

Interoffice Memorandum

DATE: April 16, 2025

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: N/A

FROM: Tanya Wilson, AICP, Director Planning, Environmental, and Development Services Department

CONTACT: Misty Mills, Senior Planner

PHONE: (407) 836-5435

DIVISION: Planning Division

ACTION REQUESTED:

To approve or deny the annexation at the request of the applicant, Natasia Lunceford, KPM Franklin. If the Board votes to approve the annexation request, then staff requests approval and execution of the Interlocal Agreement for Annexation of 1010 Arthur Avenue between City of Orlando, Florida and Orange County, Florida. District 2.

PROJECT: 1010 Arthur Avenue Annexation

PURPOSE: Section 504. – Exclusive Method for Voluntary Annexations, Orange County Charter requires the Board to hold a public hearing for any voluntary annexation outside of a joint planning area boundary. The annexation must be approved by an affirmative vote of not less than a majority plus one vote of the entire membership of the Board, following the first public hearing by the municipality.

The property proposed for annexation is located at 1010 Arthur Avenue generally bounded by Arthur Avenue to the north, Edgewater Drive to the east, Grant Boulevard to the west, and Webster Avenue to the south. The 0.32 acre site, plus ROW total of .65 acre is developed with an office building that is used as a spa. The City of Orlando held the first public hearing on March 26, 2025.

Section 504 requires the annexing municipality enter into an interlocal agreement with the County detailing the provision of essential public services, infrastructure maintenance, and future land use. The Interlocal Agreement is included as part of the annexation request. Should the Board vote to approve the annexation request, the Board would then take action to approve and execute the Interlocal Agreement.

The second public hearing is pending the outcome of the Board's decision. Should the Board vote to approve the request, a second public hearing would be scheduled by the City. As part of the second public hearing, the Orlando City Council would consider the annexation request along with the Interlocal Agreement. Should the Board vote to deny the request, the applicant has 30 days to appeal the decision.

The following items are included:

1. Staff analysis of the annexation request
2. Interlocal Agreement for Annexation of 1010 Arthur Avenue between City of Orlando, Florida and Orange County, Florida
3. City of Orlando staff report for 1010 Arthur Avenue

BUDGET: N/A

January 21, 2025
Staff Report to the
Municipal Planning Board

ANX2024-10011
GMP2024-10023
ZON2024-10019

1010 ARTHUR AVENUE



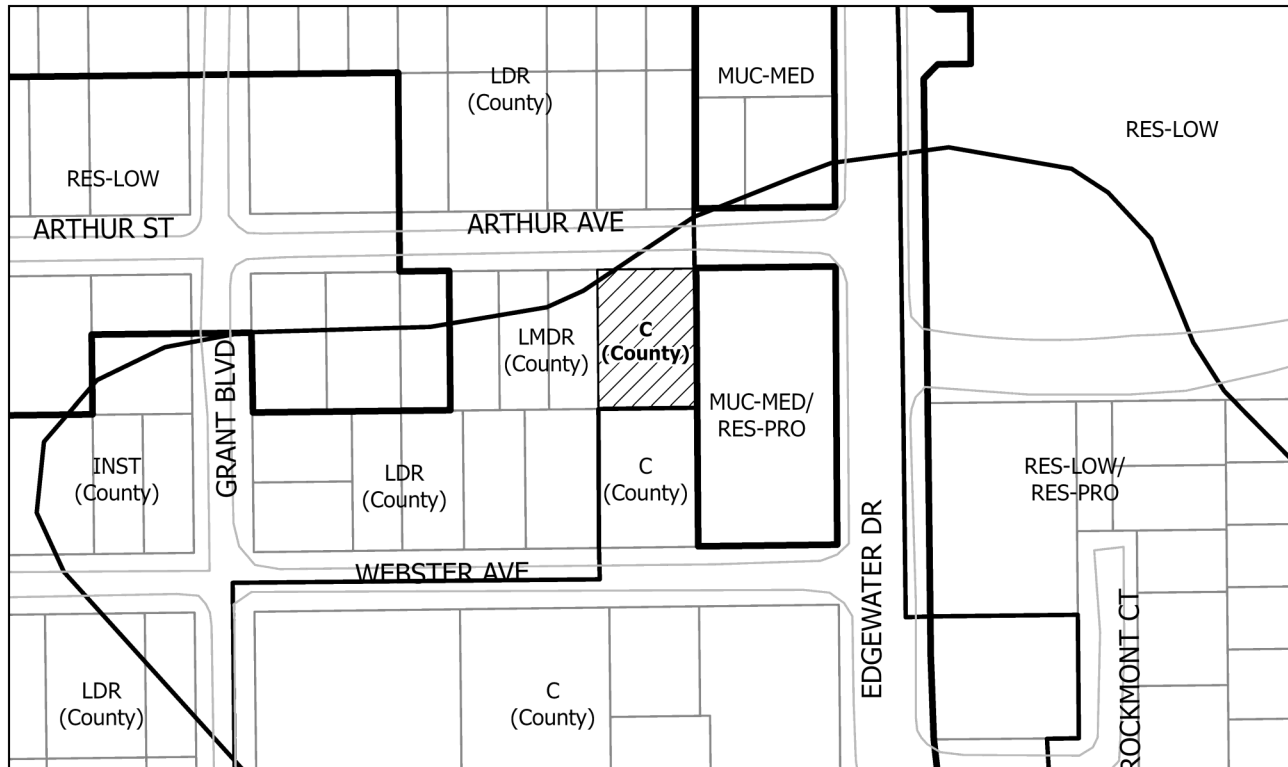
Location Map

 Subject Site

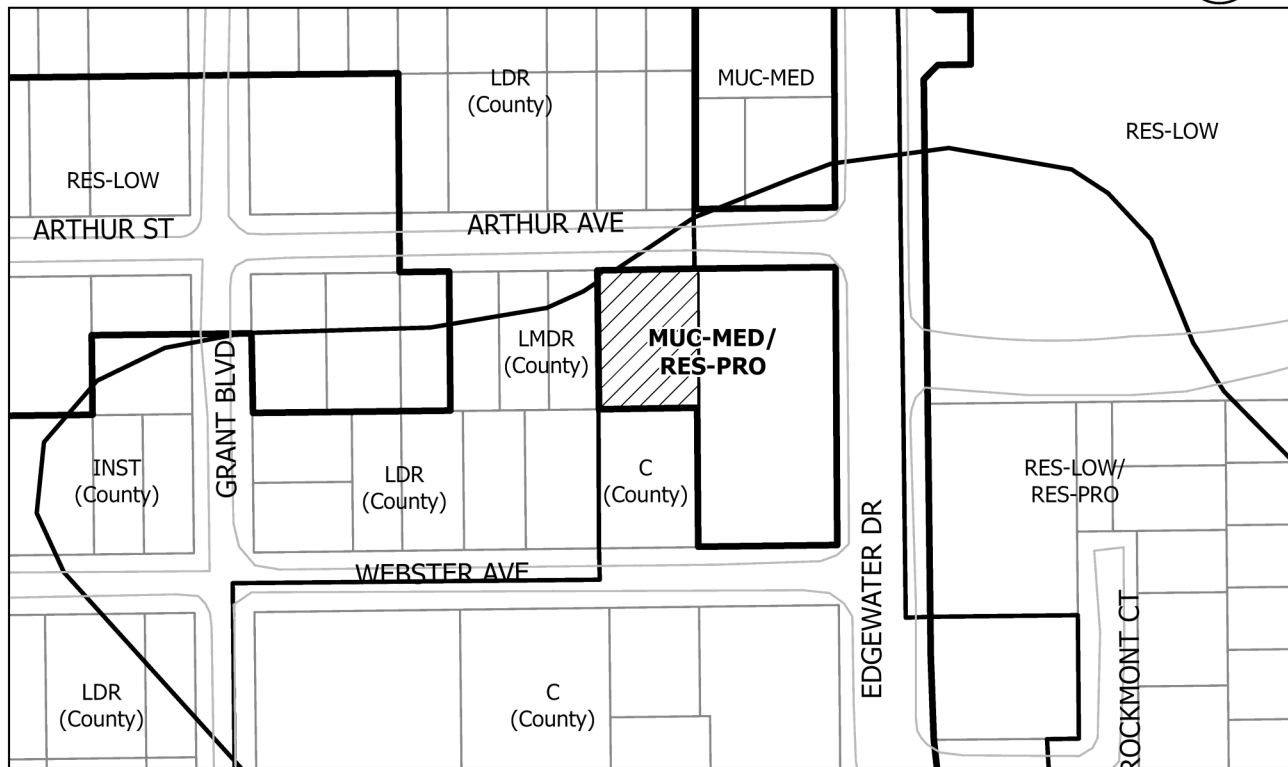
SUMMARY

| | | |
|--|--|---|
| <p>Applicant</p> <p>Natasia Lunceford, KPM Franklin</p> <p>Owner</p> <p>A Swart Properties LLC</p> <p>Project Planner</p> <p>Deidre Oge, Planner I</p> <p>Updated: 1/13/2025</p> | <p>Property Location: 1010 Arthur Ave. (generally located north of Webster ave, south of Arthur Ave., west of Edgewater Dr., east of Grant Blvd., ±0.32 acres, District 3)</p> <p>Applicant's Request:</p> <ol style="list-style-type: none"> 1) Annex the subject property into the city limits of Orlando; 2) Change the Future Land Use designation from Orange County's Commercial designation to the City's Mixed-Use Corridor Medium Intensity and Resource Protection designation and; 3) Establishing an initial zoning of Medium Intensity Mixed-Use Corridor with the We-kiva, Resource Protection, and Appearance Review Overlays (MU-1/W/RP/AR) | <p>Staff's Recommendation: Approval of the request, subject to the conditions in this staff report.</p> <p>Public Comment Courtesy notices were mailed to property owners within 300 ft. of the subject property during the first week of January 2025. As of the published date of this report, staff has not received any comments from the public concerning this request.</p> |
|--|--|---|

FUTURE LAND USE MAP: EXISTING AND PROPOSED



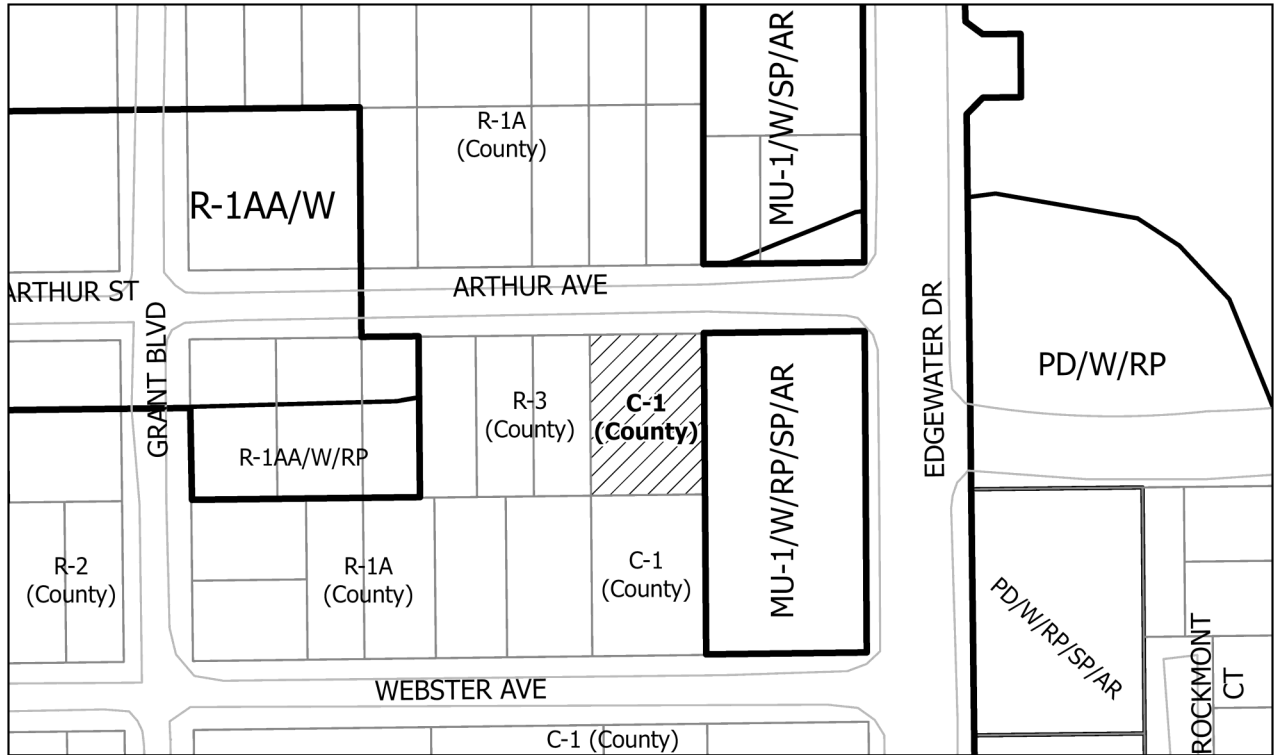
Future Land Use - Existing GMP2024-10023



