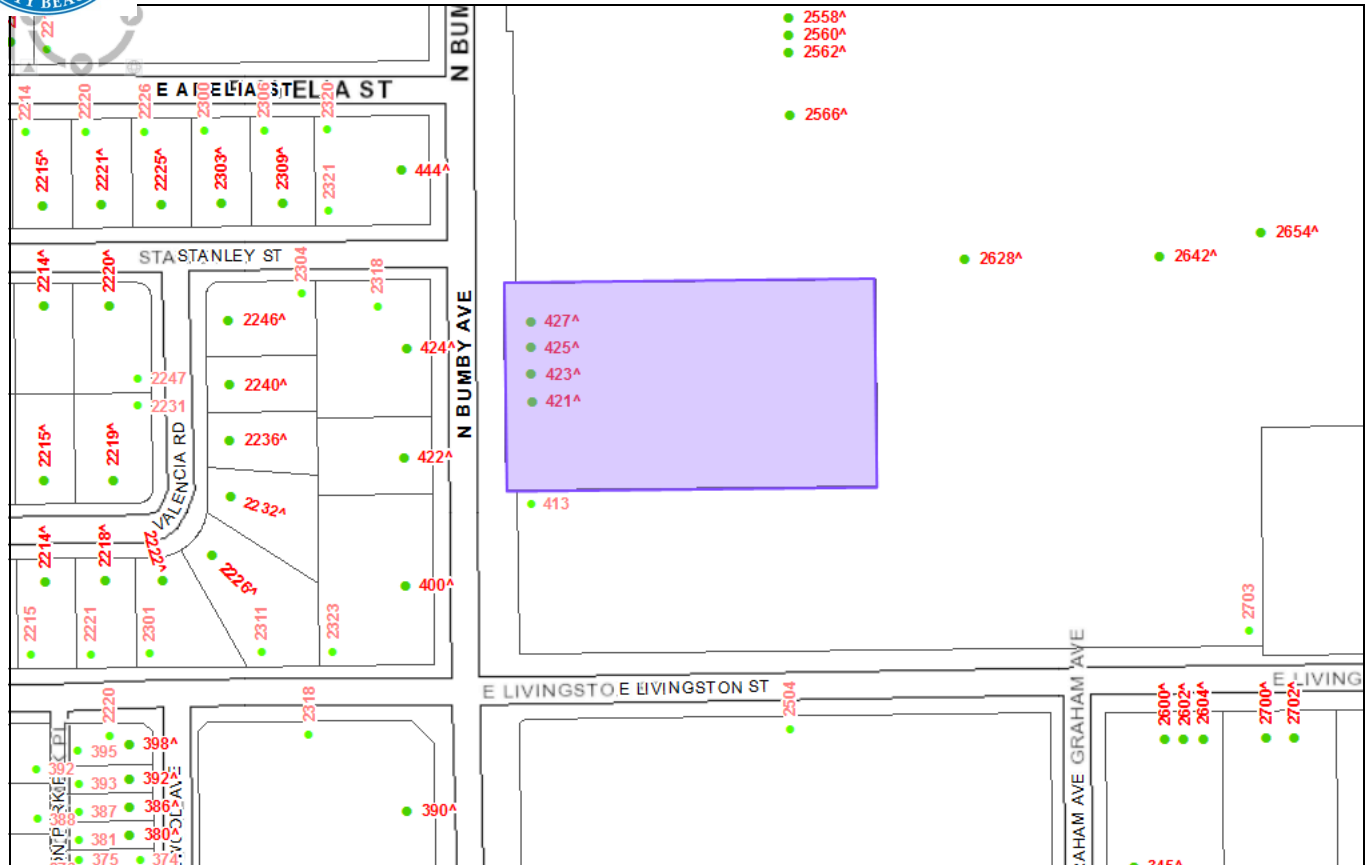




# PLAZA LIVE THEATRE PLAT



## Location Map

Subject Site

## SUMMARY

<p><b>Owner</b> John Casebier, Orlando Philharmonic Plaza Foundation, Inc.</p>	<p><b>Property Location:</b> 425 N. Bumby Ave. (North E. Livingston St., east of N. Bumby Ave., south of E. Colonial Dr., and west of N. Primrose Dr.; Parcel ID #30-22-30-0000-00-102) (±2.1 acres, District 4).</p>	<p><b>Staff's Recommendation:</b> Approval of the request, subject to the conditions in this report.</p>
<p><b>Applicant</b> Jim Shannon, Shannon Surveying, Inc.</p>	<p><b>Applicant's Request:</b> Minor Subdivision request for a 1 lot plat for the redevelopment of the site to accommodate the Orlando Philharmonic.</p>	
<p><b>Project Planner</b> Michaëlle Petion</p>		
<p><b>Updated:</b> March 31, 2015</p>		

