



April 13, 2021

Phil Diamond  
Orange County Comptroller  
P.O. Box 38  
Orlando, FL 32802

Re: City of Orlando Ordinance No. 2021-11 and 2021-20

Dear Comptroller Diamond:

Pursuant to section 171.044, Florida Statutes, the City Council of the City of Orlando, Florida adopted Ordinance Numbers 2021-11 and 2021-20, annexing certain land into the corporate limits of the City of Orlando. The City is required to furnish copies of the ordinances to the Orange County Chief Administrative Officer and the Orange County Clerk of Court, which has been done.

The enclosed copies are intended for the files of the Orange County Board of County Commissioners and not for recording in the Official Records.

Sincerely yours,

A handwritten signature in black ink, appearing to read "SMH".

Stephanie Herdocia  
City Clerk

Enclosure

**OFFICE OF CITY CLERK**

CITY OF ORLANDO  
COUNCIL AGENDA ITEM

H/O 2nd Rd  
#1

Items Types:  
Hearings/Ordinances/2nd Read  
District: 4  
Contract ID:  
Exhibits: Yes  
Grant Received by City?: No

For Meeting of:  
April 12, 2021  
From:  
Document Number:  
On File (City Clerk) : No  
Draft Only: No

**Subject:**

Ordinance No. 2021-11 Annexing the subject properties, assigning the Community Activity Center future land use designation and initial zoning of AC-1 for property at 2635 Curry Ford Road and 1530 S. Primrose Drive (Hourglass Restaurant/Retail, ANX2020-10013, GMP2020-10031, ZON2020-10027)(Economic Development)

**Summary:**

The ordinance will annex the subject properties at 2635 Curry Ford Road and 1530 S. Primrose Drive, assign the Community Activity Center future land use designation and initial zoning of AC-1.

The properties are currently developed with a vacant church and single-story commercial building, and are being annexed to develop restaurant and retail uses. The subject properties are contiguous to the City limits and is reasonably compact. If annexed, the properties will not create an enclave.

Council accepted the petition for annexation on January 11, 2021. The Municipal Planning Board recommended approval of the annexation (ANX2020-10013), GMP amendment (GMP2020-10031), initial zoning (ZON2020-10027) and concurrent Master Plan (MPL2020-10087) on January 19, 2021.

The first reading of this ordinance was March 22, 2021.

**Fiscal & Efficiency Data:**

Fiscal impact statement attached.

**Recommended Action:**

Adopting Ordinance No. 2021-11 and authorizing the Mayor and City Clerk to execute the same, after final review and approval by the City Attorney's Office.

Agenda Item attachment(s) on file in the City Clerks Office.

**Note: All agenda items must be in the City Clerk's office by Noon Friday, six(6) business days prior to the regular Monday City Council meeting.**

Contact: Megan Barrow, [megan.barrow@orlando.gov](mailto:megan.barrow@orlando.gov), 407-246-3363; Sarah Taitt, [sarah.taitt@orlando.gov](mailto:sarah.taitt@orlando.gov), 407-246-4373

**Approved By:**

Department  
Budget Outside Routing Approval  
City Clerk

Date and Time  
3/31/2021 11:25 AM  
4/1/2021 8:58 AM

City Council Meeting: 4-12-21  
Item: 12-1 Documentary: 2104121201

**ATTACHMENTS:**

Name:	Description:	Type:
<input type="checkbox"/> <u>Ordinance 2021-11 final.pdf</u>	Ordinance 2021-11 Final	Backup Material
<input type="checkbox"/> <u>Ordinance 2021-11 Exhibits final.pdf</u>	Ordinance 2021-11 Exhibits Final	Backup Material
<input type="checkbox"/> <u>2021-11 Fiscal Impact Statement.pdf</u>	Fiscal Impact Statement	Fiscal Impact Statement

***"Enhance the quality of life in the City by delivering public services in a knowledgeable, responsive and financially responsible manner."***

**ORDINANCE NO. 2021-11**

BCC Mtg. Date: May 18, 2021

1                   **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**  
2                   **OF ORLANDO, FLORIDA, ANNEXING TO THE**  
3                   **CORPORATE LIMITS OF THE CITY CERTAIN LAND**  
4                   **GENERALLY LOCATED NORTH OF CURRY FORD**  
5                   **ROAD, EAST OF WISE AVENUE, SOUTH OF RAEHN**  
6                   **STREET, AND WEST OF PRIMROSE DRIVE, AND**  
7                   **COMPRISED OF 0.71 ACRES OF LAND, MORE OR**  
8                   **LESS, AND AMENDING THE CITY'S BOUNDARY**  
9                   **DESCRIPTION; AMENDING THE CITY'S ADOPTED**  
10                   **GROWTH MANAGEMENT PLAN TO DESIGNATE THE**  
11                   **PROPERTY AS COMMUNITY ACTIVITY CENTER ON**  
12                   **THE CITY'S OFFICIAL FUTURE LAND USE MAPS;**  
13                   **DESIGNATING THE PROPERTY AS THE COMMUNITY**  
14                   **ACTIVITY CENTER ZONING DISTRICT ON THE CITY'S**  
15                   **OFFICIAL ZONING MAPS; PROVIDING FOR**  
16                   **AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND**  
17                   **USE AND ZONING MAPS; PROVIDING FOR**  
18                   **SEVERABILITY, CORRECTION OF SCRIVENER'S**  
19                   **ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE**  
20                   **DATE.**

21  
22                   **WHEREAS**, on January 11, 2021, the City Council of the City of Orlando, Florida  
23 (the "Orlando City Council"), accepted a petition for voluntary annexation (hereinafter the  
24 "petition") bearing the signatures of all owners of property in an area of land generally  
25 located north of Curry Ford Road, east of Wise Avenue, south of Raehn Street, and west  
26 of Primrose Drive, comprised of approximately 0.71 acres and being precisely described  
27 by the legal description of the area by metes and bounds attached to this ordinance as  
28 **Exhibit A** (hereinafter the "property"); and  
29

30                   **WHEREAS**, the petition was filed with the Orlando City Council pursuant to  
31 section 171.044, Florida Statutes; and  
32

33                   **WHEREAS**, at its regularly scheduled meeting of January 19, 2021, the  
34 Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "city"),  
35 considered the following applications relating to the property:  
36

- 37                   1. Annexation case number ANX2020-10013 requesting to annex the property  
38                   into the jurisdictional boundaries of the city; and  
39  
40                   2. Growth Management Plan (hereinafter the "GMP") case number GMP2020-  
41                   10031 requesting an amendment to the city's GMP to designate the property  
42                   as "Community Activity Center" on the City's official future land use map;  
43                   and  
44

City Council Meeting: 4-12-21  
Item: 12-1 Documentary: 2104121201

**ORDINANCE NO. 2021-11**

- 45 3. Zoning case number ZON2020-10027 requesting to designate the property  
46 as the "Community Activity Center" zoning district on the City's official  
47 zoning map (together, hereinafter referred to as the "applications"); and  
48

49 **WHEREAS**, based upon the evidence presented to the MPB, including the  
50 information and analysis contained in the "Staff Report to the Municipal Planning Board"  
51 for application case numbers ANX2020-10013, GMP2020-10031, and ZON2020-10027  
52 (entitled "Hourglass Restaurant/Retail Annexation"), the MPB recommended that the  
53 Orlando City Council approve said applications and adopt an ordinance or ordinances in  
54 accordance therewith; and

55  
56 **WHEREAS**, the MPB found that application GMP2020-10031 is consistent with:

- 57  
58 1. The *State Comprehensive Plan* as provided at Chapter 187, Florida Statutes  
59 (the "State Comprehensive Plan"); and  
60  
61 2. The *East Central Florida 2060 Plan* adopted by the East Central Florida  
62 Regional Planning Council pursuant to sections 186.507 and 186.508, Florida  
63 Statutes (the "Strategic Regional Policy Plan"); and  
64  
65 3. The *City of Orlando Growth Management Plan*, adopted as the city's  
66 "comprehensive plan" for purposes of the Florida Community Planning Act,  
67 sections 163.3164 through 163.3217, Florida Statutes (the "GMP"); and  
68

69 **WHEREAS**, the MPB found that application ZON2020-10027 is consistent with:

- 70  
71 1. The GMP; and  
72  
73 2. The *City of Orlando Land Development Code*, Chapters 58 through 68,  
74 Code of the City of Orlando, Florida (the "LDC"); and  
75

76 **WHEREAS**, sections 3 and 4 of this ordinance are adopted pursuant to the  
77 "expedited state review process for adoption of comprehensive plan amendments" as  
78 provided by section 163.3184, Florida Statutes; and  
79

80 **WHEREAS**, the Orlando City Council hereby finds that:

- 81  
82 1. As of the date of the petition, the property was located in the unincorporated  
83 area of Orange County; and  
84  
85 2. As of the date of the petition, the property is contiguous to the city within the  
86 meaning of subsection 171.031(11), Florida Statutes; and  
87

ORDINANCE NO. 2021-11

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3. As of the date of the petition, the property is reasonably compact within the meaning of subsection 171.031(12), Florida Statutes; and
4. The petition bears the signatures of all owners of property in the area to be annexed; and
5. Annexation of the property will not result in the creation of enclaves within the meaning of subsection 171.031(13), Florida Statutes; and
6. The property is located wholly within the boundaries of a single county; and
7. The petition proposes an annexation that is consistent with the purpose of ensuring sound urban development and accommodation to growth; and
8. The petition, this ordinance, and the procedures leading to the adoption of this ordinance are consistent with the uniform legislative standards provided by the Florida Municipal Annexation and Contraction Act for the adjustment of municipal boundaries; and
9. The petition proposes an annexation that is consistent with the purpose of ensuring the efficient provision of urban services to areas that become urban in character within the meaning of section 171.021, Florida Statutes; and
10. The petition proposes an annexation that is consistent with the purpose of ensuring that areas are not annexed unless municipal services can be provided to those areas; and

**WHEREAS**, the Orlando City Council hereby finds that this ordinance is in the best interest of the public health, safety, and welfare, and is consistent with the applicable provisions of Florida Statutes, the State Comprehensive Plan, the Strategic Regional Policy Plan, and the City's GMP and LDC.

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

**SECTION 1. ANNEXATION.** Pursuant to the authority granted by section 171.044, Florida Statutes, and having made the findings set forth in this ordinance, the property described in **Exhibit A** is hereby annexed into the corporate limits of the City of Orlando, Florida, and the boundary lines of the City are hereby redefined to include the property and the adjacent rights-of-way to the centerline, as described in **Exhibit B**. In accordance with subsection 171.044(3), Florida Statutes, the annexed area is clearly shown on the map attached to this ordinance as **Exhibit C**.

**ORDINANCE NO. 2021-11**

131        **SECTION 2. CITY BOUNDARIES.** Pursuant to section 171.091, Florida Statutes,  
132 the charter boundary article of the city is hereby revised in accordance with this  
133 ordinance. The city clerk, or designee, is hereby directed to file this ordinance as a  
134 revision of the City Charter with the Florida Department of State. The city planning  
135 official, or designee, is hereby directed to amend the city's official maps in accordance  
136 with this ordinance.

137  
138        **SECTION 3. FLUM DESIGNATION.** Pursuant to section 163.3184, Florida  
139 Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land  
140 Use Map designation for the Property is hereby established as "Community Activity  
141 Center" (denoted as "COMM-AC" on the City's Future Land Use Maps), as depicted in  
142 **Exhibit D** to this ordinance.

143  
144        **SECTION 4. AMENDMENT OF FLUM.** The city planning official, or designee, is  
145 hereby directed to amend the city's adopted future land use maps in accordance with  
146 this ordinance.

147  
148        **SECTION 5. ZONING DESIGNATION.** Pursuant to the LDC, the zoning  
149 designation for the property is hereby established as the "Community Activity Center"  
150 zoning district (denoted on the city's official zoning maps as "AC-1"), as depicted in  
151 **Exhibit E** to this ordinance.

152  
153        **SECTION 6. AMENDMENT OF OFFICIAL ZONING MAP.** The city zoning  
154 official, or designee, is hereby directed to amend the city's official zoning maps in  
155 accordance with this ordinance.

156  
157        **SECTION 7. SEVERABILITY.** If any provision of this ordinance or its application  
158 to any person or circumstance is held invalid, the invalidity does not affect other  
159 provisions or applications of this ordinance which can be given effect without the invalid  
160 provision or application, and to this end the provisions of this ordinance are severable.

161  
162        **SECTION 8. SCRIVENER'S ERROR.** The city attorney may correct scrivener's  
163 errors found in this ordinance by filing a corrected copy of this ordinance with the city  
164 clerk.

165  
166        **SECTION 9. DISCLAIMER.** As provided by subsection 166.033(6), Florida  
167 Statutes, issuance of a development permit by a municipality does not in any way create  
168 any right on the part of an applicant to obtain a permit from a state or federal agency and  
169 does not create any liability on the part of the municipality for issuance of the permit if  
170 the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a  
171 state or federal agency or undertakes actions that result in a violation of state or federal  
172 law. In accordance with subsection 166.033(6), Florida Statutes, it is hereby made a

ORDINANCE NO. 2021-11

173 condition of this ordinance that all other applicable state or federal permits be obtained  
174 before commencement of the development.

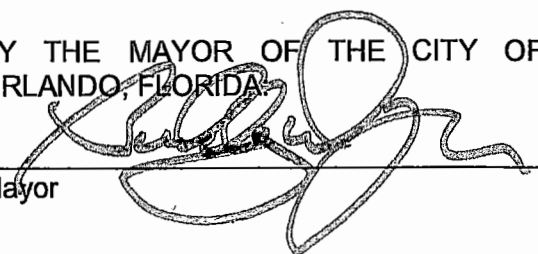
175  
176 **SECTION 10. EFFECTIVE DATE.** This ordinance is effective upon adoption,  
177 except for sections one and two, which take effect on the 30th day after adoption, and  
178 sections three through six, which take effect on the 31st day after adoption unless this  
179 ordinance is lawfully challenged pursuant to subsection 163.3184(5), Florida Statutes, in  
180 which case sections three through six shall not be effective until the state land planning  
181 agency or the Administration Commission issues a final order declaring this ordinance  
182 "in compliance" as defined at sections 163.3184(1)(b), Florida Statutes.

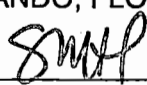
183  
184 **DONE, THE FIRST PUBLIC NOTICE,** in a newspaper of general circulation in  
185 the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this  
186 28 day of MARCH, 2021.

187  
188 **DONE, THE FIRST READING AND HEARING,** by the City Council of the City of  
189 Orlando, Florida, at a regular meeting, this 22 day of MARCH,  
190 2021.

