

1 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**
2 **OF ORLANDO, FLORIDA, DESIGNATING CERTAIN**
3 **LAND GENERALLY LOCATED ON THE EAST SIDE OF**
4 **NARCOOSSEE ROAD BETWEEN LEE VISTA**
5 **BOULEVARD AND S.R. 528 (BEACHLINE**
6 **EXPRESSWAY), MORE SPECIFICALLY WITH AN**
7 **ADDRESS OF 9627 NARCOOSSEE ROAD, AND**
8 **COMPRISED OF ABOUT 9.69 ACRES, AS PLANNED**
9 **DEVELOPMENT WITH THE AIRCRAFT NOISE**
10 **OVERLAY DISTRICT (PD/AN); PROVIDING SPECIAL**
11 **LAND DEVELOPMENT REGULATIONS OF THE**
12 **PLANNED DEVELOPMENT; PROVIDING FOR**
13 **SEVERABILITY, CORRECTION OF SCRIVENER'S**
14 **ERRORS, AND AN EFFECTIVE DATE.**
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16 **WHEREAS**, at its regularly scheduled meeting of October 21, 2014, the
17 Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "City"),
18 considered zoning application case number ZON2014-00022, requesting the Planned
19 Development with the Aircraft Noise overlay zoning district (PD/AN) designation for
20 approximately 9.69 acres of land, generally located on the east side of Narcoossee
21 Road between Lee Vista Boulevard and S.R. 528 (Beachline Expressway), more
22 precisely described by the legal description attached to this ordinance as **Exhibit "A"**
23 (hereinafter the "Property"); and
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25 **WHEREAS**, based upon the evidence presented to the MPB, including the
26 information and analysis contained in the "Staff Report to the Municipal Planning Board"
27 (hereinafter referred to as the "Staff Report"), and subject to certain conditions, the MPB
28 recommended that the City Council of the City of Orlando, Florida (the "Orlando City
29 Council"), approve said zoning application and adopt an ordinance regarding same; and
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31 **WHEREAS**, the MPB found that the Project is consistent with the City's adopted
32 Growth Management Plan (the "GMP"); and
33

34 **WHEREAS**, the Orlando City Council hereby finds that the Project is consistent
35 with the intent and purpose of the planned development district zoning designation as
36 established by Part 2Q, Chapter 58, Code of the City of Orlando, Florida (the "Orlando
37 City Code"); and
38

39 **WHEREAS**, the Orlando City Council hereby finds that this ordinance is in the
40 best interest of the public health, safety, and welfare, and is consistent with the
41 applicable provisions of the City's GMP.
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43 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
44 **OF ORLANDO, FLORIDA, AS FOLLOWS:**
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46 **SECTION 1. ZONING.** After due notice and public hearing, and pursuant to part
47 2Q, Chapter 58, Orlando City Code, and other relevant portions of the Orlando City
48 Code, the Property is hereby designated as Planned Development with the Aircraft
49 Noise overlay district (PD/AN) on the City’s official zoning maps, as depicted in **Exhibit**
50 **“B”** to this ordinance. This planned development zoning district may be known as the
51 “Metro Storage Planned Development.”

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53 **SECTION 2. OTHER DEVELOPMENT LAWS.** In accordance with section
54 58.367, Orlando City Code, except as expressly provided in this ordinance, The Metro
55 Storage Planned Development zoning district remains subject to all applicable federal,
56 state, and local laws, and nothing in this ordinance shall be construed to exempt the
57 Property from the lawful authority or jurisdiction of any federal, state, or local agency.
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59 **SECTION 3. DEFAULT ZONING DISTRICT.** Except as expressly provided
60 otherwise by this ordinance, the Property shall be governed by the land development
61 regulations of the Activity Center with the Airport Noise Overlay District (denoted as “AC-
62 2/AN”) on the official maps of the City.
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64 **SECTION 4. LAND DEVELOPMENT REGULATIONS.** The Planned
65 Development zoning district for the Property is subject to the following special land
66 development regulations:
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68 **1. Land Development**

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70 1.1 Development Plan. Subject to any modifications expressly contained
71 in the text of this ordinance, development and maintenance of the
72 Property must be consistent with the development plan attached to
73 this ordinance as **Exhibit “C”** (hereinafter the “Development Plan”). In
74 the event of a conflict between the text of this ordinance and the
75 Development Plan, the text of this ordinance shall control. References
76 in this ordinance to lots, parcels, buildings, phases, and other
77 development features refer to such features as identified on the
78 Development Plan.
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80 1.2 Variances and Modifications. Zoning variances and modification of
81 standards may be approved pursuant to the procedures set forth in
82 Part 2J and Part 2F, Chapter 65, Orlando City Code, respectively. The
83 planning official may also approve minor modifications and design
84 modifications to fences, walls, landscaping, accessory structures,
85 signs, and bufferyard requirements.
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87 1.3 Phasing. The Property shall be developed in a single phase.