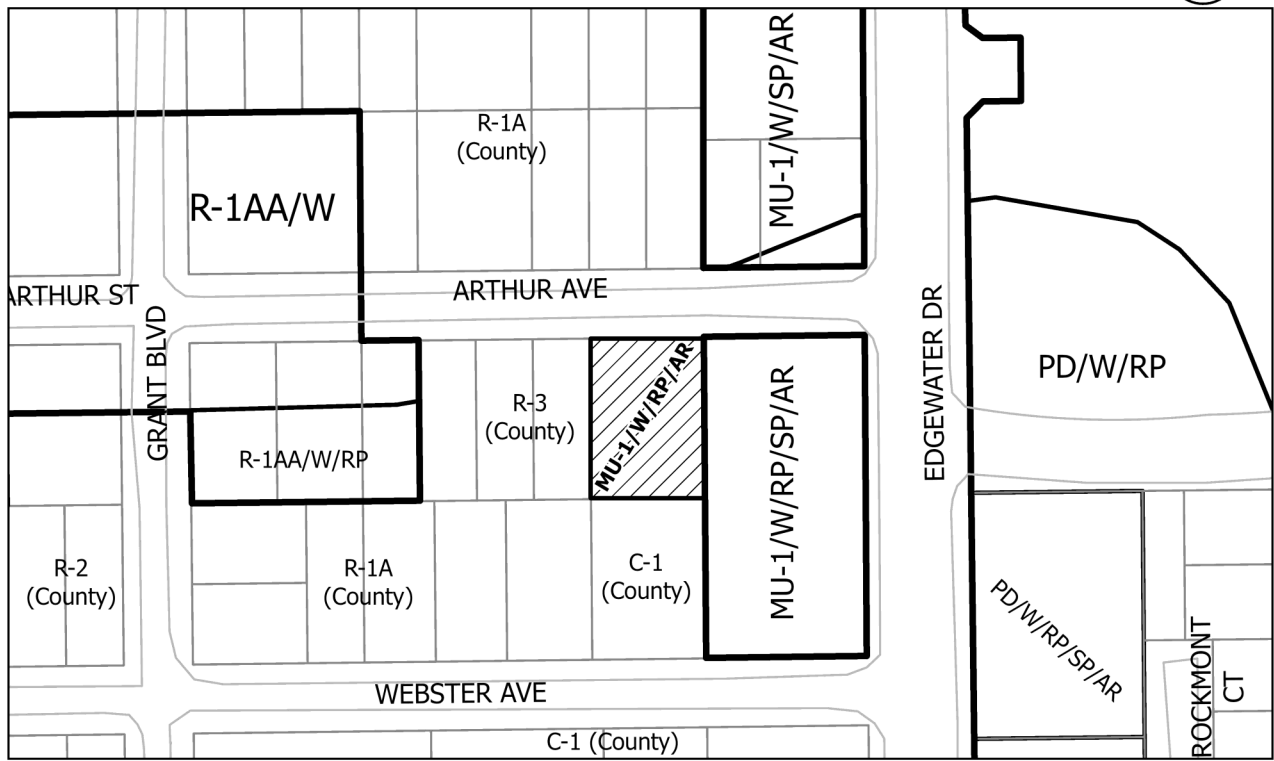
Future Land Use - Proposed GMP2024-10023



ZONING MAP: EXISTING AND PROPOSED



Zoning - Existing ZON2024-10019



Zoning - Proposed ZON2024-10019

PROJECT ANALYSIS

Project Description

The applicant is requesting the annexation of the property at 1010 Arthur Ave. generally located south of Arthur Ave., west of Edgewater Dr., east of Grant Blvd., consisting of approximately 0.32 acres, with parcel ID #: 29-22-10-8828-04-150. Upon annexation, the subject site will be located within District 3, which is represented by Commissioner Robert F. Stuart. The annexation request includes a portion of Arthur Ave., located north of the property, up to the western portion of Edgewater drive. The site currently holds a one-story building with a spa use. The owner has requested the annexation to connect the site to the city's sewer network.

The applicant request also includes a Growth Management Plan (GMP) amendment to designate the property as Mixed - Use Corridor Medium Intensity with an initial zoning of Medium Intensity Mixed-Use Corridor with the Wekiva, Resource Protection, and Appearance Review Overlays (MU-1/W/RP/AR) to conform with the designations of the nearby properties to the east.

Existing Future Land Use (County)
Commercial (C)

Proposed Future Land Use (City)
MUC-MED / RES—PRO

Existing Zoning (County)
C-1

Proposed Zoning (City)
Medium Intensity Mixed-Use Corridor with the Wekiva, Resource Protection, and Appearance Review Overlays (MU-1/W/RP/AR)

Project Context

The surrounding uses, zoning and future land use designation are shown in Table 1. Located north of Webster Ave., east of Grant Ave, and south of Arthur Ave, the site is surrounded primarily by residential. To the south of the site, there are engineering and architectural related businesses and to the east are retail and commercial uses. The proposal is consistent with the surrounding uses in the neighborhood.

Table 1—Project Context

| | Future Land Use | Zoning | Surrounding Use |
|-------|--|----------------------|-----------------|
| North | Low Density Residential (LDR)- Orange County | R-1 (Orange County) | Residential |
| East | MUC-MED/RES PRO | MU-1/W/SP/AP | Shopping Center |
| South | Commercial (C)- Orange County | C-1 (Orange County) | Office |
| West | Low Density Residential (LDR)- Orange County | R-1A (Orange County) | Residential |

Florida Statutes, Chapter 171

The proposed annexation meets the criteria set forth in the Florida Statutes, Subsection 171.043, character of the area to be annexed. The property boundaries are contiguous to the City's boundaries and does not create an enclave, the property is compact and is not part of another incorporated municipality and will be used for urban purposes.

Florida Statutes, Chapter 163

The proposed GMP amendment is being processed as a small scale amendment to the official Future Land Use Map in accordance with the requirements of Chapter 163.3184(3), of the Florida Statutes. As provided in Chapter 163, small scale amendments require one public hearing before City Council (the adoption hearing) and are not subject to the Florida Department of Economic Opportunity, Division of Community Planning unless challenged by an affected party within 30 days of the adoption hearing. If not challenged, the amendment is effective 31 days after the adoption.

City's Growth Management Plan

Figure LU-1 of the Growth Management Plan, established the standards for future land use categories. The applicant has requested annexation to the City, and a Growth Management Plan (GMP) amendment to designate the property as Mixed Use Corridor - Medium Intensity / Resource Protection (MUC-MED/RES PRO), to be in compliance with the existing personal service on site and surroundings. The standards for the districts are:

Mixed Use Corridor—Medium Intensity (MUC-MED): (before bonuses)

Maximum Intensity: 30 units/acre or 0.50 FAR

Minimum Intensity: 15 units/acre* or none FAR

**Allowable uses included: Residential, Office, Public, Recreational and Institutional, Commercial
Minimum Transportation Access: 4LC, 2LA, 4LA, 6LA

** 2LC - 2 lane collector

6LA - 6 lane arterial

4LC - 4 lane collector

8LA - 8+ lane arterial or limited access facility

2LA - 2 lane arterial

TS - transit station

4LA - 4 lane arterial

The proposed Future Land Use designation is in compliance with the Growth Management Plan, uses and densities/intensities of the requested district and the existing uses on site. The subject property is bordered by Edgewater drive to the east and Grant Blvd. to the west. The property meets minimum transportation requirements. The subject property is consistent and compatible with the land uses around the site, see Table 1, on previous page.

The Resource Protection Overlay Land Use Designation shall be used to identify the locations of all potential environmentally sensitive areas, including the most effective recharge areas, karst features and sensitive natural habitats located within the Wekiva Study Area. The request is in compliance.

Adequate Public Facilities

State law requires the City to performed a public facilities evaluation for GMP amendments that would increase the allowable density of a property. The proposed GMP amendment include changing the Future Land Use to Mixed Used Corridor Medium Intensity (MUC-MED) from the County's Future Land Use of Commercial (C) that allows a maximum of 1.5 Floor Area Ratio (FAR). The City's FLU designation of Mixed Use Corridor—Medium Intensity, allows a maximum intensity of up to 30 du/acre and 0.50 FAR, which is lower than the County's FAR of 1.5. This evaluation assumes that the property is developed at the maximum intensity and density allowed by each future land use category. Typically, sites are developed at a lesser intensity, so these impacts represent an upper limit, rather than a true projection of demand.

Each year, the City prepares the Capacity Availability Report (CAR) to identify any surpluses or deficiencies in the ability to provide public services. The CAR also accounts for future population and employment growth consistent with the City's adopted future land use categories. Because the growth associated with this GMP amendment was not included in the growth projections, this analysis is performed to ensure capacity is available to serve the development.

Projected Demand

Evaluation 1- This evaluation considered the impact of developing the site at the maximum density/intensity permitted by the existing future land use designation by the County of:

Commercial at ± .32 acres @ 1.50 FAR = 20,786 sq. ft. of commercial use

Evaluation 2- This evaluation considered the impact of developing the site at the maximum density/intensity permitted by the proposed Future Land Use of City of Orlando:

Mixed Use Corridor—Medium Intensity at ± .32 acres @ .50 FAR = 6,928 sq. ft. of commercial use
0.32 acres @ 30 dwelling units per acre (du/ac) = 9 du/ac

There is an allowance in development capacity for 9 dwelling units on the site and a decrease of ±13,858 sq. ft. of FAR within the City since the allowance is less than the County. The amount of development included in the evaluations above translates to a total project demand for public facilities shown in the Table 2. The proposed amendment will not adversely impact the city's level of service for water, wastewater, and transportation. Details about how the above impacts were calculated are available in the City's Capacity Availability Report.

Table 2– Demand for Public Facilities

| | Potable Water (GPD) | Wastewater (GPD) | Comm. Parks (Acres) | Neigh. Parks (Acres) | Transportation (Trips) |
|-------------------------|---------------------|------------------|---------------------|----------------------|------------------------|
| Evaluation #1 | 2,702 | 1,871 | 0.000 | 0.00 | 785 |
| Evaluation #2 | 2,701 | 2,334 | 0.023 | 0.01 | 363 |
| Net Increase (Decrease) | (2) | 463 | 0.023 | 0.01 | (421) |

Stormwater, and Solid Waste

The City's adopted stormwater level of service standards require new development to provide on-site stormwater retention and/or detention consistent with the requirements of the St. John River Water Management District. Therefore, each increment of new development, if properly permitted, will meet the stormwater level of service standard. Solid waste collection is funded by user fees; any new customers generate revenues sufficient to fund any capital costs. Therefore, a solid waste capacity analysis was not performed.

| Table 3– Capacity, Demand, Supply and Impact of proposed GMP | | | | |
|---|----------------------|-------------------|--|--|
| | Potable Water (MGPD) | Wastewater (MGPD) | Comm. Parks (Acres) for CPS ¹ | Neigh. Parks (Acres) for NPSA ⁴ |
| Capacity | 100.10 | 52.16 | 347.87 | 43.79 |
| Reported Demand—2024 | 87.69 | 51.59 | 58.31 | 11.00 |
| Projected increase in Demand 2024-2028 | 4.55 | 2.75 | 16.13 | 0.96 |
| Projected increase in Supply 2024-2028 | 0.00 | 0.00 | 0.00 | 0.00 |
| Demand from ANX2024-10011 | 0.00 | 0.00 | 0.00 | 0.00 |
| Net Available Capacity | 7.86 | (2.18) | 273.43 | 31.83 |

Conformance with the Land Development Code

The applicant is requesting the initial zoning designation of a (MU-1) or Medium Intensity Mixed Use Corridor District, for the property. According to the LDC, *“Medium Intensity Mixed Use Corridor District. The MU-1 district is intended to provide for areas of mixed residential and office uses extending along and oriented to arterial and four (4) lane collectors, at intensities compatible with adjacent neighborhoods. Commercial, public, recreational & institutional uses and conservation uses are also consistent in these areas as part of mixed use development or when otherwise subject to appropriate limitations, conditions and safeguards. A mixture of land uses is specifically encouraged. This district is intended for locations where mass transit service is available or programmed.”* The existing personal service on site is allowed in the MU-1 district, according to our LDC code. The request complies with the Land Development Code.

Wekiva Overlay District

According to Sec. 58.499.9 *“The W Overlay District is intended to promote a pattern of development that preserves open space and protects the most effective recharge areas, karst features and sensitive natural habitats within the Wekiva Study Area, while recognizing property rights and accommodating both rural and urban land use patterns”*. The request complies with the land development code.

Resource Protection Overlay District

According to Sec. 58.421., *“The intent of the RP Overlay District is to provide information to property owners, City officials and the general public by identifying the approximate locations of major environmental features which may restrict or otherwise affect the development of land. The RP Overlay District is intended to be informational only, since regulations to protect environmentally sensitive areas such as surface water bodies, groundwater recharge areas, floodplains, and wetlands are set forth elsewhere in this Code.”* The request complies with the Land Development Code.

Appearance Review Overlay District

According to Sec. 58.391, *“The purpose of the Appearance Review Overlay District is to encourage both public and private participation in the enhancement of community appearance and provide the necessary standards and criteria for review in accordance with accepted architectural principles. Furthermore, it is the purpose of this district to strengthen the economy of the City by stabilizing and improving property values in AR areas, and to encourage new construction and redevelopment that will be harmonious with existing structures and architectural styles. It is further intended that the Appearance Review Overlay District shall operate in conjunction with any other zoning district in which land may be classified, and that such lands may be used as permitted by such other districts”* Should the site redevelop in the future, compliance would be required.

Transportation

The City has adopted a Transportation Concurrency Exemption Area (TCEA) citywide, Figure TE-3 of the GMP Transportation Element, and the subject property will be included. The proposed project is located in an urbanized area, south of Arthur Ave., and west of Edgewater Drive., and it has access to the existing public transportation system.

Environmental

The Growth Management Plan Conservation Element Policy 1.4.1. states that “all projects requiring Municipal Planning Board or City Council review shall provide an Environmental Assessment (EA). However, the City shall determine if the submittal is appropriate on a case by case basis.” Areas exempt from this requirement includes those located within the “Urbanized Disturbed Lands”, Figure C-1 of the GMP, Conservation Element. The subject property is located outside the Urbanized Disturbed Lands and is therefore subject to an Environmental Assessment. However, this requirement has been waived due to the presence of an existing development on the site, which was developed through the Orange County environmental process.