191  
192 **DONE, THE SECOND PUBLIC NOTICE,** in a newspaper of general circulation in  
193 the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this  
194 4 day of APRIL, 2021.

195  
196 **DONE, THE SECOND READING AND HEARING, AND ENACTED ON FINAL**  
197 **PASSAGE,** by an affirmative vote of a majority of a quorum present of the City Council  
198 of the City of Orlando, Florida, at a regular meeting, this 12 day of  
199 APRIL, 2021.

200  
201  
202 BY THE MAYOR OF THE CITY OF  
203 ORLANDO, FLORIDA:  
204   
205  
206 Mayor

207  
208  
209 ATTEST, BY THE CLERK OF THE  
210 CITY COUNCIL OF THE CITY OF  
211 ORLANDO, FLORIDA:  
212   
213  
214 City Clerk


215 Stephanie Herdovia  
216 Print Name


City Council Meeting: 4-12-21  
Item: 12-1 Documentary: 2104121201



ORDINANCE NO. 2021-11

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

222   
223 \_\_\_\_\_  
224 Assistant City Attorney

225   
226 \_\_\_\_\_  
227 Print Name

228  
229 

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# VERIFIED LEGAL DESCRIPTION FORM

**EXHIBIT**

**A 1 of 2**

(APPENDIX C)

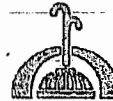
The following legal description has been prepared by  
Patrick K. Ireland, PSM 6637  
Ireland & Associates Surveying, Inc.

and submitted to the City Planning Bureau for verification.

Signature

10/16/2020

Date



"This Description has been reviewed by the Engineering Division and is acceptable based on a comparison with:  
Plat, Survey, Right-of-Way Maps, Deeds and GIS Mapping.  
By: R. Allen Date: 3/18/2021

Application Request (Office Use Only)

File No.

ANX2020-10013  
GMP2020-10031  
ZON2020-10027

Legal Description Including Acreage (To be typed by Applicant): Prepared by Surveyor

Parcel 1

The West 80 feet of Lots 11 and 12, Block B of CONWAY HOMESITES, according to the Plat thereof as recorded in Plat Book L, Page 129, of the Public Records of Orange County, Florida.

AND

Parcel 2

The East 15.5 feet of the West 95.5 feet of Lots 11 and 12, Block B of CONWAY HOMESITES, according to the Plat thereof as recorded in Plat Book L, Page 129, of the Public Records or Orange County, Florida.

AND

Lots 1, 2, 13 and 14 (less E 4.5 feet of Lot 2 and less East 51 feet of Lots 13 and 14) Block B and (less road right of way on South) Conway Homesites Plat Book L, page 129, Public Records of Orange County, Florida, more particularly described as follows:



EXHIBIT

A 2 of 2

# VERIFIED LEGAL DESCRIPTION FORM

(APPENDIX C)

The following legal description has been prepared by

Patrick K. Ireland, PSM 6637  
Ireland & Associates Surveying, Inc.

and submitted to the City Planning Bureau for  
verification.

Signature

10/16/2020

Date

Application Request (Office Use Only)

Legal Description Including Acreage (To be typed by Applicant): Prepared by Surveyor

Begin at the Northwest corner of said Lot 11, thence run North  $89^{\circ} 37' 33''$  East, along the South Right-of-Way line of Raehn Street, 94.76 feet, to a point on the West Right-of-Way line of South Primrose Drive; thence departing the South Right-of-Way line of said Raehn Street, run South  $00^{\circ} 17' 44''$  East, along the West Right-of-Way line of said South Primrose Drive, 290.71 feet, to the beginning of a radial curve concave to the northwest, with a radius of 35.00 feet, a delta of  $90^{\circ} 17' 44''$ , and a chord bearing and distance of South  $44^{\circ} 51' 08''$  West, 49.62 feet; thence run Southwesterly along said arc, a distance of 55.16 feet, to the end of said curve, and a point on the North Right-of-Way line of Curry Ford Road; thence run South  $90^{\circ} 00' 00''$  West, along the North Right-of-Way line of said Curry Ford Road, 61.26 feet, to the Intersection of the North Right-of-Way line of said Curry Ford Road and the East Right-of-Way line of Wise Avenue; thence departing the North Right-of-Way line of said Curry Ford Road, run North  $00^{\circ} 00' 00''$  East, along the East Right-of-Way line of said Wise Avenue, 325.27 feet, to the Point of Beginning.

Containing 30,859 Sq Ft or 0.71 Acres, more or less.

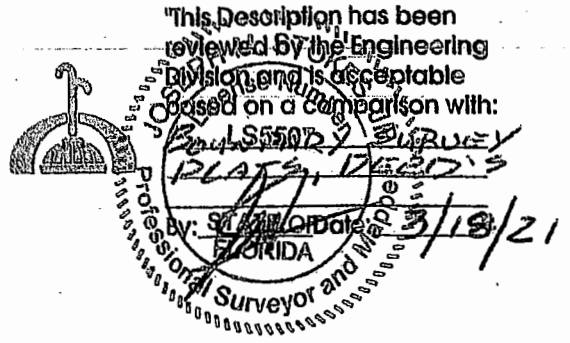


# VERIFIED LEGAL DESCRIPTION FORM

## MUNICIPAL PLANNING BOARD

The following legal description has been prepared by Richard Allen, PSM and submitted to the City Planning Bureau for verification.

Richard Allen  
Signature  
3/18/2021  
Date



-Application Request (Office Use Only):

File No. ANX2020-10013

Legal Description Including Acreage (To be Typed By Applicant): Right-of-Way Only (Legal prepared using the legal descriptions prepared by Ireland & Associates Surveying, Inc. and the Survey prepared by same firm)

**BEGIN** AT THE NORTHWEST CORNER OF SAID LOT 11, THENCE RUN NORTH 89°37'33" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF RAEHN STREET, 94.76 FEET, TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SOUTH PRIMROSE DRIVE AND THE SOUTH RIGHT-OF-WAY LINE SAID RAEHN STREET; NORTH 89°37'33" EAST, 51.00 FEET, TO A POINT ON THE CENTERLINE OF SAID SOUTH PRIMROSE DRIVE; THENCE DEPARTING THE EASTERLY PROLONGATION OF THE SOUTH RIGHT-OF-WAY OF SAID RAEHN STREET, RUN SOUTH 00°17'44" EAST, ALONG THE CENTERLINE OF SAID SOUTH PRIMROSE DRIVE, BEING PARALLEL WITH THE WEST RIGHT-OF-WAY LINE OF SAID SOUTH PRIMROSE DRIVE, 373.48, TO THE CENTERLINE OF SAID SOUTH PRIMROSE DRIVE, THENCE DEPARTING THE CENTERLINE OF SAID SOUTH PRIMROSE DRIVE, RUN SOUTH 90°00'00" WEST, ALONG THE CENTERLINE OF CURRY FORD ROAD, BEING PARALLEL WITH THE NORTH RIGHT-OF-WAY LINE OF SAID CURRY FORD ROAD, 172.68 FEET, TO THE CENTERLINE INTERSECTION OF WISE AVENUE AND CURRY FORD ROAD; THENCE DEPARTING THE CENTERLINE OF CURRY FORD ROAD, RUN NORTH 00°00'00" EAST, ALONG THE CENTERLINE OF WISE AVENUE, BEING PARALLEL WITH THE EAST RIGHT-OF-WAY LINE OF SAID WISE AVENUE, 372.36 FEET, TO THE INTERSECTION OF THE CENTERLINE OF SAID WISE AVENUE AND THE SOUTH RIGHT-OF-WAY LINE OF SAID RAEHN STREET; THENCE DEPARTING THE CENTERLINE OF SAID WISE AVENUE, RUN NORTH 89°37'33" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID RAEHN STREET, 25.00 FEET TO THE **POINT OF BEGINNING.**

**LESS THE FOLLOWING:**

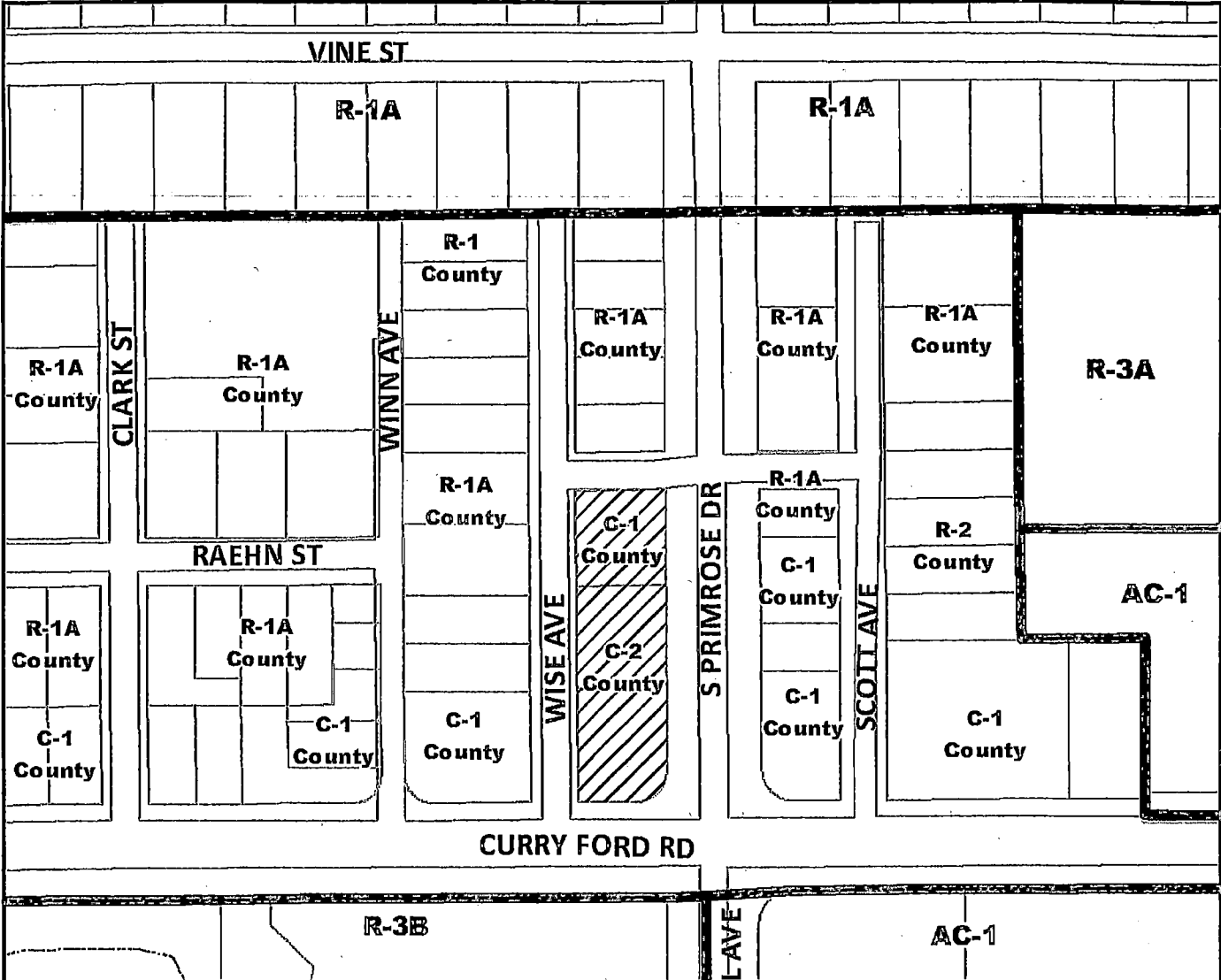
**BEGIN** AT THE NORTHWEST CORNER OF SAID LOT 11, THENCE RUN NORTH 89°37'33" EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF RAEHN STREET, 94.76 FEET, TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SOUTH PRIMROSE DRIVE; THENCE DEPARTING THE SOUTH RIGHT-OF-WAY LINE OF SAID RAEHN STREET, RUN SOUTH 00°17'44" EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID SOUTH PRIMROSE DRIVE, 290.71 FEET, TO THE BEGINNING OF A RADIAL CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 35.00 FEET, A DELTA OF 90°17'44", AND A CHORD BEARING AND DISTANCE OF SOUTH 44°51'08" WEST, 49.62 FEET; THENCE RUN SOUTHWESTERLY ALONG SAID ARC, A DISTANCE OF 55.16 FEET, TO THE END OF SAID CURVE, AND A POINT ON THE NORTH RIGHT-OF-WAY LINE OF CURRY FORD ROAD; THENCE RUN SOUTH 90°00'00" WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID CURRY FORD ROAD, 61.26 FEET, TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY SAID CURRY FORD ROAD AND THE EAST RIGHT-OF-WAY LINE OF WISE AVENUE; THENCE DEPARTING THE NORTH RIGHT-OF-WAY LINE OF SAID CURRY FORD ROAD, RUN NORTH 00°00'00" EAST, ALONG THE EAST RIGHT-OF-WAY LINE OF SAID WISE AVENUE, 325.27 FEET, TO THE **POINT OF BEGINNING.**

Containing 33,178 SQ FT or 0.76 ACRES, MORE OR LESS.

