HDR-Student Housing Future Land Use would allow for development that is compatible with the character of the surrounding area, and would not adversely impact adjacent properties.

**Site Analysis**

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

**Comprehensive Plan (CP) Consistency**

The subject property has an underlying Future Land Use Map (FLUM) designation of Office (O) which allows for a maximum FAR of 1.25. The existing PD zoning district and development program is consistent with both the existing and proposed FLUM designation. Through this FLUM amendment, applicant is seeking to change the FLUM designation to High Density Residential – Student Housing (HDR). Additionally, the request is consistent with the following CP provisions:

**FLU1.1.2(F)** states that student housing may be permitted only on property with a future land use designation of Medium Density Residential, Medium-High Density Residential, High Density Residential, or Planned Development. A planned development zoning classification shall be required for all student housing projects.

**FLU1.1.2(F)(1)** states that Student housing density shall be calculated based on the number of bedrooms, with four (4) bedrooms equal to one (1) multi-family unit. An alternative density calculation may be permitted upon the approval of the Board of

County Commissioners, provided the developer has committed to a mobility plan to be implemented with the development of the student housing project, has demonstrated a need for the additional units, and/or has proposed a redevelopment project located within the area extending one (1) mile east and one (1) mile west of the Alafaya Trail corridor, between McCulloch Road and State Road 408.

**FLU1.1.5** states that the County shall encourage mixed-use development, infill development and transit oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area.

**FLU1.4.1** states that Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

**FLU8.1.1** states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

**FLU8.1.5** states that the location of Planned Development (PDs) within the Urban Service Area that have been approved as of the date of adoption of the 1991 CPP shall be considered consistent with the Comprehensive Plan and included as part of the adopted Orange County Future Land Use Map (FLUM).

**OBJ FLU8.2** states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

**FLU8.2.1** states that land use changes shall be required to be compatible with existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

**FLU8.2.2** states that continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

**FLU8.2.11** states that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

**SITE DATA**

**Existing Use**                      **Undeveloped**

<b>Adjacent</b>	<b>FLUM</b>	<b>Zoning</b>
<b>North</b>	O (Office)	PD (The Quadrangle PD) (1984)
<b>South</b>	O (Office)	PD (The Quadrangle PD) (1984)
<b>East</b>	O (Office)	PD (The Quadrangle PD) (1984)
<b>West</b>	O (Office)	PD (The Quadrangle PD) (1984)

**Adjacent Land Uses**

**N:** Student housing  
**E:** Student housing, professional office  
**W:** K-8 Charter School  
**S:** Professional office

**APPLICABLE PD DEVELOPMENT STANDARDS**

PD Perimeter Setback: 25 feet  
 Maximum Building Height: 7 stories (75 feet) \*Waiver requested from 3 stories (40 feet)  
 Minimum Living Area: 400 Square Feet \*Waiver from 500SF requested  
  
 Minimum Building Setbacks:  
 Front Setback: 25 feet  
 Rear Setback: 10 feet  
 Side Setback: 10 feet  
  
 Minimum Open Space: 25%

**SPECIAL INFORMATION**

**Staff Comments**

	<b>Yes</b>	<b>No</b>	<b>Information</b>
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	*See comments below table
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	*See comments below table
Schools	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A formal school capacity determination is not required for student housing projects. If this project converts to market rate housing, a formal school capacity determination will

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			be required prior to the conversion proceeding to DRC.
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Neighborhoods	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sheriff's Department	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Fire Rescue	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

EPD Comments:

No conservation area is located onsite. The subject property was included in historical wetland permits completed for The Quadrangle PD. The surface water adjacent on the southern boundary (Lake Ruth) is designated as Tract 6 drainage retention area in The Quadrangle: Phase IIa plat recorded in book 17, pages 143-144.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as imperiled (endangered, threatened, or species of special concern.) The applicant is responsible to determine the presence of imperiled species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

Transportation Comments:

The subject property is not within the AMA nor a backlogged or constrained roadway. However, it is located along a designated multi-modal corridor. University Boulevard, from Semoran Boulevard to Alafaya Trail, is designated as a multi-modal corridor per Orange County Transportation Element Policy T2.2.9. The policy supports the development of multimodal transportation corridors to increase the viability of walking, biking, and transit along these corridors. Transportation improvements shall focus on operational enhancements, intersection improvements that provide for safe movement of pedestrians and bicyclists, high-visibility pavement markings and refuge islands for pedestrians, multiuse paths, landscaping, bicycle facilities, increased transit service and bus shelters, and facilities and design that support transit-oriented development. Development within these corridors shall be subject to the site design standards in Policy T2.2.4, as determined by a transportation impact study.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed development will result in a decrease in the number of pm peak trips and therefore will not impact the area roadways.

- The allowable development based on the approved future land use will generate 364 pm peak hour trips.
- The proposed use will generate 180 pm peak hour trips resulting in a net decrease of 184 pm peak hour trips.

The short term (Year 2025) as well as the long term (Year 2040) analysis under the proposed FLU designation showed that the following roadway segments are projected to operate at an adverse level of service due to background traffic:

- University Blvd from Dean Road to Alafaya Trail.
- Alafaya Trail from University Blvd to Science Drive
- University Blvd. is a constrained 6-Lane facility. However, the County is planning an east-west reliever known as Richard Crotty Parkway.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the County's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Policy Plan.

#### **Community Meeting Summary**

A virtual community meeting was held on January 25, 2021. The meeting was attended by 25 residents as well as staff, the applicant team, and the District Commissioner. Following a brief presentation by staff as well as a brief discussion of the proposed project by the applicant the meeting moved to a question/answer session. Overall sentiment for the project was negative with residents citing traffic conditions of McCollough Road, Alafaya Trail, Rouse Road, and University Boulevard. Residents also voiced concerns about crime, traffic safety, and the disruption to nearby office tenants.

Additionally, staff has received nine (9) commentaries citing similar concerns to the residents including: traffic, crime, noise, adverse impacts to businesses, traffic and pedestrian safety, and increased burden on safety services.

#### **Utilities**

Water:	Orange County
Wastewater:	Orange County
Reclaim Water:	Orange County

#### **State of Florida Notice**

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.

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**Specific Project Expenditure Report and Relationship Disclosure Form**

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

## **ACTION REQUESTED**

### **Planning and Zoning Commission (PZC) Recommendation – (February 18, 2021)**

**Make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of the requested High Density Residential – Student Housing (HDR – Student Housing) Future Land Use.**

### **Development Review Committee (DRC) Recommendation – (May 26, 2021)**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Quadrangle Planned Development / Land Use Plan (PD/LUP), dated "Received May 27, 2021", subject to the following conditions:**

1. Development shall conform to The Quadrangle Planned Development (PD) dated "Received May 27, 2021," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received May 27, 2021," the condition of approval shall control to the extent of such conflict or inconsistency.
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

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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, 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 land use 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. 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.
7. In order to qualify as student housing, all units must comply at all times with the definition of student housing in Section 38-1, Orange County Code, as such definition exists as of the date of approval of this development plan. Failure to

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comply with such definition may subject the project to code enforcement and/or increased impact fees, as well as any applicable concurrency requirements.

8. The following waivers from Orange County Code are granted:
  - a. A waiver from Section 38-1476 to allow parking for student housing at a ratio of 0.9 spaces per bedroom in lieu of 1.0 spaces per bedroom.
  - b. A waiver from Section 38-1259(d) to allow no masonry wall in lieu of a six (6) foot masonry wall along the right-of-way.
  - c. A waiver from Section 38-1258(j) to allow buildings to have twenty-five feet (25') separation in lieu of thirty feet (30') for two-story buildings, forty feet (40') for three-story buildings, fifty feet (50') for four-story buildings, sixty feet (60') for five-story buildings, seventy feet (70') for six-story buildings, and eighty feet (80') for seven-story buildings.
  - d. A waiver from Section 38-1501 to allow a minimum studio and 1-bedroom unit size of 400 square feet in lieu of 500 square feet.
  - e. A waiver from Section 38-1259(k) to allow a maximum building height of 75' (7-stories) in lieu of 40' (3-stories).
9. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated March 20, 2018 shall apply:
  - a. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code.
  - b. Outside sales, storage, and display shall be prohibited.
  - c. A waiver from Orange County Code Section 38-1476 for Tract 23 only is granted to allow 3.5 parking spaces per 1,000 square feet, in lieu of 4.0 spaces per 1,000 square feet of net office space.
10. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated March 26, 2013 shall apply:
  - a. Car rental is approved as an ancillary use within PD Tract 22 only, including 14 parking spaces to be used exclusively for rental cars.
12. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated February 3, 2009, shall apply:
  - a. As specifically applicable to Tracts 16 & 18, all acreages regarding conservation areas and buffers are considered approximate until finalized by