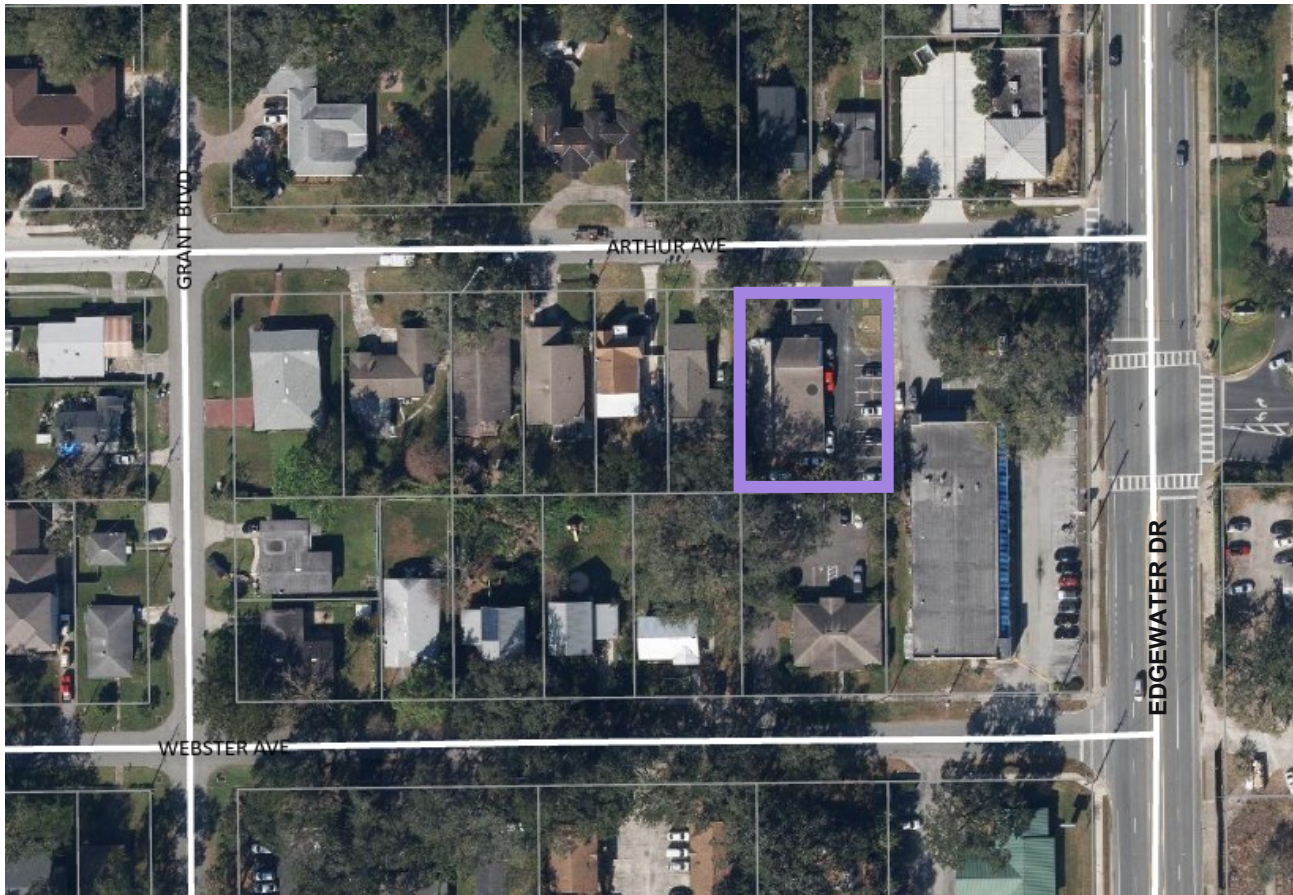
Capital Improvement Program

The City has no Capital Improvement Program (CIP) projects in the vicinity of the subject property.

School Impacts

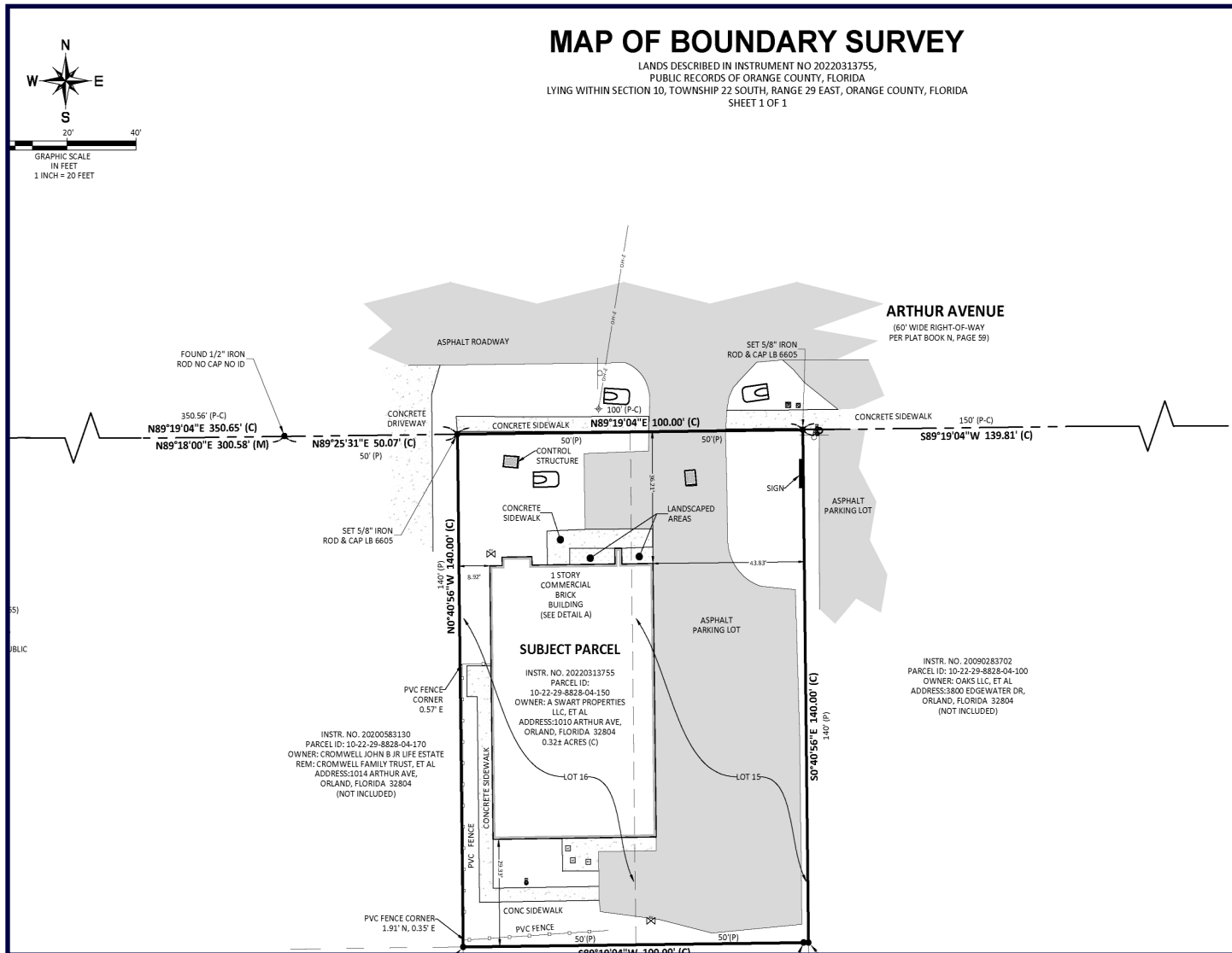
The project is not subject to Orange County Public Schools (OCPS) school review processes, since no residential uses are proposed.

AERIAL PHOTO-2023



 Subject Site

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SITE PHOTOS



Subject site viewed from Arthur Ave .



Northeastern view of site from Arthur Ave.

FINDINGS

Subject to the conditions contained herein, the proposal is consistent with the requirements for approval of the proposed annexation, the Future Land Use map amendment, and the zoning contained in Chapter 65 of the Land Development Code:

1. The proposed annexation meets the annexation criteria set forth in section 171.043, Florida Statutes.
2. The proposal is consistent with the State Comprehensive Plan (Chapter 187, Florida Statutes).
3. The proposal is consistent with the East Central Florida Strategic Policy Plan.
4. The proposal is consistent with the provisions of Chapter 163, Part II, Florida Statutes.
5. The proposed amendment is consistent with the City's Growth Management Plan.
6. The proposed amendment is consistent with the Land Development Code and surroundings.

Staff recommends approval of the ANX2024-10011, GMP2024-10023 and ZON2024-10019 subject to the conditions

CONDITIONS OF APPROVAL

CITY PLANNING-GROWTH MANAGEMENT

Recommend Approval with Conditions

1) GENERAL CODE COMPLIANCE AND CONSISTENCY- The proposed FLU amendment shall be consistent with the conditions in this report, requirements of the Land Development Code, the Growth Management Plan of the City of Orlando, the State of Florida, and all other applicable regulatory agencies. All other applicable state or federal permits must be obtained before commencing development.

2) INTENSITY OF DEVELOPMENT- Development of the subject property at densities/intensities higher than what is permitted by the current zoning designation's shall not be permitted prior to the effective date of this GMP amendment.

3) DEVELOPMENT PERMIT- As provided by subsection 166.033(5), 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(5), Florida Statutes, it is hereby made a condition of this permit that all other applicable state or federal permits be obtained before commencement of the development.

4) ORANGE COUNTY-All open permits or code enforcement violations with Orange County must be finalized and close out before the annexation ordinance is adopted, if applicable.

INFORMATIONAL COMMENTS

DEPARTMENT OF TRANSPORTATION

1) Compliance

a) Except as where noted in this staff report, all aspects of the site plan are required to conform to all applicable minimum standards set forth in the editions of the City Code and the City Engineering Standards Manual that are in force at the time of any construction of this project.

b) Support of this submittal by the Transportation Dept. does not constitute final engineering approval of this concept for development. Materials and designs for transportation related elements of the project must meet or exceed standards in the versions of the City Code and Engineering Standards Manual in effect at the time of submittal to Permitting Services.

c) At all project entrances, clear sight distances for drivers and pedestrians must not be blocked by signs, buildings, building columns, landscaping, or other visual impediments. No structure, fence, wall, or other visual impediment must obstruct vision between 2 feet and 8 feet in height above street level. The street corner / driveway visibility area must be shown and noted on construction plans and any future site plan submittals. The applicant must design the site plan as necessary to comply with the Florida Greenbook and the FDOT Design Standards Index. Sight lines shall be provided on both site plans and landscape plans.

d) The Transportation Planning Division supports the applicant's request for annexation provided that the future development/redevelopment of the site shall be consistent with Orlando Land Development Code (LDC) and Engineering Standards Manual (ESM) requirements. Additional comments will be provided as the subject site proceeds through the plat and/or development review process.

ORLANDO POLICE DEPARTMENT

Orlando PD has no objections to this annexation request. If any substantial development or redevelopment is planned for this property, a full CPTED review will be completed. For additional precautions, Officer Milton Sumpter is the Crime Prevention liaison for this district. The OPD Crime Prevention officer can discuss alarms (residential or business), personal safety, crime prevention strategies, and neighborhood or community watch programs with you. Please get in touch with him at Milton.Sumpter@Orlando.gov or 407-246-2196. If you have questions about the Orlando Police Department plan review, please get in touch with Audra Rigby at 407.246.2454 or Audra.Rigby@Orlando.gov.

FIRE DEPARTMENT

1. The sole intent of the cursory input provided, is to alert Civil Engineers and Architectural designers to site conditions and/or other Code criteria that require a deeper consideration of the FFPC, Florida Fire Code, NFPA 1 chapters 16 and 18 before finalizing the plans for formal plan review.
2. FORMAL REVIEW OF ARCHITECTUAL DESIGNS. The architectural design of a building, floor plans, life safety egress system, fire protection systems, and fire department access will be reviewed in detail for State, Fire Code, Florida Fire Prevention Code and City of Orlando, Life Safety Fire Code compliance at the time of permit application for formal plan review of 100% drawings.
3. FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP). An FDEP clearance is required to release water supply to a construction site. Vertical construction of a building without water supply on the site of construction is prohibited. NFPA 1.16.4.3. It is therefore, critical, that the process to receive a FDEP permit and clearance for the use of treated water to construction sites and projects begin early in the conceptual stage. To begin the process, see the following link [Apply | DEP Business Portal \(fdepportal.com\)](https://www.fdepportal.com)
4. PRESUBMITTAL MEETING WITH EDV, PERMITTING SERVICES PLAN REVIEW STAFF. A TRC review is not applicable for review of conceptual architectural drawings. A pre-submittal meeting is required in order to receive cursory insight into Florida Building Code (FBC) and Florida Fire Prevention Code (FFPC, NFPA) requirements impacting the design. Official determinations are not provided at these discussions.
5. ****Architects of Record and or Consultants are asked to prepare an agenda with questions pertaining to your project. This will afford staff to do research in advance before meeting. To schedule an appointment, see the following link. www.orlando.gov/Building-Development/Schedule-an-Appointment/Schedule-a-Permitting-Appointment
6. FIRE DEPARTMENT APPARATUS ACCESS ROAD. An approved fire department apparatus access road shall be provided for every facility, building, or portion of a building constructed or relocated. NFPA 1.18.2.3. Fire department apparatus access roads shall consist of roadways, fire lanes, parking lot lanes, or a combination thereof.
7. ALL WEATHER SURFACE. The access road shall have an all-weather driving surface, capable of supporting the load of fire apparatus, an unobstructed width of not less than 20 ft. and a minimum vertical clearance of at least 13 ft. 6 in. NFPA 1.18.2.3. The minimum required widths and clearances shall be maintained at all times.
8. USE OF ENGINEERED STABILIZATION. Fiber products installation for soil and turf reinforcement will be conditionally approved by the AHJ. A statement indicating that current and future owners of this property will maintain the integrity and stability of this treated soil or turf for the use of City of Orlando Fire Truck Apparatus must be recorded with the property's deed. Also, the soil or turf access treated with this product will be made available to City of Orlando Fire Department Vehicles at any and all times for testing purposes.
9. POINT LOAD CALCULATION. The ground contact area for each stabilizer shall be such that a unit pressure of not greater than 75 psi (500 kPa) will be exerted over the ground contact area when the apparatus is loaded to its maximum in-service weight and the aerial device is carrying its rated capacity in every position permitted by the manufacturer. NFPA 1901.
10. HAZARD PREDETERMINATION. The location of a hazard natural or manmade cannot be predetermined. As such designs incorporating predetermined locations for staging by OFD apparatus are not applicable for review of fire department access.
11. 20FT NOT INCLUSIVE OF PARKING SPACES. The minimum required width of a fire department access road shall not be reduced by the inclusion of parking spaces or obstructed in any other manner.
12. ***Cross-sections presented shall indicate the dimensions for both, the approved apparatus access width and the parking space. The street width presented would thereby be the total for both.
13. MARKING OF APPARATUS ACCESS ROAD. Where required by the AHJ, approved signs, approved roadway surface markings, or other approved notices shall be provided and maintained to identify fire apparatus access roads or to prohibit obstruction thereof or both.
14. ENTRANCES AND GATES. Entrances to fire department access roads that have been closed with gates and barriers shall not be obstructed by parked vehicles. Access by use of an approved device, system or manual means shall be provided. The entrance width shall not be obstructed by parked vehicles and sufficient to accommodate the largest piece of fire apparatus available.
15. Entrances to fire department access roads that have been closed with gates and barriers in accordance with 18.2.4.2.1 .

