



Interoffice Memorandum

DATE: September 21, 2022

TO: Katie A. Smith, Deputy Clerk of the
Board of County Commissioners,
County Comptroller's Office

THROUGH: Cheryl Gillespie, Supervisor,
Agenda Development Office

FROM: Alberto A. Vargas, MArch., Manager,
Planning Division

CONTACT PERSON: **Jason H. Sorensen, Chief Planner**
Current Planning Section
Planning Division
(407) 836-5602 or Jason.Sorensen@ocfl.net

SUBJECT: Request for Board of County Commissioners
(BCC) Public Hearing

Applicant: Jonathan Martin, Kimley-Horn and Associates, Inc.

Case Information: Case # LUP-22-01-001 (Fifty South Student
Housing PD)
Planning and Zoning Commission (PZC)
Meeting Date: September 15, 2022

Type of Hearing: Rezoning Public Hearing

Commission District: 5

General Location: 11731 E. Colonial Drive; generally north of E.
Colonial Drive, west of Alafaya Trail, and east of
Crescent Boulevard.

**BCC Public Hearing
Required by:** Orange County Code, Chapter 30

**Clerk's Advertising
Requirements:**

(1) At least 15 days before the BCC public hearing date, publish an advertisement in the Legal Notices section of *The Orlando Sentinel* describing the particular request, the general location of the subject property, and the date, time, and place when the BCC public hearing will be held;

and

(2) At least 10 days before the BCC public hearing date, send notices of BCC public hearing by U.S. mail to owners of property within 300 feet of the subject property and beyond.

Spanish Contact Person:

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, CONTACT THE ORANGE COUNTY PLANNING DIVISION: Front desk, 407-836-8181

PARA MÁS INFORMACIÓN, REFERENTE A ESTE AVISO PARA UNA AUDENCIA PUBLICA SOBRE UNA PROPIEDAD EN SU AREA/VECINDAD, FAVOR COMUNICARSE CON LA DIVISIÓN DE PLANIFICACION, AL NUMERO, 407-836-8181

Advertising Language:

To rezone one (1) parcel containing 3.64 gross acres from C-1 to PD, in order to construct a 600-bed student housing development. The request also includes the following waivers from Orange County Code:

1. A waiver from Section 30-248(d)(3) to allow a minimum 50 foot driveway length in lieu of 70 feet.
2. A waiver from Section 38-1251(b) to allow a maximum building coverage of all buildings up to sixty percent (60%) of the project in lieu of thirty percent (30%) of the gross land area.

3. A waiver from Section 38-1251(d) to allow a maximum height of seventy-five (75) feet for residential development in lieu of a maximum height of thirty-five (35) feet.
4. A waiver from Section 38-1254(1) to allow a fifteen (15') foot PD setback along Orpington Street, ten (10') foot PD setback along Crescent Blvd., and twenty-five (25') foot PD setback along remaining boundaries and no increase due to structure height from all boundaries of the PD in lieu of a minimum twenty-five foot (25') setback from all boundaries of the PD and increases due to structure height.
5. A waiver from Section 38-1254(2)(e) to allow a fifteen foot (15') building setback along the north boundary (Orpington Street) and ten feet (10') along the west boundary (Crescent Boulevard) in lieu of twenty feet (20') from all other rights-of-way.
6. A waiver from Section 38-1258(a) to allow multi-family buildings of five (5) stories (seventy [70] feet) of dwelling units wrapping a 7-level parking structure (seventy-five [75] feet) in height and located a minimum of eighty-five (85) feet from single family zoned property in lieu of multi-family buildings located within one hundred (100) feet of single-family zoned property restricted to single story in height.
7. A waiver from Section 38-1258(b) to allow multi-family buildings of five (5) stories (seventy [70] feet) of dwelling units wrapping a 7-level parking structure (seventy-five [75] feet) in height located between one hundred plus (100+) feet to one hundred and fifty (150) feet of a single-family zoned property in lieu of a maximum of fifty (50) percent of the buildings being three (3) stories (not to exceed forty [40] feet) in height with the remaining buildings being one (1) story or two (2) stories in height.
8. A waiver from Section 38-1258(c) to allow multi-family buildings of five (5) stories (seventy [70] feet) of dwelling units wrapping a 7-level parking structure (seventy-five [75] feet) in height located within one hundred and fifty (150) feet of single-family zoned property in lieu of three (3) stories (forty [40] feet) in height.
9. A waiver from Section 38-1259(b) to allow a minimum distance separation of eighty-five (85) feet between student housing development and single-family zoned property in lieu of a minimum distance separation of four hundred feet (400').

