



## Interoffice Memorandum

June 6, 2024

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

FROM: Tanya Wilson, AICP, Director  
Planning, Environmental, and Development Services Department

**CONTACT PERSON: Joseph C. Kunkel, P.E., DRC Chairman  
Development Review Committee  
Public Works Department  
(407) 836-7971**

SUBJECT: July 9, 2024 – Public Hearing  
Applicant(s): Brooks A. Stickler, Kimley-Horn & Associates, Inc.  
Project Name: Alafaya Trail Student Housing Planned Development (PD) / North Alafaya Trail Student Housing Development Plan (DP)  
Project No.: DP-23-03-110 / District 5

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of May 22, 2024, to approve the Alafaya Trail Student Housing Planned Development (PD) / North Alafaya Trail Student Housing Development Plan (DP). The project is generally located north of College Park Trail and west of North Alafaya Trail. The request is to construct a 595-bed student housing project with an integrated parking garage.

The Alafaya Trail Student Housing Planned Development (PD) was approved in 2023, allowing for a maximum of 600 student housing beds. The subject property is entirely within the PD.

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 documents and the plans may be found in the Planning Division for further reference.

**ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan and approve the Alafaya Trail Student Housing Planned Development (PD) / North Alafaya Trail Student Housing Development Plan (DP) (DP-23-03-110) dated "Received April 11, 2024", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 5**

TW/JCK/rb

Attachments

**CASE # DP-23-03-110**

Commission District # 5

**1. GENERAL INFORMATION**

Applicant:	Brooks A. Stickler, Kimley-Horn & Associates, Inc.
Owner:	Church of God
Project Name:	Alafaya Trail Student Housing Planned Development (PD) / North Alafaya Trail Student Housing Development Plan (DP)
Hearing Type:	Development Plan (DP)
Request:	To develop a 595-bed student housing complex.

**2. PROJECT INFORMATION**

A. Overview:	<p>The Alafaya Trail Student Housing Planned Development (PD) was approved in 2023 and is generally located north of College Park Trail and west of North Alafaya Trail. The subject property is the entirety of the Alafaya Trail Student Housing PD, which allows for a maximum of 600 student housing beds.</p> <p>Through this Development Plan, the applicant is seeking to construct a 595-bed student housing project with an integrated parking garage on the 3.22-acre site.</p>
B. Location:	North of College Park Trail / West of North Alafaya Trail
C. Parcel ID(s):	15-22-31-0000-00-030
D. Total Acres:	3.22 acres
E. Water Supply:	Orange County Utilities
F. Sewer System:	Orange County Utilities
G. Schools:	N/A
H. School Population:	N/A

I. Parks:	Little Econ Greenway - 0.2 Miles
J. Proposed Use:	595-bed student housing
K. Site Data:	Maximum Building Height: 60' Minimum Living Area: 529 sq/unit Building Setbacks: Front – 10' Side – 25' Rear – 25'
L. Fire Station:	Fire station 80 - 1841 Bonneville Drive
M. Public Notification:	The notification area for this public hearing extended beyond 1,000 feet. Chapter 30-40(c)(3)(a) of Orange County Code requires the owners of the property within 300 feet of the subject property to be notified at least 10 days prior to the date of the hearing. Six hundred and seventy-seven (677) notices were mailed to those property owners in the mailing area.
N. Community Meeting Summary:	A community meeting was held at University High School on September 26, 2022 for the Land Use Plan (LUP-22-07-258).
O. Transportation:	Pursuant to Article XII, Chapter 30, Orange County Code, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential, and non-residential properties which are required to plat, must obtain concurrency prior to approval of the plat and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the development process, the County will not be responsible for

any delays caused by the applicant's failure to obtain concurrency in a timely fashion.

Based on the Concurrency Management database (CMS) dated 4/28/2023, there are multiple failing roadway segments within the project's impact area along Alafaya Trail, from University Blvd to Colonial Drive (2 segment(s)). This information is dated and subject to change.