ORDINANCE NO. 2014-75

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- 1.4 Land Use & Zoning. Unless otherwise stated within the PD, conditions for development of the site shall be subject to the standards of the default AC-2 zoning district.
- 1.5 Parking. Minimum parking for the proposed personal indoor/outdoor storage use shall be 3 spaces + one (1) 10-ft. long loading space.
- 1.6 Signs. The site is allowed up to 560 sq. ft. of total sign area, including wall, monument, pole, projecting and awning signs. Digital readerboard signs, pennants, streamers and inflatable devices are prohibited. Permits shall be secured for all signs prior to fabrication and construction of said signs.
- 1.7 Impervious Surface Ratio (ISR) shall not exceed 90%.
- 1.8 Non-Residential Intensity is limited to a maximum 0.5 Floor Area Ratio (FAR), based on the default AC-2/AN zoning. Per the site plan provided in this staff report, an FAR of ± 0.32 is proposed.
- 1.9 Building Height. Maximum building height within the PD development site shall be 30 ft.
- 1.10 Scope of Planned Development. This use shall operate only as described within this report. All of the improvements shown in the attached site plan (and as amended by any conditions found herein) are required as a condition of approval. Any changes in the use of the site, the operation of the project, or the site plan as described herein may require a new or amended Planned Development (see "Minor Modifications" condition below). This approval is not transferable to another property.
- 1.11 Planned Development Expiration. Pursuant to section 58.365, Orlando City Code, the Project must be commenced within 5 years of the effective date of this ordinance. If the Project has not commenced within 5 years then the zoning designation on the Property shall revert to the AC-2/AN district. The zoning official is hereby directed to amend the City's official zoning maps in accordance with this section, if necessary. For the purpose of this section, the word "commenced" means that a building permit for at least one principal building has been issued by the authority having jurisdiction.

131 **2. Urban Design**

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133 2.1 Appearance Review. Appearance Review shall be required prior to
134 building permits being issued. All Urban Design conditions of approval
135 shall be addressed in revised drawings prior to requesting the
136 Appearance Review and prior to applying for building permits.

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138 2.2 Architecture.

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140 a. Architectural elevations shall be generally consistent with those
141 provided in the application. Storage building elevations shall be
142 required for the Appearance Review.

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144 b. A base, middle, and top shall be expressed in the front facades of
145 the office building and the front storage building, and shall be
146 expressed the sides elevations of those buildings. Not more than 60
147 linear feet of these facades shall be unbroken by a projection or
148 recess, pronounced change in height of the roof parapet (or change
149 in the roof parapet form), change in color, or change in materials,
150 scoring, or other details. No rooftop HVAC equipment may project
151 higher than the top of parapet wall.

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153 All perimeter-oriented facades shall be finished with durable
154 materials.

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156 c. All building facades oriented toward Narcoossee Rd. shall have at
157 least 30% transparency. The required minimum transparency shall
158 be provided within the pedestrian zone, approximately 2.5 - 7 ft.
159 above exterior grade. Ground floor glass shall be clear on all
160 facades (minimum of 80% light transmittance). All other glass shall
161 meet a minimum 66% transmittance. Tinted or reflective glass is
162 prohibited.

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164 d. A maximum of 4 building colors shall be used.

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166 e. Primary pedestrian entries shall be clearly expressed and
167 highlighted, and recessed or framed by a sheltering element such
168 as an awning, arcade, porch or portico.

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170 f. West facades of buildings facing Narcoossee Road shall have
171 projections or recesses of at least 3 feet on intervals and not less
172 than 50 feet apart. The west façade of the storage building shall
173 have canopies, awnings, or overhangs.

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3. Lighting

- 3.1 All utilities, including street light poles, shall be kept out of the pedestrian path.
- 3.2 Site lighting must comply with LDC Chapter 63 Part 2M. Light-emitting diode (LED) lamps are encouraged. Light poles and fixtures shall be of a decorative style; industrial, utilitarian cobra-head and other non-decorative styles are prohibited.

4. Dumpsters

All dumpsters and trash compactors shall be screened with solid walls to match the principal structures. Decorative gates shall be installed to coordinate with principal structures. Landscape screening, including low hedges and ground cover, is required to soften the view from the public ROW.

5. Site Improvements

- 5.1 Fencing along Narcoossee Road, and fencing on the north and south tying into the westernmost corners of the north and south storage buildings, shall be an open, CPTED-approved style, such as aluminum or wrought-iron style pickets. Free-standing walls are also permitted, except along Narcoossee Road. The front fence shall be a combination of streetwall topped by CPTED fencing, as depicted in the proposed West-Facing Elevation Office Scheme 'A'. Vinyl-clad black chain link fence, with top and bottom rails, and minimum 9-gage fence fabric, with all hardware and posts painted black, may be used elsewhere on the site.
- 5.2 Sidewalk Connections. A pedestrian circulation plan shall be provided that links the site with continuous pathways. A minimum 5-ft. wide pedestrian pathway shall connect the principal building entrances and exits to the sidewalks.
- 5.3 Provide stamped concrete, pavers, or an alternative material treatment with a smooth surface for all pedestrian crosswalks.