2 OF 2



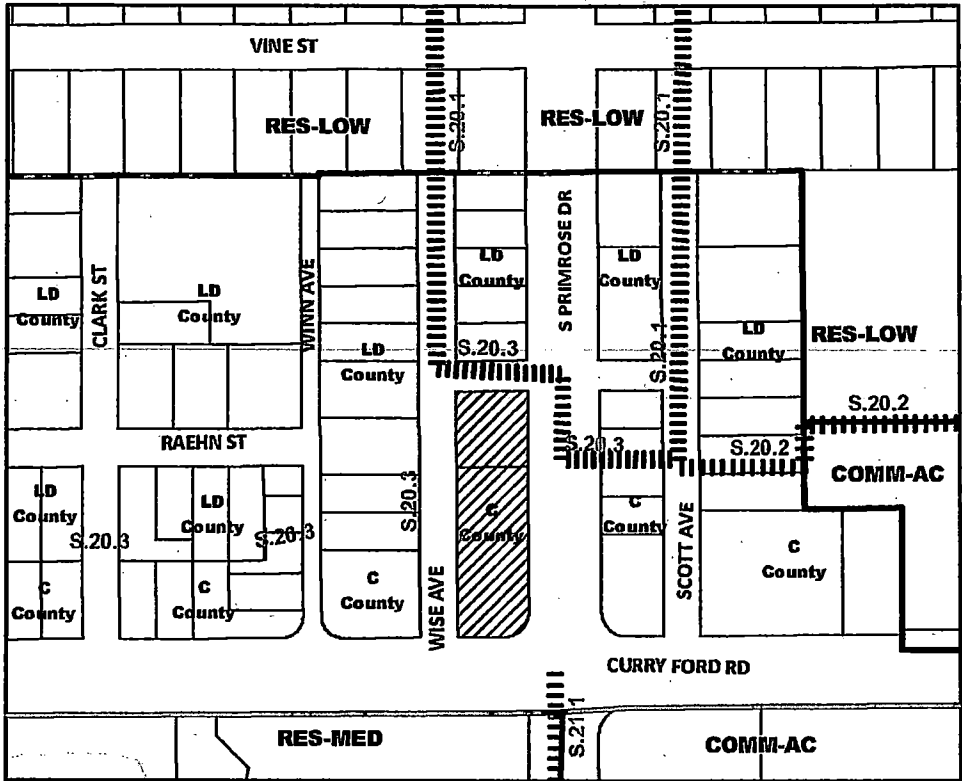
EXHIBIT  
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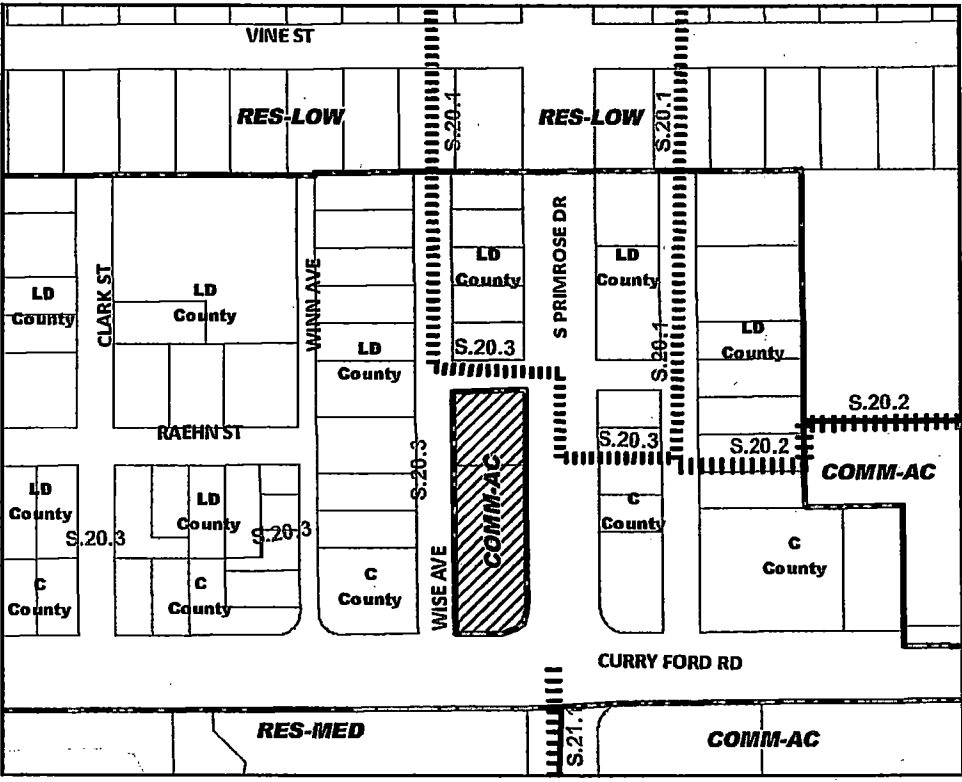
ANX2020-10013



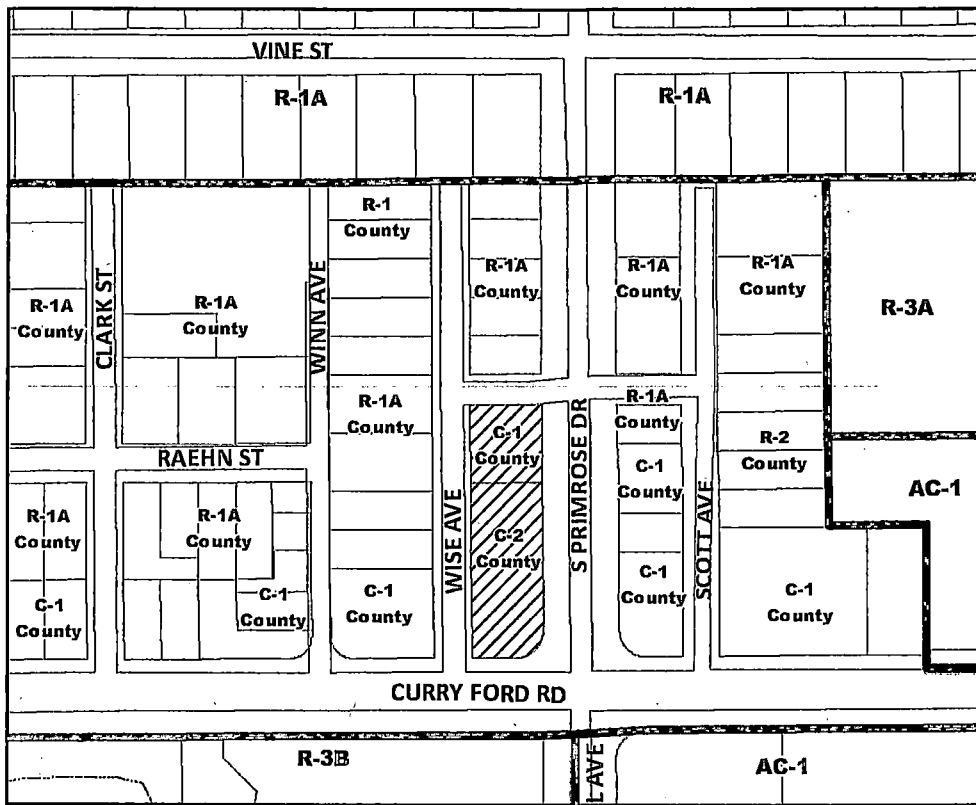
**EXHIBIT  
D**



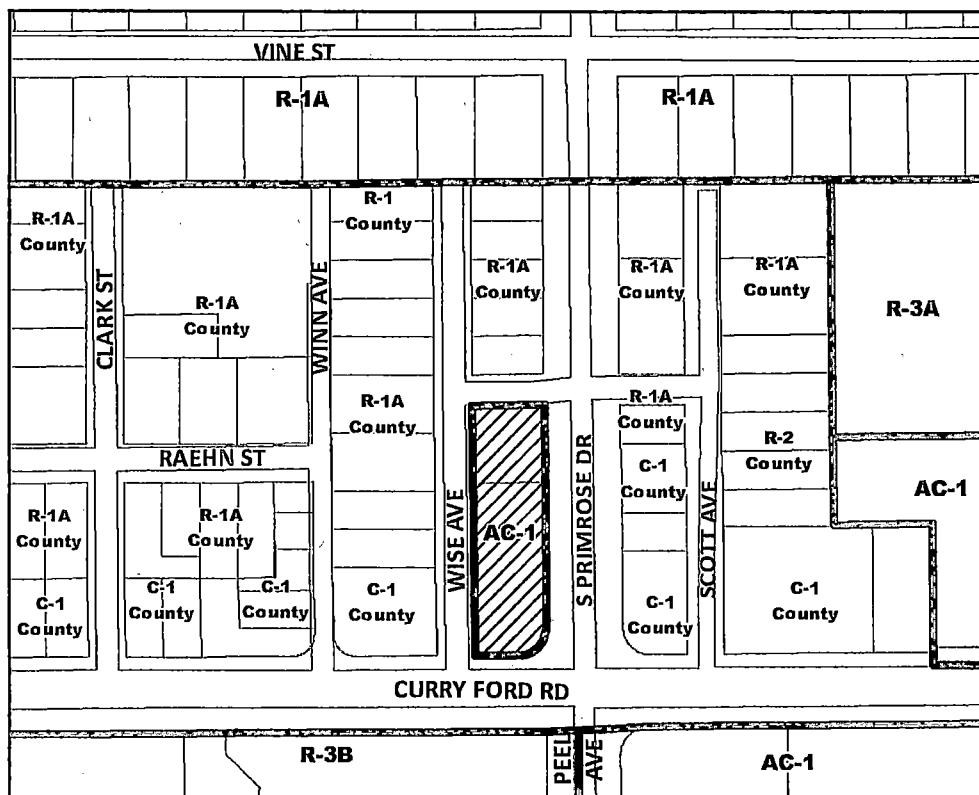
**Future Land Use - Existing GMP2020-10031**



**Future Land Use - Proposed GMP2020-10031**



Zoning - Existing ZON2020-10027



Zoning - Proposed ZON2020-10027





# Orlando Sentinel

Published Daily  
ORANGE County, Florida

**Sold To:**

City of Orlando - CU00118969  
400 S Orange Ave, Fl 2  
Orlando, FL, 32801-3360

**Bill To:**

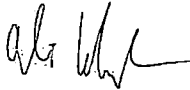
City of Orlando - CU00118969  
400 S Orange Ave, Fl 2  
Orlando, FL, 32801-3360

**State Of Illinois  
County Of Cook**

Before the undersigned authority personally appeared

Charlie Welenc, who on oath says that he or she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published at the ORLANDO SENTINEL in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of 11150-Public Hearing Notice, April 12, 2021 at 2:00 p.m., Ordinance #2021-11 was published in said newspaper in the issues of Mar 28, 2021; Apr 04, 2021.

Affiant further says that the said ORLANDO SENTINEL is a newspaper Published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, in said ORANGE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Charlie Welenc

Signature of Affiant

Name of Affiant

Sworn to and subscribed before me on this 13 day of April, 2021,  
by above Affiant, who is personally known to me (X) or who has produced identification ( ).



Signature of Notary Public

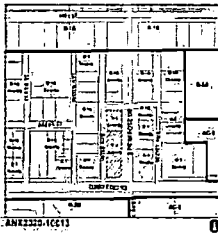


Name of Notary, Typed, Printed, or Stamped

6907524

## Notice of Proposed Enactment

On April 12, 2021 the Orlando City Council will consider proposed ordinance #2021-11, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, ANNEXING TO THE CORPORATE LIMITS OF THE CITY CERTAIN LAND GENERALLY LOCATED NORTH OF CURRY FORD ROAD, EAST OF WISE AVENUE, SOUTH OF RAHN STREET, AND WEST OF PRIMROSE DRIVE, AND, COMPRISED OF 0.71 ACRES OF LAND, MORE OR LESS, AND AMENDING THE CITY'S BOUNDARY DESCRIPTION; AMENDING THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN TO DESIGNATE THE PROPERTY AS COMMUNITY ACTIVITY CENTER ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS; DESIGNATING THE PROPERTY AS THE COMMUNITY ACTIVITY CENTER ZONING DISTRICT ON THE CITY'S OFFICIAL ZONING MAPS; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND USE AND ZONING MAPS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE DATE.



A public hearing on this ordinance will be held during Council's regular meeting beginning at 2:00 p.m. in response to the COVID-19 pandemic and social distancing efforts, members of the public are advised to check the following city website for up-to-date information on any changes to the manner in which the meeting will be held and the location. All pertinent information about meeting access and participation instructions will be available on [orlando.gov/councilmeeting](http://orlando.gov/councilmeeting) at least 3 days prior to the meeting. Interested parties are invited to watch the meeting live and may participate by providing public comment during the meeting or submitting written public comment in advance regarding the proposed ordinance. The opportunity to provide public comment is available until the designated public comment portion of the item is closed. This meeting may be viewed live on Orange TV channel 488, on the city's website at [orlando.gov/watchonline](http://orlando.gov/watchonline) or the city's YouTube page. Written public comment must include your name, address, phone number and topic. Comments are limited to a maximum of 700 words per item and may be submitted by one of the following: (1) online at [orlando.gov/councilcomment](http://orlando.gov/councilcomment); (2) email to [cityclerk@orlando.gov](mailto:cityclerk@orlando.gov); (3) mail to City Clerk, Public Comment, City of Orlando, 400 S. Orange Ave., Orlando FL 32801; or (4) drop off to the 1st floor security station at City Hall. Written public comment received by 9 a.m. on Monday, April 12, 2021 are distributed to Council and attached to the related agenda item for public viewing. Appellants and Parties to Appeals and Quasi-Judicial Hearings must submit their documentary evidence and presentations to [orlando.gov/councilcomment](http://orlando.gov/councilcomment) by 5 p.m. on Wednesday, April 7, 2021. Documentary evidence and presentations received by 5 p.m. April 7, 2021 are distributed to Council and attached to the related agenda item for public viewing. Items received after the deadline will not be considered at the meeting. All items received are public record. The proposed ordinance may be inspected online at [orlando.gov](http://orlando.gov). Anyone who desires to appeal an official decision made at this meeting, if an appeal is permitted by law, may need to obtain a verbatim record of the proceedings that includes the testimony and evidence upon which the appeal is based. The City of Orlando is committed to reasonably accommodating the communication needs of persons with disabilities. Persons with disabilities who need reasonable accommodations to participate in this meeting contact no later than 24 hours in advance of the meeting, the City Clerk's Office at 407.246.2251 or [cityclerk@orlando.gov](mailto:cityclerk@orlando.gov)

H/O 2nd Rd  
#2

**CITY OF ORLANDO  
COUNCIL AGENDA ITEM**

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**Items Types:**

Hearings/Ordinances/2nd Read

**District:** 4

**Contract ID:**

**Exhibits:** Yes

**Grant Received by City?:** No

**For Meeting of:**

April 12, 2021

**From:**

**Document Number:**

**On File (City Clerk) :** No

**Draft Only:** No

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**Subject:**

Ordinance No. 2021-20 Annexing the subject properties, assigning the Community Activity Center future land use designation and initial zoning of PD for 2420 and 2500 Curry Ford Road, and amending the City's Growth Management Plan to amend the policy line of Future Land Use Policy S.21.1 and to add Future Land Use Subarea Policy S.21.2 (Hourglass PD Annexation, ANX2020-10009, GMP2020-10027, GMP 2020-10029, ZON2020-10023)(Economic Development)

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**Summary:**

The ordinance will annex the subject properties at 2420 and 2500 Curry Ford Road, assign the Community Activity Center future land use designation and initial zoning of PD.

The properties are currently developed with single-story commercial buildings and are being annexed to develop maximum 6-story mixed-use buildings with about 28,878 sq. ft. of commercial and civic space at the ground level and up to 250 multifamily residential units above. The subject properties are contiguous to the City limits and is reasonably compact. If annexed, the properties will not create an enclave.

Council accepted the petition for annexation on Nov. 9, 2020. The Municipal Planning Board recommended approval of the annexation (ANX2020-10009), the GMP amendments (GMP2020-10027 and GMP 2020-10029) and the initial zoning (ZON2020-10023) on December 15, 2020.