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Conservation Area Determination and Conservation Area Impact Permits.  
Approval of this plan does not permit any proposed conservation impacts.

13. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated January 4, 2005, shall apply:
  - a. As applicable to the entire PD:
    - 1) Prior to construction plan approval, certification with supporting calculations shall be submitted, which states that this project is consistent with approved master utility and stormwater plans for this Planned Development.
    - 2) This project shall comply with Lighting Ordinance 2003-08.
    - 3) This project shall comply with the Commercial Design Standards Ordinance.
    - 4) The developer shall obtain wastewater and water service from Orange County subject to County rate resolutions and ordinances.
    - 5) This project shall comply with the drainage requirements of the Orange County Subdivision Regulations.
  - b. As specifically applicable to Tract 11:
    - 1) A Developer's Agreement for right-of-way shall be required with the approval of the rezoning.
    - 2) Prior to issuance of a building permit, the property shall be re-platted.
    - 3) There shall be no direct access to Rouse Road.
    - 4) Commercial restaurants shall not have outdoor speakers or music.
    - 5) The following Student Housing waivers are granted and are consistent with previous Board approvals for student housing:
      - i. A waiver is granted from Section 38-1476 to allow parking spaces for student housing at a ratio of 1.0 spaces per unit in lieu of 1.25 spaces per bedroom.
      - ii. A waiver is granted from Section 38-1259(d) to eliminate the requirement of a six-foot masonry wall along University Boulevard.
      - iii. A waiver is granted from Section 38-1259(d) to eliminate the requirement of a six-foot masonry wall along Alafaya Trail.

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- iv. A waiver is granted from Section 38-1259(h) to allow a maximum building height of 10 stories/120 feet in lieu of 3 stories/40 feet.
  - v. A waiver is granted from Section 38-1253 to eliminate the requirement of providing recreational facilities at the rate of 2.5 acres per 1,000 population.
  - vi. A waiver is granted from Section 38-1259(c) to allow 2,063 bedrooms in lieu of the maximum 750 permitted.
  - vii. A waiver is granted from Section 38-1259(g) to allow for one unit to equal 3.427 bedrooms instead of 2 bedrooms. This is based upon an ITE rate provided by Orange County.
- 6) Because the location of Tract 24 merits an intense development style due to the proximity of the UCF campus, the following waivers are granted from the suburban standards of the Land Development Code:
- i. A waiver is granted from Section 38-1254 to allow parcels within Tract 24 to have a 0 foot building setback in lieu of 10 foot building setback between internal parcels.
  - ii. A waiver is granted from Section 38-1254 to allow a 25 foot setback from the right-of-way line of University Blvd in lieu of 60 foot from the centerline for parking structures.
  - iii. A waiver is granted from Section 38-1258(d) to allow a maximum building height of 10 stories/120 feet in lieu of 3 stories/40 feet for the student housing and multi-family (senior housing).
  - iv. A waiver is granted from 38-1258(j) to eliminate the spatial separation of buildings.
- 7) The following multi-family waivers are granted:
- i. A waiver is granted from Section 38-1501 to allow a minimum unit size of 250 square feet in lieu of 500 square feet to allow for dorm-style units.
  - ii. A waiver is requested from Section 38-1258(h) to eliminate the requirement of providing recreation areas at the rate of 2.5 acres per 1,000 residents. One acre shall be provided for the multi-family development.

