

1 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**
2 **OF ORLANDO, FLORIDA, AMENDING AND RESTATING**
3 **THE LAND DEVELOPMENT REGULATIONS OF THE S.**
4 **ORANGE MEDICAL COMPLEX PLANNED**
5 **DEVELOPMENT FOR CERTAIN LAND GENERALLY**
6 **LOCATED WEST OF SOUTH ORANGE AVENUE,**
7 **SOUTH OF WEST HARDING STREET, NORTH OF WEST**
8 **MURIEL STREET AND COMPRISED OF 1.20 ACRES OF**
9 **LAND, PROVIDING FOR AMENDMENT OF THE CITY'S**
10 **OFFICIAL ZONING MAPS; PROVIDING FOR**
11 **SEVERABILITY, CORRECTION OF SCRIVENER'S**
12 **ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE**
13 **DATE.**

14 **WHEREAS**, at its regularly scheduled meeting of April 28, 2020, the Municipal
15 Planning Board (hereinafter referred to as the "MPB") of the City of Orlando, Florida
16 (hereinafter referred to as the "City"), considered zoning application case number
17 ZON2019-10037, requesting amendments to the land development regulations of the S.
18 Orange Medical Complex Planned Development zoning district for certain land generally
19 located west of South Orange Avenue, south of West Harding Street, north of West
20 Muriel Street, comprised of 1.20 acres of land, more or less, and being more precisely
21 described by the legal description attached to this ordinance as **Exhibit A** (hereinafter
22 referred to as the "Property"); and
23

24 **WHEREAS**, based upon the evidence presented to the MPB, including the
25 information and analysis contained in the "Staff Report to the Municipal Planning Board"
26 for application case number ZON2019-10037 (entitled – S Orange Medical Complex PD
27 Amendment" and hereinafter referred to as the "staff report"), and subject to certain
28 conditions contained within the staff report, the MPB recommended that the City Council
29 of the City of Orlando, Florida (the "Orlando City Council"), approve said zoning
30 application and adopt an ordinance in accordance therewith; and
31

32 **WHEREAS**, zoning application case number ZON2019-10037 is requesting the
33 amendment in order to expand an existing medical office building; construct a parking
34 garage; permit an intensity bonus of 0.24 FAR, and a height increase of 5ft. (hereinafter
35 referred to as the "project"); and
36

37 **WHEREAS**, the MPB found that the project is consistent with:

- 38
- 39 1. The City of Orlando Growth Management Plan, adopted as the City's
40 "comprehensive plan" for purposes of the Florida Community Planning Act,
41 sections 163.3164 through 163.3217, Florida Statutes (hereinafter referred to
42 as the "GMP"), including, without limitation, the goals, objectives, and policies
43 applicable to the Property's existing Future Land Use Map designation of
44 Residential Medium Intensity; and
45

46 2. The City of Orlando Land Development Code, Chapters 58 through 68, Code
47 of the City of Orlando, Florida (the "LDC"); and
48

49 **WHEREAS**, the Orlando City Council hereby finds that the project and this
50 ordinance are in the best interest of the public health, safety, and welfare; and
51

52 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
53 **OF ORLANDO, FLORIDA, AS FOLLOWS:**
54

55 **SECTION 1. ZONING DESIGNATION.** After due notice and public hearing, and
56 pursuant to part 2Q, Chapter 58, Orlando City Code, and other relevant portions of the
57 Orlando City Code, the special land development regulations of the Planned
58 Development zoning designation for the Property are hereby amended and restated as
59 provided in this ordinance.
60

61 **SECTION 2. DEFAULT ZONING DISTRICT.** Except as expressly provided
62 otherwise herein, lots 3, 4, 5, 51, 52, 53, 54, and 55 of the Property shall be governed by
63 the land development regulations of the MU-1 Medium Intensity Mixed Use Corridor
64 District with the Traditional City and Special Plan (Orange/Michigan) overlay districts and
65 lot 56 shall be governed by the land development regulations of the R-3B Medium
66 Intensity Development District with the Traditional City and Special Plan
67 (Orange/Michigan) overlay districts.
68

69 **SECTION 3. SPECIAL LAND DEVELOPMENT REGULATIONS.** The Planned
70 Development zoning district for the Property is subject to the following special land
71 development regulations:
72

73 **1. Land Development**
74

- 75 a) Development Plan. Subject to any modifications expressly contained in the text
76 of this ordinance, development and maintenance of the Property must be
77 consistent with the development plan attached to this ordinance as **Exhibit B**
78 (hereinafter the "Development Plan"). In the event of a conflict between the text
79 of this ordinance and the Development Plan, the text of this ordinance shall
80 control. References in this ordinance to lots, parcels, buildings, phases, and
81 other development features refer to such features as identified on the
82 Development Plan.
83
- 84 b) Variances and modifications. Zoning variances and modification of standards may
85 be approved pursuant to the procedures set forth in Part 2J and Part 2F, Chapter
86 65, Orlando City Code, respectively. The planning official may also approve minor
87 modifications and design modifications to fences, walls, landscaping, accessory
88 structures, signs, and bufferyard requirements. Additionally, recognizing that
89 development plans can change in small ways between the planning and permitting
90 stages of development, the planning official may approve up to a 10% modification
91 of any applicable numerical development standard if the planning official finds that
92 the proposed modification is consistent with the applicable goals, objectives, and

