



**Interoffice Memorandum**

04-10-14P02:35 RCVR

**DATE:** April 10, 2014

**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, Manager, Planning Division

**CONTACT PERSON:** **John Smogor, Planning Administrator**  
**Planning Division 407-836-5616 and**  
**john.smogor@ocfl.net**

**SUBJECT:** Request for Board of County Commissioners (BCC) Public Hearing to Consider a Request for a Substantial Change to the VOA / Nerbonne Planned Development / Land Use Plan (PD / LUP) - Case # CDR-13-11-279

**Type of Hearing:** BCC Public Hearing on Request for Substantial Change to the VOA / Nerbonne PD / LUP

**Applicant's Request:** A substantial change to the previously approved VOA / Nerbonne Planned Development (PD) to increase development entitlements within PD Tract 4 from 360 hotel units to 600 hotel units.

**Applicant:** Jay R. Jackson, Kimley-Horn and Associates, Inc.

**Commission District:** 1

**General Location:** Generally located along the east side of Wildwood Avenue, between Lake Street and International Drive.

05/13/14  
@ 2pm

**BCC Public Hearing  
Required by:**

Ch. 30 and Section 38-1207, O.C. Code

**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.

**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:**

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, Assistant County Administrator  
Jon V. Weiss, Director, Community Environmental Development Services Dept.  
Alberto A. Vargas, Planning Manager, Planning Division (w/o attachments)  
Olan D. Hill, AICP, Chief Planner (w/attachments)  
Bob Windom, Chief Planner, Zoning Division, (w/o attachments)  
Tim McClendon, Planner II, Planning Division (w/attachments)



SECTION: 23    TOWNSHIP: 24S    RANGE: 28E

ORANGE COUNTY

If you have any questions regarding this map, please call John Smogor at 407-836-5616.

Drawing name: K:\ORL\_Civil\049147003-Floridays II Multi-Family\CADD\EXHIBITS\MAP\exhibits.dwg    LOCATION    Apr 09, 2014    9:43am    by: Tyler.suddeth

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SCALE	<p><b>Kimley-Horn and Associates, Inc.</b>  <small>© 2013 KIMLEY-HORN AND ASSOCIATES, INC.          3660 MAGUIRE BOULEVARD, SUITE 200, ORLANDO, FL 32803          PHONE: 407-898-1511 FAX: 407-894-4791          WWW.KIMLEY-HORN.COM CA 0000696</small></p>	DATE	<b>FLORIDA II MULTI-FAMILY          LOCATION MAP</b>	DESIGN ENGINEER:	SHEET NUMBER  <b>FIGURE 1</b>
DESIGNED BY		04/09/2014		JAY R. JACKSON, P.E.	
DRAWN BY		PROJECT NO.		FLORIDA P.E. LICENSE NUMBER:	
CHECKED BY		049147003		54247	
				DATE:	

Drawing name: K:\ORL\_Civil\049147003-Floridays II Multi-Family\CADD\EXHIBITS\MAP\exhibits.dwg LEGAL1 Apr 09, 2014 10:33am by: tyler.suddeth  
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**LEGAL DESCRIPTION (TRACTS 1 & 2):**

LOTS 7,8,25,26,39 AND 40 OF MUNGER LAND COMPANY SUBDIVISION, LOCATED IN SECTION 23, TOWNSHIP 24 SOUTH, RANGE 28 EAST, AS RECORDED IN PLAT BOOK "E", PAGES 3,7,22, AND 23, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, LYING NORTH OF INTERNATIONAL DRIVE, AS RECORDED IN O.R.B. 4010, PAGE 673 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

15 FEET OF ADDITIONAL ROAD RIGHT-OF-WAY ON NORTH (O.R.B. 1740, PAGE 247 AND O.R.B. 1746, PAGE 697) AND LESS 15 FEET OF ADDITIONAL ROAD RIGHT-OF-WAY ON WEST (O.R.B. 165, PAGE 57) AND LESS THAT PART OF LOTS 7,26, AND 39 PLATTED AS LAKE EVE PHASE 1, AS RECORDED IN PLAT BOOK 29, PAGES 21 AND 22, ALL OF THE PRECEDING OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

CONTAINING 20.424 ACRES MORE OR LESS.

**LEGAL DESCRIPTION (TRACT 3):**

**PARCEL No.1**

All of Lots 57 and 58, together with a portion of the platted Right-of-Way lying South of Lots 57 & 58, Willis J. Munger's Subdivision, Section 23, Township 24 South, Range 28 East, according to the Plat thereof as recorded in Plat Book "E", Page 22, of the Public Records of Orange County, Florida and more particularly described as follows:

COMMENCE at the Northwest corner of Lot 2, according to the Plat of Lake Eve Phase 1, as recorded in Plat Book 29, Pages 21 through 22 of the Public Records of Orange County, Florida; thence along the East line of said of Lot 39 and Lot 58 run South 00°03'03" West a distance of 414.85 feet to the POINT OF BEGINNING; thence continue South 00°03'03" West, a distance of 376.72 feet to a point on the centerline of the 30 feet Platted Right of Way lying South of Lots 57 and 58; thence along said centerline North 89°51'59" West, a distance of 483.33 feet; thence departing said centerline run North 00°05'15" East, a distance of 376.72 feet; thence South 89°51'59" East, a distance of 483.09 feet to the POINT OF BEGINNING.

Containing 4.18 acres (182,035 square feet), more or less.

