

ORDINANCE NO. 2014-67

1 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**
2 **OF ORLANDO, FLORIDA, AMENDING AND**
3 **RESTATING THE LAND DEVELOPMENT**
4 **REGULATIONS OF THE DR. PHILLIPS CENTER FOR**
5 **THE PERFORMING ARTS PLANNED DEVELOPMENT**
6 **ZONING DISTRICT; RELATING TO CERTAIN LAND**
7 **GENERALLY LOCATED NORTH OF E. ANDERSON ST.,**
8 **EAST OF S. ORANGE AVE., SOUTH OF E. SOUTH ST.,**
9 **AND WEST OF S. ROSALIND AVE., AND COMPRISED**
10 **OF APPROXIMATELY 8 ACRES OF LAND; PROVIDING**
11 **FOR SEVERABILITY, CORRECTION OF SCRIVENER'S**
12 **ERRORS, AND AN EFFECTIVE DATE.**

13
14 **WHEREAS**, at its regularly scheduled meeting of October 21, 2014, the Municipal
15 Planning Board (the "MPB") of the City of Orlando, Florida (the "City"), considered
16 zoning application case number ZON2014-00024, requesting amendments to the land
17 development regulations of the Dr. Phillips Center for the Performing Arts Planned
18 Development zoning district, relating to approximately 8 acres of land, generally located
19 north of E. Anderson St., east of S. Orange Ave., south of E. South St., and west of S.
20 Rosalind Ave., and described and depicted in Exhibit "A" (hereinafter the "Property");
21 and

22
23 **WHEREAS**, based upon the evidence presented to the MPB, including the
24 information and analysis contained in the "Agenda Item Summary" for application case
25 number ZON2014-00024 (entitled "Agenda Item 17 – DPAC PD Amendment" and
26 hereinafter referred to as the "Staff Report,"), and subject to certain conditions, the MPB
27 recommended that the City Council of the City of Orlando, Florida (the "Council")
28 approve said zoning application and adopt an ordinance in accordance therewith; and
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30 **WHEREAS**, zoning application case number ZON2014-00024 is requesting an
31 amendment to the City's planned development zoning designation for the purpose of
32 permitting the multiphase redevelopment of two downtown city blocks to include the Dr.
33 Phillips Center for the Performing Arts, comprised of three performing arts theaters and
34 associated halls and back-of-house space, a grand, public plaza, and up to three
35 commercial or residential buildings (hereinafter the "Project"); and
36

37 **WHEREAS**, the MPB has found that the Project is consistent with the City's
38 adopted Growth Management Plan (the "GMP"); and
39

40 **WHEREAS**, the Council hereby finds that the Project is consistent with the intent
41 and purpose of the planned development district zoning designation as established by
42 Part 2Q, Chapter 58, Land Development Code ("LDC") of the City of Orlando, Florida (the
43 "Orlando City Code"); and
44

45 **WHEREAS**, the Council hereby finds that this ordinance is in the best interest of
46 the public health, safety, and welfare, and is consistent with the applicable provisions of
47 the City's GMP; and
48

49 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
50 **OF ORLANDO, FLORIDA, AS FOLLOWS:**
51

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SECTION 1. ZONING DISTRICT AND AMENDMENT TO THE PD LAND DEVELOPMENT REGULATIONS. The Property was rezoned from Downtown Metropolitan Activity Core Center District with the Traditional City Overlay District (AC-3A/T), in part, and Public Use District with the Traditional City Overlay (P/T), in part, to Planned Development District with the Traditional City Overlay (PD/T) on the City's official zoning map series by City of Orlando Ordinance #2010-32, adopted by the Orlando City Council on December 6, 2010. Ordinance #2010-32 is hereby amended, restated, and completely superseded by this ordinance. This planned development district may be referred to as the Dr. Phillips Center for the Performing Arts Planned Development District.

SECTION 2. DEVELOPMENT PARCELS. The Project is a multiphase, multistage, development comprised of three commercial or residential highrise buildings, the Plaza (as hereinafter defined), and a multi-hall performing arts center, covering two downtown city blocks and subdivided into five distinct development parcels. For reference purposes in this ordinance, the five development parcels on the Property are identified and depicted in the map attached to this ordinance as Exhibit "B" (hereinafter "Parcel 1," "Parcel 2," "Parcel 3," "Parcel 4," and "Parcel 5," respectively, and "Parcels" when referring to any combination of two or more Parcels).

SECTION 3. GENERAL CONDITIONS OF THE PD DISTRICT. The Dr. Phillips Performing Arts Center Planned Development zoning district is subject to the following general conditions:

1. General Zoning and Master Development Plan Conditions

- 1.1. Subject to any modifications expressly contained in this ordinance, including exhibits, and subsequent Master Plans for Parcels 3, 4, and 5, development and maintenance of the Property must be consistent with the Phase 1, Stage 1 and 2 site plans attached to this ordinance as Exhibit "C" (hereinafter the "Site Plans"), and subsequent Master Plans.
- 1.2. If a conflict occurs between the text of this ordinance and exhibits to this ordinance, the text controls.
- 1.3. Except as expressly provided otherwise in this ordinance, the Property remains subject to all applicable federal, state, and local laws, and nothing in this ordinance shall be construed to exempt the Property from the lawful authority or jurisdiction of any federal, state, or local agency.
- 1.4. Lawful uses and structures existing on the Property as of the effective date of this ordinance are hereby made legal and conforming under this ordinance.
- 1.5. Unless otherwise provided in this ordinance, including exhibits, the Property is subject to the standards and regulations of the Downtown Metropolitan Activity Core Center District with the Traditional City Overlay District (AC-3A/T).
- 1.6. Major modifications to the development plan or standards set forth herein shall follow the amendment procedures for development plans as set forth in Chapter 65, Part 2E, LDC. The Planning Official or his designee shall be authorized to permit minor changes to the development plan, Elevations, Plaza Plan, Space

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Frame and the Master Sign Plan in conformance with the intent and purpose of the GMP and the LDC without further review by the MPB or City Council. The changes shall not exceed the maximum standards of the GMP and LDC.

1.7. The Property must be replatted to reflect development of the Project. The replat must be complete, including recordation in the official records of Orange County, before a certificate of occupancy is issued for buildings included within Phase 1, Stage 1, of Parcel 1, or before any building permit is issued for any building on either Parcel 3, 4, or 5, whichever occurs first. The plat for Parcel 5 must provide easements to the benefit of Parcel 1 for the purpose of providing access from S. Rosalind Ave. to the loading docks and back-of-house area on the eastside of Parcel 1, and for access to the utility yard located on the southernmost part of Parcel 5.

1.8. The Property may be developed in multiple phases, and multiple stages within each phase, but if developed in multiple phases and stages, each phase and stage must be developed in a manner that allows the individual phases and stages to function independently of each other. The purpose of this requirement is to ensure that the first phase, and each subsequent phase and stage, can fully function and operate as intended by the Phase 1, Stage 1 and 2 Site Plans in the event that subsequent phases or stages are delayed or abandoned. Parcel 1 may be developed in 2 stages. For the purposes of this ordinance, the 2 stages will be referred to as Phase 1, Stage 1, and Phase 1, Stage 2. The respective stages are chronological in order, with Stage 1 being developed before or at the same time as Stage 2. The Phase 1 stages must include the following development:

1.8.1. Phase 1, Stage 1 must include the following:

1.8.1.1. The realignment of Magnolia Ave. between Anderson St. and South St., to match the alignment depicted in the Site Plan.

1.8.1.2. On Parcel 1, the approximately 2,700-seat amplified theater, the approximately 300-seat multipurpose theater, with its related front-of-house space and back-of-house space for the DPC Building (as defined below) must be developed.

1.8.1.3. Parcel 2 must be sodded and landscaped. The landscaping must include a line of palm trees running along the northern and southern boundaries of Parcel 2 from the east and west property lines. The Parcel must also be developed with two sidewalks connecting Parcel 1 with Orange Ave. Both of these sidewalks must be at least 15' wide, one near the northern boundary and one near the southern boundary of the Parcel.

1.8.1.4. Parcels 3 and 4, where vacant, must be sodded and landscaped. An interim landscaping plan must be reviewed and approved by the Planning Official, and the Parcels must be maintained consistent with the final and approved interim landscaping plan. The Parcels may also be developed with interim space-frames for the purpose of defining the

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Plaza and separating the Plaza space from the vacant Parcels 3 and 4.

1.8.1.5. On Parcel 5, an existing parking lot may remain on the northern portion of the Parcel. A covered transformer yard with street wall may be constructed on the southernmost portion of the Parcel and a curbcut may be constructed along Rosalind Ave. to provide vehicular access from the back-of-house space of Parcel 1.

1.8.2. Phase 1, Stage 2 must include the following:

1.8.2.1. Development of the remaining portion of Parcel 1, including the approximately 1,700-seat acoustic hall with its related front-of-house and back-of-house space.

1.8.2.2. Complete development of Parcel 2 consistent with Section 5 of this ordinance.

1.8.2.3. The parking lot on Parcel 5 will remain as shown on "Exhibit C" Sheet L-01 Phase 1 Stage 1. The parking lot may be reconfigured with the construction of Phase 2 Stage 2, consistent with the Site Plan shown on "Exhibit C" Sheet L-02.

1.9. The following uses are prohibited on the Property, even if otherwise permitted within the underlying or default zoning district of AC-3A/T as of the effective date of this ordinance, or subsequently thereto:

1.9.1. Body art shop

1.9.2. Funeral home.

1.9.3. Automotive service.

1.9.4. Hospital.

1.9.5. Pet boarding facility.

1.9.6. Pet day care facility.

1.9.7. Animal or pet related retail.

1.9.8. Veterinary clinic.

1.9.9. Vehicle sales and rental.

1.9.10. Escort service.

1.9.11. Amusement center.

1.9.12. Game room.

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1.9.13. Pool hall.

