

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
34

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
38

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

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

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

134
135 f) *Existing uses and structures.* Lawfully established uses and lawfully constructed
136 structures on the Property as of the effective date of this ordinance are hereby
137 made lawful and conforming to this ordinance.
138

139 g) *School capacity.* Building permits may not be issued for the Project unless
140 Orange County Public Schools issues documentation confirming that the
141 Property is subject to a valid Capacity Enhancement Agreement, if applicable,
142 and that those bound by the agreement are in compliance with the terms and
143 conditions of the agreement.
144

145 h) *Building height and mass.* Notwithstanding the Development Plan and the
146 submittal materials accompanying zoning application case number ZON2014-
147 00013, all buildings must comply with the maximum building height and mass
148 regulations provided by the applicable transect transition areas of the Edgewater
149 Drive Special Plan and Appearance Review Overlay District as adopted in 2009
150 and codified at section 62.309, Orlando City Code.
151

152 **2) Urban Design**
153

154 a) *Garage bufferyard.* The western facade of the parking structure must be
155 screened from the right-of-way and adjacent surface parking by providing and
156 maintaining a "Bufferyard A" as described by Orlando City Code. If a "Bufferyard
157 A" is practically impossible due to site constraints, loading zones, entrances, and
158 walkways, the City planning official may approve a "green screen" treatment
159 along these facades of the parking structure.
160

161 b) *Architecture.* Architectural elevations for each building are subject to review and
162 approval for consistency with this ordinance and applicable Orlando City Code as
163 part of each final site plan application. The Property must be developed and
164 maintained in accordance with the final approved architectural elevations. All
165 approved elevations must conform to the following minimum requirements:
166

167 i) Architecture of the residential part of the Project must be substantially
168 consistent with the elevations attached to this ordinance as **Exhibit "D."**
169

170 ii) *Balcony treatments.* Balconies visible from the right-of-way must provide
171 opaque or an otherwise substantially occluded treatment to the safety railing
172 or barrier. The design of the safety railing or barrier is subject to final review
173 and approval by the City appearance review official. The purpose of this
174 requirement is to substantially screen the right-of-way from items stored on
175 balconies.
176

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

218
219 **3) Transportation**
220

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- 221 a) *Walkability and streetscape.* The Project must provide sidewalks and streetscape
222 consistent with the Edgewater Drive Special Plan and other applicable City
223 regulations, except that the streetscapes adjacent to the surface parking lot to
224 the drive aisle to the parking structure on both W. Smith Street and Princeton
225 Street must be full hardscape-style streetscapes (i.e., no parkstrips) with tree
226 wells and planters only. In this area of the streetscape, the back-of-curb must be
227 treated with a double row of brick, generally consistent with the prevailing pattern
228 and design along Edgewater Drive. Final design of the tree wells and any other
229 planters in this area are subject to final review and approval by the City
230 appearance review official.
231
- 232 b) *Public easements.* The owner of the Property must dedicate a City-services and
233 sidewalk easement as necessary to accommodate any portion of the public
234 sidewalk that is not within the public right-of-way.
235
- 236 c) *Dumpsters and compactors.* Final site plans must depict the location and size of
237 dumpsters and trash compactors, including concrete pads and enclosures with
238 doors. Dumpsters and compactors may not be located directly adjacent to a
239 public street. Dumpsters and trash compactors must be screened with solid
240 walls. Walls and gates must match nearby principal buildings. If located outside,
241 screening walls must be softened from the perspective of the public rights-of-way
242 and neighboring properties with approved low hedges, groundcover, and
243 understory landscaping. Dumpsters and compactors must be located to provide
244 at least 50' of clear back-up space and must be constructed and maintained in
245 accordance with the current City of Orlando Engineering Standards Manual.
246
- 247 d) *Other pedestrian facilities.* In addition to the sidewalks and other pedestrian
248 facilities required by the Edgewater Drive Special Plan, Orlando City Code, and
249 other City plans and standards, the Project must provide:
250
- 251 i) A single City-approved pedestrian crosswalk connecting the Property to the
252 island pocket park at the confluence of Princeton and Smith streets. The final
253 design of this crosswalk is subject to review and approval by the City
254 engineer and City appearance review official. This crosswalk must be located
255 within the Princeton Street street-corner visibility area.
256
- 257 ii) A single City-approved pedestrian crosswalk connecting the island pocket
258 park at the confluence of Princeton and Smith streets and the public sidewalk
259 running along the north side of Princeton Street. The final design of this
260 crosswalk is subject to review and approval by the City engineer and City
261 appearance review official. This crosswalk must be located at a right angle,
262 perpendicular to W. Smith Street and within 225 feet of the intersection
263 centerline of Princeton Court.
264

265 iii) A single City-approved pedestrian crosswalk connecting the island pocket
266 park at the confluence of Princeton and Smith streets and the public sidewalk
267 running along the south side of Princeton Street. The final design of this
268 crosswalk is subject to review and approval by the City engineer and City
269 appearance review official. This crosswalk must be located at a right angle,
270 perpendicular to Princeton Street and must not interfere with any driveways
271 to or from Princeton Street.

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

275
276 e) *W. Smith Street Pavement Treatment.* As a traffic-calming measure, the Project
277 must provide (at no expense to the City) City-approved textured pavement
278 treatment on W. Smith Street commencing just to the west of the island pocket
279 park and running westward for at least 25 feet. Mid-block crossing are prohibited
280 within this treatment area, unless otherwise approved by the City engineer. This
281 treatment must be constructed and accepted by the City before the issuance of
282 the first residential certificate of occupancy for the Project.

283
284 f) *Pedestrian ramps at intersections.* Sidewalks at street intersections and street
285 intersections with driveways must provide disability access ramps consistent with
286 the standards of the Americans with Disability Act. At street intersections, such
287 ramps must be provided for each direction of pedestrian crossing.

288
289 g) *On-street and off-street loading.* The Development Plan shows on-street loading
290 areas on Princeton and Smith streets. These loading areas must be
291 accommodated onsite and must be provided before the issuance of the first
292 residential certificate of occupancy for the Project. Loading areas for non-
293 residential uses shall be provided in accordance with Orlando City Code.

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

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

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

308

ORDINANCE NO. 2014-47

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

311
312 **DONE, THE PUBLIC NOTICE**, in a newspaper of general circulation in the City
313 of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this _____ day
314 of _____, 2014.

315
316 **DONE, THE SECOND READING, AND ENACTED ON FINAL PASSAGE**, by an
317 affirmative vote of a majority of a quorum present of the City Council of the City of
318 Orlando, Florida, at a regular meeting, this _____ day of _____,
319 2014.

320
321 BY THE MAYOR/MAYOR PRO TEMPORE
322 OF THE CITY OF ORLANDO, FLORIDA:

323
324
325 _____
326 Mayor / Mayor Pro Tempore
327

328 ATTEST, BY THE CLERK OF THE
329 CITY COUNCIL OF THE CITY OF
330 ORLANDO, FLORIDA:

331
332 _____
333 City Clerk
334

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

338
339 _____
340 City Attorney
341

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