

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, AMENDING AND RESTATING THE LAND DEVELOPMENT REGULATIONS OF THE S. ORANGE MEDICAL COMPLEX PLANNED DEVELOPMENT FOR CERTAIN LAND GENERALLY LOCATED WEST OF SOUTH ORANGE AVENUE, SOUTH OF WEST HARDING STREET, NORTH OF WEST MURIEL STREET AND COMPRISED OF 1.20 ACRES OF LAND, PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL ZONING MAPS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE DATE.**

**WHEREAS**, at its regularly scheduled meeting of April 28, 2020, the Municipal Planning Board (hereinafter referred to as the "MPB") of the City of Orlando, Florida (hereinafter referred to as the "City"), considered zoning application case number ZON2019-10037, requesting amendments to the land development regulations of the S. Orange Medical Complex Planned Development zoning district for certain land generally located west of South Orange Avenue, south of West Harding Street, north of West Muriel Street, comprised of 1.20 acres of land, more or less, and being more precisely described by the legal description attached to this ordinance as **Exhibit A** (hereinafter referred to as the "Property"); 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 ZON2019-10037 (entitled – S Orange Medical Complex PD Amendment" and hereinafter referred to as the "staff report"), and subject to certain conditions contained within the staff report, the MPB recommended that the City Council of the City of Orlando, Florida (the "Orlando City Council"), approve said zoning application and adopt an ordinance in accordance therewith; and

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

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

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

2. The City of Orlando Land Development Code, Chapters 58 through 68, Code of the City of Orlando, Florida (the “LDC”); and

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

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

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

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

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

**1. Land Development**

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

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

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

## 2. Urban Design

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

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

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

### 3. Transportation

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

#### **4. Lighting**

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

#### **5. Water Reclamation**

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

#### **6. Fire**

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

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

## 7. Parks

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

## 8. Engineering/Zoning

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

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

**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

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

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329 \_\_\_\_\_  
330 Print Name

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