6. Landscaping

- 6.1 All landscaping shall meet or exceed the minimum requirements of LDC Chapter 60, Part 2, relative to landscaping.

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- 6.2 Any canopy trees installed in the public right-of-way in a planting area that is less than 10 feet in width (or on private property less than 5 feet from public sidewalks) shall be installed with appropriate techniques to protect sidewalks, curbs, and infrastructure. Such techniques may include structural soil, pavement-supporting structures, root tunnels, and root barriers, and must be approved by the Appearance Review Official at time of permitting.
 - 6.3 Existing trees (not including those classified as invasive, exotic species) shall be preserved to the extent practical. The placement of underground utilities, including irrigation, within the driplines of existing trees to be preserved shall be done by means of tunneling rather than trenching. Any existing melaleuca, chinaberry, Chinese tallow, Brazilian pepper, camphor, or Australian pines on the site shall be removed.
 - 6.4 Tree clearing (excluding the clearing of invasive exotic species) shall not commence until full site and building development plans have been approved.
 - 6.5 Street tree planting shall be completed along all roadway frontages abutting the site in accordance with City Code. In locations where installation of street trees within the street right-of-way or a City services easement is infeasible, the trees shall be installed on the site within 12 feet of the right-of-way.
 - 6.6 The retention pond shall be landscaped with native littoral zone and wetlands plants to give it the appearance of a natural water body.
 - 6.7 The east portion of the property (between the storage buildings and east property line) shall be heavily landscaped with evergreen trees and plants in order to buffer views and noise from the residential neighborhood.
- 7. Transportation Planning**
- 7.1 Vehicle Turn Restriction. The proposed driveway shall be constructed to restrict access to Right-Turn IN / Right-Turn OUT ONLY (is shown that way on the site plan). The traffic control signs/median/curb line shall be designed to support this restriction.
 - 7.2 Driveway Traffic Control. One 30-inch stop sign, one 24-inch wide white stop bar/line, pavement arrows, and lane lines shall be installed. The stop sign and stop bar/line shall be in-line and located 4 feet behind the sidewalks/crosswalks.

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- 7.3 On-Site Sidewalk System. A paved pedestrian/handicap connection and/or sidewalk shall be provided from the public sidewalk(s) on Narcoossee Road to the main building entrance(s).

- 7.4 Security Gates. Vehicle access gates shall be designed to provide a turn-around area for denied or errant entries, vehicular storage/stacking, guest access, emergency access, etc. The gates shall be positioned (offset) to allow the length of at least one design vehicle to be stored between the keypad and the sidewalk / road right-of-way (R-O-W) line. A detailed, scaled, and dimensioned preliminary design shall be submitted for review.

8. Transportation Impact Fees

- 8.1 Fees. Any new construction, change in use, addition, or redevelopment of a site or structure shall be subject to a review for Transportation Impact Fees.

- 8.2 Credits. Any exemptions or credits against the Transportation Impact Fee must be reviewed prior to permit issuance. All Transportation Impact Fee Credits shall be initiated and processed by the Transportation Impact Fee Coordinator. Credit shall be available for the previous use located on the subject site.

- 8.3 Concurrency. All new construction, changes in use, additions or redevelopments are required to submit a Concurrency Management application as a part of the building plan review process.

The applicant shall comply with all applicable requirements of Chapter 59, the Concurrency Management Ordinance, to ensure that all public facilities and services are available concurrent with the proposed development. Approval of this application shall not be deemed to provide any vested rights.

SECTION 5. 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 6. 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

305 invalid provision or application, and to this end the provisions of this ordinance are
306 severable.

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308 **SECTION 7. EFFECTIVE DATE.** This ordinance takes effect upon adoption.
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310 **DONE, THE FIRST READING,** by the City Council of the City of Orlando,
311 Florida, at a regular meeting, this _____ day of _____, 2015.

312
313 **DONE, THE PUBLIC NOTICE,** in a newspaper of general circulation in the City
314 of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this _____ day
315 of _____, 2015.

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317 **DONE, THE SECOND READING, AND ENACTED ON FINAL PASSAGE,** by an
318 affirmative vote of a majority of a quorum present of the City Council of the City of
319 Orlando, Florida, at a regular meeting, this _____ day of _____,
320 2015.

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

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326 _____
Mayor / Mayor Pro Tempore

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

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331 _____
332 City Clerk

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

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338 _____
339 City Attorney

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343 ****[Remainder of page intentionally left blank.]****

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