The first reading of this ordinance was March 22 2021.

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**Fiscal & Efficiency Data:**

Fiscal impact statement attached.

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**Recommended Action:**

Adopting Ordinance No. 2021-20 and authorizing the Mayor and City Clerk to execute the same, after final review and approval by the City Attorney's Office.

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Agenda Item attachment(s) on file in the City Clerks Office.

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**Note: All agenda items must be in the City Clerk's office by Noon Friday, six(6) business days prior to the regular Monday City Council meeting.**

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**Contact:** Megan Barrow, [megan.barrow@orlando.gov](mailto:megan.barrow@orlando.gov), 407-246-3363; Sarah Taitt, [sarah.taitt@orlando.gov](mailto:sarah.taitt@orlando.gov), 407-246-4373

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**Approved By:**

City Council Meeting: 4-12-21  
Agenda Item: 12-2 Documentary: 2104121202

**ATTACHMENTS:**

Name:	Description:	Type:
<input type="checkbox"/> <a href="#">Ord 2021-20 Hourglass PD.pdf</a>	Ord 2021-20 Hourglass PD Annexation	Ordinance
<input type="checkbox"/> <a href="#">Fiscal Impact Statement.pdf</a>	Fiscal Impact Statement	Fiscal Impact Statement
<input type="checkbox"/> <a href="#">Ord 2021-20 Hourglass PD Exhibits A-F.pdf</a>	Exhibits A-F	Backup Material
<input type="checkbox"/> <a href="#">Ord 2021-20 Hourglass PD Exhibit G.pdf</a>	Exhibit G	Backup Material
<input type="checkbox"/> <a href="#">Ord 2021-20 Hourglass PD Exhibits H-I.pdf</a>	Exhibit H-I	Backup Material

***"Enhance the quality of life in the City by delivering public services in a knowledgeable, responsive and financially responsible manner."***

ORDINANCE NO. 2021-20

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
2 OF ORLANDO, FLORIDA, ANNEXING TO THE  
3 CORPORATE LIMITS OF THE CITY CERTAIN LAND  
4 GENERALLY LOCATED SOUTH OF CURRY FORD  
5 ROAD, BETWEEN SOUTH BUMBY AVENUE AND PEEL  
6 AVENUE, AND COMPRISED OF 3.78 ACRES OF LAND,  
7 MORE OR LESS, AND AMENDING THE CITY'S  
8 BOUNDARY DESCRIPTION; AMENDING THE CITY'S  
9 GROWTH MANAGEMENT PLAN TO DESIGNATE THE  
10 PROPERTY AS COMMUNITY ACTIVITY CENTER ON  
11 THE CITY'S OFFICIAL FUTURE LAND USE MAPS;  
12 AMENDING THE CITY'S GROWTH MANAGEMENT  
13 PLAN TO AMEND THE POLICY LINE OF FUTURE LAND  
14 USE POLICY S.21.1 AND TO ADD FUTURE LAND USE  
15 SUBAREA POLICY S.21.2; DESIGNATING THE  
16 PROPERTY AS THE PLANNED DEVELOPMENT  
17 ZONING DISTRICT ON THE CITY'S OFFICIAL ZONING  
18 MAPS; PROVIDING FOR SPECIAL LAND  
19 DEVELOPMENT REGULATIONS; PROVIDING FOR  
20 AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND  
21 USE AND ZONING MAPS; PROVIDING FOR  
22 SEVERABILITY, CORRECTION OF SCRIVENER'S  
23 ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE  
24 DATE.

25  
26 **WHEREAS**, on November 9, 2020, the City Council of the City of Orlando,  
27 Florida (the "Orlando City Council"), accepted a petition for voluntary annexation  
28 (hereinafter the "petition") bearing the signatures of all owners of property in an area of  
29 land generally located south of Curry Ford Road between South Bumby Avenue and  
30 Peel Avenue, comprised of approximately 3.78 acres and being precisely described by  
31 the legal description of the area by metes and bounds attached to this ordinance as  
32 Exhibit A (hereinafter the "property"); and  
33

34 **WHEREAS**, the petition was filed with the Orlando City Council pursuant to  
35 section 171.044, Florida Statutes; and  
36

37 **WHEREAS**, at its regularly scheduled meeting of December 15, 2020, the  
38 Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "city"),  
39 considered the following applications relating to the property:  
40

- 41 1. Annexation case number ANX2020-10009 requesting to annex the property  
42 into the jurisdictional boundaries of the city; and  
43
- 44 2. Growth Management Plan (hereinafter the "GMP") case number GMP2020-  
45 10027 requesting an amendment to the city's GMP to designate the property  
46 as "Community Activity Center" on the City's official future land use map;  
47 and

**ORDINANCE NO. 2021-20**

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3. GMP case number GMP2020-10029, requesting to amend subarea policy line S.21.1 and add subarea policy S.21.2 in the City's Future Land Use Element; and
4. Zoning case number ZON2020-10023 requesting to designate the property as the "Planned Development District" on the City's official zoning map (together, hereinafter referred to as the "applications"); 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 numbers ANX2020-10009, GMP2020-10027, GMP2020-10029 and ZON2020-10023 (entitled "Hourglass Annexation and GMP Amendments" and "Hourglass Mixed Use Redevelopment"), the MPB recommended that the Orlando City Council approve said applications and adopt an ordinance or ordinances in accordance therewith; and

**WHEREAS**, the MPB found that applications GMP2020-10027 and GMP2020-10029 are consistent with:

1. The *State Comprehensive Plan* as provided at Chapter 187, Florida Statutes (the "State Comprehensive Plan"); and
2. The *East Central Florida 2060 Plan* adopted by the East Central Florida Regional Planning Council pursuant to sections 186.507 and 186.508, Florida Statutes (the "Strategic Regional Policy Plan"); and
3. 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; and

**WHEREAS**, the MPB found that application ZON2020-10023 is consistent with:

1. The GMP; and
2. The *City of Orlando Land Development Code*, Chapters 58 through 68, Code of the City of Orlando, Florida (the "LDC"); and

**WHEREAS**, sections 3, 4, 5 and 6 of this ordinance are adopted pursuant to the "expedited state review process for adoption of comprehensive plan amendments" as provided by section 163.3184, Florida Statutes; and

**WHEREAS**, the Orlando City Council hereby finds that:

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1. As of the date of the petition, the property was located in the unincorporated area of Orange County; and
2. As of the date of the petition, the property is contiguous to the city within the meaning of subsection 171.031(11), Florida Statutes; and
3. As of the date of the petition, the property is reasonably compact within the meaning of subsection 171.031(12), Florida Statutes; and
4. ~~The petition bears the signatures of all owners of property in the area to be annexed; and~~
5. Annexation of the property will not result in the creation of enclaves within the meaning of subsection 171.031(13), Florida Statutes; and
6. The property is located wholly within the boundaries of a single county; and
7. The petition proposes an annexation that is consistent with the purpose of ensuring sound urban development and accommodation to growth; and
8. The petition, this ordinance, and the procedures leading to the adoption of this ordinance are consistent with the uniform legislative standards provided by the Florida Municipal Annexation and Contraction Act for the adjustment of municipal boundaries; and
9. The petition proposes an annexation that is consistent with the purpose of ensuring the efficient provision of urban services to areas that become urban in character within the meaning of section 171.021, Florida Statutes; and
10. The petition proposes an annexation that is consistent with the purpose of ensuring that areas are not annexed unless municipal services can be provided to those areas; and

**WHEREAS**, the Orlando City Council hereby finds that this ordinance is in the best interest of the public health, safety, and welfare, and is consistent with the applicable provisions of Florida Statutes, the State Comprehensive Plan, the Strategic Regional Policy Plan, and the City's GMP and LDC.

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

**ORDINANCE NO. 2021-20**

133       **SECTION 1. ANNEXATION.** Pursuant to the authority granted by section  
134 171.044, Florida Statutes, and having made the findings set forth in this ordinance, the  
135 property described in **Exhibit A** is hereby annexed into the corporate limits of the City of  
136 Orlando, Florida, and the boundary lines of the City are hereby redefined to include the  
137 property. In accordance with subsection 171.044(3), Florida Statutes, the annexed area  
138 is clearly shown on the map attached to this ordinance as **Exhibit B**.

139  
140       **SECTION 2. CITY BOUNDARIES.** Pursuant to section 171.091, Florida Statutes,  
141 the charter boundary article of the city is hereby revised in accordance with this  
142 ordinance. The city clerk, or designee, is hereby directed to file this ordinance as a  
143 revision of the City Charter with the Florida Department of State. The city planning  
144 official, or designee, is hereby directed to amend the city's official maps in accordance  
145 with this ordinance.

146  
147       **SECTION 3. FLUM DESIGNATION.** Pursuant to section 163.3184, Florida  
148 Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land  
149 Use Map designation for the property is hereby established as "Community Activity  
150 Center" (denoted as "COMM-AC" on the City's Future Land Use Maps), as depicted in  
151 **Exhibit C** to this ordinance.

152  
153       **SECTION 4. AMENDING THE POLICY LINE OF FUTURE LAND USE**  
154 **SUBAREA POLICY S.21.1.** The City's Growth Management Plan, Future Land Use  
155 Element, is amended to change the policy line for Subarea Policy S.21.1 as depicted in  
156 **Exhibit D** to this ordinance.

157  
158       **SECTION 5. ADDING FUTURE LAND USE SUBAREA POLICY S.21.2.** The  
159 City's Growth Management Plan, Future Land Use Element, is amended to add Subarea  
160 Policy S.21.2 for the area depicted in **Exhibit E** to this ordinance, to read as follows:

161 Policy S.21.2 In order to implement the principles of the Curry Ford Vision Plan —  
162 which include accommodating the demand for a variety of housing types,  
163 enhancing the economic viability of infill development, and ensuring an  
164 appropriate transition from high-density to low-density uses — the  
165 following standards apply:

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168       1. Buildings in this subarea must transition from the tallest and most  
169 intense along Curry Ford Road towards the shortest and least intense  
170 along the southern property line. The maximum building height  
171 adjacent to the southern property line shall be 4 stories for, at  
172 minimum, the first 50 ft. from the property line. Thereafter, the  
173 maximum building height is six stories or 75 ft., whichever is less,  
174 adjacent to Curry Ford Road.



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- 2. A substantial bufferyard on the south property line is required to help prevent spillover of light and noise onto adjacent residential properties. Details of the width and type of plantings shall be determined during site plan review.
- 3. Parking garage facades must contain appropriate art, architectural, and/or "green" features to screen ramps from public view and enhance the neighborhood aesthetic.
- 4. Site design and building design should be generally consistent, on a project-wide basis, with the concepts set forth in the Curry Ford Vision Plan.

Based on the provision of flexible, public-serving space and amenities within this development, up to 250 dwelling units and 28,900 sq. ft. nonresidential are permitted within this subarea. All pertinent requirements of Ch. 58 Part 6B (Density and Intensity Bonuses) must be met.

**SECTION 6. AMENDMENT OF GROWTH MANAGEMENT PLAN.** The city planning official, or designee, is hereby directed to amend the city's adopted Growth Management Plan and the city's official Future Land Use Maps in accordance with this ordinance.

**SECTION 7. ZONING DESIGNATION.** Pursuant to the LDC, the zoning designation for the property is hereby established as the "Planned Development District" (denoted on the city's official zoning maps as the "PD" district), as depicted in **Exhibit F** to this ordinance.

**SECTION 8. AMENDMENT OF OFFICIAL ZONING MAP.** The city zoning official, or designee, is hereby directed to amend the city's official zoning maps in accordance with this ordinance.

**SECTION 9. SPECIAL LAND DEVELOPMENT REGULATIONS.** The Property is subject to the following special land development regulations:

**A. Land Development**

- 1. **Site Plan.** Subject to any modifications expressly contained in the text of this ordinance, development and maintenance of the property must be consistent with the site plan attached to this ordinance as **Exhibit G** (the "Site Plan"). In the event of a conflict between the text of this ordinance and the Site Plan, the text of this ordinance controls.
- 2. **Subject to Codes.** Except as provided herein, the development is subject to all codes and ordinances of the State of Florida, City of Orlando, and all other applicable regulatory agencies.

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- 218 3. **Default Zoning.** The underlying zoning shall default to the standards of the AC-1  
219 zoning district.
- 220 4. **Consistency.** This project shall operate and be developed only as described and  
221 conditioned within this ordinance and in accordance with the attached site plan  
222 and any other plans or commitments provided in the application package. Any  
223 changes in the use of the site, the operation of the project, or the site plan as  
224 provided herein may require an amendment to the project and review by the  
225 MPB and City Council (see "Minor Modifications" condition below.) This approval  
226 is not transferable to another property. All other applicable state or federal  
227 permits must be obtained before commencing development.
- 228 5. **Minor Modifications:** Minor modifications to the project, including changes to  
229 the design and site plan reviewed by the Municipal Planning Board or City  
230 Council may be approved by the Planning Official without further review by the  
231 Municipal Planning Board. Major changes shall require additional review by the  
232 Municipal Planning Board.
- 233 6. **Density.** The site is limited to a maximum of 90 du/ac., consistent with subarea  
234 policy S.21.2.
- 235 7. **Parking.** The site must meet the minimum parking requirement for the number of  
236 units and commercial uses shown on the Final Site Plan subject to a ten percent  
237 (10%) reduction.
- 238 8. **Final Site Plan.** Final site plan and appearance review approval must be  
239 obtained prior to building permitting submission.
- 240 9. **ISR (impervious surface ratio).** The impervious ratio is limited to the maximum  
241 0.85 for each site. Each site must independently meet the ISR requirement.
- 242 10. **PD Expiration.** A building permit for vertical construction must be issued within 5  
243 years of the effective date of the PD Ordinance or the PD shall expire and an  
244 applicant must apply to rezone the property or amend the PD to proceed with  
245 development requiring this PD.
- 246 11. **Surface Parking.** The surface parking lot along Curry Ford must be removed to  
247 allow for additional green space.
- 248 12. **Setbacks.** The building setback for the principal structure is a minimum of 9 ft.  
249 along Jessamine Avenue and a minimum of 5 ft. along Bumby Avenue, as shown  
250 in the Site Plan.
- 251 13. **Alcoholic Beverage Establishment.** The existing alcoholic beverage  
252 establishment currently known as Hourglass Brewing is a permitted use and is  
253 not subject to the distance separation requirements in the Land Development  
254 Code. Any expansion or alteration of the alcoholic beverage establishment which  
255 increases the size or patron capacity of the establishment must comply with the  
256 requirements in Chapter 58, Part 4B of the Land Development Code.
- 257
- 258 **B. Urban Design**
- 259 1. **Landscape Plan.** Subject to the modifications expressly contained in this  
260 ordinance, development and maintenance of the landscaping of the property