1.9.14. Group housing.

1.9.15. Group care facility.

1.9.16. Nursing home.

1.9.17. Emergency shelter.

1.9.18. Treatment and recovery facility.

1.10. All buildings on the Property must be built and maintained in a manner that either naturally allows for or otherwise provides adequate level of radio coverage for the City's public safety radio communications system. At a minimum such coverage shall include the following:

1.10.1. Inbound into the building: A minimum average in-building field strength of 10 dbm above the noise floor throughout ninety-five (95%) of the area on each floor of the building when transmitted from the appropriate emergency service dispatch centers.

1.10.2. Outbound from the building: A minimum average outbound field strength of 10 dbm above the noise floor throughout ninety-five percent (95%) of the area on each floor of the building when transmitted from the field units portable radio to the appropriate emergency service dispatch centers.

1.10.3. The City's public safety communications unit, with consideration of the needs of the police, fire, and emergency medical providers, shall determine the frequency range or ranges that must be supported. For the purpose of this section, adequate radio coverage shall constitute a successful communications test between the equipment in the building and the communications centers for all City emergency service providers.

1.10.4. If any part of the installed system or systems contains an electrically powered component, the system must be capable of an independent battery or generator system for a period of at least twelve hours without external power input or maintenance. The battery system must automatically charge in the presence of external power.

1.10.5. All amplification equipment installed within buildings on the Property must be FCC accepted.

2. General Transportation Conditions

2.1. Final site plans must show onsite pedestrian connectivity between buildings and from buildings to sidewalks. The final location, configuration, and dimensions of all pedestrian paths and sidewalks are subject to review and approval by the City Planning Official. Pedestrian ramps at street corners must be designed, installed, and maintained to provide a separate ramp in each direction.

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Crosswalks at driveways and curbcuts shall be raised to be at same grade as sidewalk adjacent to the driveway in order to clearly define the pedestrian area. The crosswalk surface shall be treated with the same streetscape treatment materials as the sidewalk surface, or a contrasting material, color or texture from the vehicular path. Reflective paint alone is not acceptable, however it may be used in conjunction with pavers or other surface materials to outline the pedestrian path for night time safety.

2.2. Bicycle racks must be installed and maintained on each Parcel. All racks must be provided in locations that are safe, visible, and accessible to the public, and where practicable, underneath building overhangs or awnings. The design and location of bicycle racks is subject to review and approval by the Planning Official, or designee, during the final site plan review.

2.2.1. Parcels 1 and 2 must provide at least eight bicycle parking spaces plus one additional space for each 5,000 square feet of building space on the respective Parcel. In lieu of bicycle lockers for Parcels 1 and 2, alternative safe and secure bicycle storage options for employees must be provided. At least half of all bike racks provided must be located on Parcels 1 and 2. Bike racks must be distributed around the Property and each Parcel, including building entryways and the Plaza. For Parcels 3, 4, and 5, no more than 4 bike racks may be grouped together at one location.

2.2.2. The number of bike racks required of Parcels 3, 4, and 5 shall be determined at the master plan review and approval for each of these respective parcels.

2.3. Except for doors used only for emergency exit, doors that lead to or from pedestrian pathways and rights-of-way ("ROW") must be recessed into the building so that the door does not swing into a pedestrian pathway or the ROW.

2.4. The owner of Parcels 1 and 2 must contribute \$44,000 towards the cost of design and installation of 2 transit shelters, one serving the bus stop on E. Anderson St., and one serving the bus stop on S. Rosalind Ave, in between Anderson Street and South Street. The contribution must be paid before a building permit is issued for work included within Phase 1, Stage 2.

2.5. Final site plans must depict and describe loading facilities. Loading facilities must conform to the requirements of Part 3F, Chapter 61, Orlando City Code, except that Parcels 1 and 5 may be designed in a manner that allows trucks to back into and maneuver from or onto streets, sidewalks, pedestrian walkways, or bikeways.

2.6. All sidewalks and streetscapes adjacent to the Property must be built in accordance with illustrations provided in "Exhibit C" or the Downtown Orlando Streetscape Guidelines approved by City Council on March 3, 2008 , except for the following:

2.6.1. Sidewalks along Orange Ave., South St., and Anderson St., must be at least 15 feet wide, except for the sidewalk on the south boundary of Parcel 1, which must be a minimum of 12 feet wide. Rosalind Ave. will

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incorporate a 10 feet wide sidewalk, with a 5 feet wide planting strip adjacent to the curb, as illustrated in "Exhibit C".

2.6.2. Sidewalks along Magnolia Ave. and Orange Ave. must be at least 15 feet wide and may be constructed of pavers as illustrated on the Stage 1 and 2 Site Plans. The finished grade of the sidewalks along Magnolia must match the grade of the realigned Magnolia Ave. so that curbs are eliminated. The developer of Parcel 1, the Dr. Phillips Center for the Performing Arts, Inc. ("DPC"), shall be fully responsible for installing the pavers as shown on the Stage 1 and 2 Site Plans. If Parcels 3 and/or 4 develop prior to final buildout of Parcel 1 in Stage 2, the developer of those Parcels is responsible for installing a minimum 15 ft. wide concrete sidewalk as shown in the Phase 1 Site Plan.

2.6.3. Palms trees are permitted within the ROW along Magnolia Avenue adjacent to Parcels 3 and 4. At least three date palms must be installed in this area before a certificate of occupancy is issued for buildings within Phase 1, Stage 1.

3. General Site ID Signage

3.1. All Site ID Signs (identified as "Small ID Signs" in the Master Sign Plan) shall be in conformance with the Master Sign Plan, attached to this ordinance as Exhibit D (hereinafter "Master Sign Plan") as modified by the following conditions:

3.1.1. Site ID signs shall not exceed 10'-6" in height and 2'-8" in width.

3.1.2. Site ID Signs shown on Orange & Anderson, South & Orange, South & Rosalind, and Anderson & Rosalind are off site signs and are shown on private property, in the ROW, on the sidewalks or adjacent to the sidewalks. These signs must be modified as follows:

3.1.2.1. Orange & Anderson: This sign may be permitted as a temporary off-site sign and may be removed at the time Parcel 4 is developed.

3.1.2.2. South & Orange: move back from the street corner into the grass lawn in front of Parcel 3. May be subject to removal at the time Parcel 3 is developed.

3.1.2.3. South & Rosalind: Sign may be subject to removal at the time Parcel 5 is developed.

3.1.2.4. Anderson & Rosalind: Sign may be subject to removal at the time Parcel 5 is developed.

3.1.3. Only the letters in the sign should be illuminated. The box/cabinet shall be opaque.

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- 3.1.4. There is a future art piece shown at the corner of Orange and South. This corner may have either an art piece or the site ID sign, so as not to compete with each other. Alternatively, an art piece with signage may be permitted, subject to approval by the Appearance Review Board (the "ARB") and the City of Orlando Public Art Advisory Board ("Art Board"). Should this piece be in conflict with the Parcel 3 development, it may be relocated to another location, subject to approval by the Art Board.

4. General Landscaping and Hardscaping Conditions

- 4.1. A signed and sealed landscaping plan for each Parcel and adjacent ROW is subject to review and approval by the Planning Official, or designee, prior to the issuance of any building permit for that Parcel. The respective Parcel must be developed and maintained in conformity with its final approved landscaping plan.
- 4.2. Vacant, undeveloped Parcels must be sodded and irrigated. Construction fences may be permitted to screen construction use areas on vacant sites.

5. General Design and Architecture Conditions

- 5.1. The Property and the public ROW adjacent to Property is subject to the jurisdiction of the ARB. All conditions of the ARB shall apply.

All utility service equipment, backflow preventers, mechanical, electrical, plumbing equipment, switch gear, transformers, and roof top utilities, and similar shall be screened. Vents and equipment shall be screened from the public ROW and from the view of all adjacent properties, including the residential units across Rosalind and Anderson Street. Acceptable screening methods shall include but not be limited to: the building parapet, louvers, landscaping, metal screen fencing, high-quality finished utility boxes, mechanical duct wrap to match the color of the roof or material where the duct is exposed, or similar. Above grade utility boxes within the PD and the surrounding streetscapes (ROW) shall be painted silver to match the cantilever roof of the Art Center.

- 5.2. Transformers on the exterior of any building shall be roofed or screened from above, or otherwise incorporated into the building at time of installation.
- 5.3. A signed and sealed lighting plan for each Parcel is subject to review and approval by the City Planning Official prior to the issuance of any building permit for the respective Parcel. The Property must be developed and maintained in conformity with the final approved lighting plan. The lighting plan must be consistent with Orange County's lighting ordinance (Orange County Ord. No. 2003-08, §1, 6-3-03), unless a photometric plan is otherwise approved by the City Planning Official, and the following:
- 5.3.1. Light-poles and other lighting utilities may not encroach within pedestrian pathways.
- 5.3.2. Light fixtures within parking lots and garages may not exceed 30' in height.