16. **TWO SIDES OF BUILDING ACCESS REQUIRED.** The Orlando Fire Department requires access to TWO SIDES of a building or structure. The apparatus access road itself must extend 50ft. from an exterior doorway that allow access to the building's interior via a common hall or common lobby area, or the largest tenant area if the building does not have a common interior area. NFPA 1.18.2.3.
17. **TURNS.** Turns in fire lanes shall be constructed to provide sufficient width to accommodate the largest piece of fire apparatus available to be operated on the fire access road.
18. **MANUAL SUPPRESSION OPERATION.** Use of not more than 150 ft. pre-connected hose from a fire department apparatus parked on an access road as measured by an approved route around the first story of the exterior of the building or facility. The distance can be increased to 450ft. if the building is protected by an automatic sprinkler system. This provision is not applicable for use in lieu of required access by apparatus. See NFPA 1.18.2.3.
19. **APPROVED TURNAROUND:** An approved turnaround shall be provided for fire apparatus where an access road is a dead end in excess of 150 ft. The turnabout shall be the minimum 20ft. width of the fire department access road and sized for the dimensions and maneuvering space of the largest OFD apparatus (60 ft. length / 20 ft. width).
20. **AREAS SUBJECT TO OBSTRUCTION.** 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 (A cul-de-sac dimension shall be sized to 100 ft. in diameter with or without offset island. When an offset island is used a 20 ft. road width shall be maintained.)
21. **APPARATUS DIMENSIONS.** The dimensions for calculation of auto-turn analysis shall include the following for the Orlando Fire Department apparatus. Width 10 ft, Truck body length 52 feet, Weight 75,000 pounds, maneuvering radius shall be 50 FEET- EXTERIOR and not less than 25 FEET - INTERIOR. The interior radius dimension shall be increased when the roadway design submitted is not adequate to accommodate fire apparatus.
22. **WATER SUPPLY:** All site plans shall indicate the location of fire hydrants. All portions of a building not protected by an automatic sprinkler system must be within 300 ft. distance of a fire hydrant. All portions of a building protected by an automatic sprinkler system must be within 500 ft. distance of a fire hydrant. Residential properties are required to indicate a hydrant within 500 ft. of the residence and street width of 20 feet for the fire department

PUBLIC WORKS

If there will be changes to the site, the following will need to be addressed and met during the Engineering (ENG) permit review process.

1. Per Section 7.01 of the City's ESM, any proposed project to be built in the City of Orlando which alters the existing topographic characteristics will be required to provide stormwater treatment. Alterations of surface drainage (with the exception of resurfacing and landscaping elements only) is defined as: changing the flow patterns within the redevelopment area; changing the mode of transport from overland flow or open channel to a closed conduit, etc.; changing an impervious surface's character (from building to parking, wet bottom pond or a new building or vice versa); changing the character of a parking surface (from shell base to asphalt, etc.); or remodeling of an existing building which changes its footprint or number of floors. When applying for an Engineering Permit, please submit the Drainage Report, Geotech Report, Stormwater Tabulations, and all necessary docs needed in order to verify the City's and Water Management District standards are met.
2. Water quality recovery shall be recovered per the requirement of the Water Management District. Please provide model demonstrating the recovery analysis. A Water Management District water treatment permit may be required.
3. Provide a certification signed by the Engineer, licensed in the State of Florida, responsible for the stormwater design which reads as follows: "I hereby certify that to the best of my knowledge and belief, the design of the Stormwater Management System for the project known as: (Project Name) meets all of the requirements and has been designed substantially in accordance with the City of Orlando Stormwater Management Criteria."
4. All proposed and existing sidewalk that is touched during construction will need to be updated to the newest ADA requirement.
5. Sidewalk construction shall be required at the time of this substantial improvement per Sec. 54.39 of the City of Orlando's Muni Code. Proposed sidewalks must be constructed along the entire length of the property and shall be located against the public right-of-way.
6. A City Service Agreement is required by the Owner if portion of sidewalk is within private property. The easement would protect the Owner from maintaining the sidewalk and from other potential issues. Otherwise, the Owner would be responsible to maintain and be liable for potential litigation if someone is injured on a failing sidewalk that is in disrepair.
7. Clarify whether the sidewalk will be paver. Please note that if pavers are to be constructed beyond the property line and out into the City's Right of Way the owner is required submit a signed and recorded a Right-of-Way Pavers Agreement. Sidewalk portion of driveway must still be composed of 3,000 psi concrete. Refer to the Right of Way Pavers Agreement under Engineering Permit Forms <https://www.orlando.gov/Building-Development/Permits-Inspections/Get-a-Permit/Forms-Documents>

8. Construction activities including clearing, grading and excavating activities shall obtain an EPA NPDES permit, except: Operations that result in the disturbance of less than one acre total land area which are not part of a larger common plan of development or sale. The NPDES permit must be received in the Office of Permitting Services prior to the issuance of City of Orlando permits. If the disturbed area is less than one acre, provide a note on the plans indicating the City of Orlando's Guidelines for Erosion Sediment Control (aka the Blue Sheet) will serve as a guide for the implementation of erosion sediment control measures. Blue Sheet can be found under the City of Orlando website. Attach this sheet in your permit submittal.
 9. Submit a detailed, scalable, fully dimensioned site plan of the location. The site plan should include but not be limited to the site legal description, the building, streets, sidewalks and property lines, and the location of the proposed work. Site plans should clarify what is existing and what proposed.
 10. Provide a signed and sealed existing topographic survey with datum and official benchmark in the NAVD88 vertical datum. Per the City's ESM Section 7.01.A.1, survey data shall be gathered to least 25 feet beyond the property line or as far offsite as required to assure offsite drainage patterns are maintained. Please submit a hard copy of survey (with sign and seal) to City Hall 8th floor addressed to Richard Allen.
 11. Submit a signed and dated private improvements cost sheet. Cost sheet forms and instructions are available at our website under Engineering Permit Forms at <https://www.orlando.gov/Building-Development/Permits-Inspections/Get-a-Permit/Forms-Documents>
 12. Other comments may arise depending on the contents submitted to permitting.
 13. Artificial turf and gravel areas must be treated as impervious area and must be included in the impervious area for stormwater management.
 14. All roadways must meet the ESM standards. The Season High Water Table must be a minimum of 2 ft from the bottom of the base. New private and public roadways will require a pavement design similar to the method shown in the FDOT Flexible Pavement Design Manual. Limerock base is not permitted in certain areas where the Season High Water Table has historically been close to the ground surface.
 15. Retaining walls, walls, stamped asphalt/concrete, decorative asphalt/concrete, etc are not permitted within the Right of Way without permission from the City Engineer. Buildings or building foundations are not permitted within the Right of Way.
 16. All impervious area must be routed to the stormwater system for treatment and attenuation.
 17. The 25 year 24 hour post development discharge rate must be less than or equal to pre development discharge rate.
 18. Per Orlando Engineering Standards Manual Chapter 7, off-site flood elevations cannot be made worse in any circumstance.
 19. Any broken or damaged curb, sidewalk, driveway, concrete panels, etc within the Right of Way must be replaced and meet City requirements. Drainage and other roadway improvements may be required during the BLD/ENG submittal depending on the existing condition.
- For questions regarding Engineering Site issues contact Owen Blakely at owen.blakely@cityoforlando.net.

Solid Waste

1. Per Chapter 28 of municipal code all new construction properties or properties undergoing significant renovations are required to include a double enclosure for waste that allows for recycling in addition to garbage. Dimensions can be amended if there are spatial restrictions present on the property. Note if 24' across and 10' deep can not be met, the client may be required to utilize smaller dumpsters on wheels which can be stored sideways, limiting collection frequency and size options

Waste Water

The applicant shall be made aware of the following conditions:

1. The Water Reclamation Division has no objections with proposed annexation to enable sewer connection of the existing building into existing sewer infrastructure located at the property frontage.
2. The applicant shall obtain necessary permits from the City for sewer connection.
3. Future redevelopment of the property with a land use generating a higher rate of wastewater flow than existing may require an analysis of the City's sewer infrastructure capacity.

- 3) Provide a certification signed by the Engineer, licensed in the State of Florida, responsible for the stormwater design which reads as follows: "I hereby certify that to the best of my knowledge and belief, the design of the Stormwater Management System for the project known as: (Project Name) meets all of the requirements and has been designed substantially in accordance with the City of Orlando Stormwater Management Criteria."
- 4) All proposed and existing sidewalk that is touched during construction will need to be updated to the newest ADA requirement.
- 5) Sidewalk construction shall be required at the time of this substantial improvement per Sec. 61.225 and 66.200 of the City of Orlando's Muni Code. Proposed sidewalks must be constructed along the entire length of the property and shall be located against the public right-of-way.
- 6) A City Service Agreement is required by the Owner if portion of sidewalk is within private property. The easement would protect the Owner from maintaining the sidewalk and from other potential issues. Otherwise, the Owner would be responsible to maintain and be liable for potential litigation if someone is injured on a failing sidewalk that is in disrepair.
- 7) Clarify whether the sidewalk will be paver. If pavers are to be constructed beyond the property line and out into the City's Right of Way the owner is required submit a signed and recorded a Right-of-Way Pavers Agreement. Sidewalk portion of driveway must still be composed of 3,000 psi concrete. Refer to http://www.cityoforlando.net/permits/wp-content/uploads/sites/29/2014/03/Pavers_Encroach_Agmt1.pdf.
- 8) Construction activities including clearing, grading and excavating activities shall obtain an EPA NPDES permit, except: Operations that result in the disturbance of less than one acre total land area which are not part of a larger common plan of development or sale. The NPDES permit must be received in the Office of Permitting Services prior to the issuance of City of Orlando permits. If the disturbed area is less than one acre, provide a note on the plans indicating the City of Orlando's Guidelines for Erosion Sediment Control (aka the Blue Sheet) will serve as a guide for the implementation of erosion sediment control measures. Blue Sheet can be found under the City of Orlando website. Attach this sheet in your permit submittal.
- 9) Submit a detailed, scalable, fully dimensioned site plan of the location. The site plan should include but not be limited to the site legal description, the building, streets, sidewalks and property lines, and the location of the proposed work. Site plans should clarify what is existing and what proposed.
- 10) Provide a signed and sealed existing topographic survey with datum and official benchmark in the NAVD88 vertical datum. Per the City's ESM Section 7.01.A.1, survey data shall be gathered to least 25 feet beyond the property line or as far offsite as required to assure offsite drainage patterns are maintained. Please submit a hard copy of survey (with sign and seal) to City Hall 8th floor addressed to Richard Allen.
- 11) Submit a signed and dated private improvements cost sheet. Cost sheet forms and instructions are available at our website at www.cityoforlando.net/permits.
- 12) Other comments may arise depending on the contents submitted to permitting.
- 13) Artificial turf and gravel areas must be treated as impervious area and must be included in the impervious area for stormwater management.
- 14) All roadways must meet the ESM standards. The Season High Water Table must be a minimum of 2 ft from the bottom of the base. New private and public roadways will require a pavement design similar to the method shown in the FDOT Flexible Pavement Design Manual. Limerock base is not permitted in certain areas where the Season High Water Table has historically been close to the ground surface.
- 15) Retaining walls, walls, stamped asphalt/concrete, decorative asphalt/concrete, etc are not permitted within the Right of Way without permission from the City Engineer.
- 16) All impervious area must be routed to the stormwater system for treatment and attenuation. A bypass from the existing impervious can be allowed if it can be demonstrated that the stormwater follows the existing drainage pattern and must be routed to the stormwater system for treatment and attenuation. For questions regarding Engineering Site issues contact Owen Blakely at owen.blakely@cityoforlando.net.
- 17) From the meeting on 6/12/24, it is understood that a proposed parking lot is planned within the City property to the south of the annexed property. If the project is located within the FEMA regulated special flood hazard area (i.e. floodplain) a conditional letter of map revision (CLOMR) will be required before the ENG/BLD permit is issued and a letter of map revision (LOMR) will be required before issuance of the certificate of occupancy (for BLD cases) or final inspection (for ENG cases). Compensating storage must be provided for all floodwater displaced by development within the 100-year floodplain. The modeling must include the offsite areas.
- 18) Per Orlando Engineering Standards Manual Chapter 7, off-site flood elevations cannot be made worse in any circumstance. It must demonstrated that off-site base flood elevations are not increasing.