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**Orange County Planning Division**  
**PZC Hearing Date: February 18, 2021**  
**DRC Meeting Date: May 26, 2021**

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- 8) A waiver is granted from Section 38-1476 to allow commercial parking at a ratio of 3 spaces per 1,000 square feet in lieu of 5 spaces per 1,000 square feet.
  - 9) Senior Housing will be segregated from student housing in a separate structure and the buildings will not touch.
  - 10) No permanent school-aged children that will impact the Orange County Public School system shall be generated as a result of student housing and/or senior housing on Tract 24. Any proposal to add permanent school-aged children on Tract 24 will be deemed a substantial change and shall require BCC approval, and will be subject to school concurrency.
14. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated January 4, 2005, shall apply:
- a. Commercial restaurants shall not have outdoor speakers or music.
16. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated June 24, 1997, shall apply:
- a. Prior to approval of any development plan for multi-family uses in Tracts 5 and 7 a neighborhood meeting shall be held. The adjacent property owners shall be notified of the Development Review Committee meeting to consider such uses. Under the Orange County Code, the decision of the DRC may be appealed to the Board of County Commissioners.
17. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated May 10, 1994, shall apply:
- a. Prior to submittal of any Development Plan, revised drainage calculations shall be submitted for approval verifying that the hydraulics of the Master Drainage system will not be impacted by the requested changes.
  - b. Those residential and nonresidential uses along the PD boundary of Parcels 4-B, 5, 7, and 12 shall be limited to 35 feet in height within 100 feet of the PD boundary.
  - c. Setbacks from McCulloch Road shall be 35 feet from the right-of-way line for Parcels 4-A and 4-Bi and 40 feet from the right-of-way line for Parcel 1 per the PD regulations.
18. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated July 10, 1989, shall apply:
- a. On-site water or wastewater facilities shall be prohibited.

- b. The following uses shall be prohibited:
  - 1) Battery manufacturing and storage;
  - 2) The manufacturing of boats, building products, garments or textiles, pharmaceuticals and shoes/goods;
  - 3) Hospitals;
  - 4) Portable signs and billboards; and
  - 5) Warehousing (storage of materials may be allowed, provided sufficient performance standards are submitted by the applicant and approved by the Planning and Zoning Directors).
- c. Freestanding commercial uses shall be limited to Parcels 25 (pursuant to PD conditions of approval with respect to Parcel 25), #17 and #17A.
- d. The developer shall be responsible for constructing the following road improvements which are required prior to the initiation of the development phase:

Phase 4A (First Phase of Substantial Deviation)

Four(4) lanes of Alafaya Trail from State Road 50 to the Seminole County line MUST be in place before the project can go forward. The Developer will have the specific responsibility to fund and construct the missing section from University Boulevard north to the Orange/Seminole County line, subject to an impact fee credit assessment, in accordance with the then existing regulations.

Phase 4B

Four(4) lanes of Rouse Road from Corporate Boulevard to State Road 50 MUST be in place prior to the initiation of Phase 4B and the Developer must advance the greater of its pro rata share of the cost of such improvement or the transportation impact fees anticipated.

Phase 4C

An alternative improvement to provide a capacity equivalent of an additional two through-lanes on University Boulevard from Rouse Road to Dean Road (i.e., the equivalent mitigation which would have been accomplished had University Boulevard been eight lanes).

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A Developer's Agreement will be executed in conjunction with the approval of the Development Order that addresses the following issues:

- 1) Transportation impact fee credits;
  - 2) Right of applicant to submit a traffic study that proves a specific improvement is not needed;
  - 3) Waiving of any of the roadway improvement requirements if a governmental entity or another developer constructs the facility; and
  - 4) Ability to cease development activity until needed improvements are in place.
- e. The following mass transit conditions shall apply:
- 1) Bicycle lanes, bicycle lockers, transit passenger shelters and transit parking bays should be constructed where necessary to augment and facilitate the operation of off-site transit and bicycle facilities. Furthermore, the applicant shall make known to tenants that the Orlando area has an existing ride-sharing program operated by the Tri-County Transit Authority and the City of Orlando, and the applicant shall encourage the use of said facility. The applicant shall also designate at least one(l) employee to coordinate a ride-share program in conjunction with the Tri-County Transit. In addition, the applicant shall encourage the individual building owners or tenants to allow promoters of a ride-sharing program to have access to employees for the purposes of promoting ride-sharing programs. The level of participation shall be included in the annual monitoring report in two ways:
    - i. A list of companies which allow access to employees to promote ride-sharing, and a list of companies which prohibit such access, along with the reasons for the prohibition,
    - ii. An estimate of the level of participation in the program measured in percentage reduction of single-occupant vehicles.
- f. The applicant shall conduct a feasibility study to assess the viability of a shuttle system to serve the Quadrangle and the immediate vicinity. This study may be in conjunction with the University of Central Florida, the Central Florida Research Park, or other interested parties. If a shuttle system is implemented, the applicant shall make a fair share contribution toward its implementation and operation.
- g. The applicant shall dedicate up to one hundred thousand (100,000) square feet of land to the Tri-county Transit Authority (at a mutually acceptable location) for a transfer or circulation facility as needed by the Transit Authority.

The dedication shall be coupled with an appropriate reverted if such a facility is not constructed and used by the Transit Authority within five (5) years from the date of donation.

- h. The applicant shall include in the covenants and restrictions applicable to the Quadrangle a requirement whereunder tenants shall be encouraged to stagger work hours so as to mitigate peak hour traffic impacts.
    - i. The applicant shall reserve a location for a day care center within the project. The applicant shall take the lead in establishing a Transportation Management Association ("TMA"), inviting participation by the major landowners in the area, including but not limited to Westinghouse, the University of Central Florida, the Research Park and the Tri-County Transit Authority.
- 19. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated February 15, 1988, shall apply:
  - a. Amend existing Quadrangle Development Order to provide:
    - 1) Subject to the conditions described in Paragraph b., the 9.2 acres, as approved under proposed amended P-D, are added to the existing Quadrangle DRI.
    - 2) Development impacts for total amended Quadrangle DRI (including added 9.2 acre parcel) shall not exceed development impacts previously approved and vested pursuant to prior development order.
    - 3) Made a finding that because of the impact limitations imposed pursuant to Paragraph b. above, the addition of 9.2 acres is a "Non-substantial Deviation" to existing DRI Development Order.
    - 4) As development permits are processed for the 9.2 acre parcel, the developer (subject to County review and approval) will reduce development intensity on the balance of the Quadrangle P-D/DRI so as to assure compliance with sub-paragraph b. above.
  - b. Development shall be in accordance with the Conditions of Approval, as established for the currently applicable approved Quadrangle DRI.
  - c. Any commercial-type uses permitted are intended to serve the employees on-site. There shall be no free standing commercial structures, and the commercial use shall not exceed ten percent (10%) of the total square footage and no more than twenty percent (20%) of anyone structure being created.
  - d. Landscaping along University Boulevard shall be compatible with the Orange County Commission's landscape design for the roadway.

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- e. A 50-foot landscape buffer shall be provided along any adjacent residentially zoned district. A plan identifying specific language materials shall be submitted for the affected area
- 20. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated March 17, 1986, shall apply:

Approval, subject to development per:

- 1. The Development Order of November 5, 1984.

**PREVIOUS BOARD OF COUNTY COMMISSIONERS ACTION (March 20, 2018)**

Upon a motion by Commissioner Bonilla, seconded by Commissioner Siplin, and carried by all members present, the Commission made a finding of consistency with the comprehensive plan and approved the Change Determination Request (CDR) to the Quadrangle PD to add 2,304 square feet of retail uses to Tract 23 and request a parking waiver from Orange County Code Section 38-1476, to reduce parking for office uses from 4 spaces per 1,000 square feet to 3.5 spaces per 1,000 square feet on Tract 23; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207; and subject to conditions of approval listed under the Development Review Committee recommendation in the Staff Report.

**PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS**

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend **ADOPTION** of the requested HDR – Student Housing (High Density Residential – Student Housing) Future Land Use Designation.