ORDINANCE NO. 2021-20

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- must be consistent with the landscaping plan attached to this ordinance as **Exhibit H** (the "Landscape Plan"). In the event of a conflict between the text of this ordinance and the Landscape Plan, the text of this ordinance controls. Any major changes to the approved Landscape Plan may require a PD amendment.
2. **Elevations.** All elevations must be consistent with those attached to this ordinance as **Exhibit I** (the "Elevations"). In the event of a conflict between the text of this ordinance and the elevations, the text of this ordinance controls. Any major changes to the approved elevations may require a PD amendment.
  3. **Final Appearance Review Required.** Prior to submission of permits for vertical construction the project shall be submitted to the Planning Official for a Final Appearance Review approval. The submission shall include building elevations with material call-outs, perspective renderings, landscape plans, hardscape plans, plaza plans, collective plans, buffer plans, utility and engineering plans. The submission shall also include material and color specifications and samples.
  4. **Parking Garage Buffer.** The south buffer adjacent to the parking garage shall be a minimum of 20-feet in depth with a 90 percent vegetation cover that includes shrubs that are 4-feet in height, understory trees with a mature height of 15-20 feet and bamboo or canopy trees with a mature height of 40-feet.
  5. **Parking Garage Green Screens.** The proposed green screens on the upper levels of the south parking garage elevation shall be covered in a fabric mesh that will provide a 75% opacity while the green screen vegetation matures.
  6. **Streetscape.** The following conditions shall apply to all new streetscape areas
    - a. **Street Trees** – All street trees shall be Drake Elms including trees underneath any existing powerlines.
    - b. **Street Tree Wells** – All street tree wells shall be a minimum of 5-feet wide by 10-feet long.
    - c. **Structural Soil** – In order to protect the streetscape areas from root damage and to increase the streetscape life cycle, structural soil, or an approved equivalent shall be installed around all street tree wells. The soil shall be installed depth of 3-feet extending 8-feet out in all directions from the street tree well.
    - d. **Handhold and Junction Boxes** – All handholds and junction boxes installed in the streetscape areas shall be traffic rated and meet the Engineering Standards Manual installation requirements.
  7. **Signage**
    - a. **Master Sign Plan** – Prior to the issuance of a Certificate of Completion a Master Sign Plan (MSP) must be approved for the project. The MSP shall also include a draft management control letter that includes a spreadsheet of all potential project signs and their sizes.
    - b. **Pedestrian Bridge** – Signage shall not be permitted on the proposed Jessamine pedestrian bridge because the bridge crosses the public right-of-way.

ORDINANCE NO. 2021-20

304 **C. Transportation**

- 305 1. Developer shall maintain the pedestrian bridge over Jessamine Avenue. A  
306 maintenance agreement must be entered into before issuance of building  
307 permits.
- 308 2. An auto-turn for the intended design vehicles must be provided at the time of  
309 permitting. The auto-turn must demonstrate that all delivery and service vehicles  
310 will be able to access and operate at the site without having to make any back-up  
311 or turning movements into the ROW.
- 312 3. At all project entrances, clear sight distances for drivers and pedestrians must  
313 not be blocked by signs, buildings, building columns, landscaping, or other visual  
314 impediments. No structure, fence, wall, or other visual impediment can obstruct  
315 vision between 3 feet and 8 feet in height above street level. The street corner/  
316 driveway visibility area must be shown and noted on construction plans and any  
317 future site plan submittals. The applicant must design the site plan as necessary  
318 to comply with the Florida Greenbook requirements for sight distance at  
319 intersections. Sight lines must be shown on both the site plan and landscape  
320 plan. Landscaping located within intersection triangles as defined by the Florida  
321 Greenbook shall be trimmed or spaced according to FDOT Design Index 546.
- 322 4. Any proposed work on Curry Ford Rd, Bumby Ave & Jessamine Ave must be  
323 permitted through Orange County Engineering.
- 324 5. Vehicle Parking. The project is proposing 360 parking spaces, which is 39  
325 spaces below the minimum required (399). Eating and drinking uses must remain  
326 below 35% of the total square footage of the non-residential portion of the  
327 development in order to use the "shopping center" parking rate. Should eating  
328 and drinking uses exceed 35% then those areas must be parked according to  
329 code requirements for eating and drinking.
- 330 6. Parking Reduction: To obtain a parking reduction of 10% the following must be  
331 met at the time of permitting:
- 332 a. A mix of uses, at the level approved in this plan, must be provided and  
333 maintained on-site.
- 334 b. The streetscape and sidewalks must be installed above code minimum  
335 requirements, as shown in this plan, providing an enhanced pedestrian  
336 experience.
- 337 c. A minimum of two additional bicycle amenities must be detailed at the time of  
338 permitting. These amenities may include, publicly available bicycle parking  
339 above code minimums, a bike repair station, bike wash area,  
340 decorative/enhanced bicycle racks, or other similar features.
- 341 7. Bicycle parking must be provided in accordance with the standards of Chapter  
342 61, Part 3D of the Orlando Land Development Code, and shall be made available  
343 prior to the issuance of any Certificate of Occupancy for the use being served. A  
344 total of 34 short term and 30 long-term bicycle parking spots are required.  
345 Outdoor bike racks meeting the requirement for short term parking must be  
346 installed on an impervious surface, within 50 ft of the primary entrance, and

**ORDINANCE NO. 2021-20**

347 situated to avoid conflicts with pedestrians or other vehicles. Long-term bicycle  
348 parking must be located on the same building site as the use being served. All  
349 long-term bicycle parking spaces must be located within 200 feet of the principal  
350 entrance to the building.

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**D. Water Reclamation**

- 353 1. The parcels are south of Curry Ford Rd and east and west of Jessamine Dr. The  
354 proposed development may potentially represent a significant addition of  
355 wastewater discharge to the existing City wastewater collection and transmission  
356 facilities. The Applicant shall prepare a sanitary sewer capacity analysis of the  
357 ~~existing City gravity system to be submitted to the Water Reclamation Division~~  
358 (WRD) for review and approval prior to engineering and building permit issuance.  
359 The capacity of the gravity sanitary sewer network between the proposed points  
360 of connection and LS-130 shall be evaluated and reported to the WRD to  
361 determine the impact the proposed wastewater discharge from the proposed  
362 multifamily planned development will have on the existing sanitary sewer  
363 infrastructure. The development wastewater generation shall be determined  
364 using the City of Orlando Sewer Service Policy Allocation Factors and/or the  
365 Growth Management Plan (GMP) Level of Service (LOS).
- 366 2. The sanitary sewer layout shown on the Application to carry wastewater from the  
367 east parcel to S. Bumby Ave gravity main will not be allowed. The Applicant's  
368 Engineer needs to contact the WRD to discuss alternative sanitary sewer layout.  
369 The layout needs to enable uninterrupted service to the existing development on  
370 the east side of Jessamine Ave; and to serve the proposed development. Off-site  
371 improvements are anticipated.

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**SECTION 10. 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.

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**SECTION 11. 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.

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**SECTION 12. DISCLAIMER.** As provided by subsection 166.033(6), Florida Statutes, issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the 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. In accordance with subsection 166.033(6), Florida Statutes, it is hereby made a

ORDINANCE NO. 2021-20

390 condition of this ordinance that all other applicable state or federal permits be obtained  
391 before commencement of the development.

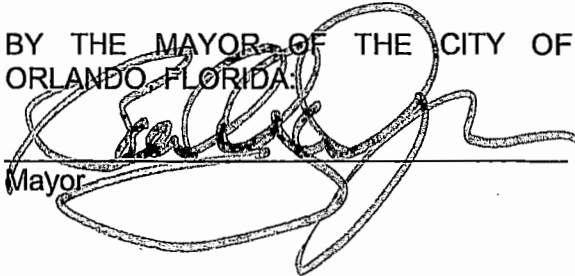
392  
393 **SECTION 13. EFFECTIVE DATE.** This ordinance is effective upon adoption,  
394 except for sections one and two, which take effect on the 30th day after adoption, and  
395 sections three through nine, which take effect on the 31st day after adoption unless this  
396 ordinance is lawfully challenged pursuant to subsection 163.3184(5), Florida Statutes, in  
397 which case sections three through nine shall not be effective until the state land planning  
398 agency or the Administration Commission issues a final order declaring this ordinance  
399 "in compliance" as defined at sections 163.3184(1)(b), Florida Statutes.

400  
401 **DONE, THE FIRST PUBLIC NOTICE,** in a newspaper of general circulation in  
402 the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this  
403 28 day of MARCH, 2021.

404  
405 **DONE, THE FIRST READING AND HEARING,** by the City Council of the City of  
406 Orlando, Florida, at a regular meeting, this 22 day of MARCH,  
407 2021.

408  
409 **DONE, THE SECOND PUBLIC NOTICE,** in a newspaper of general circulation in  
410 the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this  
411 4 day of APRIL, 2021.

412  
413 **DONE, THE SECOND READING AND HEARING, AND ENACTED ON FINAL**  
414 **PASSAGE,** by an affirmative vote of a majority of a quorum present of the City Council  
415 of the City of Orlando, Florida, at a regular meeting, this 12 day of  
416 APRIL, 2021.

417  
418  
419 BY THE MAYOR OF THE CITY OF  
420 ORLANDO, FLORIDA:  
421   
422  
423 Mayor

424  
425  
426 ATTEST, BY THE CLERK OF THE  
427 CITY COUNCIL OF THE CITY OF  
428 ORLANDO, FLORIDA:

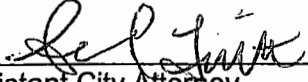
429   
430  
431 City Clerk

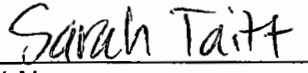
432  
433 Stephanie Merdacia  
434 Print Name

City Council Meeting: 4-12-21  
Item: 12-2 Documentary: 2104121202

ORDINANCE NO. 2021-20

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

439   
440 \_\_\_\_\_  
441 Assistant City Attorney

442   
443 \_\_\_\_\_  
444 Print Name

445 **\*\*[Remainder of page intentionally left blank.]\*\***  
446



# VERIFIED LEGAL DESCRIPTION FORM

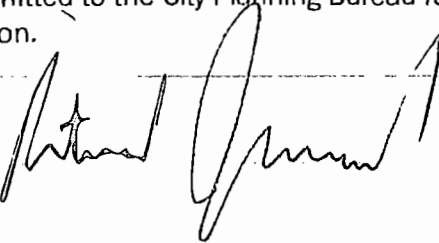
**EXHIBIT**  
**A 1 of 2**

(APPENDIX C)

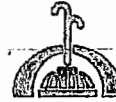
The following legal description has been prepared by

Patrick K. Ireland, PSM 6637  
Ireland & Associates Surveying, Inc.

and submitted to the City Planning Bureau for  
verification.

Signature 

Date 01/25/2021



"This Description has been  
reviewed by the Engineering  
Division and is acceptable  
based on a comparison with:  
Plats, Deeds, Boundary Survey  
and GIS Mapping

By: CR Date: 2/16/2021

Application Request (Office Use Only)

File No.

ANX2020-10009  
GMP2020-10029  
ZON2020-10023

Legal Description Including Acreage (To be typed by Applicant): Prepared by Surveyor

Lots 1 through 7, Block A, HANDSONHURST PARK, according to the plat thereof, as recorded in Plat Book L, Page 87, Public Records of Orange County, Florida, less and except for Right-of-Way per Deed Book 338, Page 361, and Official Records Book 3341, Page 1578, of the Public Records of Orange County, Florida.

AND

Lots 1 through 8, and Lots 29 through 31, Block B, HANDSONHURST PARK, according to the plat thereof, as recorded in Plat Book L, Page 87, Public Records of Orange County, Florida, less and except for Right-of-Way per Deed Book 338, Page 361, Deed Book 396, Page 374, and Official Records Book 3341, Page 1578, of the Public Records of Orange County, Florida.

AND

That Portion of Jessamine Avenue, lying West of Lots 1 through 7, Block A, and East of Lots 1 through 8, Block B, HANDSONHURST PARK, according to the plat thereof, as recorded in Plat Book L, Page 87, Public Records of Orange County, Florida, and a Portion of Curry Ford Road and South Bumby Avenue, more particularly described as follows:





# VERIFIED LEGAL DESCRIPTION FORM

EXHIBIT

A 2 of 2

(APPENDIX C)

The following legal description has been prepared by

Patrick K. Ireland, PSM 6637  
Ireland & Associates Surveying, Inc.

and submitted to the City Planning Bureau for  
verification.

Signature

Date 01/25/2021

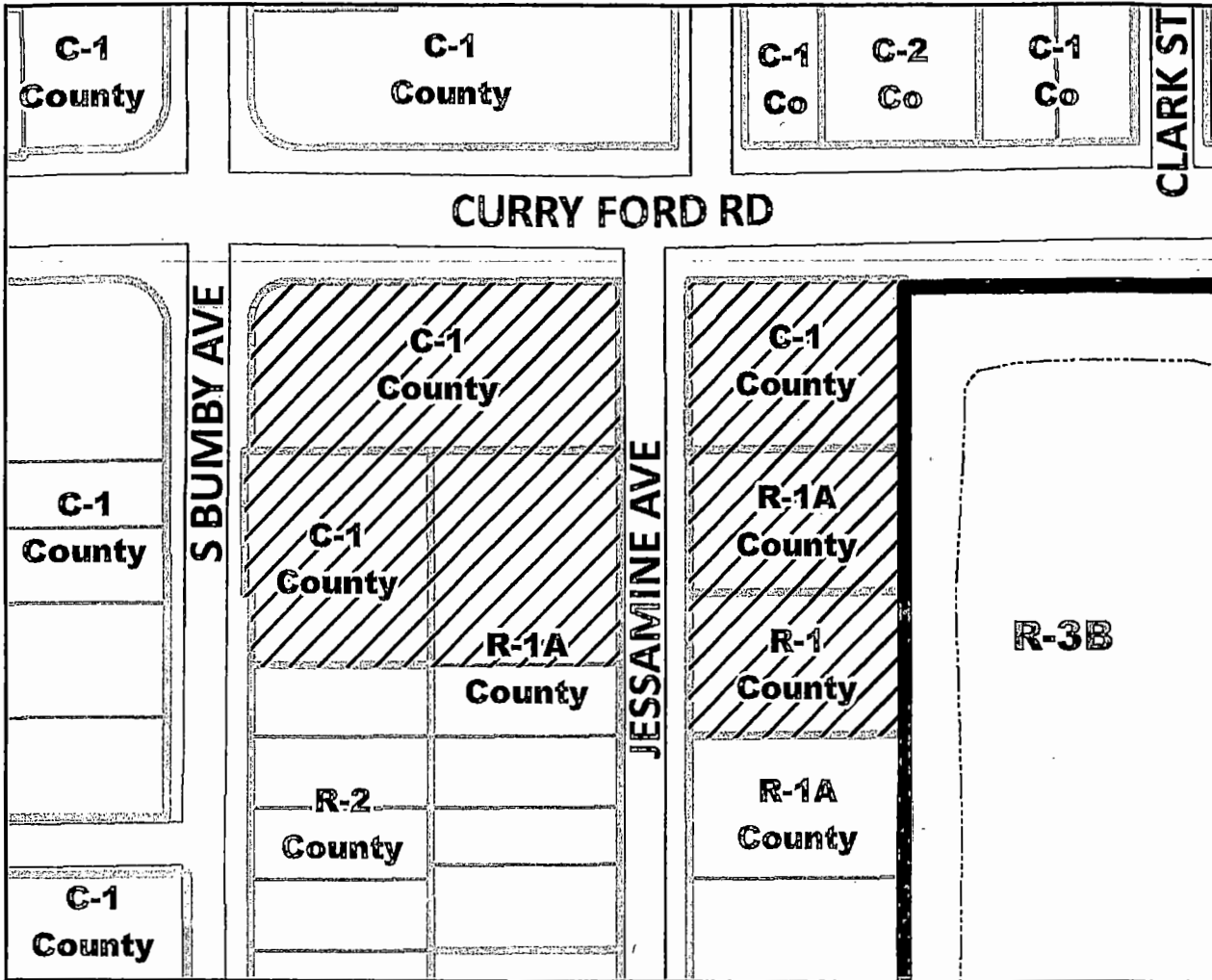
Application Request (Office Use Only)

File No.