Parks

Recommend for approval

CONTACT INFORMATION

Growth Management

For questions regarding Growth Management plan review, please contact Deidre Oge at (407) 246-3624 or yolanda.ortiz@orlando.gov.

Parks

For questions regarding Parks plan review issues contact Denise Riccio at (407) 246-4249 or denise.riccio@orlando.gov.

Transportation

For questions regarding Transportation Planning plan review, please contact Mike Zayas at mike,zayas@orlando.gov.

Development Review

For questions regarding Concurrency Management contact Keith Grayson at 407.246.3234 or keith.grayson@orlando.gov. To obtain plan review status, schedule/cancel an inspection and obtain inspection results, please call PROMPT, our Interactive Response System at 407.246.4444.

Police

For questions regarding Police plan review or to obtain a copy of the brochure, please contact Audra Rigby at 407.246.2454 or audra.rigby@orlando.gov.

Fire

For any questions regarding Fire review, please contact Charles Howard at 407.246.2143 or charles.howard@orlando.gov. To obtain plan review status, schedule/cancel an inspection and obtain inspection results, please call PROMPT, our Interactive Voice Response System at 407.246.4444.

Public Works

For questions regarding Public Works plan review, please contact Owen Blakely at owen.blakely@cityoforlando.net.

Solid Waste

For questions regarding Solid Waste plan review, please contact Steven McMahon at steven.mcmahon@cityoforlando.net; 407.246.4139.

REVIEW/APPROVAL PROCESS—NEXT STEPS

1. MPB minutes scheduled for review and approval by City Council.
2. Review by the City Attorney's office and ordinance.
3. 1st reading of the Ordinance.
4. 2nd reading/adoption of the Ordinance.
5. GMP package sent to the Florida Department of Commerce



VERIFIED LEGAL DESCRIPTION FORM

The following legal description has been prepared by
KPM Franklin, John Pulice PSM LS6811

and submitted to the City Planning Division for verification.

Signature

10/28/2024

Date



"This Description has been
reviewed by the Engineering
Division and is acceptable
based on a comparison with:

PLAT, RLW MAP
GIS MAPPING

By: Guy Adams Date: 1-7-25

Application Request (Office Use Only)

File No. ANX2024-10011;
GMP2024-10023,
ZON2024-10019

1010 Arthur Ave. Annexation, GMP Amendment, Initial Zoning

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

A PORTION OF THOSE LANDS IN ARTHUR AVENUE AND LOTS 15 AND 16, BLOCK "D", "UNIVERSITY HEIGHTS", AS RECORDED IN PLAT BOOK "N", PAGE 59 OF THE PUBLIC RECORDS, ORANGE COUNTY, FLORIDA, LYING IN SECTION 10, TOWNSHIP 22 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

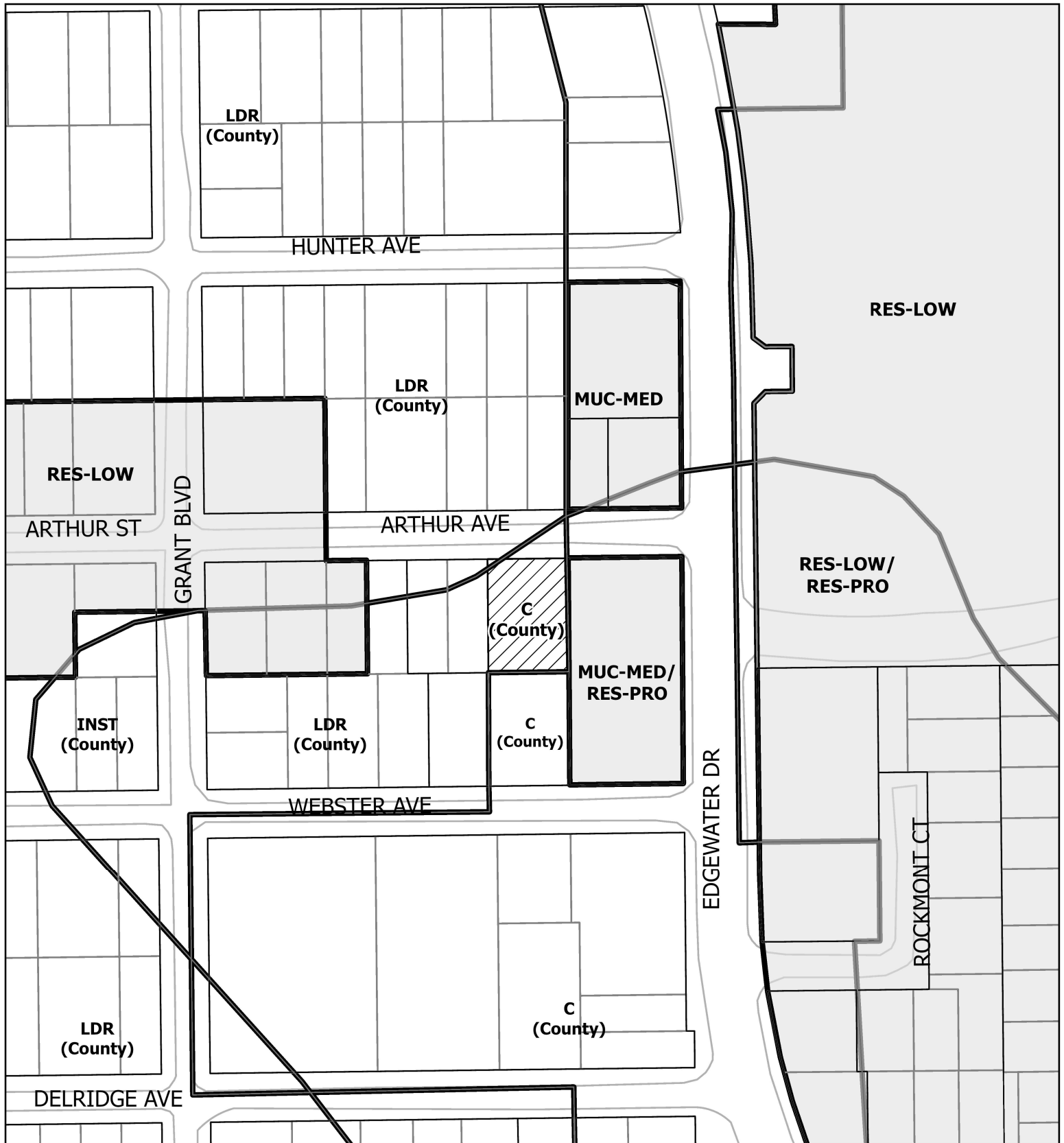
COMMENCE AND BEGIN AT A NAIL AND DISC (LB 4475) MARKING THE CURRENT NORTHEAST CORNER OF LOT 14, BLOCK D, SITUATE ON THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF ARTHUR AVENUE (60 FOOT RIGHT-OF-WAY PER PLAT BOOK N, PAGE 59) AND THE CURRENT WEST RIGHT-OF-WAY LINE OF EDGEWATER DRIVE (RIGHT-OF-WAY WIDTH VARIES PER FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) SECTION NUMBER 75260-2501); THENCE, ALONG SAID SOUTH RIGHT-OF-WAY, SOUTH 89°19'04" WEST, 139.81 FEET, TO A 5/8" IRON ROD & CAP (LB 6605) MARKING THE NORTHEAST CORNER OF LOT 15, BLOCK "D", OF SAID PLAT; THENCE, DEPARTING SAID SOUTH RIGHT-OF-WAY AND ALONG THE EAST LINE OF SAID LOT 15, SOUTH 00°40'56" EAST, 140.00 FEET, TO A 5/8" IRON ROD & CAP (LB 6605) MARKING THE SOUTHEAST CORNER OF LOT 15, BLOCK "D"; THENCE, DEPARTING SAID EAST LINE AND ALONG THE SOUTH LINE OF LOTS 15 AND 16, SOUTH 89°19'04" WEST, 100.00 FEET, TO A 5/8" IRON ROD & CAP (LB 6605) MARKING THE SOUTHWEST CORNER OF LOT 16, BLOCK "D"; THENCE, DEPARTING SAID SOUTH LINE AND ALONG THE WEST LINE OF LOT 16, BLOCK "D", NORTH 00°40'56" WEST, 140.00 FEET, TO A 5/8" IRON ROD & CAP (LB 6605), MARKING THE NORTHWEST CORNER OF LOT 16, BLOCK "D", SITUATE ON THE SAID SOUTH RIGHT-OF-WAY LINE OF ARTHUR AVENUE; THENCE, DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, NORTH 00°40'56" WEST, 60.00 FEET, TO THE NORTH RIGHT-OF-WAY LINE OF SAID ARTHUR ROAD; THENCE, ALONG SAID NORTH RIGHT-OF-WAY LINE, NORTH 89°19'04" EAST, 239.81 FEET, TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF ARTHUR AVENUE AND THE CURRENT WEST RIGHT-OF-WAY LINE OF EDGEWATER DRIVE; THENCE, DEPARTING THE SAID NORTH RIGHT-OF-WAY LINE AND ALONG SAID CURRENT WEST RIGHT-OF-WAY LINE, SOUTH 00°40'56" EAST, 60.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 28,388 SQUARE FEET OR 0.65 ACRES MORE OR LESS.

The above legal description has been surveyor prepared.