Kimley-Horn & Associates, Inc. submitted a Capacity Encumbrance Letter Application (CEL-23-04-030) on behalf of the Owner (Church of God) in April 2023 for the subject property. As of April 13, 2023, the CEL is pending review. Should this project be located near failing roadways then a traffic study will be required to finalize the CEL Transportation Review. If denied, then the Owner will have the option to enter into a Proportionate Share Agreement (PSA) with Orange County. The Owner will have the option to enter into a Proportionate Share Agreement (PSA) with Orange County to remedy the deficiencies. Please contact the Concurrency Management Office at 407-836-6110 for more information.

**P. Environmental Protection Division:**

This project is located within the Econlockhatchee River Protection Ordinance area. Basin-wide regulations may apply. This may include, but is not limited to, increased buffer size, more stringent habitat protection regulations, increased stormwater requirements, and additional landscaping requirements.

If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management District, about the system permit application, modification or abandonment prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies. Contact the FDOH for the septic system and both FDOH and the Water Management District for wells.

Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD).

Q. Comprehensive Plan:

The subject property has an underlying Future Land Use Map (FLUM) designation of Medium Density Residential (MDR). The current zoning of the subject property is R-1A (Single-Family Residential) which is went through a rezoning and FLUM amendment to PD (Planned Development) and Planned Development High Density Residential - Student Housing (PD-HDR-Student Housing) which was approved and under appeal period at the moment.

R. Zoning:

PD (Planned Development District)

**3. REQUESTED ACTION:**

**Development Review Committee (DRC) Recommendation – (May 22, 2024)**

**Make a finding of consistency with the Comprehensive Plan and approve the substantial change to the Alafaya Trail Student Housing Planned Development (PD) / North Alafaya Trail Student Housing Development Plan (DP) dated "Received April 11, 2023", subject to the following conditions:**

1. Development shall conform to the Alafaya Trail Student Housing Planned Development; Orange County Board of County Commissioners (BCC) approvals; North Alafaya Trail Student Housing Development Plan dated "Received April 11, 2024"; 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, 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 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. If applicable, an Acknowledgement of Contiguous Sustainable Agricultural Land pursuant to Section 163.3163, Florida Statutes, must be executed and recorded in the Public Records of Orange County, Florida, prior to final approval of this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.

