

1 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**
2 **OF ORLANDO, FLORIDA, DESIGNATING CERTAIN**
3 **LAND GENERALLY LOCATED NORTH OF ORANGE**
4 **CENTER BOULEVARD, EAST OF S. OHIO AVENUE,**
5 **SOUTH OF JACOBS PLACE, AND WEST OF S. TAMPA**
6 **AVENUE, AND COMPRISED OF 14.9 ACRES OF LAND,**
7 **MORE OR LESS, AS PLANNED DEVELOPMENT**
8 **DISTRICT ON THE CITY'S OFFICIAL ZONING MAPS;**
9 **PROVIDING FOR AMENDMENT OF THE CITY'S**
10 **OFFICIAL ZONING MAPS; AND PROVIDING FOR**
11 **SEVERABILITY, CORRECTION OF SCRIVENER'S**
12 **ERRORS, AND AN EFFECTIVE DATE.**
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14 **WHEREAS**, at its regularly scheduled meeting of December 15, 2015, the
15 Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "City"),
16 considered zoning application case number ZON2015-00049, requesting the Planned
17 Development zoning district designation for approximately 14.9 acres of land, generally
18 located north of Orange Center Boulevard, east of S. Ohio Avenue, south of Jacobs
19 Place, and west of S. Tampa Avenue, and more precisely described by the legal
20 description attached to this ordinance as **Exhibit "A"** (hereinafter the "Property"); and
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22 **WHEREAS**, based upon the evidence presented to the MPB, including the
23 information and analysis contained in the "Staff Report to the Municipal Planning Board"
24 for application case number ZON2015-00049 (entitled "Item #10 – The Villages at West
25 Lake" and hereinafter referred to as the "Staff Report"), and subject to certain conditions
26 contained within the Staff Report, the MPB recommended that the City Council of the
27 City of Orlando, Florida (the "Orlando City Council"), approve said zoning application and
28 adopt an ordinance in accordance therewith; and
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30 **WHEREAS**, the applicant in zoning application case number ZON2015-00049
31 requested the Planned Development (PD) zoning district designation for the purpose of
32 permitting a two-phase multi-family development consisting of Phase I (200 multi-family
33 units on 12.1 acres east of Texas Avenue) and Phase II (120 senior housing units on 2.8
34 acres west of Texas Avenue), hereinafter the "Project"; and
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36 **WHEREAS**, the MPB found that the Project is consistent with the City's adopted
37 Growth Management Plan (the "GMP") including the applicable goals, objectives, and
38 policies associated with the Property's existing Future Land Use Map designation of
39 Residential Medium Intensity; and
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41 **WHEREAS**, the Orlando City Council hereby finds that the Project is consistent
42 with the intent and purpose of the planned development district zoning designation as
43 established by Part 2Q, Chapter 58, Code of the City of Orlando, Florida (the "Orlando
44 City Code"); and
45

46 **WHEREAS**, the Orlando City Council hereby finds that the Project and this
47 ordinance is in the best interest of the public health, safety, and welfare, and is
48 consistent with the applicable provisions of the City’s GMP, including the applicable
49 goals, objectives, and policies associated with the Property’s Future Land Use Map
50 designation of Residential Medium Intensity.

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52 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
53 **OF ORLANDO, FLORIDA, AS FOLLOWS:**

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55 **SECTION 1. ZONING.** After due notice and public hearing, and pursuant to part
56 2Q, Chapter 58, Orlando City Code, and other relevant portions of the Orlando City
57 Code, the zoning designation for the Property is hereby changed from Medium Intensity
58 Residential (R-3B) to Planned Development (PD) district on the City’s official zoning
59 maps (to be denoted as “PD” on the official maps of the City), as depicted in **Exhibit “B”**
60 to this ordinance. This planned development zoning district may be known as the
61 “Villages at West Lake PD.”

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63 **SECTION 2. OTHER DEVELOPMENT LAWS.** In accordance with section
64 58.367, Orlando City Code, except as expressly provided in this ordinance, the Villages
65 at West Lake PD zoning district remains subject to all applicable federal, state, and local
66 laws, and nothing in this ordinance shall be construed to exempt the Property from the
67 lawful authority or jurisdiction of any federal, state, or local agency.

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69 **SECTION 3. DEFAULT ZONING DISTRICT.** Except as expressly provided
70 otherwise by this ordinance, the Property shall be governed by the land development
71 regulations of the Medium Intensity Residential (denoted as “R-3B” on the official maps
72 of the City).