Legal Description Including Acreage (To be typed by Applicant): Prepared by Surveyor

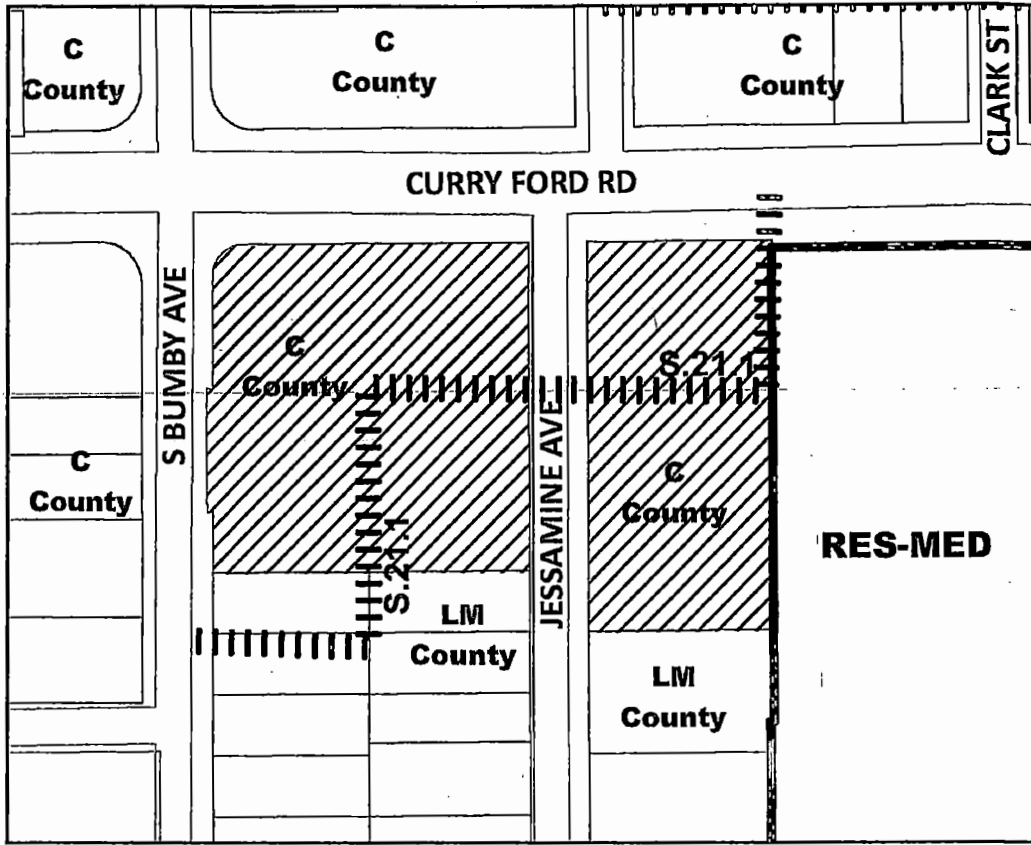
Begin at the Southeast corner of Lot 7, Block A, thence run North 00° 10'00" East, along the East line of Block A, 318.10 feet, to a point on the South Right-of-Way line of Curry Ford Road; thence continue along the Northerly extension of the East line of said Block A, North 00° 10'00" East, 46.90 feet, to the Centerline of Curry Ford Road, as shown on the State of Florida Department of Transportation Right-of-Way Map of State Road 526-A, of Section 75620, dated 04-01-80; thence departing the Northerly projection of the East line of said Block A, run South 90° 00'00" West, along the Centerline of said Curry Ford Road, 495.00 feet, to the intersection of the Centerline of Curry Ford Road and South Bumby Avenue; thence departing the Centerline of said Curry Ford Road, run South 00° 10'00" West, along the Centerline of said South Bumby Avenue, 315.00 feet; thence departing the Centerline of said South Bumby Avenue, run North 90° 00'00" East, along the Westerly extension of the South line of Lots 8 and 29, Block B, 30.00 feet, to the East Right-of-Way line of said South Bumby Road; thence run along the South line of said Lots 8 and 29, North 90° 00'00" East, 265.00 feet, to the West Right-of-Way line of Jessamine Avenue; thence run along the Easterly extension of the South line of said Lots 8 and 29, 25.00 feet, to the Centerline of said Jessamine Avenue; thence departing the Easterly projection of the South line of said Lots 8 and 29, run South 00° 10'00" West, along the Centerline of said Jessamine Avenue, 50.00 feet; thence departing the Centerline of said Jessamine Avenue, run North 90° 00'00" East, along the Westerly extension of the South line of Lot 7, Block A, 25.00 feet, to the Southwest corner of said Lot 7; thence run along the South line of said Lot 7, North 90° 00'00" East, 150.00 feet, to the Point of Beginning.

Containing 164,675 Sq Ft or 3.78 Acres, more or less.