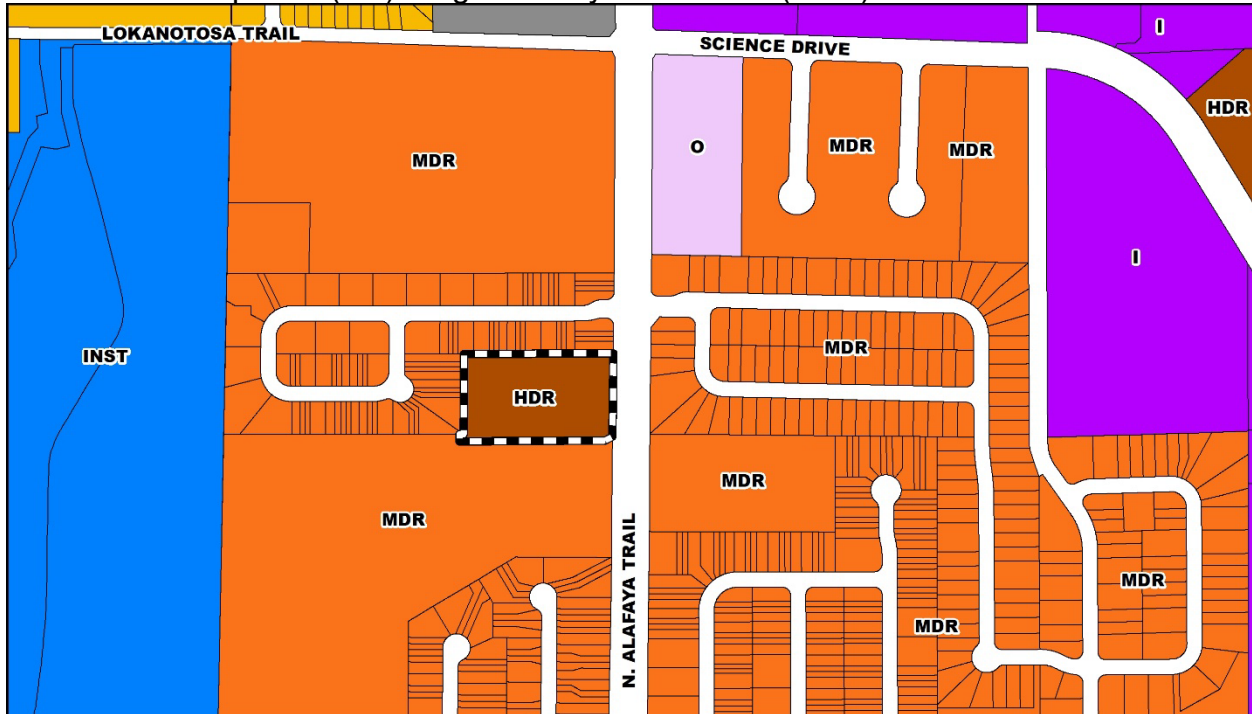
7. Development plan (DP) approval by the DRC (or Board, as applicable), shall automatically expire if construction plans are required and have not been submitted and approved within two (2) years from DP approval; if construction plans are not required, such DP shall expire two (2) years from approval 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.
8. The stormwater management system shall be designed to retain the 100-year/24-hour storm event onsite, unless documentation with supporting calculations is submitted which demonstrates that a positive outfall is available. If the applicant can show the existence of a positive outfall for the subject basin, then in lieu of designing for the 100-year/24-hour storm event, the developer shall comply with all applicable state and local stormwater requirements and regulations. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas.
9. Authorization from FDOT allowing stormwater connection to Alafaya Trail (SR 434) drainage system is required prior to site plan construction approval.
10. If not already provided, authorization from adjoining owner on south allowing driveway connection and any necessary improvements to shared entrance drive pursuant to Grant and Declaration of Easement recorded in Official Record Book 6185, Page 3510 shall be required prior to site plan construction approval.
11. Unless otherwise allowed by County Code, the property shall be platted/replatted prior to the issuance of any vertical building permits.
12. A mandatory pre-application/sufficiency review meeting for the plat/replat 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.
13. 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 Orange County Environmental Protection Division National Pollutant Discharge Elimination System (NPDES) Supervisor at NPDES@ocfl.net for details.
14. 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 Supervisor at NPDES@ocfl.net. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.

15. Pursuant to Article XII, Chapter 30, Orange County Code, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential, and non-residential properties which are required to plat, must obtain concurrency prior to approval of the plat and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until later in the development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.
16. Per Section 38-1259 (e) Student Housing (Pedestrian Safety ADA Ordinance) a Mobility Plan is required to be submitted with the DP. Please see MuniCode Ordinance 2020-30 adopted 10/13/20 for the Mobility Plan requirements pages 62-63. (e) The development plan for all student housing projects shall include a mobility plan submitted to the Transportation Planning Division and a community/site design plan for crime prevention through environmental controls submitted to the Planning Division that is consistent with the Crime Prevention through Environmental Design ("CPTED") Manual used by the International CPTED Association and Florida CPTED Network. The student housing mobility plan shall describe and depict pedestrian and bicycle systems and facility needs consistent with this section, transit service and facility needs, university and County coordination measures that will be implemented by the developer to manage transportation demand and promote pedestrian and bicycle safety, and designation of appropriate space within the development for carsharing, bikesharing, and electric car charging stations, as they may be implemented within the university area. The student housing mobility plan also shall describe and depict the pedestrian and bicycle safety features cross-sections, marked and stamped crosswalks, safety beacons, traffic signal modifications, pedestrian-scale lighting, and other pedestrian and bicycle safety features (with associated funding and maintenance responsibilities) that will be provided and are needed (and warranted, as applicable) to ensure safe pedestrian and bicycle access to adjacent land uses and across major roadways to commercial land uses and transit facilities. Improvements identified by the plans shall be constructed or implemented prior to issuance of a certificate of occupancy and shall be consistent with the most recent editions of Florida Department of Transportation standards.
17. 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 (including hydraulically dependent development) within the PD.
18. 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 comply with such definition may subject the project to code enforcement and / or increased impact fees, as well as any applicable concurrency requirements.

19. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code, as may be amended.
20. Short term/transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.
21. The owner of the student housing complex shall provide a security service twenty-four-seven through the property management staff. Also, the owner shall provide additional security for known special events, including during annual move in and football game days.
22. A shuttle with transportation to and from UCF shall be provided to residents of the student housing complex.
23. As identified on Sheets L0.50 and L1.00, the developer shall maintain the remaining five oak trees along Alafaya Trail.

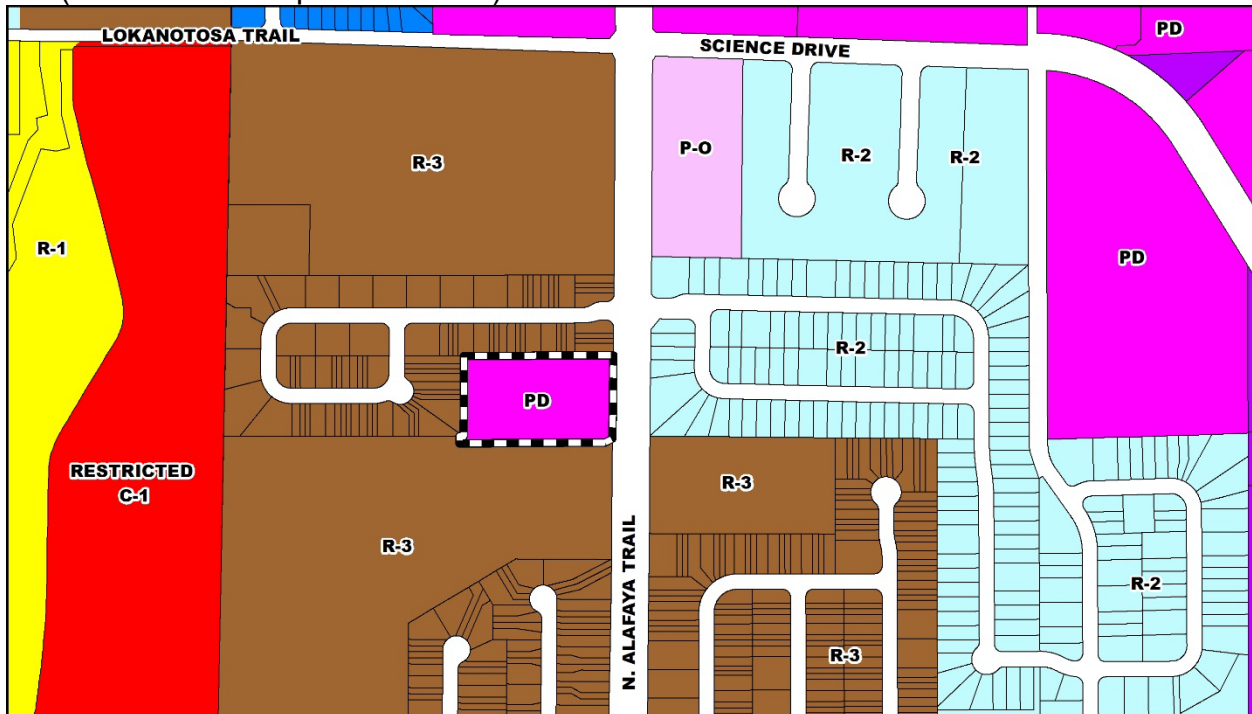
## FUTURE LAND USE

Planned Development (PD) / High Density Residential (HDR)



