

ORDER APPROVING RESCISSION OF METROWEST DRI DEVELOPMENT ORDER

THIS ORDER APPROVING RESCISSION OF METROWEST DRI DEVELOPMENT ORDER is issued by the City of Orlando, a municipal corporation organized and existing under the laws of the State of Florida, whose address is 400 S. Orange Avenue, Orlando, Florida 32801.

Factual Background

1. Pursuant to that certain Assignment of Rights recorded on May 13, 2015, in Official Records Book 10919, Page 628 of the Public Records of Orange County, Florida, the Metrowest Association was assigned the rights, obligations and duties of the master developer for that certain property located in the City of Orlando that is commonly known as the Metrowest Development of Regional Impact (the “**Metrowest DRI**”), which is more particularly described in Exhibit “A” hereto and in the Metrowest DRI Development Order (as hereinafter defined).

2. The Metrowest DRI was formerly known as Project Debra, adopted by the City Council of the City of Orlando (the “**City**”) on February 28, 1983, and noticed under that certain Notice of Adoption of Development Order recorded March 4, 1983 in Official Records Book 3354, Page 2364 of the Public Records of Orange County, Florida (as thereafter amended, collectively the “**Metrowest DRI Development Order**”).

3. The Metrowest DRI Development Order specifies the required mitigation for the development of the Metrowest DRI.

4. Pursuant to Section 380.115, Florida Statutes, “[i]f requested by the developer or landowner, the development-of-regional-impact development order ***shall be*** rescinded by the local government having jurisdiction upon a showing that all required mitigation related to the amount of development that existed on the date of rescission has been completed or will be completed under an existing permit or equivalent authorization issued by a governmental agency as defined in s. 380.031(6), provided such permit or authorization is subject to enforcement through administrative or judicial remedies.” (Emphasis added).

5. Pursuant to that certain Third Amendment to the Metrowest DRI Development Order, dated September 21, 2015, and recorded September 1, 2016, with document number 20160461802, in the Public Records of Orange County, Florida, the City concluded that:

(i) all necessary public or private infrastructure required by the Metrowest DRI Development Order has been provided or is no longer needed, and

(ii) the City’s existing Growth Management Plan and Land Development Code adequately regulate the development and use of land within the Metrowest DRI without the need for the Metrowest DRI Development Order.

6. A Request for Rescission of the Metrowest DRI Development Order (the "Request") dated March 22, 2017, was submitted to the City on behalf of Metrowest Association. A copy of the Request is attached hereto as **Exhibit "B"**.

7. Based on the information contained in the Request, the City has confirmed that the required mitigation has occurred within the Metrowest DRI as of the date of this Order.

8. On June 20, 2017, the City's Municipal Planning Board considered the Request and recommended that the Orlando City Council approve said Request and adopt an order in accordance therewith.

NOW THEREFORE, based on the information presented herein, the City hereby rescinds the Metrowest DRI Development Order and acknowledges that the terms "Metrowest Development of Regional Impact" or "Metrowest DRI" as used in any applicable approval, agreement, development order, document or permit shall mean and refer to the parcels comprising the Metrowest DRI as described herein. The City hereby confirms that each of the parcels within the Metrowest DRI shall have all rights and entitlements authorized under the specific Future Land Use and zoning designations assigned to the parcel as set forth in the applicable provisions of the City's Growth Management Plan and Land Development Code. This order is effective upon adoption.

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

Print Name

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

Assistant City Attorney

Print Name

CERTIFICATE OF SERVICE

A certified copy of this Order Approving Rescission of the Metrowest DRI Development Order has been sent by U.S. Mail to the Florida Department of Economic Opportunity, Division of Community Development, 107 East Madison Street, Caldwell Building, MSC 160, Tallahassee, FL 32399 and to the East Central Florida Regional Planning Council at 309 Cranes Roost Boulevard, Suite 2000, Altamonte Springs, FL 32701 this _____ day of _____, 2017.