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74 **SECTION 4. SPECIAL LAND DEVELOPMENT REGULATIONS.** The Planned
75 Development zoning district for the Property is subject to the following special land
76 development regulations:

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78 **1) Land Development**

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80 1. *Development Plan.* Subject to any modifications expressly contained in the text
81 of this ordinance, development and maintenance of the Property must be
82 consistent with the development plan attached to this ordinance as **Exhibit “C”**
83 (hereinafter the “Development Plan”). In the event of a conflict between the text
84 of this ordinance and the Development Plan, the text of this ordinance shall
85 control. References in this ordinance to lots, parcels, buildings, phases, and
86 other development features refer to such features as identified on the
87 Development Plan.
88

- 89 2. *Variances and modifications.* Zoning variances and modification of standards
90 may be approved pursuant to the procedures set forth in Part 2J and Part 2F,
91 Chapter 65, Orlando City Code, respectively. The planning official may also
92 approve minor modifications and design modifications to fences, walls,
93 landscaping, accessory structures, signs, and bufferyard requirements.
94
- 95 3. *Phasing.* The Property may be developed in multiple phases, but if developed in
96 multiple phases, each phase must be developed in a manner that allows the
97 individual phases to function independently of each other. The purpose of this
98 requirement is to ensure that the first phase, and each subsequent phase, can
99 fully function and operate as intended by the Development Plan in the event that
100 subsequent phases are delayed or abandoned.
101
- 102 4. *Height.* Maximum height shall not exceed 40 feet, as measured from grade to the
103 mid-peak of roof.
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- 105 5. *Impervious Surface Ratio (ISR).* The ISR for each parcel shall not exceed 0.70.
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- 107 6. *Setbacks.* The minimum required setbacks for the overall property shall be as
108 follows: Front and street-side yards, 15 feet; Rear yard, 14 feet. The eastern
109 property line of Phase I is the only rear yard.
110
- 111 7. *Faux Street.* Phase I of the PD shall incorporate a “mainstreet” type of entrance
112 with parallel parking and primary access to the site.
113
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- 115 8. *Phase II.* Phase II of the PD shall require a Letter of Determination for an
116 Administrative Master Plan.
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- 118 9. *Phase II Parking.* Phase II of the PD is permitted a 40% parking reduction due to
119 the senior housing nature of the development. Employee parking for the Phase II
120 development shall be provided on the Phase I portion of the PD.
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- 122 10. *Density.* Phase I shall be limited to 200 dwelling units with Phase II limited to 120
123 senior residential units.
124

125 **2) Urban Design**

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127 **1. Streetscape**

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129 a) *Street Trees.* High rise live oaks trees shall be planted as the primary street
130 tree in the parkway strip along Jacobs Place, Orange Center Boulevard, Ohio
131 Avenue, Texas Avenue and the central north-south driveway in Parcel B
132 (Phase I).

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- b) *Structural Soil.* To minimize root damage to adjacent pavement areas, structural soil or a Planning Official approved equivalent shall be installed around all canopy street trees in or adjacent to the public rights of way.
- c) *Street Lights.* Single acorn LED streetlights, consistent with the Downtown Streetscape Design Guidelines shall be installed on Jacobs Place, Orange Center Boulevard, Ohio Avenue, Texas Avenue and the central north-south driveway in Parcel B (Phase I) spaced based on OUC lighting requirements.
- d) *Sidewalk Connection.* A minimum 5-foot wide sidewalk shall be in Parcel B (Phase I) to the west side of the central north-south drive adjacent to the internal retention pond.
- e) *Corner Treatments.* Corner treatments at all intersections adjacent to the subject property shall provide two accessibility ramps at each corner perpendicular to the centerline.
- f) *Pedestrian Crossings.* The east-west pedestrian crossings at Texas Avenue and the central north-south driveway in Parcel B (Phase I) shall be pavement treatment a minimum of 7 feet wide that contrasts with the material, color and/or texture of the vehicle lanes in order to clearly define the pedestrian crossing area. Reflective paint alone is not acceptable, however may be used in conjunction with pavers or other surfaces to outline the pedestrian path for night time safety.
- g) *Curb Cuts.* All existing curb cuts shall be removed and the streetscape and curbing restored during construction.

2. Architecture

- a) *Design Intent.* The Parcel B (Phase I) multi-family architectural elevations are generally approved as submitted. Final architectural plans, elevations, materials and finishes for Parcel B shall be submitted to the Planning Official for final approval prior to submittal for building permits.
- b) *Phase II.* The architectural elevations for Parcel A (Phase II) shall be submitted for appearance review with its master plan submittal.

3. Site Plan

- a) *Sidewalk Connection.* Each multi-family building that faces a public right-of-way shall provide a sidewalk connection a minimum of 5 feet wide from the building to the public sidewalk. The sidewalk connection is allowed to be

177 gated or secured. The ground floor units with a door that faces the public
178 right-of-way shall provide a minimum 4-foot wide sidewalk connection to the
179 sidewalk that connects to the public sidewalk.

