

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, AMENDING THE MILLENIUM PARC PLANNED DEVELOPMENT ZONING DISTRICT; PROVIDING FOR ADDITIONAL CONDITIONS; PROVIDING THAT PRIOR ORDINANCE STILL IN EFFECT; PROVIDING FOR PERMIT DISCLAIMER, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, at its regularly scheduled meeting of February 18, 2020, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "City"), considered zoning application case number ZON2019-10017, requesting an amendment to the Millenium Parc Planned Development zoning district (City of Orlando Ordinance No. 2013-28, Documentary No. 1306171201, the "Millenium Parc PD"), which amendment concerns property generally located south of Millenia Blvd., west of S. John Young Parkway, and east of Interstate 4, comprising approximately 2.36 acres of land, and being more particularly described and depicted in **Exhibit A**, attached hereto and incorporated herein (the "Property"), to allow a hotel on the Property, to allow the hotel to exceed 35 ft. in height, and to have two (2) high-rise signs (the "Project"); and

**WHEREAS**, based upon the evidence presented to the MPB, including the information and analysis contained in the "Staff Report to the Municipal Planning Board" for application case number ZON2019-10017 (entitled "Item #3B-Millenium Parc Hotel"), the MPB recommended that the City Council of the City of Orlando, Florida (the "Orlando City Council"), approve said request and adopt an ordinance in accordance therewith; and

**WHEREAS**, the MPB found that the Project is consistent with:

1. The City's adopted Growth Management Plan (the "GMP"), including the applicable goals, objectives, and policies associated with the Property's Future Land Use Map designation of Metropolitan Activity Center; and
2. The City's Land Development Code, Chapters 58 through 68, Code of the City of Orlando, Florida (the "LDC"); and

**WHEREAS**, the Orlando City Council finds that the Project and this Ordinance are in the best interest of the public health, safety, and welfare.

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

**SECTION 1. PD AMENDMENT.** The Millenium Parc PD is amended to allow a hotel on parcels 3 and 4, to allow the hotel to exceed 35 ft. in height, and to have two (2) high-rise signs. The Project must meet all requirements of the Millenium Parc PD, as amended herein.

**SECTION 2. ADDITIONAL CONDITIONS.** The following additional conditions apply to parcels 3 and 4 of the Millenium Parc PD:

2.1 *Floor Area Ratio (FAR)* – FAR for the hotel use must not exceed 0.6 FAR. FAR for the vacant 0.75 acre parcel must not exceed 0.3, with at least 6,173 sq.ft. of the second required use (tied to the increased FAR for the hotel) to be located on the vacant 0.75 acre parcel.

2.2 *Parking.*

A. 109-unit hotel- There must be no fewer than 54 and no more than 109 parking spaces for the proposed hotel (including ancillary hotel-related uses)

B. Vacant 0.75 acre parcel – To be determined when development is proposed

2.3 *Signs.*

A. 109-unit hotel – A maximum of 199 sq. ft. of non-high-rise signage is allowed, not including the two (2) proposed high-rise signs, which each cannot exceed 154 sq. ft. and must glow white at night.

B. Vacant 0.75 acre parcel-To be determined when development is proposed

C. All site signage must be as specified in the MPL 2019-10045 staff report. Digital signs are prohibited. All signs must receive permits prior to fabrication and installation.

2.4 *Building Height.* The proposed hotel must not exceed 61 feet.

2.5 *Buffers.* A minimum 7.5 ft. lot line buffer is required on the east/rear of the proposed hotel site. A minimum 10 ft. landscape buffer with a 1.5-ft. tall berm is required along the Timarron Dr. and Millenia Blvd. frontages. An 8-10 ft. wide Bufferyard B is required south of the east-west access drive (where possible). Existing vegetation located between the east-west access drive and the Millenium Parc Lake and conservation area must be maintained or augmented to satisfy the minimum 8-10 ft. Bufferyard B requirement.



81           2.6   *Phasing.* The hotel will be constructed initially, with development of  
82                   the vacant 0.75 acre parcel to be reviewed via the administrative  
83                   master plan process (with provision of the secondary uses).

84           2.7   *Site Plan.* The site plan for the hotel on parcels 3 and 4 is attached  
85                   to this ordinance as **Exhibit B** (the "Site Plan").

86           2.8   *Building Elevations and Proposed Signs.* The building elevations and  
87                   proposed signs for the hotel on parcels 3 and 4 are attached to this  
88                   ordinance as **Exhibit C** (the "Building Elevations and Proposed  
89                   Signs").

90           2.9   *Landscape Plan.* The landscape plan for the hotel on parcel 3 and 4  
91                   is attached to this ordinance as **Exhibit D** (the "Landscape Plan").  
92

93           **SECTION 3. PRIOR ORDINANCES.** Except as provided in this ordinance,  
94           the Property remains subject to all applicable provisions of City of Orlando  
95           Ordinance No. 2013-28, Documentary No. 1306171201.  
96

97           **SECTION 4. DISCLAIMER.** In accordance with Section 166.033(6),  
98           Florida Statutes, the issuance of this development permit does not in any way  
99           create any right on the part of the applicant to obtain a permit from a state or federal  
100           agency, and does not create any liability on the part of the city for issuance of this  
101           permit if the applicant fails to obtain requisite approvals or fulfill the obligations  
102           imposed by a state or federal agency or undertakes actions that result in a violation  
103           of state or federal law. All other applicable state or federal permits must be  
104           obtained before commencement of the development authorized by this  
105           development permit.  
106

107           **SECTION 5. SCRIVENER'S ERROR.** The city attorney may correct  
108           scrivener's errors found in this ordinance by filing a corrected copy of this  
109           ordinance with the city clerk.  
110

111           **SECTION 6. SEVERABILITY.** If any provision of this ordinance or its  
112           application to any person or circumstance is held invalid, the invalidity does not  
113           affect other provisions or applications of this ordinance which can be given effect  
114           without the invalid provision or application, and to this end the provisions of this  
115           ordinance are severable.  
116

117           **SECTION 7. EFFECTIVE DATE.** This ordinance takes effect upon  
118           adoption, except for sections one and two, which take effect upon the effective  
119           date of Ordinance 2020-25 for application GMP2019-10015.  
120

**DONE, THE FIRST READING**, by the City Council of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**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 \_\_\_\_\_, 2020.

**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 \_\_\_\_\_, 2020.

BY THE MAYOR OF THE CITY OF  
ORLANDO, FLORIDA:

\_\_\_\_\_  
Mayor

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