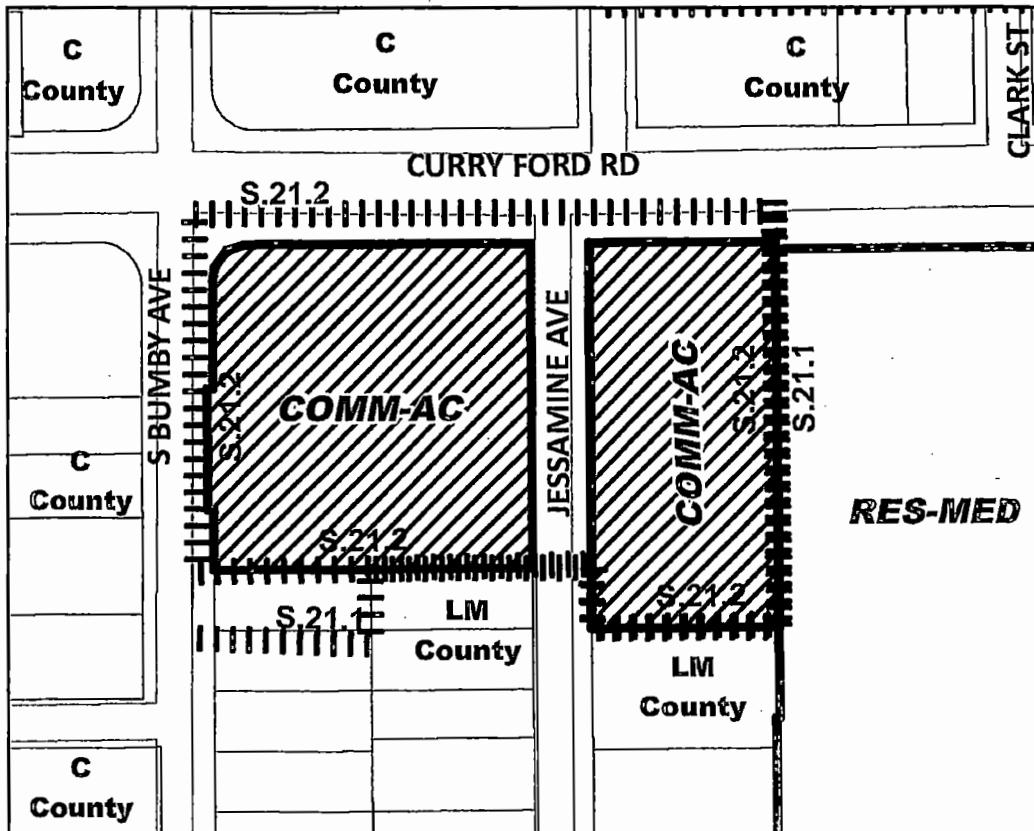


ANX2020-10009



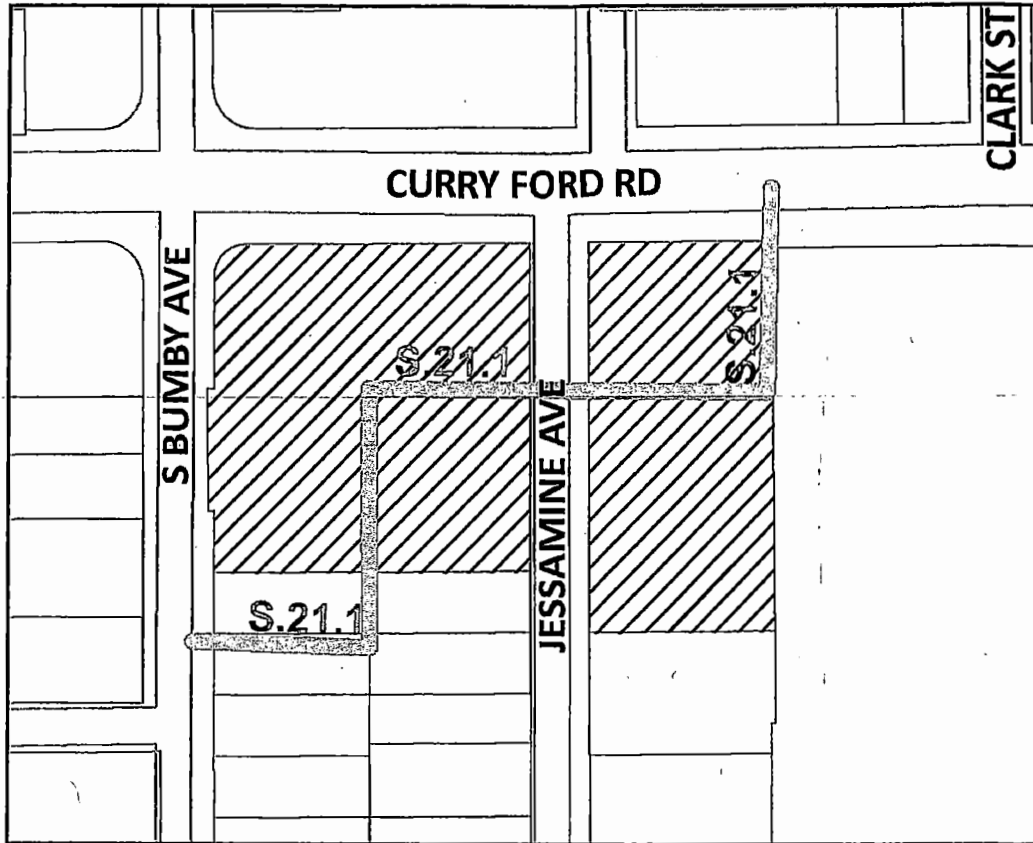


Future Land Use - Existing GMP2020-10027

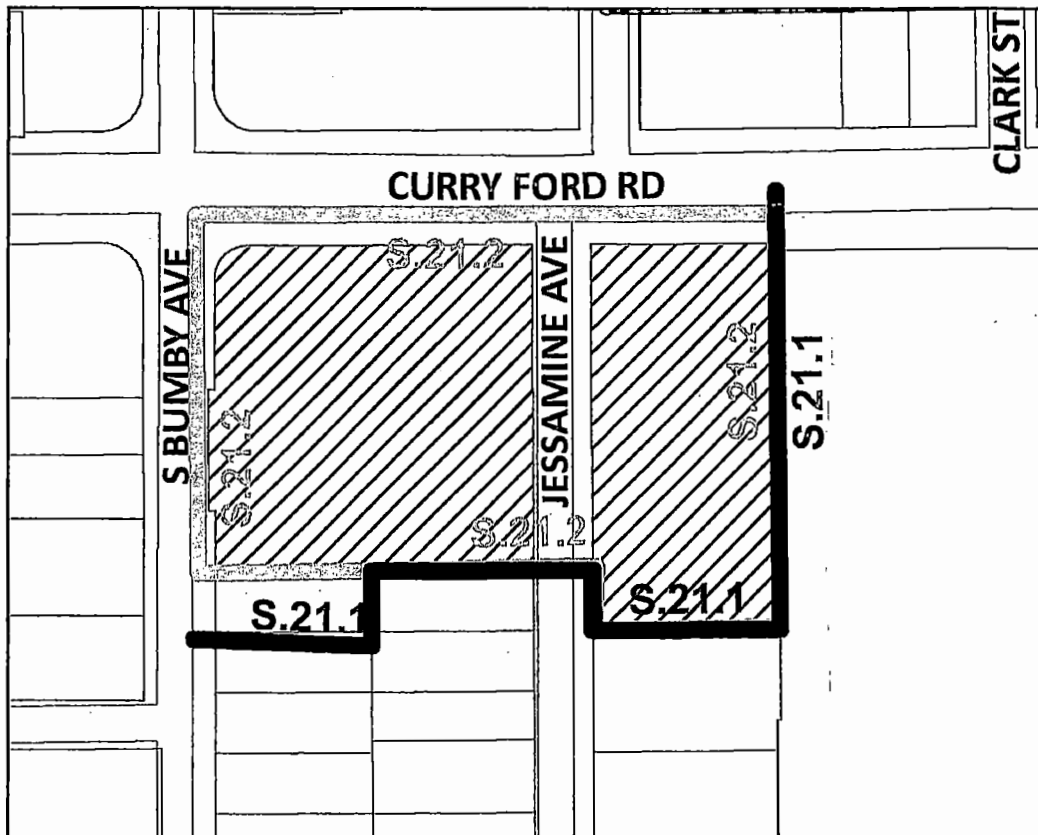


Future Land Use - Proposed GMP2020-10027



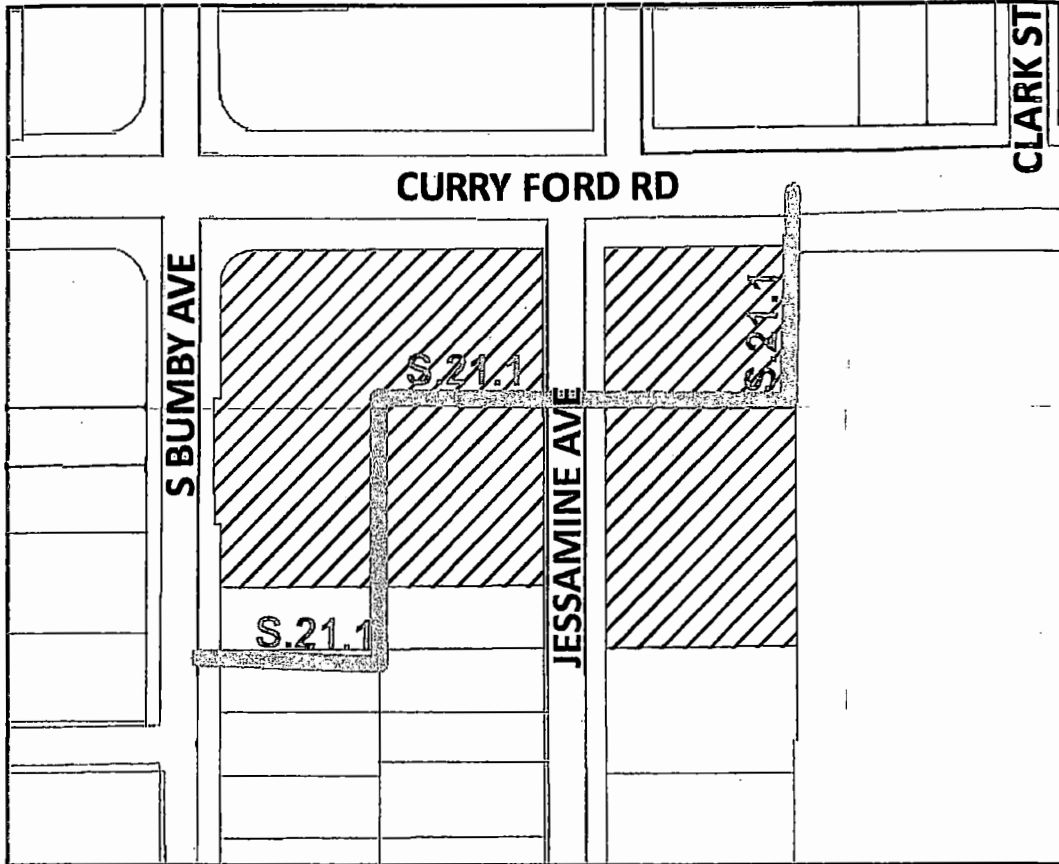


Existing GMP2020-10029A Policy Line 21.1

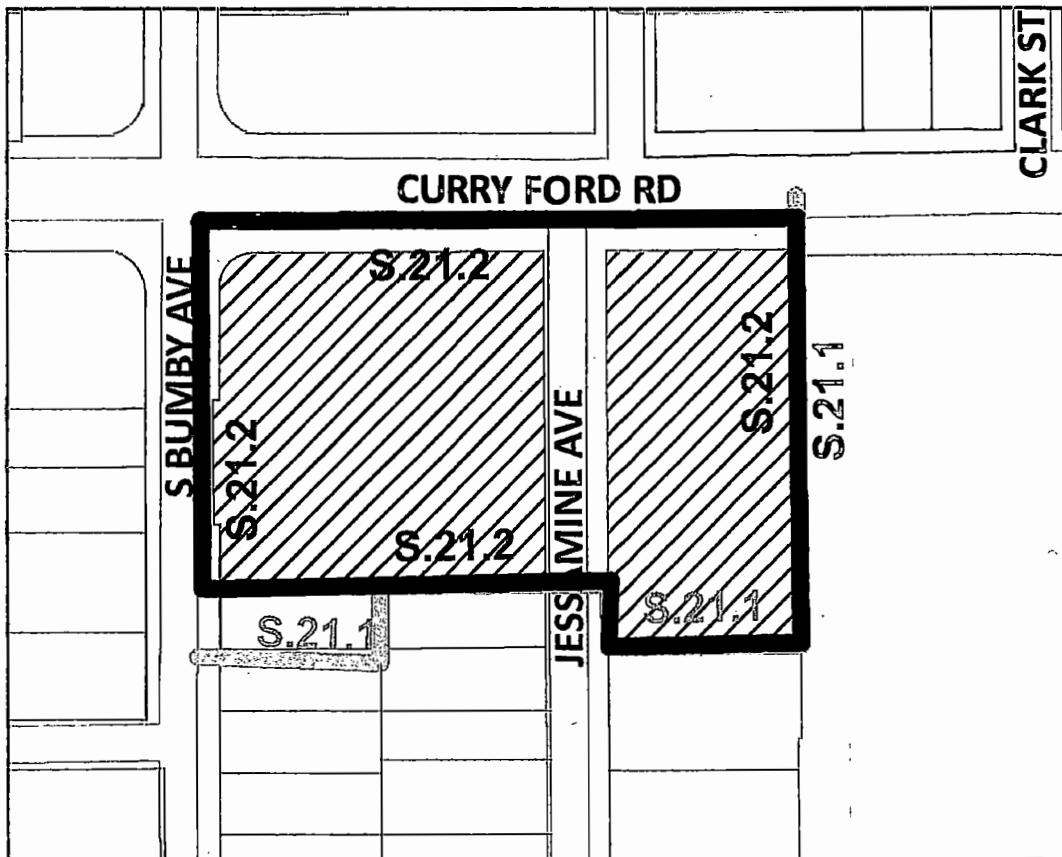


Proposed GMP2020-10029A Policy Line 21.1



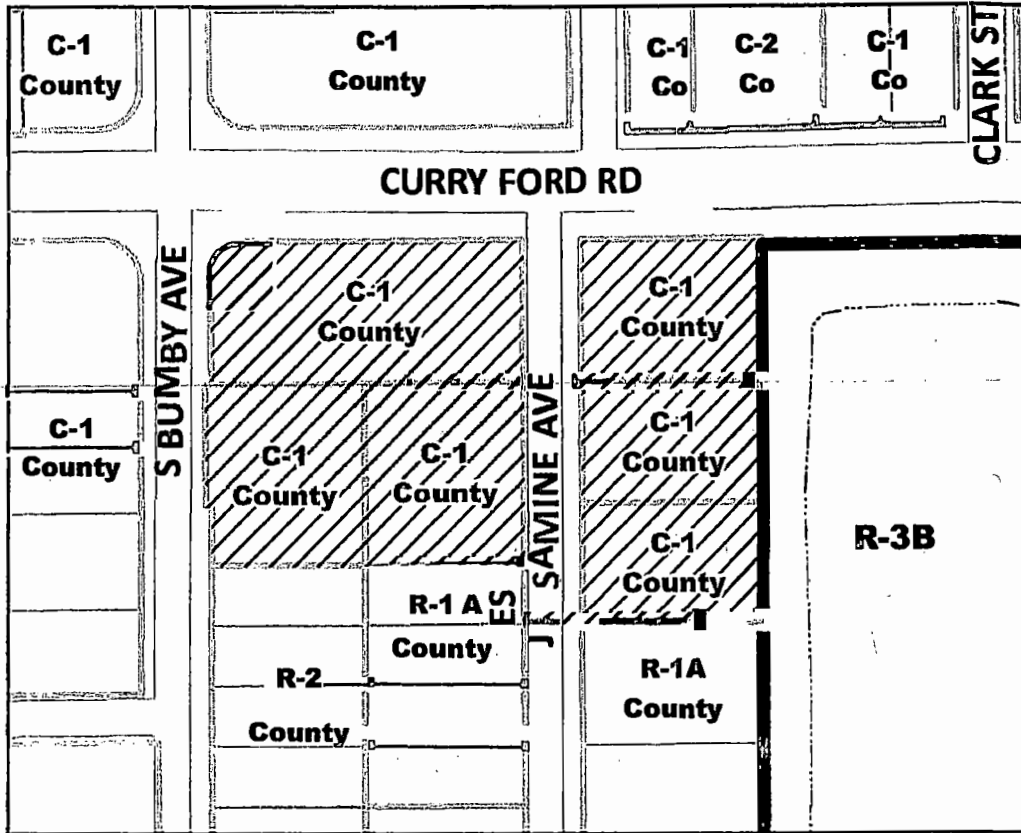


Existing GMP2020-10029B Policy Line 21.2

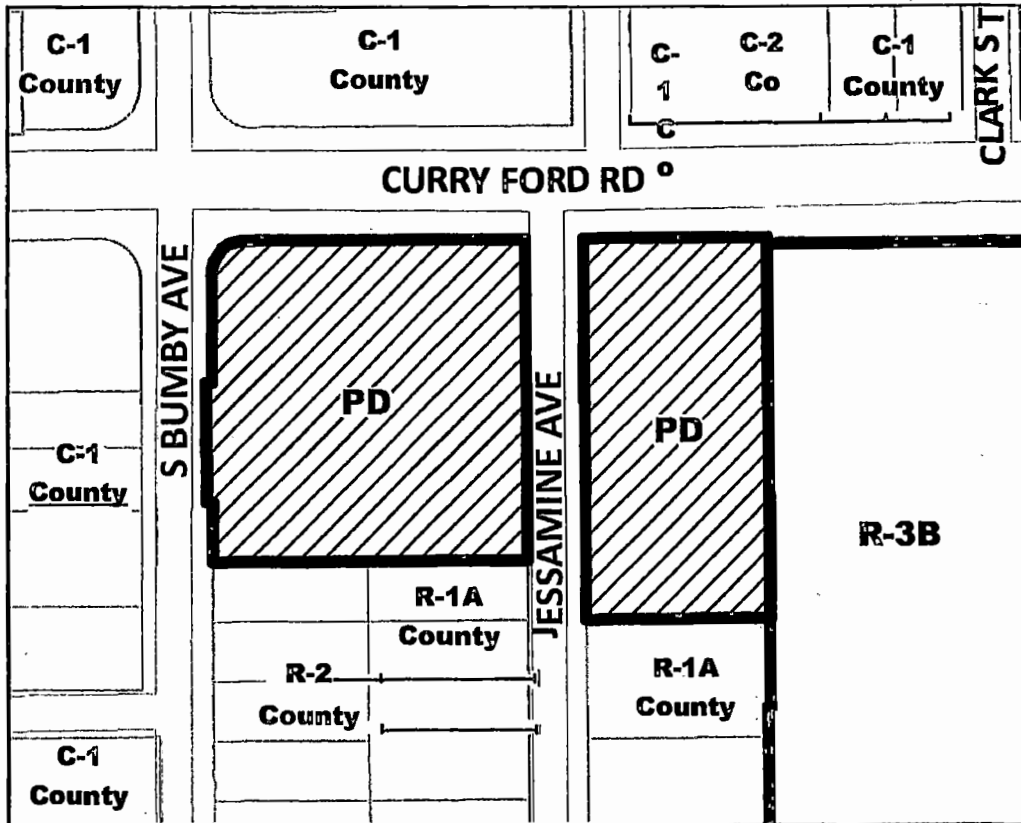


Proposed GMP2020-10029B Policy Line 21.2





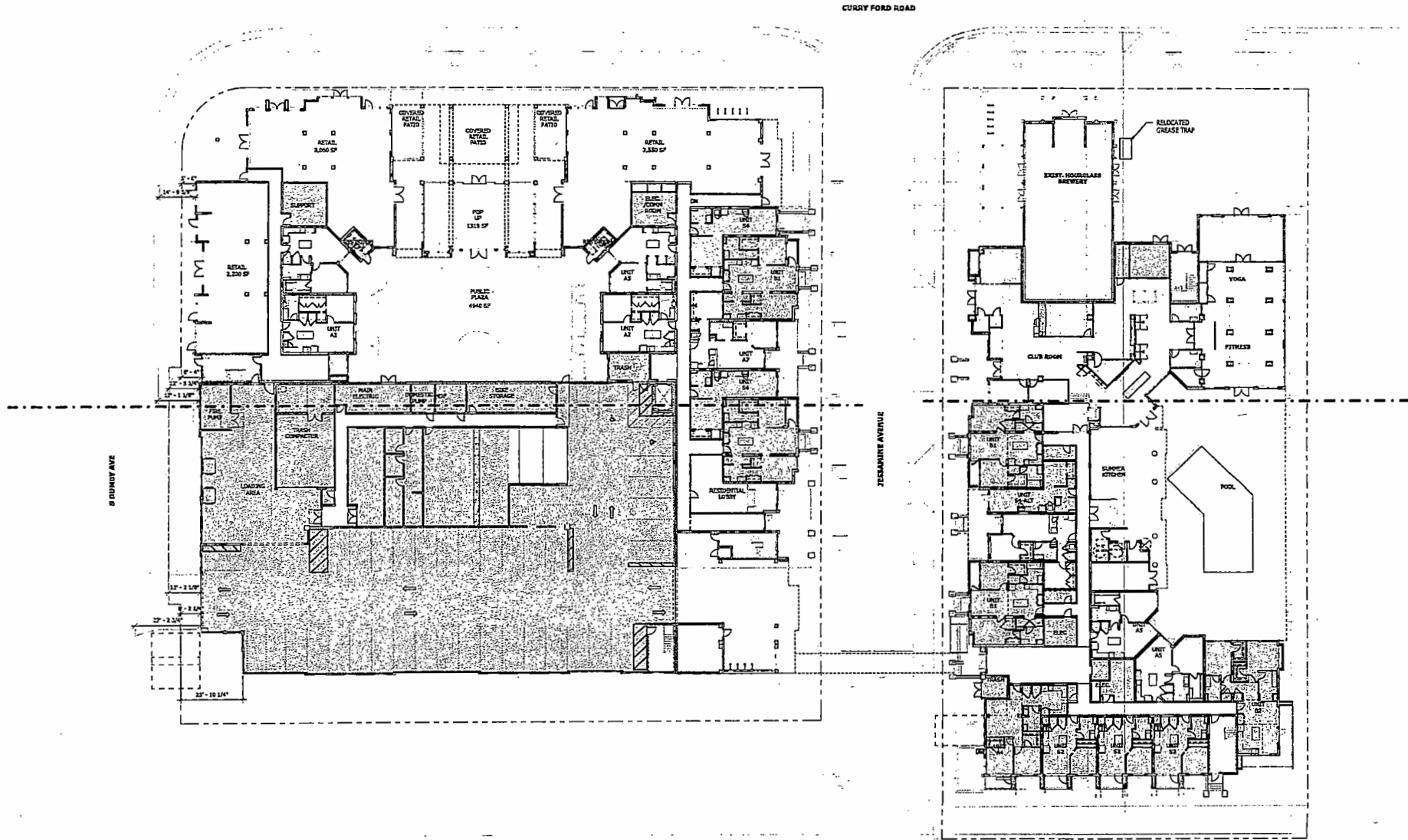
Zoning - Existing ZON2020-10023



Zoning - Proposed ZON2020-10023



# EXHIBIT G



**1ST FLOOR - OVERA  
FLOOR PLAN**



NOT FOR CONSTRUCTION



SCHEMATIC DESIGN  
PROJ. #200103.00

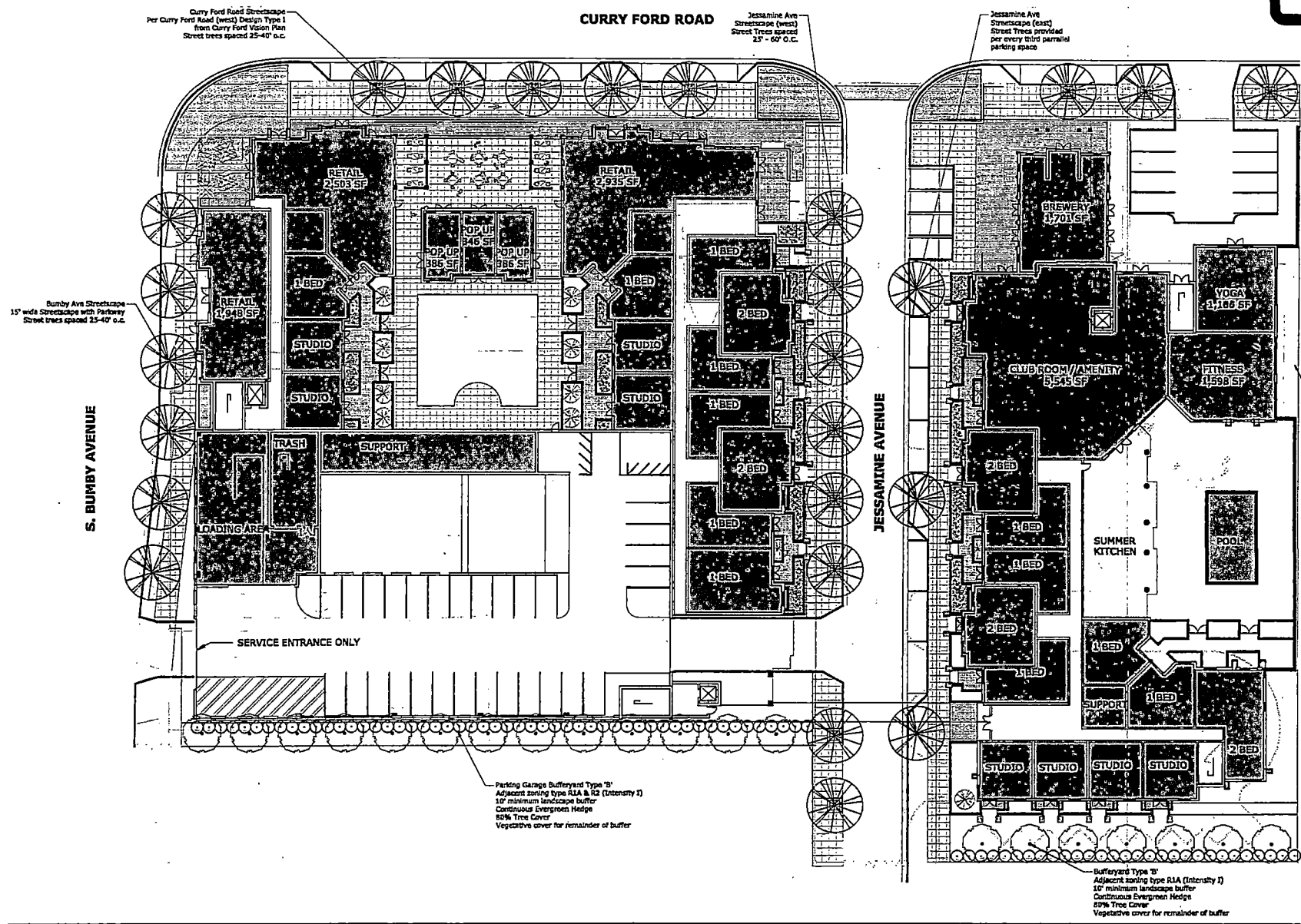
HQ SOUTH, LLC/ HOURGLASS SOUTH MULTI-FAMILY MIXED USE  
01.22.2021

A101



AKG020481 - LCB16101487

# EXHIBIT H



- NOTES:
1. Tree Protection: No tree protection plan necessary. All existing trees on site will be removed following City of Orlando guidelines with and acquired Tree Removal Permits.
  2. Proposed MU2 zoning - Intensity III
  3. All landscape installed will be irrigated and meet City of Orlando Code Section 60 requirements.





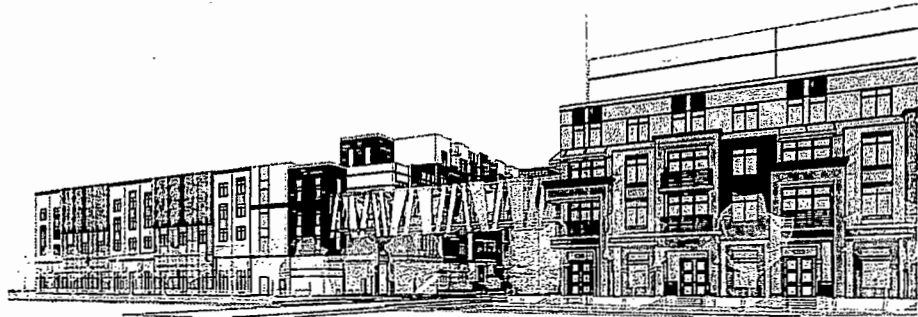
**EXHIBIT**  
I 1 of 3



**3** B&W Render Curry Jossamino Ave North - East Corner



**2** B&W Render Bumby and Curry North - West Corner



**4** B&W Render Jossamino Ave South - East Corner



**1** B&W Render Bumby Ave South - West Corner

NO	DATE	REVISION

**NOT FOR CONSTRUCTION**

**B** ORLAND  
1818 S. GRAY  
ORLAND, FL  
INFO@BAK  
BAKERBAR  
ARCHITECT  
Baker Barrios

HG SOUTH, LLC/ HOL  
SOUTH MULTI-FAMIL  
TYPE OWNER NAI  
3420 Curry Ford Rd Orlando, FL 3

**3D PERSPECTIV**  
200103.00

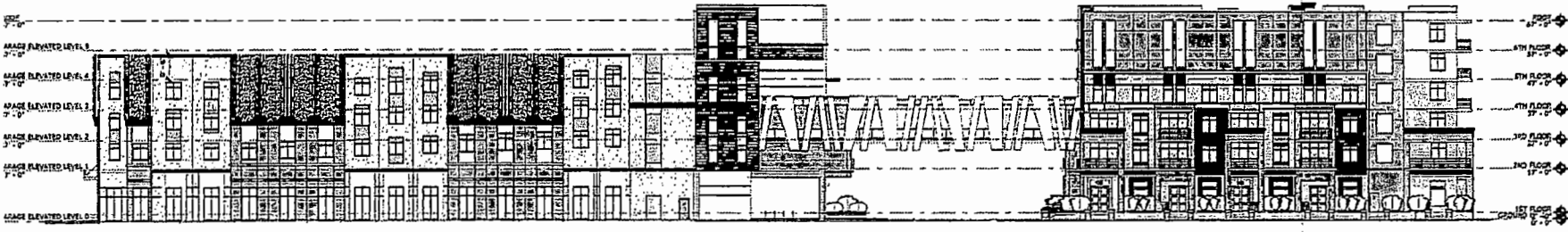


**2 EAST JESSAMINE ELEVATION**  
1/16" = 1'-0"



**1 WEST JESSAMINE ELEVATION**  
1/16" = 1'-0"

**EXHIBIT**  
I 3 of 3



NOT FOR CONSTRUCTION

NO	DATE	REVISION

**NOT FOR CONSTRUCTION**



HG SOUTH, LLC/ HOI  
SOUTH MULTI-FAMIL  
TYPE OWNER NA  
2420 Curry Ford Rd Orlando, FL 32809

**ELEVATIONS**  
200103.00

# Orlando Sentinel

Published Daily  
ORANGE County, Florida

**Sold To:**

City of Orlando - CU00118969  
400 S Orange Ave, Fl 2  
Orlando, FL, 32801-3360

**Bill To:**

City of Orlando - CU00118969  
400 S Orange Ave, Fl 2  
Orlando, FL, 32801-3360

**State Of Illinois  
County Of Cook**

Before the undersigned authority personally appeared Amy Houser, who on oath says that he or she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published at the ORLANDO SENTINEL in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of 11150-Public Hearing Notice, April 12, 2021 at 2:00 p.m., Ordinance #2021-20 was published in said newspaper in the issues of Mar 28, 2021; Apr 04, 2021.

Affiant further says that the said ORLANDO SENTINEL is a newspaper Published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, in said ORANGE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

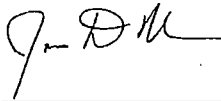


Signature of Affiant

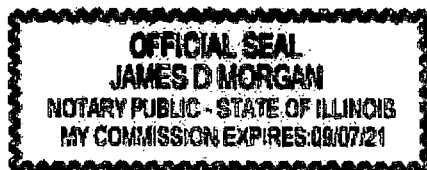
Amy Houser

Name of Affiant

Sworn to and subscribed before me on this 8 day of April, 2021,  
by above Affiant, who is personally known to me (X) or who has produced identification ( ).



Signature of Notary Public

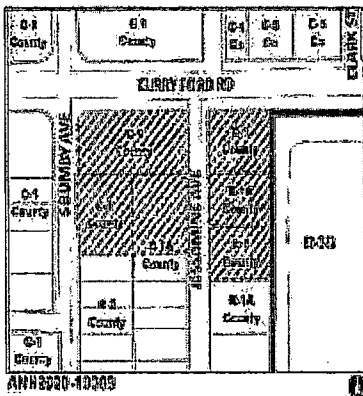


Name of Notary, Typed, Printed, or Stamped