The map displays the following zoning districts and areas:

- AC-3**: A large central area, with a specific property highlighted in purple.
- AC-3/AN**: Located to the east of the AC-3 area.
- O-2/AN**: Located south of the AC-3/AN area.
- PD/AN**: Located south of the O-2/AN area.
- MU-1/T**: Located to the west of the AC-3 area.
- PD/T/AN**: Located to the west of the MU-1/T area.
- P/A**: Located to the east of the AC-3/AN area.
- 1A/T**: Located in the northwest corner of the map.
- 0-1/T**: Located in the northwest corner, near the 1A/T area.

Key streets shown include N. B. Ave., E. Livingston St., E. Amelia St., N. Hillside Ave., N. Glenwood Ave., N. Graham Ave., N. Primrose Dr., N. B. Ave., N. Hillside Ave., N. Glenwood Ave., N. Graham Ave., N. Primrose Dr., E. Livingston St., E. Amelia St., E. B. Ave., E. C. Ave., E. D. Ave., E. F. Ave., E. G. Ave., E. H. Ave., E. I. Ave., E. J. Ave., E. K. Ave., E. L. Ave., E. M. Ave., E. N. Ave., E. O. Ave., E. P. Ave., E. Q. Ave., E. R. Ave., E. S. Ave., E. T. Ave., E. U. Ave., E. V. Ave., E. W. Ave., E. X. Ave., E. Y. Ave., E. Z. Ave.

# PROJECT ANALYSIS

## Project Description

The ±2.1 acre subject site is located north E. Livingston St., east of N. Bumby Ave., south of E. Colonial Dr., and west of N. Primrose Dr. and was recently approved for redevelopment to accommodate the Orlando Philharmonic. See Table 1– Project Context for details on surrounding uses. The site is zoned AC-3 with a future land use designations of Metropolitan Activity Center, consistent with the zoning.

The applicant is requesting Minor Subdivision approval to plat this previously unplatted parcel approved for 37,209 sq. ft. of theater uses. Majority of the required parking spaces are located on the parcel to the north, south and east within a parking easement. The AC-3 zoning district has no minimum lot width or area for non-residential uses but does require a minimum building site frontage of 50 ft., which the exceeds at 165 ft.

## Previous Actions:

- 1963– Building constructed.
- 2013– Property purchased by the Orlando Philharmonic Foundation.
- 2014– Planning Official Letter of Determination issued for Administrative Master Plan approval for Orlando Philharmonic Theater.

**Table 1—Project Context**

	Future Land Use	Zoning	Surrounding Use
North	Metropolitan Activity Center	Activity Center (AC-3)	Colonial Plaza Market Center
South			
East			
West	Mixed Use Corridor Medium Intensity	Mixed Use Corridor/Traditional City overlay (MU-1T)	vacant

## Minor Subdivision Plat

Minor Subdivision Plat Review is *intended for subdivisions that do not require construction of streets or public improvements. In so doing, the review ensures that development in the City of Orlando takes place in an orderly and efficient manner.* This property was previously unplatted and as a result is required to plat.