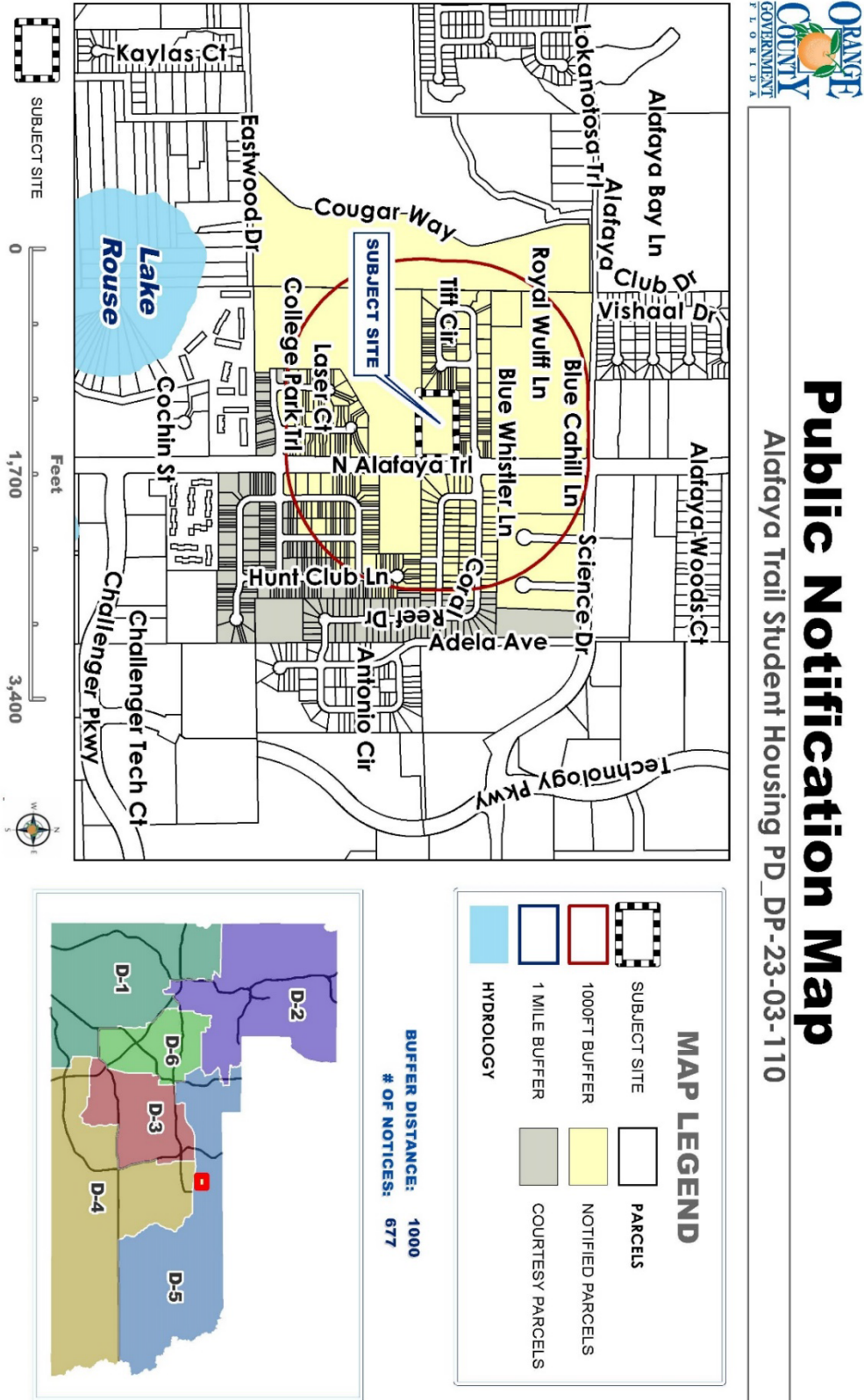
## ZONING

PD (Planned Development District)





## Notification Map



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