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- 5.3.3. Light fixtures are prohibited in landscape islands in newly constructed parking lots.
- 5.3.4. To prevent light spilling onto adjacent properties, parking lot light fixtures must be installed and maintained with houseside shields and reflectors that confine direct light to the respective Parcel. Light bulbs in parking lot light fixtures may not exceed 400 watts.
- 5.3.5. Security lighting may not substitute for parking lot and pedestrian pathway light fixtures. Security lighting may only be used for service areas, storage areas, loading facilities, and other similar back-of-house uses. Where security lighting is permitted, it may not extend beyond the fascia or roofline of a building. The shields and enclosure boxes of security lighting fixtures must match the color of the building to which it is attached.
- 5.3.6. Lights installed under awnings, canopies, and porte-cocheres within service or loading dock areas must be recessed or the light fixture must be a full cut off fixture so that light emanates downward only.
- 5.3.7. Light fixtures installed along pedestrian pathways outside of the ROW must be decorative in style and finish, and may not exceed 15' in height, except that 40' tall totem-style fixtures are permitted on Parcel 2.
- 5.3.8. Streetscape lights installed within the public ROW must be the downtown Orlando streetscape standard double-acorn fixtures with reflectors, as described in the Downtown Orlando Streetscape Design, except that "Double Post Beacon" style light poles are permitted on the south side of E. South St. between Rosalind Ave. and Magnolia Ave. and the north side of E. Anderson St. between Rosalind Ave. and Magnolia Ave. The color of the Double Post Beacon pole and the intensity and color of the light it emits must match downtown Orlando streetscape standard double-acorn fixtures. In addition 40' tall totem-style fixtures are permitted on the west side of Magnolia Ave. between E. Anderson St. and E. South St.
- 5.4. Ground floor uses, such as restaurants, that require venting to the outdoors, may not vent onto the public ROW or towards the Plaza. The structure containing the transformer yard planned for Parcel 5 may incorporate louvered architectural vents if no other practicable alternative is available.
- 5.5. Venting systems associated with structured parking must vent onto the roof or through façade treatments that disguise the purpose of the vent. The installation of parking area ventilation equipment, excluding non-motorized architectural grills, in the Parcel 3 and 4 exterior walls facing the Plaza or Magnolia Avenue shall be prohibited. The installation of parking area ventilation equipment, excluding non-motorized architectural grills, in the Parcel 5 exterior walls facing Rosalind Avenue, South Street or Anderson Street shall be prohibited.
- 5.6. Final site plans for each Parcel must depict the location and size of dumpsters and trash compactors. Dumpsters and trash compactors must be internal to buildings or opaquely screened with a masonry wall. The screening wall must match the architectural style and material of the primary structure it serves. The

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wall must be at least 6' in height or at least 6" taller than the waste receptacle hidden behind it, whichever is higher. The container area shall be planted with creeping vines or landscaping that will grow to cover the structure 100% (with the exception of the openings) within one year.

SECTION 4. CONDITIONS SPECIFIC TO PARCEL 1. The Dr. Phillips Performing Arts Center Planned Development zoning district is subject to the following conditions specific to Parcel 1:

1. General Parcel 1 Description

1.1. Parcel 1 must be developed and maintained as a world-class performing arts center (the "DPC Building"). The DPC Building must include three halls, one amplified hall with about 2,700 seats, one multipurpose theater with about 300 seats, and one acoustic hall with about 1,700 seats. The DPC Building must also include a grand entry hall, a banquet hall, rehearsal hall, box office, ancillary office and education space, and back-of-house loading and production space.

1.2. Pursuant to Section 2.171 of the Orlando City Code, a minimum of 1% the total estimated cost of the project for DPC Building and the Plaza (Parcels 1 and 2) shall be provided towards a Public Art Contribution or into the Public Art Fund. The one percent (1%) calculation shall only apply to the first \$50,000,000.00 for any single project which has an estimated construction cost exceeding \$50,000,000.00. For the purposes of this contribution requirement, Stages 1 and 2 will be considered a single project, with the total 1% cost provided with Stage 1.

2. Parcel 1 Zoning and Site Plan Conditions

2.1. A signed and sealed final site plan and landscape plan and signed and sealed construction documents for Parcel 1 are subject to review and approval by the City Planning Division prior to the issuance of any building permit for Parcel 1. The City Planning Division shall review the final site plan and construction documents for conformity with this ordinance and all other applicable laws. Parcel 1 must be developed and maintained in accordance with the approved final site plan. The Planning Official shall ensure that the final approved site plan is consistent with the intent of the Staff Report.

2.2. The minimum FAR for Parcel 1 is 0.75 and the maximum FAR for Parcel 1 is 3.4.

2.3. Residential uses are prohibited on Parcel 1.

2.4. The impervious surface ratio of Parcel 1 may not exceed 0.98.

2.5. Buildings on Parcel 1 may not exceed 140 feet in height.

2.6. Required building setback from lot lines on Parcel 1 are as follows:

2.6.1. Northern lot line: Min. is 0 or 20 feet; Max. is 30 feet after construction of Phase 2 - Stage 2.

2.6.2. Southern lot line: Min. is 0 feet; Max is 5 feet.

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2.6.3. Eastern lot line: Min. is 0 feet; Max is 5 feet.

2.6.4. Western lot line: Min. is 0 feet; Max. is 5 feet.

3. Parcel 1 Signage

3.1. Temporary Construction Fence signage is permitted in conformance with the following conditions:

3.1.1. The property owner/developer of the property shall obtain all necessary permits as provided by the Orlando City Code.

3.1.2. Project identification copy may include project logos and marketing text (i.e. "Elevate your Views" or "Amenities Second to None") that combined may not exceed 20 percent of the overall copy area, plus renderings of the project, floor plans, lifestyle images and background.

3.1.3. Construction fences shall be removed prior to issuance of a Certificate of Occupancy or Certificate of Completion pursuant to Sec. 58.933, LDC.

3.1.4. Construction fence copy shall be well maintained by the developer, property owner, or contractor or his or her designee. Failure to comply may result in revocation of the approval of the permit.

3.2. All signage on Parcel 1 shall be in conformance with the Master Sign Plan Exhibit D as modified by the following conditions:

3.2.1. The permanent changeable graphic shown on the north elevation of the transformer yard screen wall in the Master Sign Plan, page S-04.1 is not be permitted.

3.2.2. Permanent changeable signs will not require ARB review, provided they are consistent with the plan and meet the conditions of the ARB and this PD ordinance. Final permanent signs shall be reviewed by Minor ARB prior to permitting.

3.2.3. A maximum of 15% of the sign area on permanent changeable signs may be sponsorship related. The percentage is on a sign-by-sign basis and shall not be combined from the overall changeable sign area for the building and placed on one sign.

3.2.3.1. Graphics of permanent changeable signs shall not obscure the ground level glazing at any location.

3.2.3.2. Digital images in 11 poster cases may be static display only. Copy may be changed no more than once every 1 hour.

3.2.3.3. Digital images in pedestrian signs may be static display only. Copy may be changed no more than once every 15 seconds.

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3.2.3.4. The Integrated Electronic Display Sign on the west façade may be full motion or static digital displays, however, the displays must be simulcasts or static images of events in the DPC Building or the Plaza or other related images of cultural, entertainment or educational value. Advertising shall not be permitted; however, sponsorships not to exceed a maximum of 15% of the sign/screen area per image may be permitted.

3.2.3.5. Integrated Electronic Display Signs on each of the eastern façade of the stair towers (see Exhibit D sheets S-24 and S-24.1) may be full motion when Magnolia Ave. is closed to vehicular traffic. When Magnolia Ave. is open to traffic, it shall be static display and meet conditions above.

3.2.4. Proposed vehicular signs shall not exceed 6-feet in height, and shall not be located within the ROW.

3.3. Flags are prohibited on the roof of the building.

3.4. Programmable electronic signs (also known as and hereinafter referred to as “digital signs”) are allowed on the Property as provided in the Master Sign Plan for Parcels 1 and 2, and approved subject to the following operational restrictions:

3.4.1. Digital signs may not display rotating or flashing light.

3.4.2. Digital signs may not display light illuminated in such a manner so as to cause glare or to impair the vision of motorists or otherwise distract motorists' ability to safely operate their vehicle.

3.4.3. Digital signs may not display the word “stop” or “danger,” or present or imply the need or requirement of stopping or the existence of danger. Images or messages that resemble a warning, danger signal, or traffic control device are prohibited.

3.4.4. Digital signs may not display personalized or interactive images or messages except if streets or plazas are closed under Magnolia Ave..

3.4.5. Illumination of digital signs may not exceed the brightness level of 0.3 foot candles above ambient light as measured using a foot candle (lux) meter at a preset distance. The brightness measurement process for digital signs shall be as follows:

3.4.6. At least 30 minutes past sunset, use a foot candle meter to record the ambient light reading for the area. This must be done while the subject digital sign is off or displaying all black copy.

3.4.7. This first reading must be taken with the meter aimed directly at the digital sign from the following appropriate preset distance:

3.4.7.1. 0 – 100 square foot sign: 100 feet from source.

3.4.7.2. 101 – 350 square foot sign: 150 feet from source.

3.4.7.3. 351 – 650 square foot sign: 200 feet from source.

3.4.7.4. 651 – 1,000 square foot sign: 250 feet from source.

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3.4.7.5. Greater than 1,000 square foot sign: 350 feet from source.

3.4.8. Next, turn on the subject digital sign to full white copy and take a second reading. The second reading must be within 0.3 foot candles of the first reading.

3.4.9. Digital signs must be equipped and maintained with dimming technology that automatically adjusts the display brightness based on ambient light conditions.

3.4.10. Digital signs must be equipped and maintained with a default display that will, in the event of malfunction, either effectively hold a non-distorted and steady image at a light output level in compliance with this ordinance or display a blank and lightless screen.

3.4.11. Prior to the issuance of a building permit for a digital sign, the City must be provided with written certification from the digital sign manufacturer that the light intensity has been factory preset not to exceed the standards of this ordinance and that the intensity level is protected from manipulation by password protected software or other security system approved by the Planning Official.

3.4.12. The City may exercise its police powers to protect public health, safety, and welfare by requiring emergency information to be displayed on digital signs.

3.4.13. The City may order the immediate shutdown of a digital sign if the operation of the digital sign violates this ordinance or threatens the public health, safety, and welfare.

3.4.14. Offsite advertising, as defined by Florida law and City ordinance, is prohibited on digital signs.

4. Parcel 1 Design and Architecture Conditions

4.1. Signed and sealed architectural elevations for each vertical structure on the Parcel are subject to the review and approval by the city appearance review officer, or designee, prior to the issuance of any building permit for the proposed structure. The Parcel must be developed and maintained in accordance with the final approved signed and sealed architectural elevations. All approved elevations must conform to the following minimum requirements:

4.1.1. Final building designs must substantially conform to the elevations submitted with the zoning application case number ZON2010-00016, which elevations are attached to this ordinance as Exhibit "E" (hereinafter "Elevations") as modified by ARB conditions of approval, dated July 15, 2010.