TOGETHER WITH:  
ACCESS EASEMENT

A portion of Lots 40 and Lot 57, according to the Plat thereof as recorded in Plat Book "E", Page 22, of the Public Records of Orange County, Florida and more particularly described as follows:

COMMENCE at the Northwest corner of Lot 2, according to the Plat of Lake Eve Phase 1, as recorded in Plat Book 29, Pages 21 through 22 of the Public Records of Orange County, Florida; thence along the East line of said of Lot 39 and Lot 58 run South 00°03'03" West a distance of 414.85 feet; thence departing said East line North 89°51'59" West a distance of 231.55 feet to the POINT OF BEGINNING; thence continue North 89°51'59" West, a distance of 20.00 feet; thence North 00°00'00" West a distance of 333.21 feet to a point on the Southerly Right of Way line of International Drive, according to Official Records Book 4010, Page 673 of the Public Records of Orange County, Florida; thence along said Southerly Right of Way line North 72°09'56" East, a distance of 21.01 feet; thence departing said Southerly Right of Way line South 00°00'00" East a distance of 339.70 feet to the POINT OF BEGINNING.

Containing 0.15 acres (6,729 square feet), more or less.

SCALE	 <b>Kimley-Horn and Associates, Inc.</b> © 2013 KIMLEY-HORN AND ASSOCIATES, INC. 3660 MAGUIRE BOULEVARD, SUITE 200, ORLANDO, FL 32803 PHONE: 407-898-1511 FAX: 407-894-4791 WWW.KIMLEY-HORN.COM CA 00000696	DATE	<b>FLORIDA II MULTI-FAMILY LEGAL DESCRIPTION 1</b>	DESIGN ENGINEER:	SHEET NUMBER  <b>FIGURE 2</b>
DESIGNED BY		04/09/2014		JAY R. JACKSON, P.E.	
DRAWN BY		PROJECT NO.		FLORIDA P.E. LICENSE NUMBER:	
CHECKED BY		049147003		54247	
				DATE:	

Drawing name: K:\DRL\_Civil\049147003-Floridays II Multi-Family CADD\EXHIBITS\WAPexhibits.dwg LEGAL2 Apr 09, 2014 10:34am by: Tyler.suddeth  
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**PARCEL No.2**

A portion of Lots 39, 40, 57 and 58, Willis J. Munger's Subdivision, Section 23, Township 24 South, Range 28 East, according to the Plat thereof as recorded in Plat Book "E", Page 22, of the Public Records of Orange County, Florida and more particularly described as follows:

BEGINNING at the Northwest corner of Lot 2, according to the Plat of Lake Eve Phase 1, as recorded in Plat Book 29, Pages 21 through 22 of the Public Records of Orange County, Florida; thence along the East line of said Lot 39 and Lot 58 run South 00°03'03" West a distance of 414.85 feet; thence departing said East line North 89°51'59" West, a distance of 483.09 feet to a point on the West line of aforesaid Lot 57; thence along said West line North 00°05'15" East, a distance of 258.31 feet to a point on the Southerly Right of Way line of International Drive, according to Official Records Book 4010, Page 673 of the Public Records of Orange County, Florida; thence along said Southerly Right of Way North 72°09'56" East a distance of 507.45 feet to the POINT OF BEGINNING.

Containing 3.73 acres (162,564 square feet), more or less.

**SUBJECT TO:  
ACCESS EASEMENT:**

A portion of Lots 40 and Lot 57, according to the Plat thereof as recorded in Plat Book "E", Page 22, of the Public Records of Orange County, Florida and more particularly described as follows:

COMMENCE at the Northwest corner of Lot 2, according to the Plat of Lake Eve Phase 1, as recorded in Plat Book 29, Pages 21 through 22 of the Public Records of Orange County, Florida; thence along the East line of said of Lot 39 and Lot 58 run South 00°03'03" West a distance of 414.85 feet; thence departing said East line North 89°51'59" West a distance of 231.55 feet to the POINT OF BEGINNING; thence continue North 89°51'59" West, a distance of 20.00 feet; thence North 00°00'00" West a distance of 333.21 feet to a point on the Southerly Right of Way line of International Drive, according to Official Records Book 4010, Page 673 of the Public Records of Orange County, Florida; thence along said Southerly Right of Way line North 72°09'56" East, a distance of 21.01 feet; thence departing said Southerly Right of Way line South 00°00'00" East a distance of 339.70 feet to the POINT OF BEGINNING.

Containing 0.15 acres (6,729 square feet), more or less.

**LEGAL DESCRIPTION (TRACT 4):**

Lots 9, 10 and 11, Willis R. Mungers Land Subdivision of Section 23, Township 24 South, Range 28 East, according to the plat thereof as recorded in Plat Book E, Page 22, of the Public Records of Orange County, Florida (Less the North 15 feet of Lots 9, 10 and 11 and less the East 15 feet of Lot 9 for road right of way).

Less:

The North 30 feet thereof for road right of way as recorded in Official Records Book 9740, Page 8999 of the Public records of Orange County, Florida.

Containing 14.01 more or less.

SCALE DESIGNED BY DRAWN BY CHECKED BY	 <b>Kimley-Horn and Associates, Inc.</b> <small>© 2013 KIMLEY-HORN AND ASSOCIATES, INC. 3660 MAGUIRE BOULEVARD, SUITE 200, ORLANDO, FL 32803 PHONE: 407-858-1511 FAX: 407-894-4791 WWW.KIMLEY-HORN.COM CA 0000696</small>	DATE 04/09/2014  PROJECT NO. 049147003	<b>FLORIDA II MULTI-FAMILY LEGAL DESCRIPTION 2</b>	DESIGN ENGINEER: JAY R. JACKSON, P.E.  FLORIDA P.E. LICENSE NUMBER: 54247  DATE:	SHEET NUMBER   <b>FIGURE 3</b>
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