- 180
- 181 b) *Windows.* The windows on all facades shall be recessed from the façade to
182 provide additional design texture and shadow lines to the building façade.
- 183
- 184 c) *Dumpsters and Compactors.* All dumpsters and trash compactors shall be
185 screened with solid walls to match the surrounding principal structures.
186 Decorative gates shall be installed to coordinate with the principal structures.
187 Landscape screening including low hedges and groundcovers are required to
188 soften the view and appearance. The doors or gates shall be closed when the
189 refuse area is not in use.
- 190
- 191 d) *Transparency.* Building facades that face a street shall contain a minimum of
192 15% transparent materials. All glass at the ground level shall be clear.
193 Minimum light transmittance shall be 80%. High performance or low-e glass
194 may be considered as an alternative with a minimum transmittance of 60%.
195 No windows at the ground floor level shall be dry-walled, or have permanent
196 partitions installed on the interior to block natural surveillance. Tinted,
197 reflective, or spandrel glass does not count towards meeting the transparency
198 requirements.
- 199
- 200 e) *Fencing.* Any fencing on the site shall be an open, CPTED-approved fence,
201 such as aluminum or wrought-iron picket or architectural mesh fencing.
202 Except for construction fencing, chain link fencing is prohibited.

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204 **4. Mechanical Equipment**

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- 206 a) *Venting & Exhaust.* All venting and exhaust for mechanical equipment and
207 other utilities shall be below 3 feet or above 8 feet on the building elevations,
208 and shall be integrated with the building design so as to be seamless with the
209 overall architecture of the building.
- 210
- 211 b) *Transformer Area Screening.* Transformer areas visible from the ROW shall
212 be screened with a decorative, opaque wall and gates up to 6 feet in height.
213 A landscape screen including low hedges and groundcovers are required to
214 soften the view and appearance. The doors or gates shall be closed when the
215 transformer is not being accessed. Transformers not visible from the ROW
216 shall be screened with a vegetative buffer.
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- 218 c) *Mechanical Equipment.* All ground mounted and rooftop mechanical
219 equipment shall be screened from view and meet the screening conditions
220 Sec. 58.982 - 984 of the Land Development Code.

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- d) *HVAC Clusters.* Clusters of ground mounted HVAC units shall not be located between any building façade and the public rights-of-way. HVAC units shall be screened with a minimum 36 inch high fence and a minimum 36 inch tall row of hedges.
- e) *Backflow Preventer.* Backflow preventer[s] shall be located so as to not be directly visible from the right-of-way and should be screened from view with landscaping where necessary. They shall be clearly identified on the final utilities plan.
- f) *Overhead Powerlines.* Existing overhead powerlines on the development site shall be undergrounded during construction.
- g) *Final Elevations.* The location and configuration of all exterior venting and mechanical equipment shall be depicted on the building elevations in the Final Site Plan Review.

5. Transportation Engineering

- a) The proposed driveway opening in the center of the project off of Orange Center Blvd shall line up with S. Dollins Ave. The proposed Jacobs Place driveway shall line up with existing curbcuts on the north side of Jacobs Place.
- b) Developer shall coordinate with the City and OUC to determine relocation of the utility poles from median on Orange Center Blvd. At a minimum, the existing utility poles shall be relocated as needed due to proposed driveways that will require new median openings and existing driveways that will be closed that must have the medians closed as well.
- c) A median opening and a left turn lane shall be provided on Orange Center Blvd. for eastbound traffic turning north into the development. The design shall follow FDOT criteria and shall have final approval by the City Transportation Engineer.
- d) Median openings on Orange Center Blvd that will no longer be utilized shall be closed and a raised median shall be placed back in those locations.
- e) All modifications to the median shall match the existing cross section.
- f) A 30 foot by 30 foot corner clip will be required at S. Ohio Ave and Orange Center Blvd at existing signal location in the form of either public ROW or a City Services Easement.

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- g) The drop off at Texas Ave. shall be large enough for emergency vehicles to access.
- h) Sidewalks adjacent to parking and drive aisles shall be 6 feet wide minimum. Sidewalks directly next to travel ways shall also be a minimum of 6 feet wide.
- i) A sidewalk shall be provided at the west side of the stormwater pond.
- j) All public sidewalks within the property boundary will require a City Services easement.
- k) All interior roads shall be privately maintained. The north south road shall provide access to the public but be privately maintained and be platted as such.

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

SECTION 7. EFFECTIVE DATE. This ordinance takes effect upon the effective date of City of Orlando Ordinance #2016-22, relating to a portion of the Property's Future Land Use Map designation.

DONE, THE FIRST READING, by the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2016.

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 _____, 2016.

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 _____, 2016.

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

ORDINANCE NO. 2016-22

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Mayor / Mayor Pro Tempore

Printed Name

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

Interim City Clerk

Amy T. Iennaco

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

City Attorney

Printed Name

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