EXHIBIT

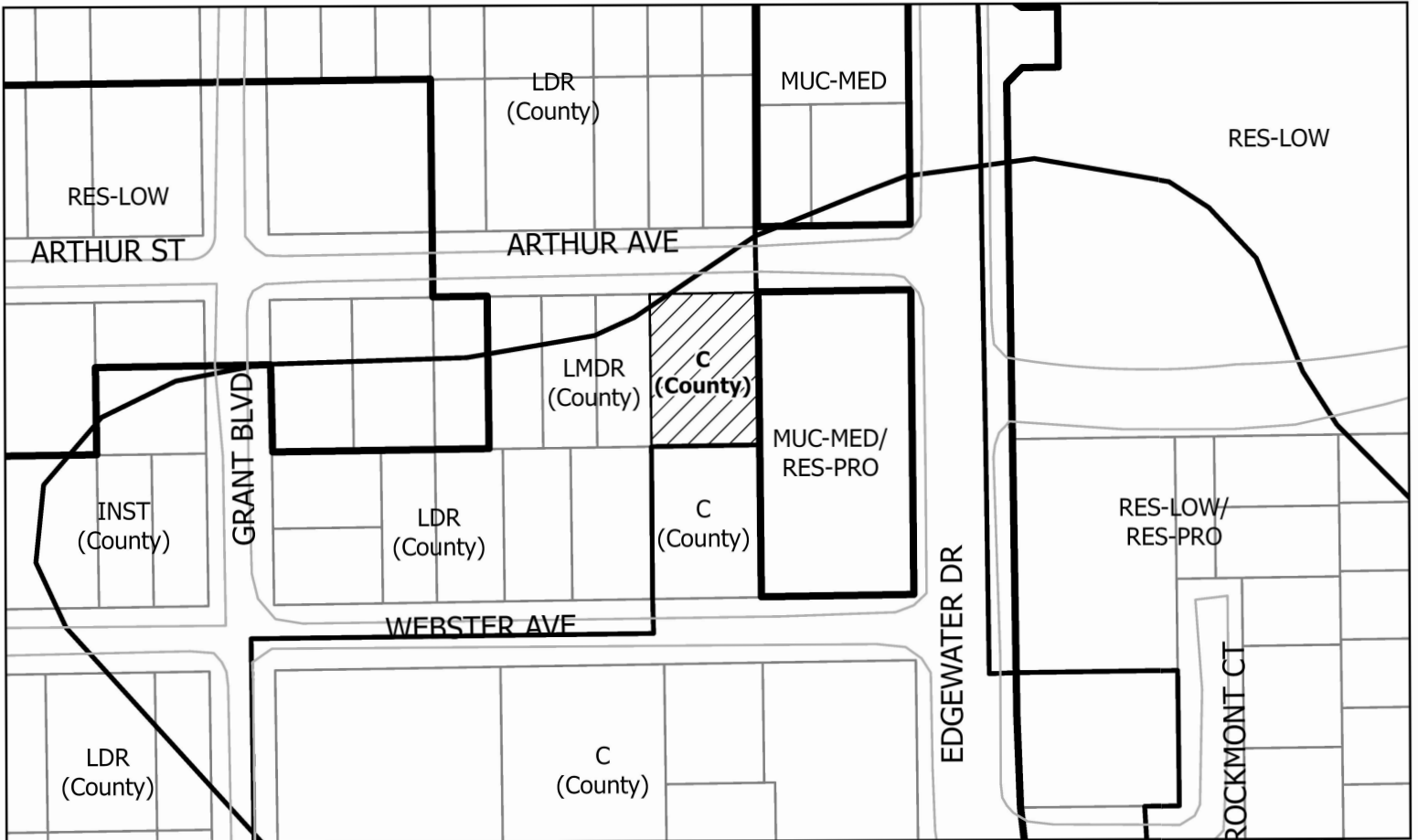
A



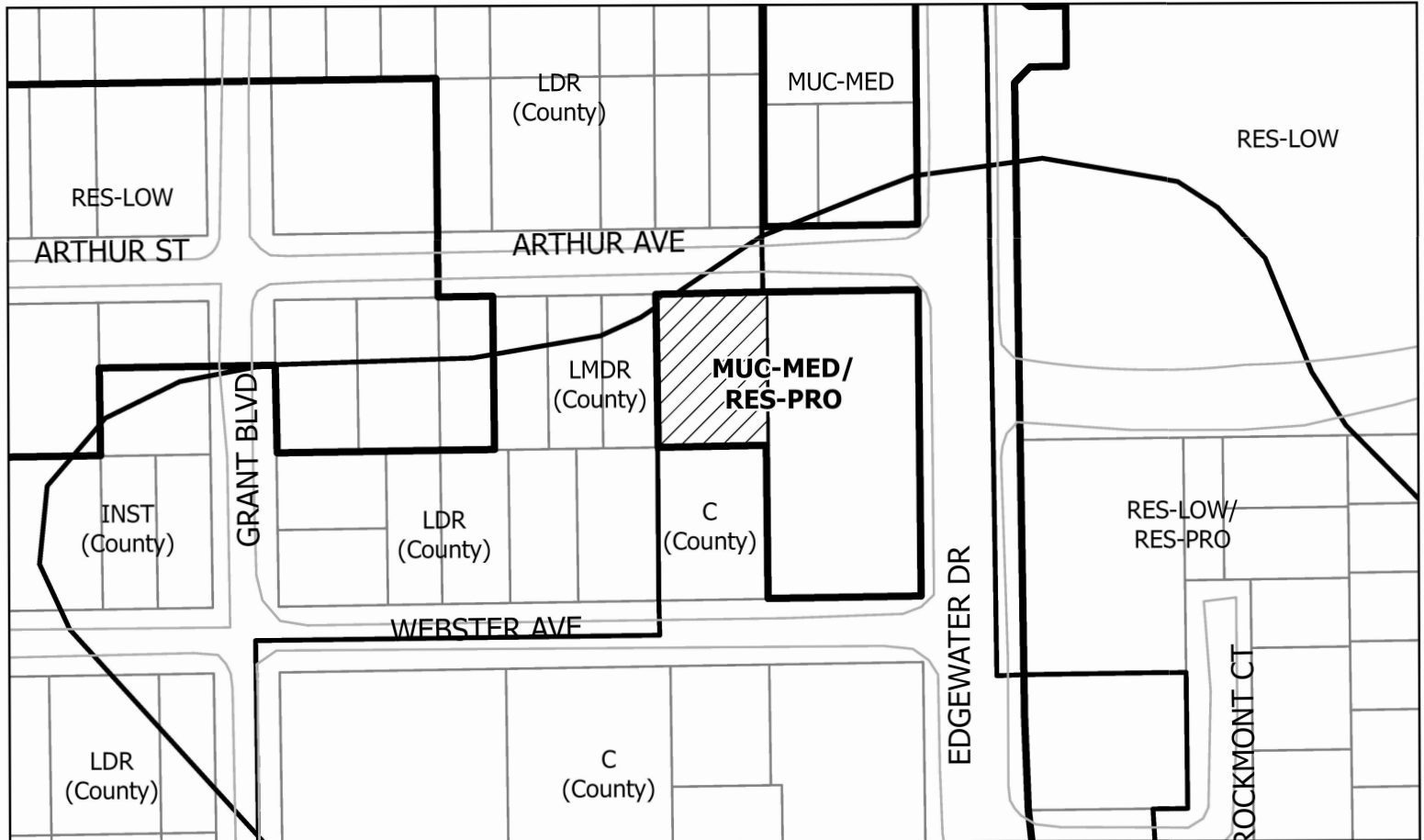
Annexation ANX2024-10011



**EXHIBIT
B**



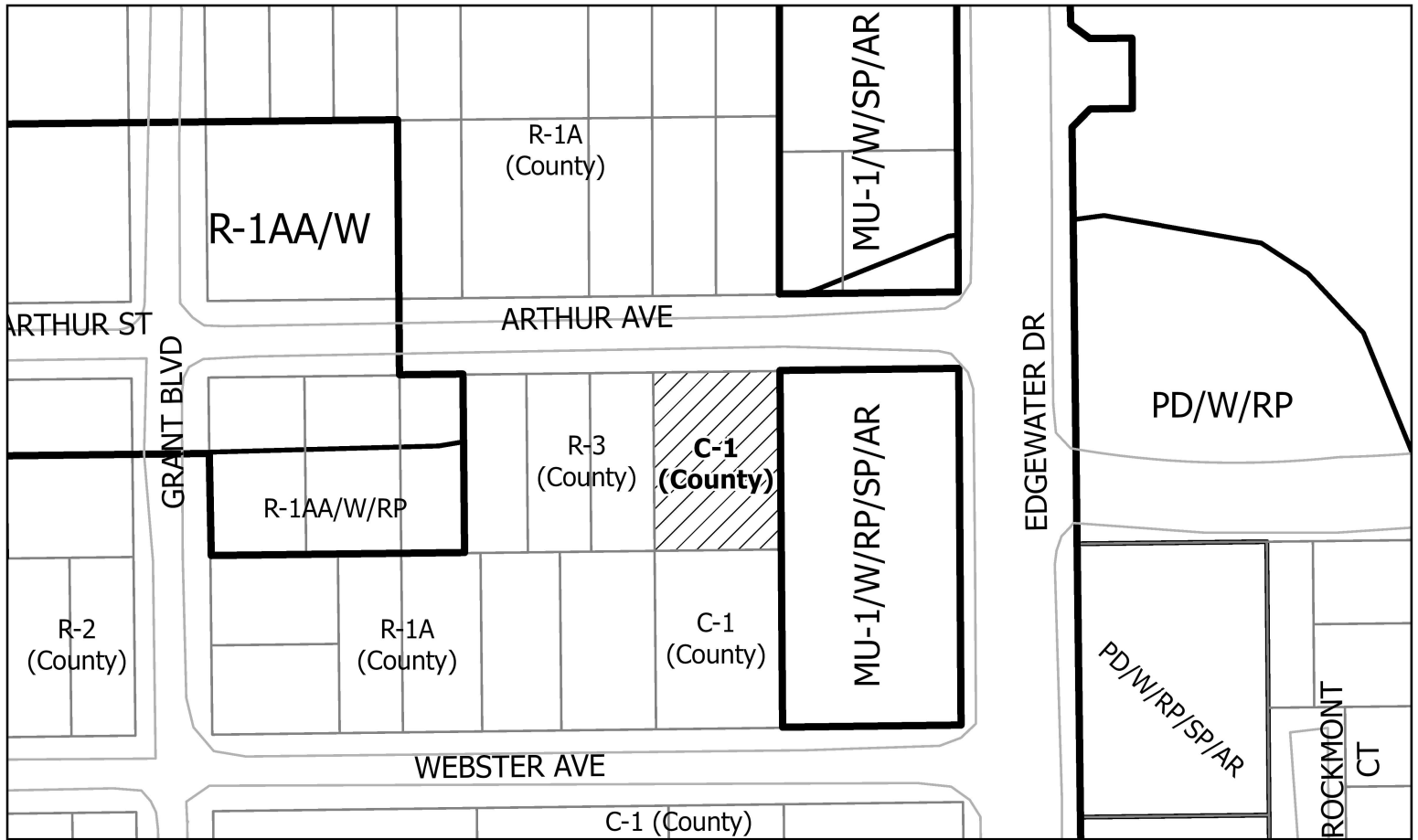
Future Land Use - Existing GMP2024-10023



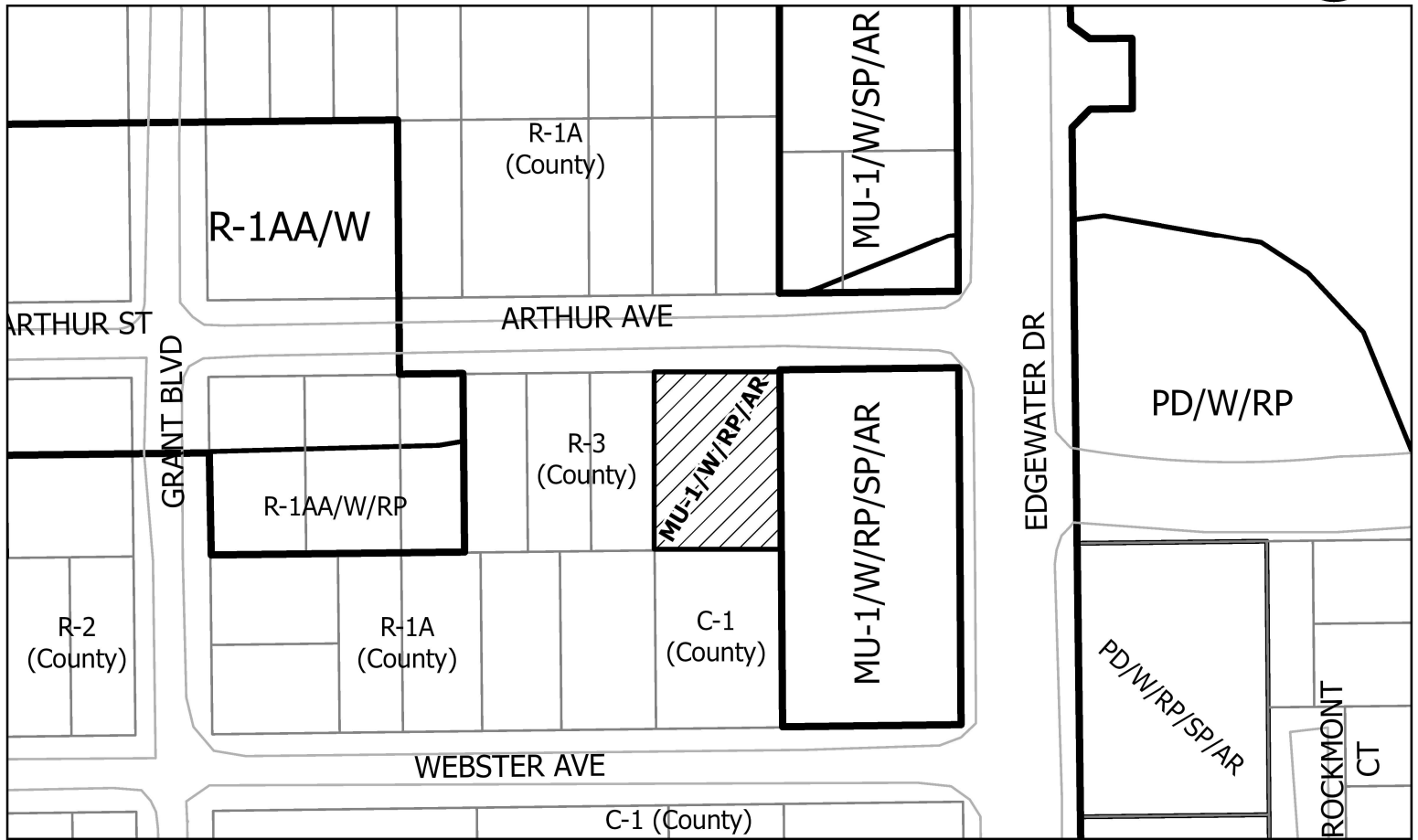
Future Land Use - Proposed GMP2024-10023

EXHIBIT
C





Zoning - Existing ZON2024-10019



Zoning - Proposed ZON2024-10019

EXHIBIT
D



ORDINANCE NO. 2025-9

1 AN ORDINANCE OF THE CITY OF ORLANDO, FLORIDA,
2 ANNEXING TO THE CORPORATE LIMITS OF THE CITY
3 CERTAIN LAND GENERALLY LOCATED SOUTH OF
4 ARTHUR AVENUE, WEST OF EDGEWATER DRIVE,
5 AND EAST OF GRANT BOULEVARD, AND A PORTION
6 OF ARTHUR AVENUE GENERALLY LOCATED TO THE
7 EAST OF GRANT BOULEVARD AND TO THE
8 WESTERLY PORTION OF EDGEWATER DRIVE, AND
9 COMPRISED OF 0.65 ACRES OF LAND, MORE OR LESS
10 AND AMENDING THE CITY'S BOUNDARY
11 DESCRIPTION; AMENDING THE CITY'S ADOPTED
12 GROWTH MANAGEMENT PLAN TO DESIGNATE THE
13 PROPERTY AS MIXED-USE CORRIDOR MEDIUM
14 INTENSITY AND RESOURCE PROTECTION, ON THE
15 CITY'S OFFICIAL FUTURE LAND USE MAPS;
16 DESIGNATING THE PROPERTY AS MEDIUM INTENSITY
17 MIXED-USE CORRIDOR WITH THE WEKIVA,
18 RESOURCE PROTECTION, AND APPEARANCE
19 REVIEW OVERLAYS, ON THE CITY'S OFFICIAL
20 ZONING MAPS; PROVIDING FOR AMENDMENT OF THE
21 CITY'S OFFICIAL FUTURE LAND USE AND ZONING
22 MAPS; PROVIDING FOR SEVERABILITY, CORRECTION
23 OF SCRIVENER'S ERRORS, PERMIT DISCLAIMER,
24 AND AN EFFECTIVE DATE.
25

26 **WHEREAS**, on January 13, 2025, the City Council of the City of Orlando, Florida (the
27 "Orlando City Council"), accepted a petition for voluntary annexation (hereinafter the "petition")
28 bearing the signatures of all owners of property in an area of land generally located south of
29 Arthur Ave., west of Edgewater Dr., and east of Grant Blvd., and a portion of Arthur Ave.
30 generally located to the east of Grant Blvd. and to the westerly portion of Edgewater Dr.,
31 comprised of approximately 0.65 acres of land, more or less, and, and being precisely
32 described by the legal description of the area by metes and bounds attached to this ordinance
33 as **Exhibit A** (hereinafter the "Property"); and
34

35 **WHEREAS**, the petition was filed with the Orlando City Council pursuant to section
36 171.044, Florida Statutes; and
37

38 **WHEREAS**, at its regularly scheduled meeting of January 21, 2025, the Municipal
39 Planning Board (the "MPB") of the City of Orlando, Florida (the "city"), considered the following
40 relating to the Property:
41

- 42 1. Annexation case number ANX2024-10011 requesting to annex the Property
43 into the jurisdictional boundaries of the city; and
44
- 45 2. Growth Management Plan (hereinafter the "GMP") case number GMP2024-
46 10023 requesting an amendment to the city's GMP to designate the Property
47 Mixed-Use Corridor Medium Intensity and Resource Protection on the City's
48 official future land use map; and
49
- 50 3. Zoning case number ZON2024-10019 requesting to designate the Property as
51 "Medium Intensity Mixed-Use Corridor" with the Wekiva, Resource Protection,

ORDINANCE NO. 2025-9

and Appearance Review overlay districts, (MU-1/W/RP/AR) on the City's official zoning maps (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 ANX2024-10011, GMP2024-10023, and ZON2024-10019 (entitled "1010 Arthur Ave."), 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 application GMP2024-10023 is 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 (the "GMP"); and

WHEREAS, the MPB found that application ZON2024-10019 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 and 4 of this ordinance are adopted pursuant to the "process for adoption of small-scale comprehensive plan amendment" as provided by section 163.3187, Florida Statutes; and

WHEREAS, the Orlando City Council hereby finds that:

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

ORDINANCE NO. 2025-9

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 determined that the owner or owners of the Property have petitioned the Orlando City Council for annexation into the corporate limits of the city, and having determined that the petition bears the signatures of all owners of property in the area proposed to be annexed, and having made the findings set forth in this ordinance, the Property 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 In accordance with subsection 171.044(3), Florida Statutes, the annexed area is clearly shown on the map attached to this ordinance as **Exhibit B**.