10. A waiver from Section 38-1259(d) to allow for a vegetative buffer in lieu of a six-foot high masonry, brick or block wall constructed whenever a student housing development is located adjacent to any right-of-way.
11. A waiver from Section 38-1259(k) to allow five (5) stories (seventy [70] feet) of dwelling units wrapping a 7-level parking structure (seventy-five [75] feet) in height in lieu of a maximum building height of three (3) stories (forty [40] feet).
12. A waiver from Section 38-1272(a)(1) to allow eighty (80) percent impervious coverage in lieu of a maximum impervious coverage of seventy (70) percent of the net land area.
13. A waiver from Section 38-1476(a) to allow for student housing parking at a ratio of nine tenths (0.9) spaces per bedroom, in lieu of one (1.0) space per bedroom.

Material Provided:

- (1) Names and last known addresses of property owners within 300 feet and beyond (*via email from Fiscal and Operational Support Division*); and
- (2) Location map (*to be mailed to property owners*).

Special instructions to the Clerk:

Please place this request on the **October 25, 2022**, BCC agenda. Unless stated otherwise, the public hearing should be advertised to begin at 2:00 p.m., or as soon thereafter as the matter may be heard.

Attachment (location map)

- c: Chris R. Testerman, AICP, Deputy County Administrator
Jon V. Weiss, Director, Planning, Environmental, and Development
Services Department

Legal Description

LUP-22-01-001

Fifty South Student Housing PD

Parcel #: 22-22-31-5749-00-010

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 22, TOWNSHIP 22 SOUTH, RANGE 31 EAST, CITY OF ORLANDO, ORANGE COUNTY FLORIDA, BEING A PORTION OF LOT 1, REPLAT OF BLOCK "A" MORNINGSIDE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGE 130 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 1, SAID POINT ALSO BEING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE FOR EAST COLONIAL DRIVE /STATE ROAD NUMBER 50 (200' RIGHT-OF-WAY) OF SAID PLAT BOOK 28, PAGE 28, AND THE EAST RIGHT-OF-WAY LINE FOR CRESCENT BOULEVARD (30' RIGHT-OF-WAY), WYANDOTTE FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK O, PAGE 82 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF CRESCENT BOULEVARD, N01°16'06"W, A DISTANCE OF 575.88 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, ALSO BEING THE SOUTH RIGHT-OF-WAY LINE OF ORPINGTON STREET (60' RIGHT-OF-WAY) OF SAID PLAT BOOK O, PAGE 82; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE OF CRESCENT BOULEVARD, ALONG SAID THE SOUTH RIGHT-OF-WAY LINE OF SAID ORPINGTON STREET, S88°31'38"E, A DISTANCE OF 240.02 FEET TO THE NORTHWEST CORNER OF LANDS CONVEYED BY DEED TO ORANGE COUNTY BCC AS DESCRIBED IN DOCUMENT NUMBER 19945018311, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE OF ORPINGTON, ALONG THE WESTERLY LINE OF SAID LANDS OF ORANGE COUNTY BCC THE FOLLOWING TWO (2) COURSES: 1) S01°23'14"E, A DISTANCE OF 30.68 FEET; 2) S48°05'54"E, A DISTANCE OF 83.66 FEET TO THE EASTERLY LINE OF SAID LOT 1; THENCE DEPARTING SAID WESTERLY LINE OF SAID LANDS OF ORANGE COUNTY BCC, CONTINUE ALONG SAID EASTERLY LINE OF LOT 1 THE FOLLOWING FIVE (5) COURSES: 1) S01°23'12"E, A DISTANCE OF 204.46 FEET; 2) S88°36'48"W, A DISTANCE OF 13.97 FEET; 3) S01°23'12"E, A DISTANCE OF 67.87 FEET; 4) S88°36'48"W, A DISTANCE OF 49.30 FEET; 5) S01°23'12"E, A DISTANCE OF 240.45 FEET TO SAID NORTH RIGHT-OF-WAY LINE OF EAST COLONIAL DRIVE; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE OF EAST COLONIAL DRIVE, N82°35'19"W, A DISTANCE OF 241.38 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.633 ACRES OF LAND, MORE OR LESS.

For questions regarding this map, please call the Planning Division at 407-836-5600.

Location Map

LUP-22-01-001

Fifty South Student Housing PD

Parcel #: 22-22-31-5749-00-010