93 policies of the GMP, is compatible with nearby existing land uses, would not result
94 in inadequate public facilities, and is otherwise consistent with the public health,
95 safety, and welfare. When approving such a modification of a development
96 standard, the planning official may impose one or more of the conditions of
97 development provided at section 65.334, Orlando City Code, but such condition or
98 conditions must be reasonably calculated to mitigate the identifiable land use
99 impacts of the modified standard.

- 100
- 101 c) Intensity. Development shall be limited to a maximum of 1.00 FAR.
- 102
- 103 d) Setbacks. The minimum building setbacks shall follow the setbacks required in
104 the MU-1/T/SP zoning district. The minimum setback for the building and parking
105 along W. Harding Street is 6 ft.
- 106
- 107 e) Impervious surface ratio (ISR). The impervious surface ratio may not exceed
108 0.77.
- 109
- 110 f) Building Height. The maximum height must not exceed 55 ft. from grade to mid-
111 peak of roof.
- 112
- 113 g) Uses. A minimum of 10% of the gross square footage must remain as either light
114 retail and/or daycare. Retail uses must be independent of the medical office use.
115 Lot 50 may only be used for storm water retention as proposed or for residential
116 use. The parking lot may not encroach into this lot.
- 117
- 118 h) Phasing. The parking garage must be developed during the first phase with all
119 required infrastructure. Permits for the parking and associated infrastructure must
120 be obtained within two years of the effective date of this ordinance. Also, the
121 permits for the 3-story medical office building must be obtained within one year of
122 the completion of the parking lot. If the development is constructed in one phase,
123 then building permits must be obtained within two years of the effective date of
124 this ordinance.

125

126 **2. Urban Design**

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- 128 a) Unless specifically exempted herein, all new development must adhere to all
129 provisions of the Land Development Code, including the Traditional City Overlay
130 and Orange/Michigan Special Plan.
- 131
- 132 b) A separate appearance review is required prior to submittal of any building
133 permits for the garage or medical office building. The appearance review may
134 occur concurrently with the final site plan review or independently.
- 135
- 136 c) All buildings must be completed on all four sides to a high level of detail and must
137 utilize the same material and color palate across all facades. The eastern façade

138 of the garage and the northern façade of the medical office building must be
139 addressed architecturally to avoid a canyon-like effect.

- 140
141 d) The garage must have a finished façade on the north and western facades
142 screening the parking decks. The façade must include punched openings to
143 simulate windows and must be broken up across the length of the façade through
144 design, height and color changes to provide architectural relief. The southern
145 garage façade does not need to be finished to the same level of detail but must
146 contain similar materials and colors and the top parapet must be designed to
147 provide a frame to the top of the building, concealing the garage ramping.
148
- 149 e) A durable material such as precast concrete, polished block, or tile must be used
150 on the building's base along the entire perimeter of the building. The base is at
151 minimum, the first two feet of the building façade measured from grade. Stucco is
152 not a durable material.
153
- 154 f) Controlled access must be provided at multiple points from the first floor of the
155 garage to the property located at the rear of the garage so that maintenance
156 activities and security checks may occur in the narrow alley like area. The
157 landscape design must discourage loitering in this area while providing vertical
158 plantings to provide vertical relief across the first few floors of the garage and to
159 shield the structure.
160
- 161 g) All walls and fences may be no taller than 4 ft. in height within the first 15 ft. from
162 the street when adjacent to a residential property. The height of the wall or fence
163 may be extended to a maximum height of 6 ft. for any portion further than 15 ft.
164 back from the property line. A 4 ft. tall wall is required between the sidewalk and
165 any at-grade parking or stormwater pond; the wall must be set back a minimum of
166 7.5 ft. from the property line. All walls visible to the ROW must have columns at
167 every 30 ft. to provide articulation.
168
- 169 h) The stormwater pond must be set back a minimum of 15 ft. from the front property
170 line and must have a park-like/natural appearance. The slopes should be less
171 than 4:1 and the bottom must be landscaped (no gravel bottoms allowed). The
172 stormwater pond must be planted with native plantings that can thrive in both wet
173 and dry conditions. African Iris, Sand Cord grass, Muhly grass and Blue
174 Porterweed are recommended plant selections. Sugar Maple, Bald Cypress and
175 River Birch are recommended tree selections. Cypress mulch is not allowed.
176
- 177 i) All light fixtures must be shielded to prevent light spilling from the garage onto
178 adjacent properties. This includes both interior lights within the garage as well as
179 those mounted on the roof.
180