SECTION 5. CONDITIONS SPECIFIC TO PARCEL 2. The Dr. Phillips Performing Arts Center Planned Development zoning district is subject to the following conditions specific to Parcel 2:

1. General Parcel 2 Description

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- 1.1. Parcel 2 must be developed and maintained as a grand, public plaza connecting S. Orange Ave. with the main entrance to the DPC Building (the "Plaza").

2. Parcel 2 Zoning and Site Plan Conditions

- 2.1. Master Plan review and approval in accordance with Part 2H, Chapter 65, Orlando City Code is required for the pavilion and any other vertical structure on Parcel 2.
- 2.2. A signed and sealed final site plan and signed and sealed construction documents for Parcel 2 are subject to review and approval by the City Planning Division prior to the issuance of any building permit for Parcel 2. The City Planning Division shall review the final site plan and construction documents for conformity with this ordinance and all other applicable laws. Parcel 2 must be developed and maintained in accordance with the approved final site plan. The Planning Official shall ensure that the final approved site plan is consistent with the intent of the Staff Report.
- 2.3. The final Plaza design including elevations of the pavilion or any building or structure shall be reviewed and approved by ARB.
- 2.4. Final and approved Parcel 2 plans must generally conform to the plaza plan attached to this ordinance as Exhibit "F," (hereinafter "Plaza Plan") as modified by the conditions of approval of ARB.
- 2.5. Construction of the Plaza shall be completed prior to the issuance of a Certificate of Occupancy being granted for Stage 2 of the DPC Building on Parcel 1.
- 2.6. The Plaza must be developed and maintained with outdoor performance space, including a stage, a plaza, high-quality hardscaping, landscaping, and lighting, outdoor seating, bicycle racks, lighting and trees. Water features, including play fountains and splash pool may be included. A pavilion may also be included. If the Plaza includes an interactive water feature, the Plaza must include public restrooms.
- 2.7. The minimum FAR for Parcel 2 is 0.00 and the maximum FAR for Parcel 2 is 0.25.
- 2.8. Residential uses are prohibited on Parcel 2.
- 2.9. The impervious surface ratio of Parcel 2 may not exceed 0.95.
- 2.10. Buildings on Parcel 2 may not exceed 30 feet in height.
- 2.11. The Minimum building setback from lot lines on Parcel 2 are as follows:
- 2.11.1. Northern lot line is 0 feet.
 - 2.11.2. Southern lot line is 0 feet.

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2.11.3. Eastern lot line is 30 feet.

2.11.4. Western lot line is 0 feet.

3. Parcel 2 Signage

3.1. All signage on Parcel 2 shall be in conformance with the Master Sign Plan, as modified by the following conditions:

3.1.1. Permanent changeable signs will not require ARB review, provided they are consistent with the plan and meet the conditions of the ARB and this PD ordinance. Final permanent changeable signs shall be reviewed by Minor ARB prior to permitting.

3.1.2. A maximum of 15% of the sign area on permanent changeable signs may be sponsorship related. The percentage is on a sign-by-sign basis and shall not be combined from the overall changeable sign area for the building and placed on one sign.

3.1.2.1. Graphics of permanent changeable signs shall not obscure the ground level glazing (as proposed) at any location.

3.1.2.2. Digital images in pedestrian signs may be static display only. Copy may be changed no more than once every 15 seconds.

3.1.2.3. The Integrated Electronic Display Sign on the west façade may be full motion or static digital displays, however, the displays must be simulcasts or static images of events in DPC Building or the Plaza or other related images of cultural, entertainment or educational value. Advertising shall not be permitted; however, sponsorships not to exceed a maximum of 15% of the sign/screen area per image may be permitted.

3.1.3. Digital signs are allowed Parcel 2, as approved and shown in the Master Sign Plan for parcels 1 and 2 and approved subject to the conditions contained in Section 4, Condition 3.3.1 through 3.3.14.

3.1.4. Plaza Sign. A sign incorporated into the wall of the fountain facing Orange Avenue shall be permitted. The letters of the sign shall be consistent with the master sign plan font and be installed with all capital letters.

3.1.5. Temporary Banners. Banner A (40'x40') and Banner B (60'x 40') as shown in Exhibit D may be permitted. Banner A location may be on south façade, or east façade location, but only one Banner A location shall be occupied at any given time.

4. Parcel 2 Landscaping and Hardscaping Conditions

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- 4.1. Any fountain in the Plaza or within private property shall not interfere by spilling, splashing, blowing or similar, into the required pedestrian path within the public ROW.

5. Parcel 2 Design and Architecture Conditions

- 5.1. All aspects of development on Parcel 2, for both horizontal and vertical improvements, are subject to appearance review and approval by the City Planning Division.

SECTION 6. CONDITIONS SPECIFIC TO PARCEL 3. The Dr. Phillips Performing Arts Center Planned Development zoning district is subject to the following conditions specific to Parcel 3:

1. General Parcel 3 Description

- 1.1. Parcel 3 is a standalone development site.

2. Parcel 3 Zoning and Site Plan Conditions

- 2.1. Parcel 3 is subject to master plan review and approval prior to the issuance of any building permit for construction on the Parcel. Master plan review and approval shall proceed in accordance with Part 2H, Chapter 65, Orlando City Code, except that:

2.1.1. A complete application for master plan approval for Parcel 3 must be submitted at least 30 days before development proposed in the master plan is reviewed by the ARB.

2.1.2. Master plan applications for Parcel 3 must include three (3) additional copies of application materials. Within 10 business days of receipt of an application for master plan approval for Parcel 3, City Planning staff shall provide DPC the three additional copies of the application for review and comment.

2.1.3. City Planning staff shall invite a DPC representative to review the Parcel 3 proposed development with staff at a meeting to occur at least 10 days prior to ARB's review. Written comments submitted by DPC and received at least a week before the ARB meeting will be included in the ARB meeting packet.

- 2.2. A signed and sealed final site plan and signed and sealed construction documents for Parcel 3 are subject to review and approval by the City Planning Division prior to the issuance of any building permit for Parcel 3. The City Planning Division shall review the final site plan and construction documents for conformity with this ordinance, the approved Master Plan and all other applicable laws. Parcel 3 must be developed and maintained in accordance with the approved final site plan. The Planning Official shall ensure that the final approved site plan is consistent with the intent of the Staff Report.

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- 2.3. The minimum density for Parcel 3 is 75 dwelling units per acre and the maximum density for Parcel 3 is 200 dwelling units per acre, except that the maximum dwelling units per acre may be increased in accordance with the density bonus provisions of Part 6B, Chapter 58, Orlando City Code. Parcel 3 is exempt from the minimum dwelling units per acre standard of this part until vertical buildings proposed by the Project are complete.
- 2.4. The minimum and maximum floor area ratio (FAR) for Parcel 3 is 3.0, except that the maximum FAR may be increased to 8.0 in accordance with the intensity bonus provisions of Part 6B, Chapter 58, Orlando City Code. Parcel 3 is exempt from the minimum FAR standard of this part until Parcel 3 is developed.
- 2.5. If a mixed use development is proposed on Parcel 3, the development must meet either the minimum density or minimum FAR, but not both. For mixed residential and non-residential development, the respective densities and FAR may be calculated separately as a percentage of the development requirement and then considered as a sum of the percentage, which shall equal 100% (per Section 58.207 of the LDC).
- 2.6. The impervious surface ratio of Parcel 3 shall not exceed 0.95, unless the principal building on this Parcel is built and maintained with a green roof in which case the impervious surface ratio may not exceed 0.98. Pervious surface area of the green roof may count towards the impervious surface ratio calculation on a two-for-one basis. Green roofs comply with LEED standards in order to qualify.
- 2.7. Required building setbacks from lot lines on Parcel 3 must conform to the following:
- 2.7.1. Northern lot line: Min. is 0 feet; Max. is 10 feet. Refer to "Exhibit H" for parking garage and colonnade setbacks.
 - 2.7.2. Southern lot line: is 0 feet.
 - 2.7.3. Eastern lot line: Min. is 0 feet; Max. is 10 feet.
 - 2.7.4. Western lot line: Min. is 0 feet; Max. is 15 feet.
- 2.8. To the extent surface parking is proposed on Parcel 3, DPC shall study its viability and appropriateness. Design of such surface parking shall require ARB approval and a determination by the Planning Official that it is consistent with the design intent of the PD.
- 2.9. The finish floor elevation of the principal building/s on Parcel 3 must be within six inches of the highest grade point of the Plaza, and the cross grades shall not exceed more than 2%. The finish floor must be designed to minimize grade changes between the finish floor and the elevation of the sidewalk within the colonnades and the grade of the Plaza. All grade changes greater than 6-inches shall be addressed internal to the building. Ramps, railings, or other physical element required for a grade change within the ROW shall be prohibited.

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- 2.10. If the proposed project on Parcel 3 exceeds a 3.0 FAR or 200 du/ac, the project shall contribute at least 1% of the total construction costs to the public art fund, and/or provide an equivalent value of art on site. Utilization of the latter option shall be at the discretion of the Planning Official. DPC shall receive 50% of the Public Art contribution to be paid by the developer of Parcel 3. Such funds will be used to implement elements of the Dr. Phillips Center Master Art Plan, as approved by the City of Orlando Public Art Advisory Board. Any art created shall be installed in the public realm, accessible by the general public.
- 2.11. A space frame, as depicted on Exhibit "G" (hereinafter "Space Frame")-is permitted on Parcel 3, subject to the following conditions:
- 2.11.1. A temporary easement agreement for the Space Frame shall be recorded prior to the issuance of a building permit for the Space Frame. The requirement for such easement may be addressed in the declaration of covenants, conditions and restrictions.
- 2.11.2. Graphics promoting only events on the Plaza may be permitted on both sides of the space frame. DPC shall submit for City approval a proposal indicating the dimensions and/or the percentage of surface area on the Space Frame that will be applied to the promotional graphics. Final approval by the ARB is required. Art, as approved by the Art Advisory Board, is permitted.
- 2.11.3. The Space Frame shall be maintained and in good repair at all times.