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

SECTION 3. FLUM DESIGNATION. Pursuant to section 163.3187, Florida Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land Use Map designation for the Property is hereby established as "Mixed-Use Corridor Medium Intensity" and "Resource Protection" as depicted in **Exhibit C** to this ordinance.

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

ORDINANCE NO. 2025-9

SECTION 5. ZONING DESIGNATION. Pursuant to the LDC, the zoning designation for the Property is hereby established as “Medium Intensity Mixed-Use Corridor” with the Wekiva, Resource Protection, and Appearance Review overlay districts (denoted on the city’s official zoning maps as the “MU-1/W/RP/AR”), as depicted in **Exhibit D** to this ordinance.

SECTION 6. 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 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. 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 9. 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(5), Florida Statutes, it is hereby made a condition of this ordinance that all other applicable state or federal permits be obtained before commencement of the development.

SECTION 10. EFFECTIVE DATE. This ordinance is effective upon adoption, except for sections one and two, which take effect on the 30th day after adoption, and sections three, four, five and six, which take effect on the 31st day after adoption unless this ordinance is lawfully challenged pursuant to subsection 163.3187(5), Florida Statutes, in which case sections three, four, five and six shall not be effective until the state land planning agency or the Administration Commission issues a final order declaring this ordinance “in compliance” as defined at sections 163.3184(1)(b) and 163.3187(5)(d), Florida Statutes.

DONE, THE FIRST READING, by the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2025.

DONE, THE PUBLIC HEARING AND APPROVED, by an affirmative vote of not less than a majority plus one vote of the entire membership of the Board of County Commissioners of Orange County, Florida, this _____ day of _____, 2025.

DONE, THE FIRST 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 _____, 2025.

DONE, THE SECOND 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 _____, 2025.

ORDINANCE NO. 2025-9

**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 _____,
2025.

BY THE MAYOR OF THE CITY OF
ORLANDO, FLORIDA:

Mayor

ATTEST, BY THE CLERK OF THE
CITY COUNCIL OF THE CITY
OF ORLANDO, FLORIDA:

City Clerk

Print Name

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

Assistant City Attorney

Print Name

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

AN ORDINANCE OF THE CITY OF ORLANDO, FLORIDA, ANNEXING TO THE CORPORATE LIMITS OF THE CITY CERTAIN LAND GENERALLY LOCATED SOUTH OF ARTHUR AVENUE, WEST OF EDGEWATER DRIVE, AND EAST OF GRANT BOULEVARD, AND A PORTION OF ARTHUR AVENUE GENERALLY LOCATED TO THE EAST OF GRANT BOULEVARD AND TO THE WESTERLY PORTION OF EDGEWATER DRIVE, AND COMPRISED OF 0.65 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 MIXED-USE CORRIDOR MEDIUM INTENSITY AND RESOURCE PROTECTION, ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS; DESIGNATING THE PROPERTY AS MEDIUM INTENSITY MIXED-USE CORRIDOR WITH THE WEKIVA, RESOURCE PROTECTION, AND APPEARANCE REVIEW OVERLAYS, 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.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, a business impact estimate is not required by state law¹ for the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:

¹ See Section 166.041(4)(c), Florida Statutes.

- a. A development order or development permit, as defined in s. 163.3164, F.S.; a development agreement as authorized by ss. 163.3220-163.3243, F.S.; or a comprehensive plan amendment or land development regulation amendment initiated by an application by a private party other than the municipality;
- b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
- c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
- d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, the City of Orlando hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

Ordinance No. 2025-9 will annex ± 0.65 acres of property located at 1010 Arthur Avenue including a portion of Arthur Avenue generally located to the east of Grant Boulevard and to the westerly portion of Edgewater drive to the limits of the City; amend the City's Growth Management Plan (GMP) to change the future land use map designation from the Orange County Commercial designation to the City's Mixed-Use Corridor Medium Intensity and Resource Protection (MUC-MED/RES PRO) designation and assign an initial zoning of Medium Intensity Mixed-Use Corridor with the Wekiva, Resource Protection, and Appearance Review Overlays (MU-1/W/RP/AR). The site currently holds a one-story spa. The owner's interest is to annex the property to have the entire parcel within the City's jurisdiction and connect the site to the city's sewer network

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Orlando, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City of Orlando's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

The proposed ordinance is for voluntary annexation. Compliance would include the applicable property taxes as assessed by the Orange County property appraiser at the appropriate time. The ordinance imposes no new charges or fees. City regulatory costs include those assessed to cover the cost of growth's effect on vital infrastructure and services such as roads and sewers.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

One (1), the ownership entity

4. Additional information the governing body deems useful (if any):

[You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example: City of Orlando staff solicited comments from businesses in the city as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on city website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses].

N/A

Fiscal Impact Statement

Indicate the **Total Fiscal Impact** of the action requested, including personnel, operating, and capital costs. Indicate costs for the current fiscal year and annualized costs. Include all related costs necessary to place the asset in service.

Description: Annexation of 1010 Arthur Avenue

Expenses

Will the action be funded from the Department's current year budget? ☐ Yes ☐ No

If No, please identify how this action will be funded, including any proposed Budget Resolution Committee (BRC) action(s). (enter text here)

| | Current Fiscal Year Cost Estimate | Estimated Annualized Cost Thereafter |
|---------------------|--|---|
| Personnel | <u>\$0</u> | <u>\$0</u> |
| Operating/Capital | <u>\$0</u> | <u>\$0</u> |
| Total Amount | <u>\$0</u> | <u>\$0</u> |

Comments (optional): (enter text here)

Revenues

What is the source of any revenue and the estimated amount? Property taxes Amount \$5,401.00

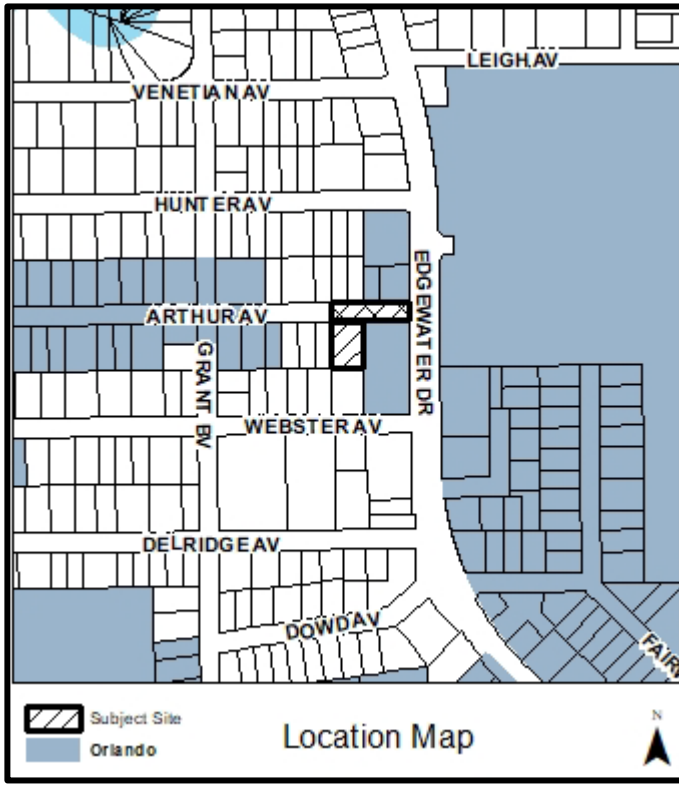
Is this recurring revenue? ☒ Yes ☐ No

Comments (optional): (enter text here)

Funding

Expenses/Revenues will be recorded to:

| | Source #1 | Source #2 | Source #3 |
|---------------------------|---------------------|--------------------------|--------------------------|
| Fund | <u>General Fund</u> | <u>(enter text here)</u> | <u>(enter text here)</u> |
| Department /Division | <u>Citywide</u> | <u>(enter text here)</u> | <u>(enter text here)</u> |
| Cost Center/Project/Grant | <u>Citywide</u> | <u>(enter text here)</u> | <u>(enter text here)</u> |
| Total Amount | <u>\$5,401.00</u> | <u>\$0</u> | <u>\$0</u> |



| |
|---|
| <u>Applicant:</u> Natasia Lunceford, KPM Franklin |
| <u>Owner:</u> A Swart Properties LLC |
| <u>Subject Site:</u> Location: 1010 Arthur Avenue generally bounded by Arthur Avenue to the north, Edgewater Drive to the east, Grant Boulevard to the west, and Webster Avenue to the south. Parcel ID: 10-22-29-8828-04-150 along with a portion of the Arthur Avenue right of way Acres: 0.32 parcel, plus ROW Total of 0.65 <u>District:</u> 2 – Christine Moore <u>Notices:</u> Notices were mailed April 16, 2025 to 86 property owners. |

Summary of Request:

As required by Orange County Charter Section 504 Exclusive Method of Voluntary Annexation, any voluntary annexation for property outside of a Joint Planning Area boundary must be approved by an affirmative vote of not less than a majority plus one vote of the entire membership of the Board of County Commissioners at a public hearing. This public hearing shall occur following the first reading by the annexing municipality. As required by Section 504, the annexing City must provide notice to the County ten (10) days prior to its first scheduled public hearing. The City of Orlando provided notice of the proposed annexation on December 30, 2024. Thereafter, a copy of the proposed annexation was distributed to County staff for review.

City of Orlando staff presented the applicant's request to annex a 0.32-acre site located at 1010 Arthur Avenue to the City's Municipal Planning Board on January 21, 2025. A portion of the Arthur Avenue right-of-way is included in the annexation request located north of the property, up to the western portion of Edgewater Drive. The total annexation area, including the property and the right-of-way is 0.65 acres. The site is improved with a one-story building with a spa use. Included as part of the request for annexation was a request to change the future land use map designation and zoning designation. The owner has requested the annexation to connect the site to the City's sewer network.

Section 504 also requires the annexing municipality to enter into an interlocal agreement with the County detailing the provision of essential public services, infrastructure maintenance, and future land use. Should the Board vote to approve the proposed annexation request, staff would request that the Board take action on the Interlocal Agreement for Annexation of 1010 Arthur Avenue between City of Orlando, Florida and Orange County, Florida.

The City Council held the first public hearing on March 24, 2025. The second public hearing is pending the outcome of the Board's decision. Should the Board vote to approve the request, a second public hearing would be scheduled by the City. As part of the second public hearing, the City Council would consider the annexation request along with the Interlocal Agreement. Should the Board vote to deny the request, the applicant has 30-days to appeal the decision.

This annexation request is less than five-acres and requires a 600' notification radius per Section 504.B, Orange County Charter. Notice of the proposed annexation and Orange County's public hearing was mailed on April 16, 2025, to 86 property owners. The \$47.30 cost was paid by the applicant prior to the public hearing.

Annexation Guidelines:

Issues for Consideration:

Per Section 504 of the Orange County Charter:

- A voluntary annexation must be approved by an affirmative vote of not less than a majority plus one vote of the entire membership of the Board of County Commissioners at a public hearing.
 - Approval or denial shall be at the sole and absolute discretion of the Board.
 - The Board may consider:
 - consistency with the county comprehensive plan,
 - infrastructure impacts,
 - whether the annexation is compact, contiguous and will not result in the creation of enclaves,
 - whether an interlocal agreement has been proffered or executed, and
 - whether the property is located within or outside the urban service area.
 - The annexing municipality shall provide notice to the county 10 days prior its first scheduled public hearing.
 - The Board shall hear the annexation request following the first public hearing by the municipality.
 - The annexing municipality shall enter into an interlocal agreement with the county detailing the provision of essential public services, infrastructure maintenance, and future land use.
-

Consistency with the Comprehensive Plan

The subject site's existing Orange County Future Land Use designation is Commercial (C) and the zoning district is C-1 (Retail Commercial District). As shown on the future land use map at the end of the report, the surrounding Future Land Use designations include:

- South: Commercial (C)
- West: Low-Medium Density Residential (LMDR) (up to 10 dwelling units/acre)
- North: Low Density Residential (LDR) (up to 4 dwelling units/acre)
- East: City future land use: Mixed Use Corridor – Medium Intensity/Resource Protection (MUC-MED-RES PRO)

The surrounding land uses are predominately residential. Uses immediately surrounding the site include office related uses (engineering and architectural firms) to the south, the Oaks Shopping Center to the east, and single-family residences to the north and west. Other surrounding uses include neighborhood-scale office, personal service, and commercial uses along Edgewater Drive along with single-family and some multi-family residences. Bishop Moore High School is approximately 250 feet from the petition site.

