

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
2 OF ORLANDO, FLORIDA, DESIGNATING CERTAIN
3 LAND GENERALLY LOCATED NORTH OF W.
4 PRINCETON ST., EAST OF EDGEWATER DR., AND
5 SOUTH AND WEST OF W. SMITH ST., AND
6 COMPRISED OF 3.43 ACRES OF LAND, MORE OR
7 LESS, AS PLANNED DEVELOPMENT DISTRICT WITH
8 THE TRADITIONAL CITY, WEKIVA, AND EDGEWATER
9 DRIVE SPECIAL PLAN AND APPEARANCE REVIEW
10 ZONING OVERLAY DISTRICTS ON THE CITY'S
11 OFFICIAL ZONING MAPS; PROVIDING SPECIAL LAND
12 DEVELOPMENT REGULATIONS OF THE PRINCETON
13 AT COLLEGE PARK PLANNED DEVELOPMENT
14 DISTRICT; PROVIDING FOR SEVERABILITY,
15 CORRECTION OF SCRIVENER'S ERRORS, AND AN
16 EFFECTIVE DATE.
17

18 **WHEREAS**, at its regularly scheduled meeting of June 17, 2014, the Municipal
19 Planning Board (the "MPB") of the City of Orlando, Florida (the "City"), considered
20 zoning application case number ZON2014-00013, requesting the Planned Development
21 zoning district designation, along with the Traditional City, Wekiva, and the Edgewater
22 Drive Special Plan and Appearance Review zoning overlay districts, for approximately
23 3.43 acres of land, generally located north of W. Princeton Street, east of Edgewater
24 Drive, and south and west of W. Smith Street, and more precisely described by the legal
25 description attached to this ordinance as **Exhibit "A"** (hereinafter the "Property"); and
26

27 **WHEREAS**, based upon the evidence presented to the MPB, including the
28 information and analysis contained in the "Staff Report to the Municipal Planning Board"
29 for application case number ZON2014-00013 (entitled "Item #8C – The Princeton at
30 College Park PD" and hereinafter referred to as the "Staff Report"), and subject to
31 certain conditions contained within the Staff Report, the MPB recommended that the City
32 Council of the City of Orlando, Florida (the "Orlando City Council"), approve said zoning
33 application and adopt an ordinance in accordance therewith; and
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35 **WHEREAS**, zoning application case number ZON2014-00013 is requesting the
36 Planned Development zoning district designation for the purpose of permitting the
37 development of up to 226 units of attached dwelling units (the "Project"); and
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39 **WHEREAS**, the MPB found that the Project is consistent with the City's adopted
40 Growth Management Plan (the "GMP") including the applicable goals, objectives, and
41 policies associated with the Property's then-proposed Future Land Use Map designation
42 of Community Activity Center and the then-proposed Subarea Policy S.4.7; and
43

44 **WHEREAS**, the Orlando City Council hereby finds that the Project is consistent
45 with the intent and purpose of the planned development district zoning designation as

46 established by Part 2Q, Chapter 58, Code of the City of Orlando, Florida (the “Orlando
47 City Code”); and

48
49 **WHEREAS**, the Orlando City Council hereby finds that the Project and this
50 ordinance is in the best interest of the public health, safety, and welfare, and is
51 consistent with the applicable provisions of the City’s GMP, including the applicable
52 goals, objectives, and policies associated with the Property’s Future Land Use Map
53 designation of Community Activity Center and Subarea Policy S.4.7; and

54
55 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
56 **OF ORLANDO, FLORIDA, AS FOLLOWS:**

57
58 **SECTION 1. ZONING.** After due notice and public hearing, and pursuant to part
59 2Q, Chapter 58, Orlando City Code, and other relevant portions of the Orlando City
60 Code, the Property is hereby designated as Planned Development district with the
61 Traditional City, Wekiva, and the Edgewater Drive Special Plan and Appearance Review
62 zoning overlay districts, on the City’s official zoning maps (to be denoted as
63 “PD/TW/SP/AR” on the official maps of the City), as depicted in **Exhibit “B”** to this
64 ordinance. This planned development zoning district may be known as “The Princeton at
65 College Park Planned Development.”

66
67 **SECTION 2. OTHER DEVELOPMENT LAWS.** In accordance with section
68 58.367, Orlando City Code, except as expressly provided in this ordinance, The
69 Princeton at College Park Planned Development zoning district remains subject to all
70 applicable federal, state, and local laws, and nothing in this ordinance shall be construed
71 to exempt the Property from the lawful authority or jurisdiction of any federal, state, or
72 local agency.