181 **3. Transportation**
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- 183 a) Proper sightlines must be maintained at all driveways and parking areas.
184
185 b) Site plans and landscaping plans submitted to Permitting Services should include
186 sightline triangles and dumpster pad locations. AutoTurn analysis for emergency
187 vehicles and solid waste collection should be attached to plans.
188
189 c) Stalls meeting ADA and Florida accessibility requirements must be included and
190 located appropriately in each parking facility. Typical 90o parking stalls have a
191 minimum width of 9 feet, and a minimum depth of 18.5 feet. For two-way traffic
192 flow, the minimum aisle width shall be 23 ft.

193
194 **4. Lighting**
195

- 196 a) All requirements of Chapter 63.400, Orlando City Code must be met at the time
197 of permitting.
198
199 b) All utilities, including street light poles must be kept out of the pedestrian path.
200
201 c) Light-emitting diode (LED) lamps are encouraged.
202

203 **5. Water Reclamation**
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- 205 a) The Applicant/Engineer shall calculate and report the existing and proposed
206 wastewater discharges from the development to the Water Reclamation Division
207 for documentation purposes. The wastewater generation methodology shall
208 follow the City of Orlando Sewer Service Policy allocation factors.
209
210 b) The Water Reclamation Division must review construction plans prior to permit
211 issuance to assure that the public sanitary sewer facilities that serve the
212 development comply with applicable city standards and construction details.
213

214 **6. Fire**
215

- 216 a) An approved turnaround shall be provided for fire apparatus where an access
217 road is a dead end in excess of 150 ft. When a dead-end road will not
218 accommodate an approved t-turn or turn-a-bout a minimum width of 25 ft. is
219 required.
220
221 b) The turnabout shall be at least 20ft. wide and sized for the dimensions of the
222 largest OFD apparatus. Use of areas subject to obstruction by vehicles such as
223 loading docks and parking garages are prohibited. Acceptable turnarounds can
224 include T-turn, Y-turn or cul-de-sac (designs and dimensions are subject to the
225 approval of Orlando Fire Department).
226

- 227 c) All portions of an unsprinklered building must be within 300 ft. hose lay distance
228 of a fire hydrant. All portions of a sprinklered building must be within 500 ft. hose
229 lay distance of a fire hydrant.

230
231 **7. Parks**

- 232
233 a) Site plan modification and/or special design and construction techniques may be
234 required to preserve the 36" oak tree on the Property.
235
236 b) Prior to any land clearing, a mass grading permit and tree removal permit must
237 be obtained.

238
239 **8. Engineering/Zoning**

- 240
241 a) A 5 ft. wide concrete sidewalk is required along all rights-of way. Any existing
242 sidewalk that is broken or damaged must be repaired.
243
244 b) This Property is required to plat in accordance with Section 65.401, Orlando City
245 Code. All new construction, change in use, additions, or redevelopments must
246 submit a Concurrency Management application as a part of the building plan
247 review process.
248
249 c) A Planning Official Final Site Plan determination must be obtained prior to
250 building permit submission for the parking garage and medical office building
251 expansion.
252
253 d) Final site plans shall show improvements made in the right-of-way by the Christ
254 Church project along Muriel Street.
255
256 e) The solid waste container(s) shall not be located adjacent to any single-family
257 houses or directly adjacent to the public street and must have a minimum opening
258 of 12-ft. wide and a clear depth of 10-ft. forward of any bollards within the dumpster
259 enclosure. Dumpsters shall be located to provide a minimum 50-ft. of clear backup
260 space and constructed per the requirements of the City of Orlando Engineering
261 Standards Manual, or documentation shall be provided from the City's Solid Waste
262 Division indicating curb pick-up other approved arrangement.
263

264 **SECTION 4. DISCLAIMER.** In accordance with Section 166.033(6), Florida
265 Statutes, the issuance of this development permit does not in any way create any right on
266 the part of the applicant to obtain a permit from a state or federal agency, and does not
267 create any liability on the part of the City for issuance of this permit if the applicant fails to
268 obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or
269 undertakes actions that result in a violation of state or federal law. All other applicable
270 state or federal permits must be obtained before commencement of the development
271 authorized by this development permit.
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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. PRIOR ORDINANCES. This ordinance supersedes all previous planned development zoning ordinances applicable to the Property.

SECTION 7. 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 8. EFFECTIVE DATE. This ordinance takes effect upon adoption.

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

ORDINANCE NO. 2020-36

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

325 _____
326
327 Assistant City Attorney

328 _____
329
330 Print Name

331
332 ** [Remainder of page intentionally left blank.] **