As part of the annexation, the applicant is requesting an amendment to the City's Growth Management Plan to change the Future Land Use designation and to rezone the property. The requested land use designation for the property is Mixed Use Corridor – Medium Intensity/Resource Protection (MUC-MED/RES PRO). The City's

FLU designation allows a maximum intensity of up to 30 dwelling units/acre and 0.50 FAR, which is lower than the FAR of 1.5 allowed in the County's Commercial FLU Designation. The requested zoning district is Medium Intensity Mixed-Use Corridor with the Wekiva, Resource Protection, and Appearance Review Overlays (MU-1/W/RP/AR). The City's Resource Protection Overlay Land Use Designation is used to identify the locations of all potential environmentally sensitive areas located within the Wekiva Study Area.

Infrastructure Impacts

Water and Wastewater – The proposed annexation area is within the Orlando Utilities Commission water service area and the City of Orlando wastewater service area. The subject site is currently on septic system. The owner has requested the annexation to connect the site to the City's sewer network.

Solid Waste – Currently the County does not provide waste collection services to this property as the use is a commercial use.

Transportation – On July 21, 2009, the Board approved an Interlocal Agreement between Orange County and the City of Orlando regarding unexpired provisions of the terminated May 1994 Joint Planning Agreement. Paragraph 9 concerning "Use of Rights-of-Way continued to survive until December 31, 2025. This section requires where the lands on both sides of a County Road are in the City's jurisdiction or in the jurisdiction of the City and another municipality, the City shall simultaneously annex the adjacent road right-of-way and adjacent associated roadway retention areas, unless otherwise agreed by the parties. The annexation request includes a portion of Arthur Avenue, located north of the property, up to the western portion of Edgewater Drive.

Stormwater – The County is divided into drainage basins, which are then modeled to determine drainage requirements for each area. The subject property is located within the St. John River Water Management District. The City's has adopted stormwater level of service standards that require new development to provide on-site stormwater retention and/or detention consistent with the requirements of the St. John River Water Management District. New development would be required to meet the stormwater level of service standard.

Environmental Information – The property is located within the Wekiva Protection Area. Upon annexation, the City will assign the Wekiva Overlay Zoning District to the property. The Resource Protection Overlay District will also be applied to the property.

Orange County Sheriff – The proposed annexation area is currently served by Orange County Sheriff Patrol Zone 13C. If the proposed annexation is approved, police services for the annexation area will be transferred to the City of Orlando.

Fire Rescue – The proposed annexation area is currently served by Orange County Fire Rescue Station 41. If the proposed annexation is approved, the City of Orlando Fire Rescue would become the first responder for this property.

Fiscal Impacts: The assessed value of the subject property for 2024 is \$812,190. Orange County will continue to receive the general millage from the property; however, the Fire Rescue/EMS and Sheriff taxes will no longer be assessed, resulting in an approximate annual loss to the County of \$3,774.

Special Taxing Districts – The subject site is subject to any special taxing districts.

Compact, Contiguous, and will not result in an Enclave

Per Florida Statutes Section 171 and the Orange County Charter, a voluntary annexation must be compact, contiguous, and will not result in the creation of any enclaves.

The subject property is adjacent to property to the east that is within the City of Orlando. The surrounding properties to the north, south, and east are within unincorporated Orange County. If the annexation request were approved, they would not be completely surrounded by the City of Orlando.

Summary of the Interlocal Agreement

Per Section 504.B the annexing municipality shall enter into an interlocal agreement (ILA) with the County detailing the provision of essential public services, infrastructure maintenance, and future land use. The ILA will be considered as part of the Board hearing, and, if the annexation is approved, will be considered by the City of Orlando at the 2nd reading for the proposed annexation.

The ILA includes the following terms:

1. Provision of essential services including water service, wastewater service, fire rescue, police, and solid waste.
2. Transfer of maintenance responsibility for a section Arthur Avenue from Orange County to the City of Orlando.
3. Adoption of a future land use designation upon annexation into the City of Orlando.

Urban Service Area

The subject property, 1010 Arthur Avenue, is located within the County's Urban Service Area Boundary.

Action Requested

To approve or deny the annexation request. If the Board votes to approve the annexation request, then staff requests approval and execution of the Interlocal Agreement for Annexation of 1010 Arthur Avenue between City of Orlando, Florida and Orange County, Florida.

The City of Orlando Staff Report and the Draft ILA are attached.

Per Florida Statute, Section 171 and the Orange County Charter, a decision of the Board of County Commissioners may be appealed by a Party Affected to the circuit court within thirty (30) days of the public hearing. "Party affected" means any persons or firms owning property in, or residing in, either a municipality proposing annexation or contraction or owning property that is proposed for annexation to a municipality or any governmental unit with jurisdiction over such area.

ANNEXATION PETITION SUMMARY

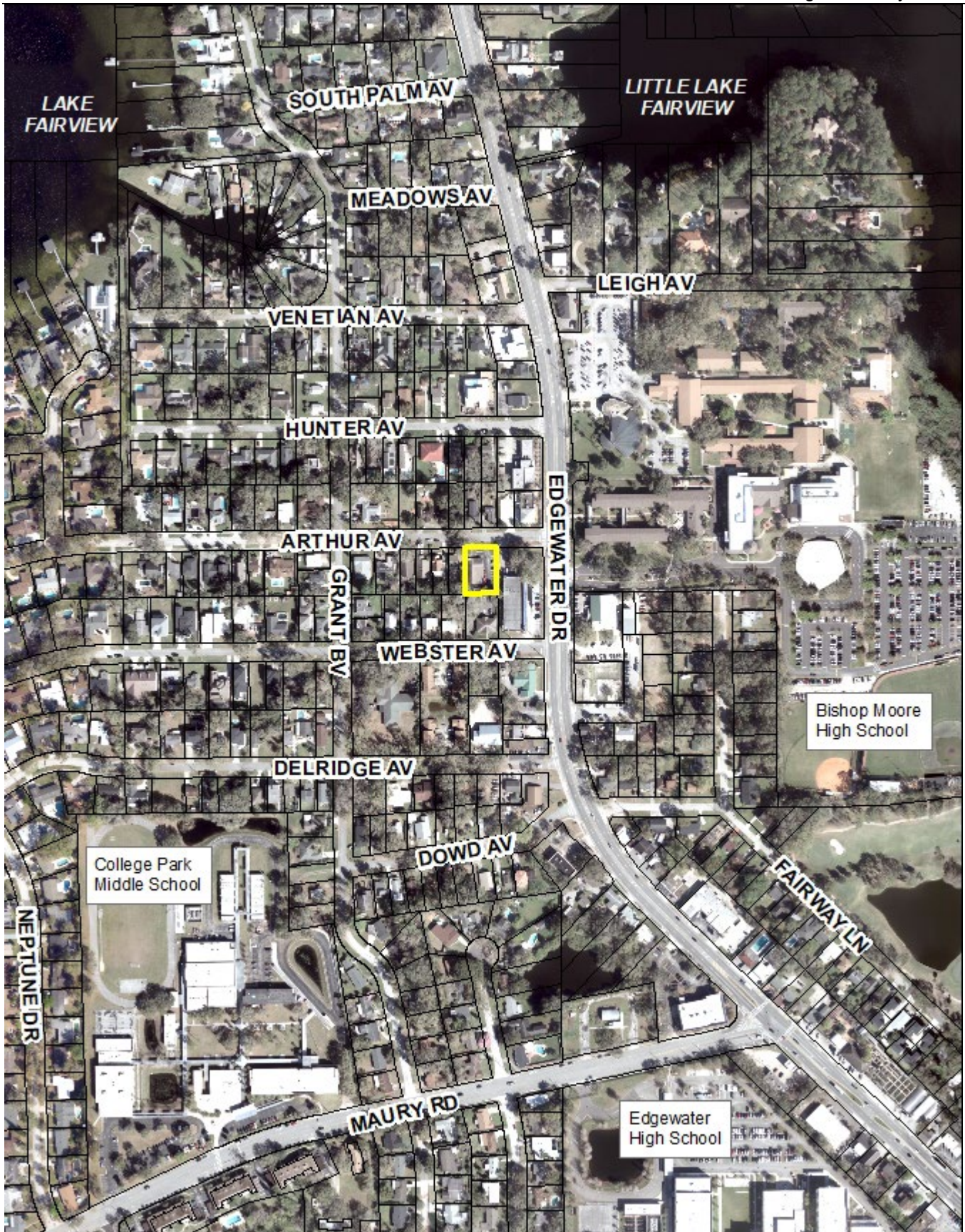
ANX-ORL-2163

| | | | |
|------------------------|---|---------------------|-----------|
| Municipality | Orlando | Intake Date | 1/17/2025 |
| Annexation Name | 1010 Arthur Avenue | Status | Proposed |
| Annexation ID | ANX-ORL-2163 | Type | Voluntary |
| Commissioner | Christine Moore | BCC District | 2 |
| Address | 1010 Arthur Avenue | | |
| Location | Arthur Avenue to the north, Edgewater Drive to the east, Grant Boulevard to the west, and Webster Avenue to the south | | |
| Acreage | 0.32 | | |
| Parcel ID | 10-22-29-8828-04-150 | | |

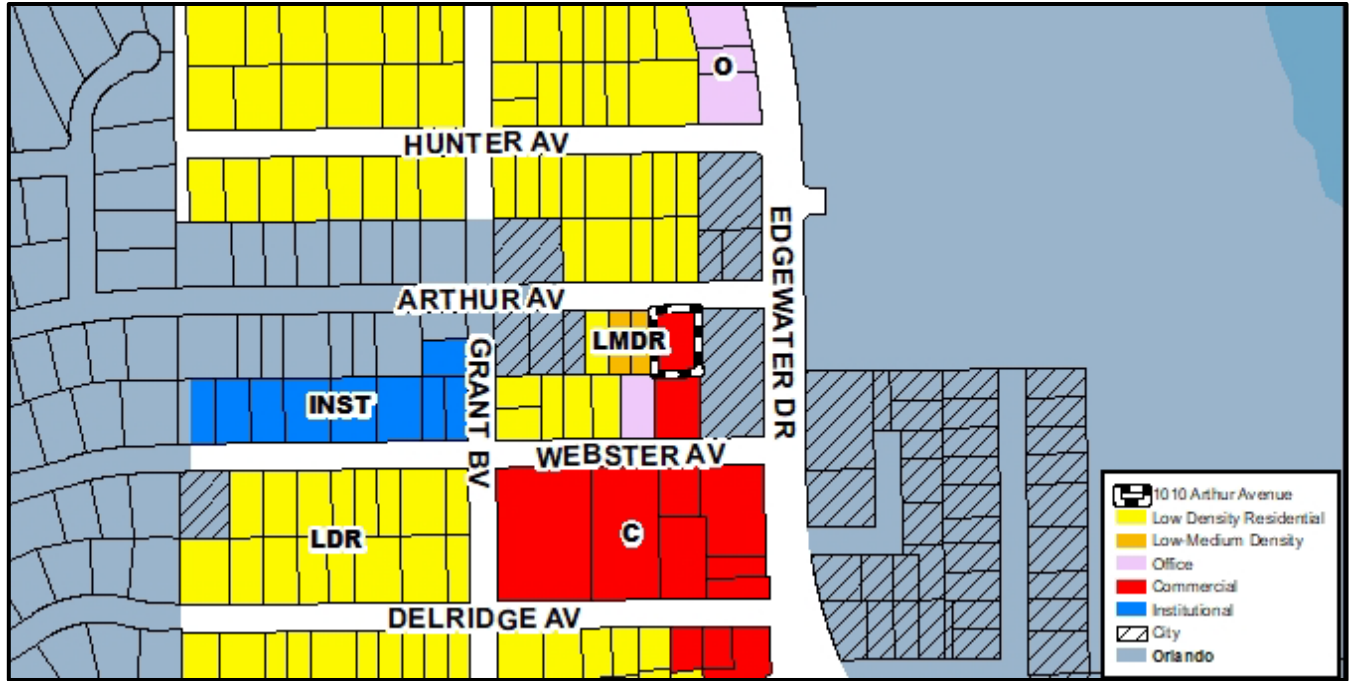
| | | | |
|-------------------------------|--------------------|------------------------------|--|
| Urban Service Area | Urban Service Area | | |
| County Future Land Use | Commercial | City Proposed FLU | Medium Use Corridor - Medium Intensity / Resource Protection |
| County Zoning | C-1 | City Proposed Zoning | Mixed-Use Corridor |
| Current Use | Spa | Proposed Use | Spa |
| Within JPA | No | Charter Section 504 | Yes |
| | | Preservation District | No |

| | | | |
|-------------------------------|---------------------------------|--|-----------|
| Living Area (Sq. Ft.) | 3,525 sq. ft. | Taxable Value | \$812,190 |
| Water Service Provider | Orlando Utilities Commission | Wastewater Service Provider | Orlando |
| Fire Battalion | 1 | Sheriff Patrol Zone | 13C |

| | | | |
|-----------------------|----------------|-------------------------|--------|
| First Reading | March 24, 2025 | Second Reading | TBD |
| Effective Date | TBD | Ordinance Number | 2025-9 |



ORANGE COUNTY FUTURE LAND USE



ORANGE COUNTY ZONING