3. Parcel 3 Transportation Conditions

- 3.1. Primary vehicular access to Parcel 3 must come from South St. This includes parking access, service vehicles, and pick-up and drop-off or valet service. Egress only and service truck access may use Magnolia at certain times. Final site plan and circulation plan shall be reviewed at the time of Specific Parcel Master Plan. No vehicular access of any kind shall be permitted on Orange Ave. The following design standards for the access areas shall be met:
- 3.1.1. Vehicle ramps to/from the parking garage or service areas shall be setback a minimum 25 feet from the back of the pedestrian streetscape. The 25 foot setback shall allow a vehicle to stop completely before entering the pedestrian zone when existing the structure, and queue prior to entering a gated garage without encroaching into the pedestrian zone.
- 3.1.2. Crosswalks at driveways, curb cuts and the entry into the service access shall be raised to be at same grade as sidewalks adjacent to the driveway in order to clearly define the pedestrian area. The curbcut surface shall be treated with the same streetscape treatment materials as the sidewalk surface. Curbcut ramp shall be limited to the "furniture zone" area and not interfere with the pedestrian path. A minimum 8" concrete sub-base with wire reinforcement under the pavers shall be installed at all service drive curb cuts.

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3.1.3. Service areas shall be interior to the building, and screened with a solid decorative door, gate or screen wall which shall be closed when deliveries and services are not provided. Solid gates or doors may be decorative and shall be complementary to the overall design of the building. Gates and doors shall not interfere with the pedestrian zone when open or operating.

3.1.4. Hours of deliveries to the service areas of Parcel 3 shall be limited to the hours before 4 pm on weekdays, and between 7 am –10 am on weekends.

3.2. Parking garage ramps must terminate to a level grade at least 25 feet before intersecting with the back of sidewalk outside of the garage entrance and exit. The purpose of this requirement is to allow vehicles exiting the garage ample room to stop on a level surface before pulling forward to a ticket booth stop bar or other similar device. This requirement may be waived or reduced by the Planning Official and Transportation Engineering Division if justified by substantial design constraints.

4. Parcel 3 Signage

4.1. A signed and sealed master sign plan for Parcel 3 is subject to review and approval by the Planning Official, or designee, and ARB prior to the issuance of any building permit for signage for Parcel 3. The Planning Official, or designee, shall review the master sign plan for conformity with this ordinance and all other applicable laws. Parcel 3 must be developed and maintained in accordance with the approved final master sign plan. Unless otherwise provided in this ordinance, including exhibits, the master sign plan for Parcel 3 must conform to all applicable provisions of Chapter 64, Orlando City Code. The final and approved master sign plan for Parcel 3 must conform to the following additional requirements:

4.1.1. The master sign plan must be designed with an aesthetically consistent and cohesive appearance for signs at the pedestrian level. The design and plan of the sign package may be used to brand and identify the primary building on the Parcel.

4.1.2. Pin-mounted reverse halo-lit sign letters are encouraged. However, the physical integrity of the façade material must be accounted for when signs are attached to the face of buildings.

4.1.3. Backlit awning signs and waterfall-style awning signs are prohibited.

4.1.4. Box signs with internally illuminated plastic faces are prohibited.

4.1.5. Monument and other ground signs for building or tenant identification are prohibited.

4.1.6. High-rise signs may not face the Plaza, nor may they face Magnolia Ave. High-rise signs must be scaled proportionally to and designed to integrate into the architectural style of the building on which it is located.

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High-rise signs may not exceed eight feet in height and if illuminated, must glow white at night.

4.1.7. Commercial tenant identification signs must comply with the following:

4.1.7.1. Backlit signs are prohibited on building facades facing the Plaza and on building facades facing Magnolia Ave.

4.1.7.2. Neon signs are prohibited on building facades facing the Plaza and on building facades facing Magnolia Ave.

4.1.7.3. Signs located within the grand colonnade on Parcel 3 must be either externally illuminated face-mounted signs or externally illuminated blade signs. Blade signs must be hung from decorative metal arms that are mounted perpendicularly to the building façade.

4.2. Developer/s of Parcel 3 shall work with DPC to integrate the Site ID signs or new ID signs into their projects, where possible, unless it is determined that these signs cannot be so located without negatively impacting the visual or physical access to these buildings.

5. Parcel 3 Design and Architecture Conditions

5.1. Façade lighting on buildings on Parcel 3 may not be directed towards the Plaza. For the east, west, and south elevations of the building, only up-lighting or down-lighting is permitted. Light fixtures within or upon the grand colonnades on the south elevation of the building must match the style, light quality and color of the light fixtures within the Plaza, and may not direct light into the Plaza.

5.2. The south elevation of the building built on Parcel 3 must be built and maintained with a ground floor grand colonnade. The colonnade must run the entire length of the southern elevation and is an essential design feature of the Project. The colonnade must be built and maintained to conform to the following conditions:

5.2.1. Awnings are prohibited within or upon the colonnades.

5.2.2. Colonnades may not encroach into the public ROW or Parcel 2.

5.2.3. The columns of the colonnade must be designed to permit substantial visibility between Parcel 2 and the ground floor commercial uses of Parcel 3.

5.2.4. The columns comprising the colonnade must be spaced at least 20' feet apart on center and must match the column spacing, size, shape, and material of the columns comprising the grand colonnade on Parcel 4.

5.2.5. The minimum dimensions of the colonnade must be at least 15' wide clear and 18' in height.

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5.2.6. Ground floor lobbies within the building/s on Parcel 3 are required to provide a direct entry/exit door to the colonnade along the Plaza and shall be designed to promote pedestrian circulation between the building lobby, the colonnade, and the Plaza. Commercial and professional office tenants that have frontage onto the Plaza are required to provide a direct entry/exit door to the colonnade along the Plaza. The seating and equipment layout of such Parcel interior areas and the adjacent colonnade shall accommodate and promote circulation to and from the Plaza.

5.2.7. The colonnade shall be designed and operated so that a direct, circulation path of at least six feet in width is maintained in the colonnade from Orange Avenue to Magnolia Avenue at all times.

5.2.8. Dining venues located within the ground floor of Parcel 3 may provide exterior seating located in the colonnade area and the Plaza.

5.3. The principal building/s on Parcel 3 must be designed, built, and maintained such that all rainwater shall be captured from the building façades above the colonnade fronting on the Plaza, Orange Avenue and Magnolia Avenue and diverted to the stormwater system to facilitate pedestrian movement to and from the colonnade to exterior areas.

5.4. Signed and sealed architectural elevations for each vertical structure on Parcel 3 are subject to the review and approval by the city appearance review officer, or designee, and ARB prior to the issuance of any building permit for the proposed structure. The Parcel must be developed and maintained in accordance with the final approved signed and sealed architectural elevations. All approved elevations must conform to the following minimum requirements:

5.4.1. Except for entry and exit doors, windows, and ground floor storefronts, exterior walls for the building/s below the Transition Zone (as defined below) must be constructed of stone, preferably limestone, architecturally finished precast concrete, finished cast-in-place concrete, brick, or other similar durable material approved by the Planning Official. The color of the stone or other material must be similar to the color of the stone used on City Hall or the DPC Building. The façade facing Orange Ave. and South St. may be constructed of glass instead of stone.

5.4.2. Each principal façade must include a public entryway that is clearly articulated and oriented to the adjacent public ROW. Entrances are encouraged to be recessed, and architecturally emphasized.

5.4.3. The building/s must include a durable natural stone water table up to at least two feet from ground level and completely surrounding the building except for exterior doors and openings.

5.4.4. The first story must be at least 20' in height measured from floor to floor.

5.4.5. All exterior glass, including for punched windows, curtain walls, and commercial storefronts, must be non-reflective, low-emissivity, and colored

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either gray or green, or other color complimentary of the DPC Building and approved by the Planning Official. At least 60% of all ground floor facades must be transparent. Mirrored or tinted glass is prohibited on the ground floor. All other floor below the roofline must be at least 30% transparent. All glass must have a minimum 80% transmittance or minimum 60% transmittance if the glass is clear low-emissivity.

- 5.4.6. The building must have an architecturally distinct and articulated base, middle, and top or cornice. Traditional architectural standards and urban design principles such as proper scale, proportion, materials, and decoration must be incorporated into the design of the building.
- 5.4.7. The pedestrian level of the building must incorporate durable, natural, and substantial materials, and must take the local humid subtropical climate into account. Colonnades, awnings, and canopies are encouraged on facades abutting streets.
- 5.4.8. The corners of the building/s that meet street intersections must be articulated and emphasized with distinct architectural details at the base, middle, and top or cornice. The corners must have active internal space oriented toward the street on the ground level. Lobbies, restaurants, and retail are good examples of appropriate uses in this setting.
- 5.4.9. Elevator and building core elements must be located away from the edges and corners of the building so that active internal spaces overlook the adjacent streets and sidewalks. An exception to this prohibition may be considered for transparent elevator systems.
- 5.4.10. The parking levels incorporated into any building on the Parcel must blend seamlessly with the architecture and material of the building so that it is not apparent that a parking garage is contained within. Punched openings in the parking garage must be screened with metal screens or glass that matches the building. All interior light fixtures, sprinkler pipes, and other utilities must be shielded from view from the outside.
- 5.4.11. Any interior ground level parking areas shall be fully screened from pedestrian view on Orange Avenue, Magnolia Avenue and the Plaza. Incidental pedestrian views of such interior parking may occur from South Street only at vehicular access points to the Parcel.
- 5.4.12. All interior parking areas provided within the building envelope for Parcel 3 whether such parking is on or above the ground floor level, shall be fully screened from exterior view on all four sides of the Parcel. The screening must be implemented such that no vehicular or parking area lighting will be visible from the Plaza, the DPC Building, or the residential uses on Rosalind Avenue or Anderson Street.
- 5.4.13. All utilities and service areas shall be interior to the building or incorporated into the building or parking garage. Where such design is not feasible, this area shall be screened with a solid, decorative door, gate, or screen wall, and shall not interfere with the pedestrian realm.