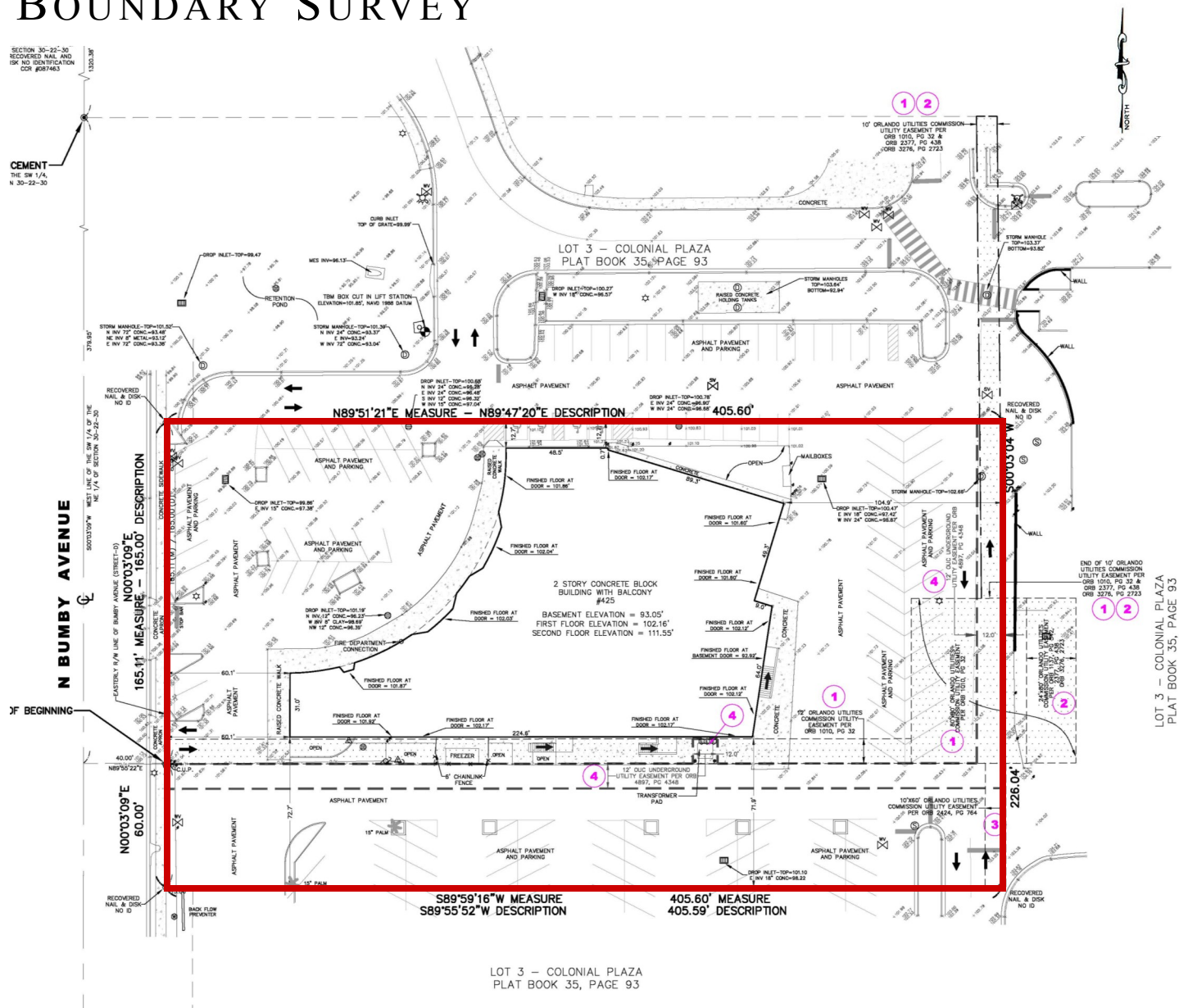
# FINDINGS

Subject to the conditions contained herein, the proposal will be consistent with the requirements for approval of Minor Subdivision Plat applications contained in Section 65.432 of the Land Development Code (LDC):

1. The proposed use is consistent with the purpose and intent of the City's Growth Management Plan.
2. The proposed use is consistent with the purpose and intent of the requirements of the LDC.
3. The subdivision will not result in incompatible land uses.
4. The proposed development will be constructed in accordance with Chapter 59 of the LDC, the Concurrency Management Ordinance, which ensures that adequate public facilities are available to serve the development.

Staff recommends approval of the minor subdivision request subject to the conditions in this staff report.

# BOUNDARY SURVEY



## PROPOSED PLAT

**PLAZA LIVE THEATRE**BEING A PORTION OF SECTION 30, TOWNSHIP 22 SOUTH, RANGE 30 EAST,  
CITY OF ORLANDO, ORANGE COUNTY, FLORIDA

SHEET 1 OF 2

PLAT  
BOOK

PAGE

**PLAZA LIVE THEATRE****DEDICATION**

KNOW ALL MEN BY THESE PRESENTS, Orlando Philharmonic Plaza Foundation Inc., being the owner in fee simple of the lands described in the foregoing caption to this plat, hereby dedicates said lands, and plat for the uses and purposes therein expressed as shown hereon and dedicates nothing to the perpetual use of the public.

IN WITNESS WHEREOF the undersigned owner has caused these presents to be signed this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Orlando Philharmonic Plaza Foundation Inc.