73
74 **SECTION 3. DEFAULT ZONING DISTRICT.** Except as expressly provided
75 otherwise by this ordinance, the Property shall be governed by the land development
76 regulations of the AC-1 Community Activity Center District along with the Traditional
77 City, Wekiva, and the Edgewater Drive Special Plan and Appearance Review zoning
78 overlay districts (denoted as “AC-1/TW/SP/AR” on the official maps of the City).

79
80 **SECTION 4. SPECIAL LAND DEVELOPMENT REGULATIONS.** The Planned
81 Development zoning district for the Property is subject to the following special land
82 development regulations:

83
84 **1) Land Development**

- 85
86 a) *Development Plan.* Subject to any modifications expressly contained in the text
87 of this ordinance, development and maintenance of the Property must be
88 consistent with the development plan attached to this ordinance as **Exhibit “C”**
89 (hereinafter the “Development Plan”). In the event of a conflict between the text

90 of this ordinance and the Development Plan, the text of this ordinance shall
 91 control. References in this ordinance to lots, parcels, buildings, phases, and
 92 other development features refer to such features as identified on the
 93 Development Plan. References in this ordinance to “transition areas” or
 94 “transects” (such as those denoted “T4,” “T5,” and “T6”) refer to such features as
 95 provided in the Edgewater Drive Special Plan found at section 62.309, Orlando
 96 City Code.

- 97
- 98 b) *Variances and modifications.* Zoning variances and modification of standards
 99 may be approved pursuant to the procedures set forth in Part 2J and Part 2F,
 100 Chapter 65, Orlando City Code, respectively. The planning official may also
 101 approve minor modifications and design modifications to fences, walls,
 102 landscaping, accessory structures, signs, and bufferyard requirements.
 103
- 104 c) *Phasing.* The Property may be developed in multiple phases, but if developed in
 105 multiple phases, each phase must be developed in a manner that allows the
 106 individual phases to function independently of each other. The purpose of this
 107 requirement is to ensure that the first phase, and each subsequent phase, can
 108 fully function and operate as intended by the Development Plan in the event that
 109 subsequent phases are delayed or abandoned.
 110
- 111 d) *Maximum intensity and density.* The maximum permitted development program
 112 is as follows:
 113
- 114 i) 44,518 square feet of non-residential use. Intensity bonuses are prohibited.
 115 Notwithstanding the paragraph entitled “When Master Plan Review is
 116 Required,” at section 65.331, Orlando City Code, all non-residential
 117 development constituting a substantial improvement is hereby made subject
 118 to review and approval by master plan pursuant to Part 2H, Chapter 65,
 119 Orlando City Code.
 120
- 121 ii) 226 residential units.
 122
- 123 e) *Uses.* Land uses on the Property must comply with the list of permitted,
 124 conditional, and prohibited land uses for the AC-1/T/W/SP/AR zoning district as
 125 provided by section 3 of this ordinance, except as follows:
 126
- 127 i) Commercial uses are prohibited in the T4 and T5 zones. These zones shall
 128 be limited to residential uses only.
 129
- 130 ii) An independent senior living facility is a permitted use throughout The
 131 Princeton at College Park Planned Development district, but an assisted
 132 living facility is a prohibited use throughout the district.
 133

- 134 f) *Existing uses and structures.* Lawfully established uses and lawfully constructed
135 structures on the Property as of the effective date of this ordinance are hereby
136 made lawful and conforming to this ordinance.
137
- 138 g) *School capacity.* Building permits may not be issued for the Project unless
139 Orange County Public Schools issues documentation confirming that the
140 Property is subject to a valid Capacity Enhancement Agreement, if applicable,
141 and that those bound by the agreement are in compliance with the terms and
142 conditions of the agreement.
143
- 144 h) *Building height and mass.* Notwithstanding the Development Plan and the
145 submittal materials accompanying zoning application case number ZON2014-
146 00013, all buildings must comply with the maximum building height and mass
147 regulations provided by the applicable transect transition areas of the Edgewater
148 Drive Special Plan and Appearance Review Overlay District as adopted in 2009
149 and codified at section 62.309, Orlando City Code.
150