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5.4.14. The cantilevered roof over the front (the western elevation) of the DPC Building is the dominant architectural feature of the Project. To prevent the primary structures on Parcel 3 and 4 from impinging on this architectural centerpiece, the buildings on these Parcels must be designed and built with a transition zone on façades facing the Plaza and the buildings' eastern elevation facing the DPC Building front elevation (the "Transition Zone"). The Transition Zone must occur at the same vertical elevation for both buildings. This means that the first building to be built on either Parcel 3 or Parcel 4 will set the height of the Transition Zone which must occur on the subsequently built building. The height of the Transition Zone must occur just below the bottom of the DPC Building front roofline, which is anticipated to be about 70 to 90 feet above ground level. The Transition Zone may include a change in materials, building stepback and/or other architectural features or gestures that reference and respect the architecture of the DPC Building and the cantilevered roof. Building/s are encouraged to be designed to accommodate a step-back in the Transition Zone of at least 20 feet in depth from the ground floor façade facing the Plaza and Magnolia Avenue.

5.4.15. Above the Transition Zone, the exterior wall system may transition to a mix of stone, pre-cast concrete, finished cast-in-place concrete, brick, or some similarly durable and natural material, and glass curtain wall.

5.4.16. Below the Transition Zone, the façade facing the Plaza must be designed and built with the following:

5.4.16.1. For occupied areas (air conditioned space): Accessible balconies that are a minimum of four feet (4') in depth and a minimum of six feet (6') in length spaced no more than twenty feet (20') apart.

5.4.16.2. For unoccupied areas (meaning non-air-conditioned space such as an interior parking garage): Architectural expression and fenestration that communicates the impression of balconies that are of similar length and spacing to those required in the subsection above.

5.5. Prior to and during construction activities on Parcel 3, the respective development team is responsible for coordinating construction activities and the performance and event schedules in the DPC Building and on the Plaza with the City and DPC staff to minimize the potential of disruption to such performances and events from construction related activity. Prior to construction activities commencing, a detailed construction schedule including but not limited to phasing and site logistics shall be submitted to the City and DPC staff.

SECTION 7. CONDITIONS SPECIFIC TO PARCEL 4. The Dr. Phillips Performing Arts Center Planned Development zoning district is subject to the following conditions specific to Parcel 4:

1. General Parcel 4 Description

1.1. Parcel 4 is a standalone development site.

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2. Parcel 4 Zoning and Site Plan Conditions

- 2.1. Parcel 4 is subject to master plan review and approval prior to the issuance of any building permit for construction on the Parcel. Master plan review and approval shall proceed in accordance with Part 2H, Chapter 65, Orlando City Code, except that:
- 2.1.1. A complete application for Master Plan approval for Parcel 4 must be submitted at least 30 days before development proposed in the master plan is reviewed by the ARB.
- 2.1.2. Master plan applications for Parcel 4 must include three (3) additional copies of application materials. Within 10 business days of receipt of an application for master plan approval for Parcel 4, City Planning staff shall provide DPC the three additional copies of the application for review and comment.
- 2.1.3. City planning staff shall invite a DPC representative to review the Parcel 4 proposed development with staff at a meeting to occur at least 10 days prior to ARB's review. Written comments submitted by DPC and received at least a week before the ARB meeting will be included in the ARB meeting packet.
- 2.2. A signed and sealed final site plan and signed and sealed construction documents for Parcel 4 are subject to review and approval by the City Planning Division prior to the issuance of any building permit for Parcel 4. The City Planning Division shall review the final site plan and construction documents for conformity with this ordinance, the approved Master Plan and all other applicable laws. Parcel 4 must be developed and maintained in accordance with the approved final site plan. The Planning Official shall ensure that the final approved site plan is consistent with the intent of the Staff Report.
- 2.3. The minimum and maximum FAR for Parcel 4 is 3.0, except that the maximum FAR may be increased to 8.0 in accordance with the intensity bonus provisions of Part 6B, Chapter 58, Orlando City Code. Parcel 4 is exempt from the minimum FAR standard of this part until Parcel 4 is developed.
- 2.4. The minimum density for Parcel 4 is 75 dwelling units per acre and the maximum density for Parcel 4 is 200 dwelling units per acre, except that the maximum dwelling units per acre may be increased in accordance with the density bonus provisions of Part 6B, Chapter 58, Orlando City Code. Parcel 4 is exempt from the minimum dwelling units per acre standard of this part until Parcel 4 is developed.
- 2.5. If a mixed use development is proposed on Parcel 4, the development must meet either the minimum density or minimum FAR, but not both. For mixed residential and non-residential development, the respective densities and FAR may be calculated separately as a percentage of the development requirement and then considered as a sum of the percentage, which shall equal 100% (per Section 58.207 of the LDC).

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- 1217 2.6. The impervious surface ratio of Parcel 4 shall not exceed 0.95, unless the
1218 principal building on this Parcel is built and maintained with a green roof in which
1219 case the impervious surface ratio may not exceed 0.98. Pervious surface area
1220 of the green roof may count towards the impervious surface ratio calculation on
1221 a two-for-one basis. Green roofs must comply with LEED standards in order to
1222 qualify.
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- 1224 2.7. Required building setback from lot lines on Parcel 4 are as follows:
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- 1226 2.7.1. Northern lot line is 0 feet.
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- 1228 2.7.2. Southern lot line: Min. is 0 feet; Max. is 5 feet.
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- 1230 2.7.3. Eastern lot line: Min. is 0 feet; Max is 10 feet.
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- 1232 2.7.4. Western lot line: Min. is 0 feet; Max. is 15 feet.
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- 1234 2.8. The existing surface parking lot on Parcel 4 may be utilized by DPC for staff
1235 parking until the Round Building and parking lot are demolished and cleared.
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- 1237 2.9. To the extent additional surface parking is proposed on Parcel 4, DPC shall
1238 study its viability and appropriateness. Design of such surface parking shall
1239 require ARB approval and a determination by the Planning Official that it is
1240 consistent with the design intent of the PD.
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- 1242 2.10. The finish floor elevation of the principal building/s on Parcel 4 must be within
1243 six inches of the highest grade point of the Plaza, and the cross grades shall not
1244 exceed more than 2%. The finish floor must be designed to minimize grade
1245 changes between the finish floor and the elevation of the sidewalk within the
1246 colonnades and the grade of the Plaza. All grade changes greater than 6-inches
1247 shall be addressed internal to the building. Ramps, railings, or other physical
1248 element required for a grade change within the ROW shall be prohibited.
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- 1250 2.11. If the proposed project on Parcel 4 exceeds a 3.0 FAR or 200 du/ac, the
1251 project shall contribute at least 1% of the total construction costs to the public art
1252 fund, and/or provide an equivalent value of art on site. Utilization of the latter
1253 option shall be at the discretion of the Planning Official. DPC shall receive 50%
1254 of the Public Art contribution to be paid by the developers of Parcel 4. Such
1255 funds will be used to implement elements of the Dr. Phillips Center Master Art
1256 Plan, as approved by the City of Orlando Public Art Advisory Board. Any art
1257 created shall be installed in the public realm, accessible by the general public.
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- 1259 2.12. A Space Frame is permitted on Parcel 4 subject to the following conditions:
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- 1261 2.12.1. A temporary easement agreement for the Space Frame shall be
1262 recorded prior to the issuance of a building permit for the Space Frame. The
1263 requirement for such easement may be addressed in the declaration of
1264 covenants, conditions and restrictions.
1265
- 1266 2.12.2. Graphics promoting only events on the Plaza may be permitted on
1267 both sides of the Space Frame. DPC shall submit for City approval a

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proposal indicating the dimensions and/or the percentage of surface area on the Space Frame that will be applied to the promotional graphics. Final approval by the ARB is required. Art, as approved by the Art Advisory Board, is permitted.

2.12.3. The Space Frame shall be maintained and in good repair at all times.

3. Parcel 4 Transportation Conditions

- 3.1. All vehicular access to Parcel 4 must come from Anderson St. This includes parking access, service vehicles, and pick-up and drop-off or valet service.
- 3.2. Parking garage ramps must terminate to a level grade at least 25 feet before intersecting with the back of sidewalk outside of the garage entrance and exit. The purpose of this requirement is to allow vehicles exiting the garage ample room to stop on a level surface before pulling forward to a ticket booth stop bar or other similar device. This requirement may be waived or reduced by the Planning Official and Transportation Engineering Division if justified by substantial design constraints.

4. Parcel 4 Signage

- 4.1. A signed and sealed master sign plan for Parcel 4 is subject to review and approval by the Planning Official, or designee, prior to the issuance of any building permit for Parcel 4. The Planning Official, or designee, shall review the master sign plan for conformity with this ordinance and all other applicable laws. Parcel 4 must be developed and maintained in accordance with the approved final master sign plan. Unless otherwise provided in this ordinance, including exhibits, the master sign plan for Parcel 4 must conform to all applicable provisions of Chapter 64, Orlando City Code. The final and approved master sign plan for Parcel 4 must conform to the following additional requirements:
- 4.1.1. The master sign plan must be designed with an aesthetically consistent and cohesive appearance for signs at the pedestrian level. The design and plan of the sign package must effectively brand and identify the primary building on the Parcel.
- 4.1.2. Pin-mounted reverse halo-lit sign letters are encouraged. However, the physical integrity of the façade material must be accounted for when signs are attached to the face of buildings.
- 4.1.3. Backlit awning signs and waterfall-style awning signs are prohibited.
- 4.1.4. Box signs with internally illuminated plastic faces are prohibited.
- 4.1.5. Monument and other ground signs for building or tenant identification are prohibited.
- 4.1.6. High-rise signs may not face the Plaza, nor may they face Magnolia Ave. High-rise signs must be scaled proportionally to and designed to integrate into the architectural style of the building on which it is located.