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signed in the presence of: \_\_\_\_\_

By: \_\_\_\_\_

Printed Name \_\_\_\_\_

By: \_\_\_\_\_

Printed Name \_\_\_\_\_

COUNTY OF \_\_\_\_\_ STATE OF \_\_\_\_\_

THIS IS TO CERTIFY, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, before me, an officer duly authorized to take acknowledgments in the State and County aforesaid, personally appeared \_\_\_\_\_, who is personally known to me or have produced the following identification \_\_\_\_\_ and did/did not take an oath that he is the person described in and who executed the foregoing dedication and severally acknowledges the execution thereof to be his free act and deed as such officer thereof duly authorized; and that said dedication is the act and deed of said Corporation.

**NOTARY PUBLIC**

My Commission Expires \_\_\_\_\_

Printed Name \_\_\_\_\_ NOTARY STAMP

**CERTIFICATE OF APPROVAL BY CITY PLANNING OFFICIAL**

Examined and Approved: \_\_\_\_\_ Date \_\_\_\_\_

Planning Official \_\_\_\_\_

**CERTIFICATE OF APPROVAL BY CITY ENGINEER**

Examined and Approved: \_\_\_\_\_ Date \_\_\_\_\_

City Engineer \_\_\_\_\_

**CERTIFICATE OF APPROVAL BY MUNICIPALITY**

THIS IS TO CERTIFY, that on \_\_\_\_\_ approved the foregoing plat. the \_\_\_\_\_

Mayor Pro Tem \_\_\_\_\_

Attest: \_\_\_\_\_ City Clerk

**QUALIFICATION STATEMENT OF SURVEYOR AND MAPPER**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being a professional surveyor and mapper that has prepared the foregoing plat and was made under my direction and supervision and that the plat complies with all the requirements of chapter 177 and that said land is located in the City of Orlando, Orange County, Florida.

JAMES B. SHANNON JR.  
Florida Registration Number: 4671  
SHANNON SURVEYING, INC. - LB No. 6898  
499 North S.R. 434 - SUITE 213 ALTAMONTE SPRINGS,  
FLORIDA, 32714. (407) 774-8372

**CERTIFICATE OF REVIEW BY CITY SURVEYOR**

Reviewed for conformity to Florida State Statute 177

\_\_\_\_\_ Date \_\_\_\_\_

City Surveyor for City of Orlando

**CERTIFICATE OF COUNTY COMPTROLLER**

I HEREBY CERTIFY that the foregoing plat was recorded in Orange County Official Records \_\_\_\_\_ as File No. \_\_\_\_\_

County Comptroller in and for Orange County, Florida

By: \_\_\_\_\_

**DESCRIPTION:**

From the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of Section 30, Township 22 South, Range 30 East, run South along the West boundary of said Southwest 1/4 of the Northeast 1/4 a distance of 378.95 feet; thence run North 89 degrees 55' 22" East 40 feet for the Point of Beginning, said point of beginning being on the Easterly Right-of-Way line of Bumby Street; thence North 00 degrees 03' 09" East along said Easterly Right-of-Way line 165.11 feet; thence North 89 degrees 51' 21" East 405.60 feet; thence South 00 degrees 03' 04" West 226.04 feet; thence South 89 degrees 59' 16" West 405.60 feet to a point on the aforementioned Easterly Right-of-Way line of Bumby Street; thence North 00 degrees 03' 09" East along said Easterly Right-of-Way line of Bumby Street, 60 feet to the Point of Beginning. Said land lying and being situated in Orange County, Florida. Containing 2.100 Acres.