Staff indicated that two hundred ninety-seven (297) notices were mailed to those property owners in the mailing area extending beyond 1,000 feet surrounding the property, and that staff has received seven (7) mailed commentaries and thirteen (13) emailed commentaries in opposition of the request. Five (5) residents were present to speak at the public hearing, all in opposition to the request.

After discussion addressing the proposed use of the property, compatibility with the surrounding area, and the applicant's presentation, a motion was made on the Future Land Use Map Amendment (SS-21-01-091) by Commissioner Spears, and seconded by Commissioner Abdallah to recommend **ADOPTION** of the requested HDR (High Density Residential – Student Housing) Future Land Use designation. The motion carried on a 7-0 vote.

<b>Motion / Second</b>	<i>Gordon Spears / Mohammed Abdallah</i>
<b>Voting in Favor</b>	<i>Gordon Spears, Mohammed Abdallah, Sean McQuade, Trevor Sorbo, Eddie Fernandez, Carlos Nazario, and Evelyn Cardenas,</i>
<b>Voting in Opposition</b>	<i>None</i>
<b>Absent</b>	<i>Nelson Pena and Jaja Wade</i>

SS-21-01-091

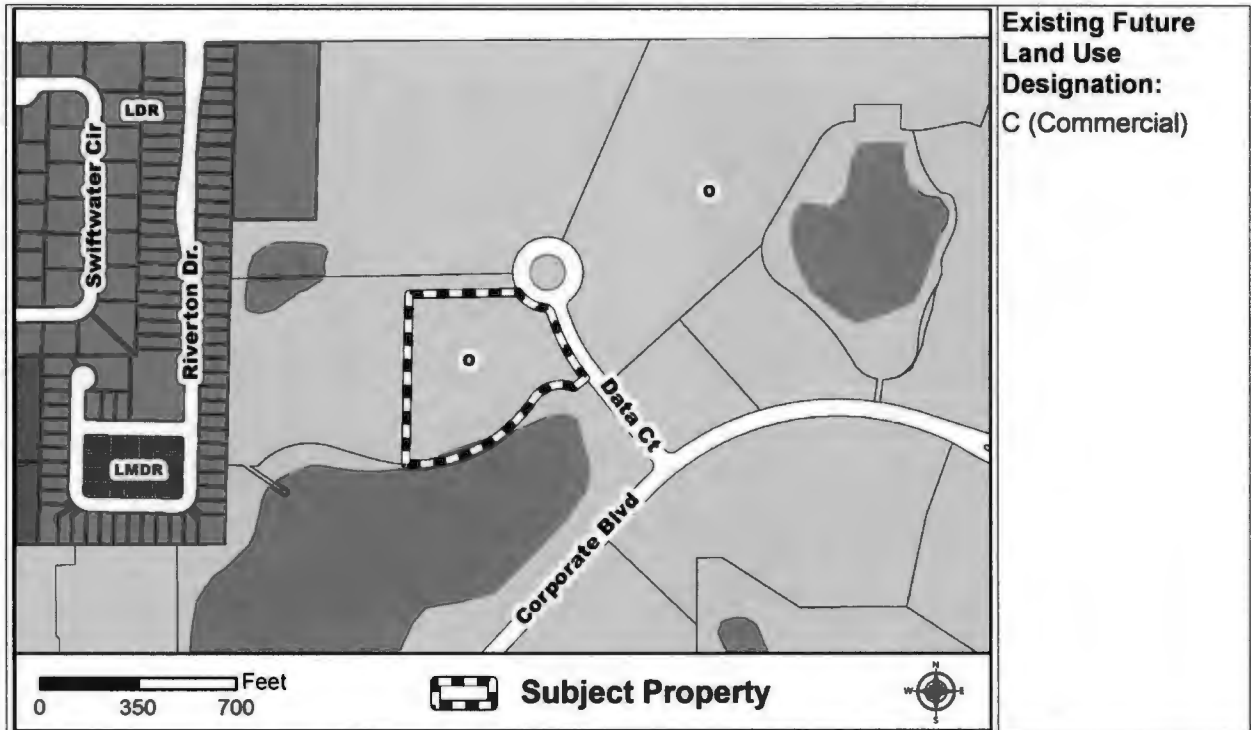


 Subject Property

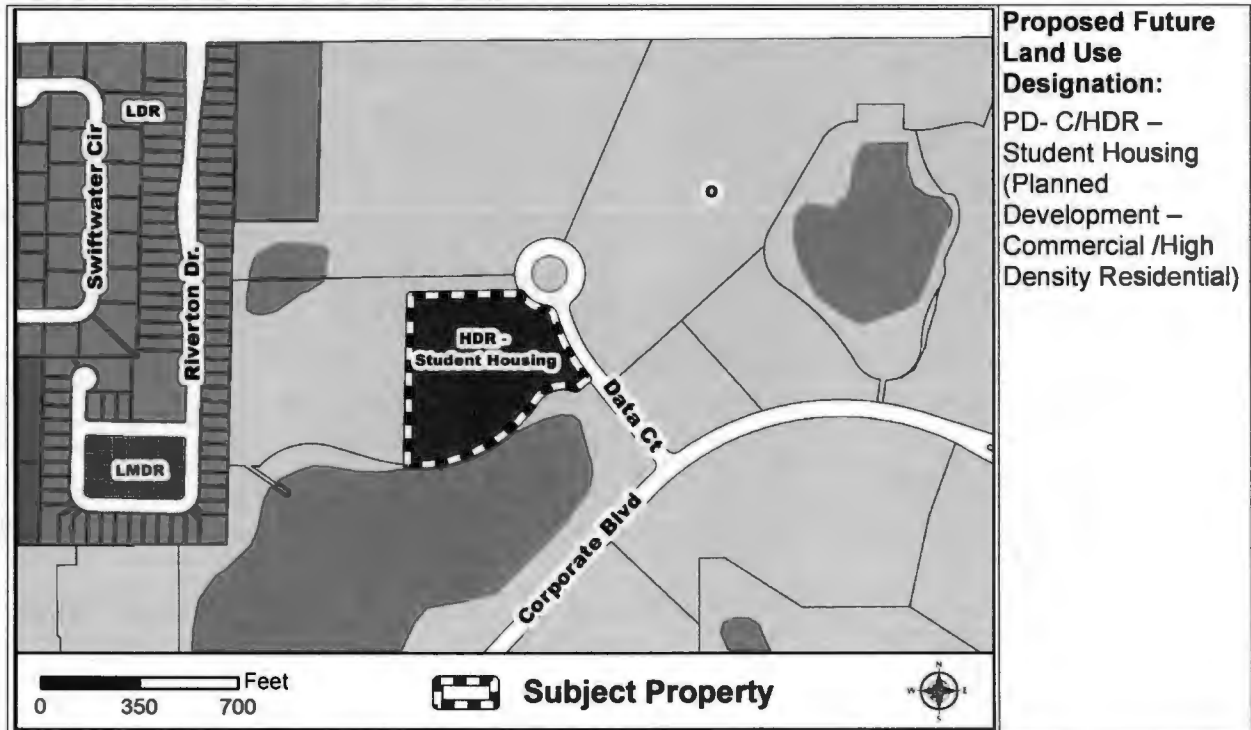


1 inch = 500 feet

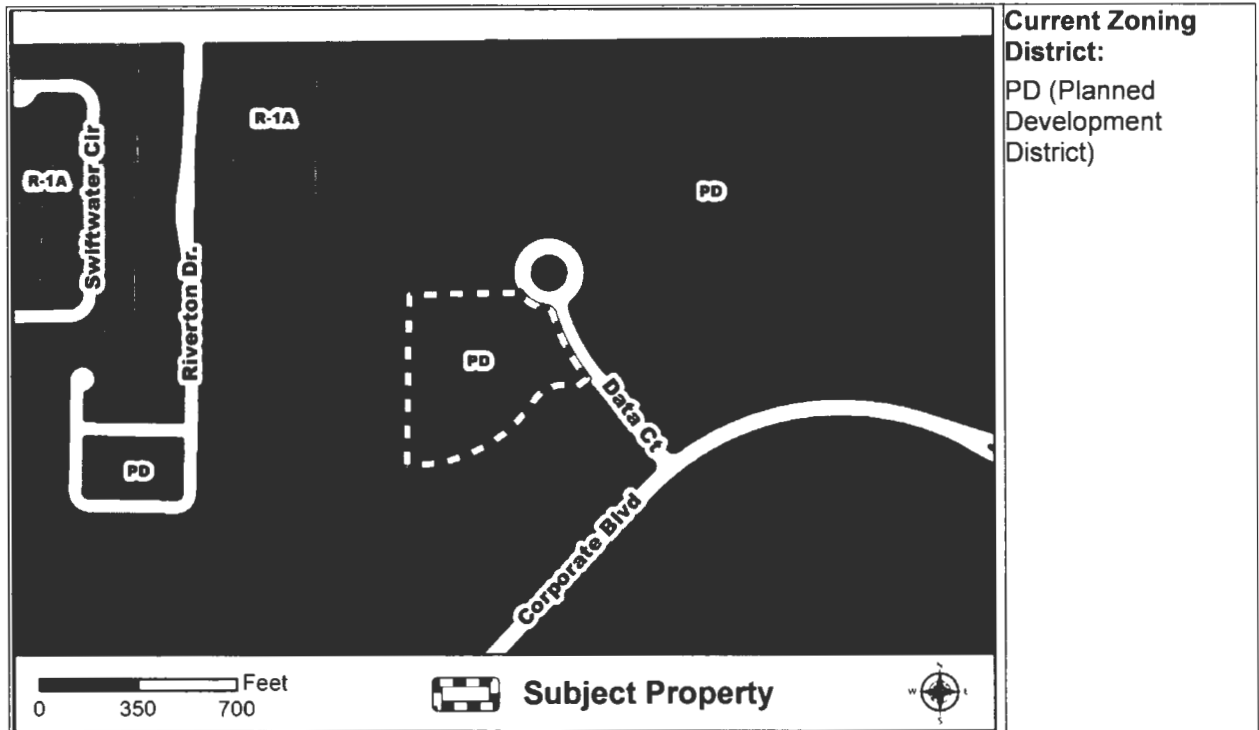
**FUTURE LAND USE – CURRENT**



**FUTURE LAND USE - PROPOSED**



**ZONING - CURRENT**



# QUADRANGLE PD LAND USE PLAN CHANGE DETERMINATION REQUEST Orange County, Florida

**PARCEL NUMBER(S) AFFECTED BY CHANGE:**

04-22-31-7252-00-011.

A PORTION OF LOT 1 OF THE QUADRANGLE: QUADRANGLE PHASE VI AS  