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High-rise signs may not exceed eight feet in height and if illuminated, must glow white at night.

4.1.7. Commercial identification signs must comply with the following:

4.1.7.1. Backlit signs are prohibited on building facades facing the Plaza and on building facades facing Magnolia Ave.

4.1.7.2. Neon signs are prohibited on building facades facing the Plaza and on building facades facing Magnolia Ave.

4.1.7.3. Signs located within the grand colonnades on Parcel 4 must be either externally illuminated face-mounted signs or externally illuminated blade signs. Blade signs must be hung from decorative metal arms that are mounted perpendicularly to the building façade.

4.2. Developer/s of Parcel 4 shall work with DPC to integrate the Site ID signs or new ID signs into their projects, where possible, unless it is determined that these signs cannot be so located without negatively impacting the visual or physical access to these buildings.

5. Parcel 4 Design and Architecture Conditions

5.1. Façade lighting on buildings on Parcel 4 may not be directed towards the Plaza located on Parcel 2. For the east, west, and north elevations of the building, only up-lighting or down-lighting is permitted. Light fixtures within or upon the grand colonnades on the north elevation of the building must match the style, material, and light quality and color of the light fixtures within the Plaza, and may not direct light into the Plaza.

5.2. The north elevation of the building built on Parcel 4 must be built and maintained with a ground floor grand colonnade. The colonnade must run the entire length of the northern elevation and is an essential design feature of the Project. The colonnade must be built and maintained to conform to the following conditions:

5.2.1. Awnings are prohibited within or upon the colonnades.

5.2.2. Colonnades may not encroach into the public ROW or Parcel 2.

5.2.3. The columns of the colonnades must be designed to permit substantial visibility between Parcel 2 and the ground floor commercial uses of Parcel 4.

5.2.4. The columns comprising the colonnade must be spaced at least 20' feet apart on center and must match the column spacing, size, shape, and material of the columns comprising the grand colonnade on Parcel 3.

5.2.5. The minimum dimensions of the colonnade must be at least 15' wide clear and 18' in height.

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5.2.6. Ground floor lobbies within the building/s on Parcel 4 are required to provide a direct entry/exit door to the colonnade along the Plaza and shall be designed to promote pedestrian circulation between the building lobby, the colonnade, and the Plaza. Commercial and professional office tenants that have frontage onto the Plaza are required to provide a direct entry/exit door to the colonnade along the Plaza. The seating and equipment layout of such Parcel interior areas and the adjacent colonnade shall accommodate and promote circulation to and from the Plaza.

5.2.7. The colonnade shall be designed and operated so that a direct, circulation path of at least six feet in width is maintained in the colonnade from Orange Avenue to Magnolia Avenue at all times.

5.2.8. Dining venues located within the ground floor of Parcel 4 may provide exterior seating located in the colonnade area and the Plaza.

5.3. The principal building/s on Parcel 4 must be designed, built, and maintained such that all rainwater shall be captured from the building façades above the colonnade fronting on the Plaza, Orange Avenue and Magnolia Avenue and diverted to the stormwater system to facilitate pedestrian movement to and from the colonnade to exterior areas.

5.4. Signed and sealed architectural elevations for each vertical structure on the Parcel are subject to the review and approval by the city appearance review officer, or designee, and ARB prior to the issuance of any building permit for the proposed structure. The Parcel must be developed and maintained in accordance with the final approved signed and sealed architectural elevations. All approved elevations must conform to the following minimum requirements:

5.4.1. Except for entry and exit doors, and ground floor storefronts, exterior walls for the building/s below the Transition Zone must be constructed of stone, preferably limestone, architecturally finished precast concrete, finished cast-in-place concrete, brick, or other similar durable material approved by the Planning Official. The color of the stone or other material must be similar to the color of the stone used on City Hall or the DPC Building. The façade facing Orange Ave. and Anderson St. may be constructed of glass instead of stone.

5.4.2. Each principal façade must include a public entryway that is clearly articulated and oriented to the adjacent public ROW. Entrances are encouraged to be recessed, and architecturally emphasized.

5.4.3. The building/s must include a durable natural stone water table up to at least two feet from ground level and completely surrounding the building except for exterior doors and openings.

5.4.4. The first story must be at least 20' in height measured from floor to floor.

5.4.5. All exterior glass, including for punched windows, curtain walls, and commercial storefronts, must be non-reflective, low-emissivity, and colored

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either gray or green, or other color complimentary of the DPC Building and approved by the Planning Official. At least 60% of all ground floor facades must be transparent. Mirrored or tinted glass is prohibited on the ground floor. All other floors below the roofline must be at least 30% transparent. All glass must have a minimum 80% transmittance or minimum 60% transmittance if the glass is clear low-emissivity.

- 5.4.6. The building must have an architecturally distinct and articulated base, middle, and top or cornice. Traditional architectural standards and urban design principles such as proper scale, proportion, materials, and decoration must be incorporated into the design of the building.
- 5.4.7. The pedestrian level of the building must incorporate durable, natural, and substantial materials, and must take the local humid subtropical climate into account. Colonnades, awnings, and canopies are encouraged on facades abutting streets.
- 5.4.8. The corners of the building/s that meet street intersections must be articulated and emphasized with distinct architectural details at the base, middle, and top or cornice. The corners must have active internal space oriented toward the street on the ground level. Lobbies, restaurants, and retail uses are good examples of appropriate uses in this setting.
- 5.4.9. Elevator and building core elements must be located away from the edges and corners of the building so that active internal spaces overlook the adjacent streets and sidewalks. An exception to this prohibition may be considered for transparent elevator systems.
- 5.4.10. The parking levels incorporated into any building on the Parcel must blend seamlessly with the architecture and material of the building so that it is not apparent that a parking garage is contained within. Punched openings in the parking garage must be screened with metal screens or glass that matches the building. All interior light fixtures, sprinkler pipes, and other utilities must be shielded from view from the outside.
- 5.4.11. Any interior ground level parking areas shall be fully screened from pedestrian view on Orange Avenue, Magnolia Avenue and the Plaza. Incidental pedestrian views of such interior parking may occur from Anderson Street only at vehicular access points to the Parcel.
- 5.4.12. All interior parking areas provided within the building envelope for Parcel 4 whether such parking is on or above the ground floor level, shall be fully screened from exterior view on all four sides of the Parcel. The screening must be implemented such that no vehicular or parking area lighting will be visible from the Plaza, the DPC Building, or the residential uses on Rosalind Avenue or Anderson Street.
- 5.4.13. All utilities and service areas shall be interior to the building or incorporated into the building or parking garage. Where such design is not feasible, this area shall be screened with a solid, decorative door, gate, or screen wall, and shall not interfere with the pedestrian realm.

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5.4.14. The cantilevered roof over the front (the western elevation) of the DPC Building is the dominant architectural feature of the Project. To prevent the primary structures on Parcels 3 and 4 from impinging on this architectural centerpiece, the buildings on these Parcels must be designed and built with a Transition Zone. This Transition Zone must occur at the same vertical elevation for both buildings. This means that the first building to be built on either Parcel 3 or Parcel 4 will set the height of the Transition Zone which must occur on the subsequently built building. The height of the Transition Zone must occur just below the bottom of the DPC Building front roofline, which is anticipated to be about 70 to 90 feet above ground level. The Transition Zone may include a change in materials, building stepback and/or other architectural features or gestures that reference and respect the architecture of the DPC Building and the cantilevered roof. Building/s are encouraged to be designed to accommodate a step-back in the Transition Zone of at least 20 feet in depth from the ground floor façade facing the Plaza and Magnolia Avenue.

5.4.15. Above the Transition Zone, the exterior wall system may transition to a mix of stone, pre-cast concrete, finished cast-in-place concrete, brick, or some similarly durable and natural material, and glass curtain wall.

5.4.16. Below the Transition Zone, the façade facing the Plaza must be designed and built with the following:

5.4.16.1. For occupied areas (air conditioned space): Accessible balconies that are a minimum of four feet (4') in depth and a minimum of six feet (6') in length spaced no more than twenty feet (20') apart.

5.4.16.2. For unoccupied areas (meaning non-air-conditioned space such as an interior parking garage): Architectural expression and fenestration that communicates the impression of balconies that are of similar length and spacing to those required in the subsection above.

5.5. Prior to and during construction activities on Parcel 4, the respective development team is responsible for coordinating construction activities and the performance and event schedules in the DPC Building and on the Plaza with the City and DPC staff to minimize the potential of disruption to such performances and events from construction related activity. Prior to construction activities commencing, a detailed construction schedule including but not limited to phasing and site logistics shall be submitted to the City and DPC staff.