**GENERAL NOTES:**

1. DEVELOPMENT OF THIS PROPERTY DEPICTED ON THIS PLAT IS SUBJECT TO THE REQUIREMENTS OF CHAPTER 58, THE CONCURRENT MANAGEMENT ORDINANCE OF THE CITY OF ORLANDO, WHICH GOVERNS THE CITY'S ABILITY TO ISSUE BUILDING PERMITS ON THIS PROPERTY. APPROVAL OF THIS PLAT SHALL NOT BE DEEMED TO PROVIDE ANY VESTED RIGHTS, EXCEPT AS TO THOSE MATTERS DEPICTED HEREON, THAT ARE CONSISTENT WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, OR WERE REQUIRED BY THE CITY OF ORLANDO AS A CONDITION OF PLATTING.
2. DIMENSIONS ARE SHOWN IN US SURVEY FEET AND DECIMALS THEREOF.
3. BEARINGS BASED ON WEST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30-22-30 AS BEING N00°03'09"E.
4. ERROR OF CLOSURE DOES NOT EXCEED 1 IN 10,000.
5. ALL LINES ARE NON-RADIAL UNLESS OTHERWISE NOTED AS RADIAL.
6. ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
7. EASEMENT IN FAVOR OF THE CITY OF ORLANDO AND THE ORLANDO UTILITIES COMMISSION RECORDED FEBRUARY 5, 1982 IN BOOK 1010, PAGE 32. (SUBJECT TO)
8. DECLARATION OF EASEMENTS EXECUTED BY JOSEPH GROSS AND ROSE GROSS RECORDED DECEMBER 14, 1962 IN BOOK 1137, PAGE 542; EXTENSION OF DECLARATION OF EASEMENTS RECORDED MARCH 13, 1973 IN BOOK 2377, PAGE 438; AMENDMENT TO DECLARATION OF EASEMENTS RECORDED APRIL 28, 1982 IN BOOK 3276, PAGE 2723. (SUBJECT TO)
9. EASEMENT IN FAVOR OF THE CITY OF ORLANDO AND THE ORLANDO UTILITIES COMMISSION RECORDED JUNE 26, 1973 IN BOOK 2424, PAGE 764. (SUBJECT TO)
10. UNDERGROUND EASEMENT IN FAVOR OF THE CITY OF ORLANDO AND THE ORLANDO UTILITIES COMMISSION RECORDED MAY 31, 1995 IN BOOK 4897, PAGE 4348. (SUBJECT TO)
11. AMENDED AND RE-STATEMENT RECIPROCAL EASEMENT AGREEMENT BY AND BETWEEN COUSINS PROPERTIES INCORPORATED AND IT "2", INC., D/B/A PLAZA THEATRE RECORDED JULY 2, 1998 IN BOOK 5517, PAGE 232. (SUBJECT TO A BLANKET RECIPROCAL EASEMENT AGREEMENT)
12. THE 5 FOOT CITY SERVICES EASEMENT IS DEDICATED TO THE CITY OF ORLANDO.

**LEGEND:**

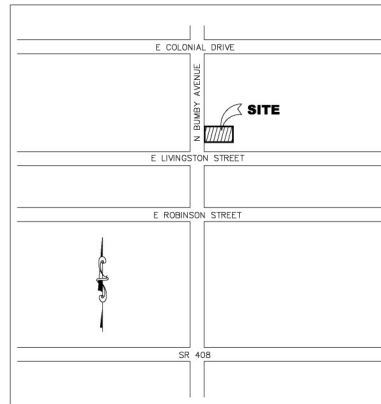
- - SET NAIL & DISK PRM #4671
- ⊕ - INDICATES CENTERLINE
- LB - LICENSED BUSINESS CERTIFICATION
- PRM - PERMANENT REFERENCE MONUMENT
- R/W - RIGHT-OF-WAY
- # - NUMBER
- PG - PLAT BOOK
- PG - PAGE
- POC - POINT OF COMMENCEMENT
- CCR - CERTIFIED CORNER RECORD
- NE - NORTHEAST
- SE - SOUTHEAST
- SW - SOUTHWEST
- NW - NORTHWEST
- ORB - OFFICIAL RECORDS BOOK
- O.U.C. - ORLANDO UTILITIES COMMISSION

SHANNON SURVEYING, INC.,  
499 NORTH S.R. 434 - SUITE 2155  
ALTAMONTE SPRINGS, FLORIDA, 32714  
(407) 774-8372 LB # 6898