RECORDED IN PLAT BOOK 47, PAGE 132, OF THE PUBLIC RECORDS OF  
ORANGE COUNTY, FLORIDA CONTAINING 0.3 ACRES

**CDR-20-12-362**

**JUNE 21, 2021**



VICINITY MAP

SECTIONS 3 & 4, TOWNSHIP 22 S, RANGE 31 E

**SHEET INDEX**

LUP-1	COVER SHEET
LUP-2	LAND USE PLAN (OVERALL)
LUP-3	LAND USE PLAN (TRACTS 26A & 26B)
LUP-4	LAND USE PLAN (TRACTS 26A & 26B)

CHANGE DETERMINATION REQUEST TO ALLOW STUDENT  
HOUSING ON TRACT 5B AND TO CONVERT 89,740 SF OF OFFICE  
TO 547 STUDENT HOUSING BEDS AND TO ADD AN ADDITIONAL  
203 BEDS FROM EXISTING QUADRANGLE ENTITLEMENTS.

PREPARED FOR:

**Quadrangle**

**RECEIVED**

By DRC Approved Stamp at 12:45 pm, May 27, 2021

PREPARED BY:

**Kimley-Horn**

LUP-1

**Land Use Plan Cover Sheet (Quadrangle PD)**

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[illegible]

## Notification Map