SECTION 8. CONDITIONS SPECIFIC TO PARCEL 5. The Dr. Phillips Performing Arts Center Planned Development zoning district is subject to the following conditions specific to Parcel 5:

1. General Parcel 5 Description

1.1. Development on Parcel 5 must integrate into the back-of-house and loading space of Parcel 1.

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2. Parcel 5 Zoning and Site Plan Conditions

- 2.1. Parcel 5 is subject to master plan review and approval prior to the issuance of any building permit for construction on the Parcel. Master plan review and approval shall proceed in accordance with Part 2H, Chapter 65, Orlando City Code, except that:
- 2.1.1. A complete application for Master Plan approval for Parcel 5 must be submitted at least 30 days before development proposed in the master plan is reviewed by the ARB.
- 2.1.2. Master plan applications for Parcel 5 must include three (3) additional copies of application materials. Within 10 business days of receipt of an application for master plan approval for Parcel 5, City Planning staff shall provide DPC the three additional copies of the application for review and comment.
- 2.1.3. City Planning staff shall invite a DPC representative to review the Parcel 5 proposed development with staff at a meeting to occur at least 10 days prior to ARB's review. Written comments submitted by DPC and received at least a week before the ARB meeting will be included in the ARB meeting packet.
- 2.2. A signed and sealed final site plan and signed and sealed construction documents for Parcel 5 is subject to review and approval by the City Planning Division prior to the issuance of any building permit for Parcel 5. The City Planning Division shall review the final site plan and construction documents for conformity with this ordinance, the approved Master Plan and all other applicable laws. Parcel 5 must be developed and maintained in accordance with the approved final site plan. The Planning Official shall ensure that the final approved site plan is consistent with the intent of the Staff Report.
- 2.3. The minimum and maximum FAR for Parcel 5 is 3.0, except that the maximum FAR may be increased to 8.0 in accordance with the intensity bonus provisions of Part 6B, Chapter 58, Orlando City Code. Parcel 5 is exempt from the minimum FAR standard of this part until Parcel 5 is developed.
- 2.4. The minimum density for Parcel 5 is 75 dwelling units per acre and the maximum density for Parcel 5 is 200 dwelling units per acre, except that the maximum dwelling units per acre may be increased in accordance with the density bonus provisions of Part 6B, Chapter 58, Orlando City Code. Parcel 5 is exempt from the minimum dwelling units per acre standard of this part until Parcel 5 is developed.
- 2.5. If a mixed use development is proposed on Parcel 5, the development must meet either the minimum density or minimum FAR, but not both. For mixed residential and non-residential development, the respective densities and FAR may be calculated separately as a percentage of the development requirement and then considered as a sum of the percentage, which shall equal 100% (per Section 58.207 of the LDC).

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- 2.6. The impervious surface ratio of Parcel 5 shall not exceed 0.95, unless the principal building on this Parcel is built and maintained with a green roof in which case the impervious surface ratio may not exceed 0.98. Pervious surface area of the green roof may count towards the impervious surface ratio calculation on a two-for-one basis. Green roofs must comply with LEED standards in order to qualify.
- 2.7. Required building setback from lot lines on Parcel 5 are as follows:
- 2.7.1. Northern lot line: Min. is 0 feet or 20 feet; Max. 30 feet, and must match the setback of the northernmost façade (facing E. South St.) of the building on Parcel 1.
 - 2.7.2. Southern lot line: Min. is 0 feet; Max. is 45 feet.
 - 2.7.3. Eastern lot line: Min. is 0 feet; Max. is 5 feet.
 - 2.7.4. Western lot line: 0 feet or 3 feet – the building shall be setback at either 0 ft. or 3 ft. Minimum or maximums do not apply.
- 2.8. If the proposed project on Parcel 5 exceeds a 3.0 FAR or 200 du/ac, the project shall contribute at least 1% of the total construction costs to the public art fund, and/or provide an equivalent value of art on site. Utilization of the latter option shall be at the discretion of the Planning Official. DPC shall receive 50% of the Public Art contribution to be paid by the developer of Parcel 5. Such funds will be used to implement elements of the Dr. Phillips Center Master Art Plan, as approved by the City of Orlando Public Art Advisory Board. Any art created shall be installed in the public realm, accessible by the general public.

3. Parcel 5 Transportation Conditions

- 3.1. Parking garage ramps must terminate to a level grade at least 25 feet before intersecting with the back of sidewalk outside of the garage entrance and exit. The purpose of this requirement is to allow vehicles exiting the garage ample room to stop on a level surface before pulling forward to a ticket booth stop bar or other similar device. This requirement may be waived or reduced by the Planning Official and Transportation Engineering Division if substantial design constraints are evident.

4. Parcel 5 Signage

- 4.1. A signed and sealed master sign plan for Parcel 5 is subject to review and approval by the Planning Official, or designee, and ARB prior to the issuance of any building permit for signage for Parcel 5. The Planning Official, or designee, shall review the master sign plan for conformity with this ordinance and all other applicable laws. Parcel 5 must be developed and maintained in accordance with the approved final master sign plan. Unless otherwise provided in this ordinance, including exhibits, the master sign plan for Parcel 5 must conform to all applicable provisions of Chapter 64, Orlando City Code. The final and approved master sign plan for Parcel 5 must conform to the following additional requirements:

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4.1.1. The master sign plan must be designed with an aesthetically consistent and cohesive appearance for signs at the pedestrian level. The design and plan of the sign package may be used to brand and identify the primary building on the Parcel.

4.1.2. Pin-mounted reverse halo-lit sign letters are encouraged. However, the physical integrity of the façade material must be accounted for when signs are attached to the face of buildings.

4.1.3. Backlit awning signs and waterfall-style awning signs are prohibited.

4.1.4. Box signs with internally illuminated plastic faces are prohibited.

4.1.5. Monument and other ground signs for building or tenant identification are prohibited.

4.1.6. High-rise signs must be scaled proportionally to and designed to integrate into the architectural style of the building on which it is located. High-rise signs may not exceed eight feet in height and if illuminated, must glow white at night.

4.2. Developer/s of Parcel 5 shall work with DPC to integrate the Site ID signs or new ID signs into their projects, where possible, unless it is determined that these signs cannot be so located without negatively impacting the visual or physical access to these buildings.

5. Parcel 5 Design and Architecture Conditions

5.1. Signed and sealed architectural elevations for each vertical structure on the Parcel are subject to the review and approval by the city appearance review officer, or designee, and ARB prior to the issuance of any building permit for the proposed structure. The Parcel must be developed and maintained in accordance with the final approved signed and sealed architectural elevations. All approved elevations packages must conform to the following minimum requirements:

5.1.1. The exterior wall system of the building to be constructed on Parcel 5 shall be a mix of stone, pre-cast concrete, finished cast in place concrete, brick or other similar durable material, and glass curtain wall consistent in color, materiality, and detailing to the Building.

5.1.2. Each principal façade must include a public entryway that is clearly articulated and oriented to the adjacent public ROW. Entrances are encouraged to be recessed, and architecturally emphasized.

5.1.3. The primary building must include a durable natural stone water table up to at least two feet from ground level and completely surrounding the building except for entryways and exits, and ground floor storefronts.

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- 1674 5.1.4. All exterior glass, including for punched windows, curtain walls, and
1675 commercial storefronts, must be non-reflective, low-emissivity, and colored
1676 either gray or green, or other color complimentary of the DPC Building and
1677 approved by the Planning Official. At least 60% of all ground floor facades
1678 must be transparent. Mirrored or tinted glass is prohibited on the ground
1679 floor. All other floors below the roofline must be at least 30% transparent.
1680 All glass must have a minimum 80% transmittance or minimum 60%
1681 transmittance if the glass is clear low-emissivity.
1682
- 1683 5.1.5. The building must have an architecturally distinct and articulated
1684 base, middle, and top or cornice. Traditional architectural standards and
1685 urban design principles such as proper scale, proportion, materials, and
1686 decoration must be incorporated into the design of the building.
1687
- 1688 5.1.6. The pedestrian level of the building must incorporate durable, natural,
1689 and substantial materials, and must take the local humid subtropical climate
1690 into account. Colonnades, awnings, and canopies are encouraged on
1691 facades abutting streets.
1692
- 1693 5.1.7. The corners of the primary building that meet street intersections must
1694 be articulated and emphasized with distinct architectural details at the base,
1695 middle, and top or cornice. The corners must have active internal space
1696 oriented toward the street on the ground level. Lobbies, restaurants, and
1697 retail uses are good examples of appropriate uses in this setting.
1698
- 1699 5.1.8. Elevator and building core elements must be located away from the
1700 edges and corners of the building so that active internal spaces overlook the
1701 adjacent streets and sidewalks. An exception to this prohibition may be
1702 considered for transparent elevator systems.
1703
- 1704 5.1.9. The parking levels incorporated into any building on the Parcel must
1705 blend seamlessly with the architecture and material of the building so that it
1706 is not apparent that a parking garage is contained within. Punched
1707 openings in the parking garage must be screened with metal screens or
1708 glass that matches the building. All interior light fixtures, sprinkler pipes,
1709 and other utilities must be shielded from view from the outside.
1710
- 1711 5.1.10. All interior parking areas provided within the building envelope for
1712 Parcel 5 whether such parking is on or above the ground floor, shall be fully
1713 screened from exterior view on all four sides of the parcel by a curtain wall
1714 system. The screening must be implemented such that no vehicular or
1715 parking area lighting will be visible from the Plaza, the DPC Building, or the
1716 residential uses on Rosalind Avenue or Anderson Street. Incidental
1717 pedestrian views of such interior surface parking may occur from South
1718 Street, Anderson Street and Rosalind Avenue only at vehicular access
1719 points to the Parcel.
1720
- 1721 5.1.11. A minimum of twenty (20) vehicular parking spaces shall be provided
1722 on Parcel 5 for use by DPC staff. This parking may be provided through
1723 exterior surface parking or structured parking within the Parcel 5 building.
1724

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5.1.12. All utilities and service areas shall be interior to the building or incorporated into the building or parking garage. Where such design is not feasible, this area shall be screened with a solid, decorative door, gate, or screen wall, and shall not interfere with the pedestrian realm.

5.1.13. The Parcel 5 building development must be coordinated with DPC to allow for reasonable access to loading bays and trash containers servicing the DPC Building loading dock. In addition, a minimum clear height of eighteen feet (18') must be maintained in the loading dock area.

5.1.14. When the loading dock gate is removed for development of Parcel 5, the developer of Parcel 5 shall screen the access area with decorative gates, doors, or other screen to close off the service area from the residential property across the street, when not in use.

5.1.15. Prior to and during construction activities on Parcel 5, the respective development team is responsible for coordinating construction activities and the performance and event schedules in the DPC Building and on the Plaza with the City and DPC staff to minimize the potential of disruption to such performances and events from construction related activity. Prior to construction activities commencing, a detailed construction schedule including but not limited to phasing and site logistics shall be submitted to the City and DPC staff.

SECTION 9. SCRIVENER'S ERROR. The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

SECTION 10. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 11. EFFECTIVE DATE. This ordinance takes effect immediately upon final passage.

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

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, A PUBLIC HEARING, 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.

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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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