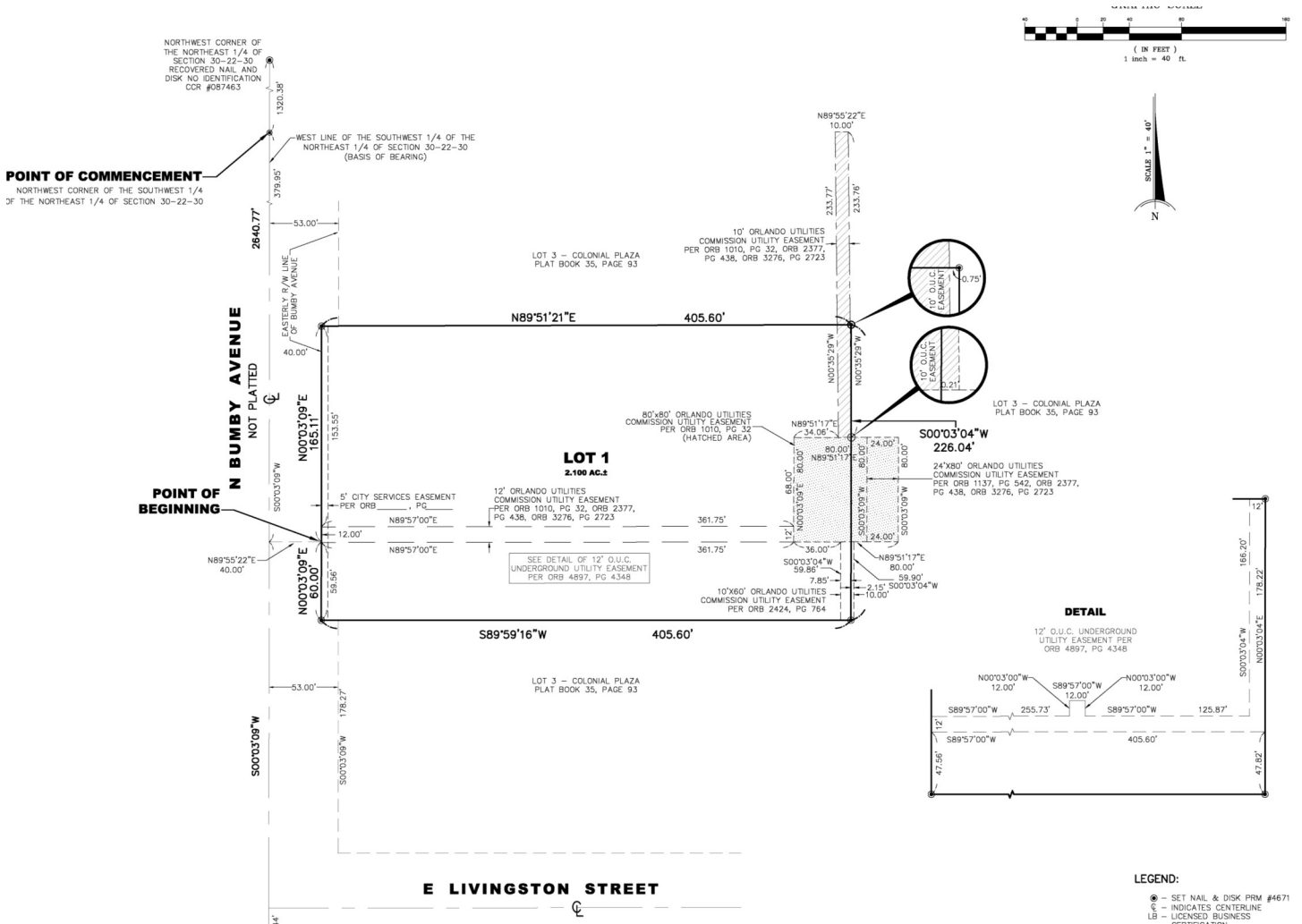
NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREON AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