151 **2) Urban Design**
152

- 153 a) *Garage bufferyard.* The western facade of the parking structure must be
154 screened from the right-of-way and adjacent surface parking by providing and
155 maintaining a "Bufferyard A" as described by Orlando City Code. If a "Bufferyard
156 A" is practically impossible due to site constraints, loading zones, entrances, and
157 walkways, the City planning official may approve a "green screen" treatment
158 along these facades of the parking structure.
159
- 160 b) *Architecture.* Architectural elevations for each building are subject to review and
161 approval for consistency with this ordinance and applicable Orlando City Code as
162 part of each final site plan application. The Property must be developed and
163 maintained in accordance with the final approved architectural elevations. All
164 approved elevations must conform to the following minimum requirements:
165
- 166 i) Architecture of the residential part of the Project must be substantially
167 consistent with the elevations attached to this ordinance as **Exhibit "D."**
168
- 169 ii) *Balcony treatments.* Balconies visible from the right-of-way must provide
170 opaque or an otherwise substantially occluded treatment to the safety railing
171 or barrier. The design of the safety railing or barrier is subject to final review
172 and approval by the City appearance review official. The purpose of this
173 requirement is to substantially screen the right-of-way from items stored on
174 balconies.
175
- 176 c) *Ground floor residential units.* All perimeter ground floor residential units must
177 provide direct and paved pedestrian access to the nearest adjacent public

178 sidewalk. Ground floor units with patios must provide operable gates between the
179 patio and the required pedestrian pathway connecting the unit to the adjacent
180 public sidewalk. Design details of the gates, and any steps and associated
181 landscaping is subject to final review and approval by the City appearance review
182 official.

- 183
- 184 d) *Service areas, mechanical equipment, utilities, venting.* Final site plans depicting
185 service areas, mechanical equipment, utilities, venting, and other similar
186 development infrastructure, both private and public, must conform to the
187 following minimum regulations:
- 188
- 189 i) Utilities, dumpsters, compactors, and other "back-of-house" facilities must be
190 located on the interior of parking garages and buildings to the maximum
191 extent reasonably feasible, and should not be adjacent to sidewalks and
192 other pedestrian areas if reasonably possible.
- 193
- 194 ii) All ground and roof-mounted mechanical equipment (both private and public)
195 must be screened in accordance with the Orlando City Code and the
196 conditions of the appearance review official. Rooftop mechanical equipment
197 must be screened from the perspective of the sixth and seventh floors of the
198 neighboring Wellesley building.
- 199
- 200 iii) Where physically practicable, public and private utility equipment must be
201 installed underground.
- 202
- 203 iv) Backflow preventers must be hidden from the public right-of-way and
204 sidewalks where reasonably feasible and otherwise screened from view with
205 complimentary architectural treatment or approved landscaping.
- 206
- 207 e) *Pocket parks.* The Development Plan shows improvements to two "pocket
208 parks," one across W. Smith Street from the Project and the other at the tip of the
209 confluence of Princeton and Smith streets. While these improvements are
210 conceptual in nature, improvement of these pocket parks is hereby required of
211 the Property owner as a condition of this ordinance and must be complete before
212 the issuance of the first residential certificate of occupancy for the Project. Final
213 design of the proposed park improvements are subject to review and approval by
214 the appearance review official and other City officials with responsibility for these
215 areas. Improvement to and maintenance of these pocket parks are also subject
216 to appropriate agreements with the City of Orlando.

217

218 **3) Transportation**

- 219
- 220 a) *Walkability and streetscape.* The Project must provide sidewalks and streetscape
221 consistent with the Edgewater Drive Special Plan and other applicable City

222 regulations, except that the streetscapes adjacent to the surface parking lot to
 223 the drive aisle to the parking structure on both W. Smith Street and Princeton
 224 Street must be full hardscape-style streetscapes (i.e., no parkstrips) with tree
 225 wells and planters only. In this area of the streetscape, the back-of-curb must be
 226 treated with a double row of brick, generally consistent with the prevailing pattern
 227 and design along Edgewater Drive. Final design of the tree wells and any other
 228 planters in this area are subject to final review and approval by the City
 229 appearance review official.

230

231 b) *Public easements.* The owner of the Property must dedicate a City-services and
 232 sidewalk easement as necessary to accommodate any portion of the public
 233 sidewalk that is not within the public right-of-way.

