

CA

03-01-16A10:59 RCV



Interoffice Memorandum

03-01-16A11:09 RCVD

DATE: February 29, 2016

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

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

Project Name: Buena Vista Park Planned Development (PD) - Case # CDR-15-11-341

Type of Hearing: Substantial Change

Applicant: Miranda F. Fitzgerald, Lowndes, Drosdick, Doster, Kantor & Reed, P.A.

Commission District: 1

General Location: North side of Lake Street, east of Palm Parkway.

BCC Public Hearing Required by: Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

4-5-16
2 pm

**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, Email: lourdes.o'farrill@ocfl.net 407-836-5686

PARA MÁS INFORMACIÓN, REFERENTE A ESTA VISTA PUBLICA CON RESPECTO A UNA AUDENCIA PUBLICA SOBRE PROPIEDAD EN SU AREA/VECINDAD, FAVOR COMUNICARSE CON LA DIVISIÓN DE PLANIFICACION, AL NUMERO, 407-836-5684.836-5686

Advertising Language:

A substantial change request for the following nine (9) waivers from Orange County Code:

- 1. A waiver from Section 31.5-195(1)(b) to allow for two wall signs to be placed on the primary façade and to be placed on the secondary façade, in lieu of a single wall sign placed on the primary façade, for Parcel 1 only.**
- 2. A waiver from Section 38-1272(a)(1) to allow for a maximum impervious coverage of seventy-six (76) percent of the net land area, in lieu of seventy (70) percent, for Parcel 1 only.**
- 3. A waiver from Section 38-1287(4) to allow for a paving setback of 20 feet from Palm Parkway, in lieu of 25 feet, for Parcel 1 only.**
- 4. A waiver from Section 38-1392.1 to allow for a streetside building setback of 15 feet from Lake Street for the parking garage, in lieu of 20 feet, for Parcel 1 only.**

5. A waiver from Section 38-1393.3(1) to allow one or more sloped roofs on sixty-nine (69) percent of the linear length of the primary façade, in lieu of at least seventy-five (75) percent, for Parcel 1 only.
6. A waiver from Section 38-1393.3(2) to allow the use of a non-decorative flat parapet wall without a cornice, in lieu of a flat parapet wall that shall be decorative in style with a cornice, for Parcel 1 only.
7. A waiver from Section 38-1394(1)(a) to allow three (3) silver date palms (understory trees) and sixteen (16) crape myrtle (ornamental trees) and a continuous double shrub row for streetscape planting in the median of Palm Parkway, in lieu of five (5) shade trees and ten (10) ornamental trees.
8. A waiver from Section 38-1394(2) to allow silver date palms (understory trees) and crape myrtle (ornamental trees) within the median of Palm Parkway, in lieu of only live oak and laurel oak trees planted as streetscape shade trees.
9. A waiver from Section 38-1394.1(a) to allow for an average of 15 feet of green space around the base of a building five or more stories in height, in lieu of a minimum width of 20 feet, for Parcel 1 only.

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 next available 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, Assistant County Administrator
Jon V. Weiss, Director, Community Environmental Development Services
Department

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



535

0 4000 8000 Feet

Toll 520

CHATHAM VILLAGE

SAND LANES ESTATES

S Apopka Vineland Rd

Universal Blvd

PWB Arrowson Blvd

BUENA VISTA

Lake Buena Vista

BUENA VISTA PARK PD
CDR-15-11-341
PROJECT SITE

International Dr S

BLACKTON

536

GREEN PROJECT

Central Florida Greenway

W Osceola Pkwy

4

BUENA VISTA PARK PLANNED DEVELOPMENT
LAND USE PLAN
OCTOBER 30, 2015

OWNER/DEVELOPER: LAKE BUENA VISTA PROPERTIES LLC
10 HARBOR BLVD
DESTIN, FL. 32541

PLANNER: JORDAN & ASSOCIATES CONSULTING, INC.
7575 KINGSPONTE PKWY, SUITE 7
ORLANDO, FL. 32819
P: (407)228-8840 F: (407)248-8124

LEGAL DESCRIPTION:

PARCEL 1:

ALL OF BLOCK 63, A PORTION OF BLOCKS 36, 37, AND 60, LAKE STREET, ELEVENTH STREET, AND MAGNOLIA STREET, ORANGE CENTER, FLA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK D, PAGE 143, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, THAT LIES NORTH OF LAKE STREET (ALSO KNOWN AS TWELFTH STREET) PER SAID PLAT, EASTERLY OF PALM PARKWAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 5235, PAGE 2308, OFFICIAL RECORDS BOOK 5138, PAGE 1988, AND OFFICIAL RECORDS BOOK 5433, PAGE 782, AS RECORDED IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE NORTH 00°09'53" EAST, A DISTANCE OF 25.00 FEET ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15 TO THE NORTH RIGHT-OF-WAY LINE OF LAKE STREET, ORANGE CENTER, FLA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK D, PAGE 143, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND THE POINT OF BEGINNING; THENCE NORTH 89°57'23" WEST, A DISTANCE OF 444.78 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE EAST RIGHT-OF-WAY LINE OF PALM PARKWAY PER OFFICIAL RECORDS BOOK 5235, PAGE 2308, OFFICIAL RECORDS BOOK 5138, PAGE 1988 & OFFICIAL RECORDS BOOK 5433, PAGE 782, AS RECORDED IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 755.00 FEET, A CENTRAL ANGLE OF 59°21'37" AND A CHORD BEARING OF NORTH 31°43'07" EAST; THENCE FROM A TANGENT BEARING NORTH 02°02'18" EAST, NORTHEASTERLY 782.21 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID EAST RIGHT-OF-WAY LINE TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE SOUTH 89°59'15" EAST, A DISTANCE OF 53.51 FEET ALONG SAID NORTH LINE TO THE AFOREMENTIONED EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE SOUTH 00°09'53" WEST, A DISTANCE OF 636.34 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

TOGETHER WITH:

PARCEL 2:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 24 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; RUN THENCE N.00°06'15"W. A DISTANCE OF 25.00 FEET TO THE NORTH RIGHT OF WAY LINE OF TURKEY LAKE ROAD AND TO A POINT OF BEGINNING: THENCE N.89°47'01"W. ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 616.95 FEET; THENCE N.00°14'57"W. A DISTANCE OF 613.65 FEET; THENCE N.89°51'10"E. A DISTANCE OF 119.36 FEET; THENCE N.00°14'26"W. A DISTANCE OF 24.51 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15; THENCE N.89°55'29"E. ALONG SAID NORTH LINE A DISTANCE OF 788.65 FEET TO SAID WEST RIGHT-OF-WAY LINE AND TO A POINT ON A NONTANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 865.00 FEET, A CHORD BEARING OF S.24°20'41"W., A CHORD DISTANCE OF 699.35 FEET, RUN THENCE SOUTHWESTERLY ALONG SAID WEST RIGHT-OF-WAY LIEN AND ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 47°41'18", A DISTANCE OF 719.95 FEET TO THE POINT OF BEGINNING

LAND AREA:	PARCEL 1:	4.865 AC
	PARCEL2:	10.293 AC
	TOTAL	15.158 AC

SOILS:

- (34) POMELLO FINE SAND, 0 - 5% SLOPES,
- (44) SMYRNA FINE SAND, AND
- (54) ZOLFO FINE SAND

FEMA 100 YEAR FLOOD HAZARD AREA:	NONE
CONSERVATION AREA DETERMINATION:	NO WETLANDS OR PROTECTED UPLAND SPECIES ON SITE
GENERALIZED VEGETATION:	SLASH PINE, SAND PINE, OAK AND PALM
WILDLIFE:	NO ENDANGERED, THREATENED OR SPECIES OF SPECIAL CONCERN LOCATED ON SITE
EXISTING LAND USE:	VACANT PARCEL
EXISTING ZONNING:	P-D, PLANNED DEVELOPMENT DISTRICT
COMPREHENSIVE PLAN FUTURE LAND USE:	ACTIVITY CENTER MIXED USE (ACMU)

NOTES

1. APPLICANT IS REQUESTING APPROVAL OF 434 HOTEL UNITS AND THE LDC WAIVERS SHOWN HEREON FOR PARCEL 1.
2. IN ACCORDANCE WITH SECTION 38-1227, ANY VARIATION FROM COUNTY CODE MINIMUM STANDARDS REPRESENTED ON THIS PLAN THAT HAVE NOT BEEN EXPRESSLY APPROVED BY THE BCC ARE INVALID.
3. STORMWATER MANAGEMENT SHALL BE PROVIDED IN COMPLIANCE WITH THE ORANGE COUNTY CODE AND THE REQUIREMENTS OF THE LOCAL W.M.D.