# Orlando Sentinel

## Notice of Proposed Enactment

On April 12, 2021 the Orlando City Council will consider proposed ordinance #2021-20, entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, ANNEXING TO THE CORPORATE LIMITS OF THE CITY CERTAIN LAND GENERALLY LOCATED SOUTH OF CURRY FORD ROAD, BETWEEN SOUTH BUMBY AVENUE AND PEEL AVENUE, AND COMPRISED OF 3.78 ACRES OF LAND, MORE OR LESS, AND AMENDING THE CITY'S BOUNDARY DESCRIPTION; AMENDING THE CITY'S GROWTH MANAGEMENT PLAN TO DESIGNATE THE PROPERTY AS COMMUNITY ACTIVITY CENTER ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS; AMENDING THE CITY'S GROWTH MANAGEMENT PLAN TO AMEND THE POLICY LINE OF FUTURE LAND USE POLICY S.21.1 AND TO ADD FUTURE LAND USE SUBAREA POLICY S.21.2; DESIGNATING THE PROPERTY AS THE PLANNED DEVELOPMENT ZONING DISTRICT ON THE CITY'S OFFICIAL ZONING MAPS; PROVIDING FOR SPECIAL LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND USE AND ZONING MAPS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE DATE.



A public hearing on this ordinance will be held during Council's regular meeting beginning at 2:00 p.m. In response to the COVID-19 pandemic and social distancing efforts, members of the public are advised to check the following city website for up-to-date information on any changes to the manner in which the meeting will be held and the location. All pertinent information about meeting access and participation instructions will be available on [orlando.gov/councilmeeting](http://orlando.gov/councilmeeting) at least 3 days prior to the meeting. Interested parties are invited to watch the meeting live and may participate by providing public comment

# Orlando Sentinel

during the meeting or submitting written public comment in advance regarding the proposed ordinance. The opportunity to provide public comment is available until the designated public comment portion of the item is closed. This meeting may be viewed live on Orange-TV channel 488, on the city's website at [orlando.gov/watchonline](http://orlando.gov/watchonline) or the city's YouTube page. Written public comment must include your name, address, phone number and topic. Comments are limited to a maximum of 700 words per item and may be submitted by one of the following: (1) online at [orlando.gov/councilcomment](http://orlando.gov/councilcomment); (2) email to [cityclerk@orlando.gov](mailto:cityclerk@orlando.gov); (3) mail to City Clerk, Public Comment, City of Orlando, 400 S. Orange Ave., Orlando FL 32801; or (4) drop off to the 1st floor security station at City Hall. Written public comment received by 9 a.m. on Monday, April 12, 2021 are distributed to Council and attached to the related agenda item for public viewing. Appellants and Parties to Appeals and Quasi-Judicial Hearings must submit their documentary evidence and presentations to [orlando.gov/councilcomment](http://orlando.gov/councilcomment) by 5 p.m. on Wednesday, April 7, 2021. Documentary evidence and presentations received by 5 p.m. April 7, 2021 are distributed to Council and attached to the related agenda item for public viewing. Items received after the deadline will not be considered at the meeting. All items received are public record. The proposed ordinance may be inspected online at [orlando.gov](http://orlando.gov). Anyone who desires to appeal an official decision made at this meeting, if an appeal is permitted by law, may need to obtain a verbatim record of the proceedings that includes the testimony and evidence upon which the appeal is based. The City of Orlando is committed to reasonably accommodating the communication needs of persons with disabilities. Persons with disabilities who need reasonable accommodations to participate in this meeting, contact no later than 24 hours in advance of the meeting, the City Clerk's Office at 407.246.2251 or [cityclerk@orlando.gov](mailto:cityclerk@orlando.gov)

OS6907511

3/20, 4/4/2021

6907511