**LOCATION MAP**

NOT TO SCALE

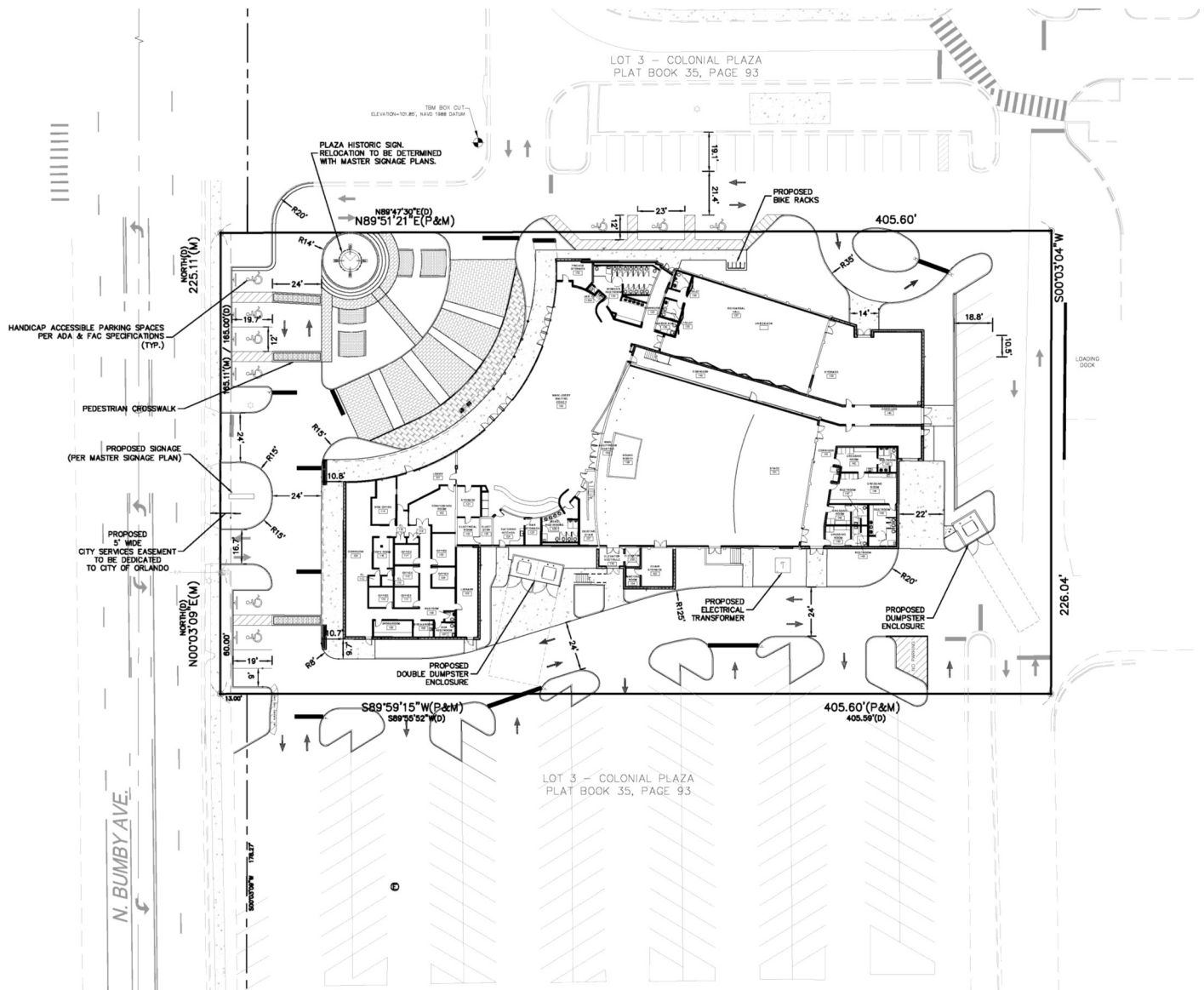


## PROPOSED PLAT





NORTH





# CONDITIONS OF APPROVAL

## Land Development

1. General Code Compliance. Development of the proposed project shall be consistent with the conditions in this report and all codes and ordinances of the City of Orlando, the State of Florida and all applicable regulatory agencies.
2. Previous Approval Consistency. The proposed development shall be consistent with the conditions of the approved master plan and other applicable previous approvals.

## City Surveying

1. Sheet:( Survey ) there are three bearings missing from the description.
2. Sheet: (Survey ) The distance of 165.00' description is different than the description, also with the N 89-47-20 E bearing.
3. Sheet: (Survey & Plat ) please show N Bumby R/W information.
4. Sheet: (Plat ) Please add the 5' City Services Easement to the Dedication.
5. Sheet: (Survey) The topo elevations should extend 50' outside the boundary limits.
6. I didn't receive copies of the closure report of the parent boundary and easements.
7. Field Review has not been completed at this time. Email Dean Hill and copy me to schedule future field checks. Dean can be reached at dean.hill@cityoforlando.net. FS 177.091(7)
8. Orange County Property Appraiser has not completed their review at this time.
9. Reminder: A copy of the Statement of Lien Settlement must be provided to the Office of Permitting Services when the plat is ready for recording. CO(17)
10. Survey will need the following documents for the next review in addition to copies required by other departments:
  - a. 3 copies of the plat
  - b. 3 copies of survey
  - c. 2 copies of the title opinion
  - d. 2 copies of the closure report
  - e. Email, CD, or flash drive containing PDF files of all documents.

## Legal Affairs

1. The title opinion has expired. An update is required.
2. Please have the attorney revise the wording "was vested" to "is vested."