234

235 c) *Dumpsters and compactors.* Final site plans must depict the location and size of
 236 dumpsters and trash compactors, including concrete pads and enclosures with
 237 doors. Dumpsters and compactors may not be located directly adjacent to a
 238 public street. Dumpsters and trash compactors must be screened with solid
 239 walls. Walls and gates must match nearby principal buildings. If located outside,
 240 screening walls must be softened from the perspective of the public rights-of-way
 241 and neighboring properties with approved low hedges, groundcover, and
 242 understory landscaping. Dumpsters and compactors must be located to provide
 243 at least 50' of clear back-up space and must be constructed and maintained in
 244 accordance with the current City of Orlando Engineering Standards Manual.

245

246 d) *Other pedestrian facilities.* In addition to the sidewalks and other pedestrian
 247 facilities required by the Edgewater Drive Special Plan, Orlando City Code, and
 248 other City plans and standards, the Project must provide:

249

250 i) A single City-approved pedestrian crosswalk connecting the Property to the
 251 island pocket park at the confluence of Princeton and Smith streets. The final
 252 design of this crosswalk is subject to review and approval by the City
 253 engineer and City appearance review official. This crosswalk must be located
 254 within the Princeton Street street-corner visibility area.

255

256 ii) A single City-approved pedestrian crosswalk connecting the island pocket
 257 park at the confluence of Princeton and Smith streets and the public sidewalk
 258 running along the north side of Princeton Street. The final design of this
 259 crosswalk is subject to review and approval by the City engineer and City
 260 appearance review official. This crosswalk must be located at a right angle,
 261 perpendicular to W. Smith Street and within 225 feet of the intersection
 262 centerline of Princeton Court.

263

264 iii) A single City-approved pedestrian crosswalk connecting the island pocket
 265 park at the confluence of Princeton and Smith streets and the public sidewalk

266 running along the south side of Princeton Street. The final design of this
267 crosswalk is subject to review and approval by the City engineer and City
268 appearance review official. This crosswalk must be located at a right angle,
269 perpendicular to Princeton Street and must not interfere with any driveways
270 to or from Princeton Street.

271
272 These facilities must be constructed and accepted by the City before the
273 issuance of the first residential certificate of occupancy for the Project.

- 274
275 e) *W. Smith Street Pavement Treatment.* As a traffic-calming measure, the Project
276 must provide (at no expense to the City) City-approved textured pavement
277 treatment on W. Smith Street commencing just to the west of the island pocket
278 park and running westward for at least 25 feet. Mid-block crossings are prohibited
279 within this treatment area, unless otherwise approved by the City engineer. This
280 treatment must be constructed and accepted by the City before the issuance of
281 the first residential certificate of occupancy for the Project.
- 282
283 f) *Pedestrian ramps at intersections.* Sidewalks at street intersections and street
284 intersections with driveways must provide disability access ramps consistent with
285 the standards of the Americans with Disability Act. At street intersections, such
286 ramps must be provided for each direction of pedestrian crossing.
- 287
288 g) *On-street and off-street loading.* The Development Plan shows on-street loading
289 areas on Princeton and Smith streets. These loading areas must be
290 accommodated onsite and must be provided before the issuance of the first
291 residential certificate of occupancy for the Project. Loading areas for non-
292 residential uses shall be provided in accordance with Orlando City Code.

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294 **SECTION 5. SCRIVENER'S ERROR.** The City Attorney may correct scrivener's
295 errors found in this ordinance by filing a corrected copy of this ordinance with the City
296 Clerk.

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298 **SECTION 6. SEVERABILITY.** If any provision of this ordinance or its
299 application to any person or circumstance is held invalid, the invalidity does not affect
300 other provisions or applications of this ordinance which can be given effect without the
301 invalid provision or application, and to this end the provisions of this ordinance are
302 severable.

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304 **SECTION 7. EFFECTIVE DATE.** This ordinance takes effect upon the effective
305 date of City of Orlando Ordinance #2014-42, relating to the Property's Future Land Use
306 Map designation and Subarea Policy S.4.7.

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308 **DONE, THE FIRST READING,** by the City Council of the City of Orlando,
309 Florida, at a regular meeting, this _____ day of _____, 2014.

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DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this _____ day of _____, 2014.

DONE, THE SECOND READING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2014.

BY THE MAYOR/MAYOR PRO TEMPORE
OF THE CITY OF ORLANDO, FLORIDA:

Mayor / Mayor Pro Tempore

ATTEST, BY THE CLERK OF THE
CITY COUNCIL OF THE CITY OF
ORLANDO, FLORIDA:

City Clerk

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND RELIANCE OF THE
CITY OF ORLANDO, FLORIDA:

City Attorney

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