## Engineering/Zoning

1. Sidewalk. As per Section 61.225 of the Land Development Code, a 5 foot wide concrete sidewalk is required along all dedicated rights-of-way. Any existing sidewalk damaged or broken is to be repaired.
2. ESM. The City Council Adopted the Engineering Standards Manual (ESM), Fourth Edition, on March 9, 2009. All plans must conform to the ESM and all construction must be accomplished in accordance to the ESM.
3. Concurrency Management/ Plat. The final recorded plat shall contain the following note:"Development on the property depicted on this plat is subject to the requirements of Chapter 59, the Concurrency Management Ordinance of the City of Orlando, which governs the City's ability to issue building permits on this property. Approval of this application shall not be deemed to provide any vested rights, except as to those matters depicted hereon, that are consistent with the requirements of Chapter 177, Florida Statutes, or were required by the City of Orlando as a condition of platting."
4. Storm- NPDES. Construction activities including clearing, grading and excavating activities shall obtain an Environmental Pro-



## CONDITIONS OF APPROVAL

tection Agency (EPA) National Pollution Discharge Elimination System (NPDES) permit, except: Operations that result in the disturbance of one acre total land area which are not part of a larger common plan of development or sale.

5. Storm— Water Management district. The owner/developer is required to design and construct an on-site storm water system in accordance with the approved Master Drainage Plan. Approval from St John's River Water Management District is required. The system is to be privately owned and maintained.
6. On-site Fees. At the time of development, the owner/developer is required to pay an on-site inspection fee that is a percentage of the cost of the on-site improvements , excluding the building, in accordance with City Land Development Code Section 65.604.
7. Plat— Minor. Plat Face Changes - There are a number of changes required to the face of the plat. In addition to the changes required on the plat, the following is a list of additional requirements. 1) Changes to the face of the plat.( A copy has already been returned to the surveyor). 2) Recording Fees (Checks should be made payable Orange County Comptroller.) 3) The plat must be reviewed by Orange County prior to recording. Begin this process by taking a copy of the executed plat to Room 1700 (Orange County Property Appraiser's Office, Attn. Rocco Campanale), 200 S. Orange Avenue, Sun Trust Bank Center. The original completed Statement of Lien from Orange County is required by this office. The Statement of Lien must be received by this office prior to recording the plat.
8. The final plat shall contain the following note: There shall be no building encroachment, roof-over-hang or underground structure in the easement.
9. Street Tree Fund. The Orlando City Council approved a Resolution at the January 27, 1997 City Council Meeting. Section 61.226 of the City's Land Development Code provides for a Street Tree Trust Fund. The developer is required to contribute funds to the Trust Fund prior to issuance of the building permit. The City is responsible for installation of the trees. The cost is \$350 for each 12'-14' height of canopy tree. The developer may install the street trees in lieu of contribution to the Trust Fund in accordance with Section 61.226.
10. Erosion & Sediment Control. Storm water control measures to minimize the impact of the erosion/sedimentation shall be incorporated in the plan of the development for all projects in the City of Orlando and a detailed description of these measures are to be included with the final engineering submittal.
11. Easement— Misc. The City Services Easement along Bumby Ave needs to be changed from being recorded in a separate document to being dedicated by this plat.
12. Survey. The survey must show current conditions on the site. As there is currently site work being done, a copy of the proposed construction plan is required.

## CONTACT INFORMATION

**Growth Management**

For questions regarding Growth Management plan review, please contact Mary-Stewart Droege at 407-246-3276 or Mary-Stewart.Droege@cityoforlando.net

**Land Development**

For questions regarding Land Development review, please contact Michaëlle Petion at 407-246-3837 or michaelle.petion@cityoforlando.net.

**Transportation Planning**

For questions regarding Transportation Planning review, please contact John Rhoades at 407-246-2293 or john.rhoades@cityoforlando.net

**City Surveying**

For questions regarding Surveying review, please contact Ken Brown at 407-246-3812 or Ken.brown@cityoforlando.net

**Engineering Records**

For questions regarding Engineering records review, please contact Amanda Furman at 407-246-4267 or Amanda.furman@cityoforlando.net

**Legal Affairs**

For questions regarding Legal Affairs review, please contact Cindi Sanford at 407-246-3489 or Cynthia.sanford@cityoforlando.net

**Engineering/Zoning**

For questions regarding Engineering or Zoning contact Shirley Green at 407.246.2134 or Shirley.Green@cityoforlando.net. To obtain plan review status, schedule/cancel an inspection and obtain inspection results, please call PROMPT, our Interactive Voice Response System at 407.246.4444.

## REVIEW/APPROVAL PROCESS—NEXT STEPS

1. The applicant revises the plat to satisfy the conditions in this report.
2. The plat is scheduled for City Council.
3. The plat is recorded with the Orange County Comptroller.