CITY OF ORLANDO COUNCIL AGENDA ITEM

URG/ORDS/7hd

Items Types:

Hearings/Ordinances/2nd Read

District: 1 Contract ID: Exhibits: Yes

Grant Received by City?: No

For Meeting of: April 3, 2023

From:

Document Number:

On File (City Clerk): Yes

Draft Only: No

Subject:

Ordinance No. 2023-12 Annexing Property Located East of Narcoossee Road, South of Lee Vista Boulevard, and North of the Beachline Expressway (SR 528), and addressed as 7525 Narcoossee Road, and Amending the City's Adopted Growth Management Plan (GMP) to Designate the Property as Airport Support District – Medium Intensity on the Official Future Land Use Map (ANX2022-10013 & GMP2022-10035) (7525 Narcoossee Road Annexation) (Economic Development)

Summary:

Ordinance No. 2023-12 applies to ±4.99 acres for property located east of Narcoossee Road, south of Lee Vista Boulevard, and north of the Beachline Expressway (SR 528) and addressed as 7525 Narcoossee Road.

The ordinance will:

1. Annex the subject property;

2. Amend the Growth Management Plan (GMP) by assigning the Airport Support District – Medium Intensity future land use designation to the subject property.

City Council accepted the petition for the voluntary annexation for this property on October 24, 2022.

The Municipal Planning Board (MPB) recommended approval of the annexation (ANX2022-10013), and the GMP amendment (GMP2022-10035), and associated initial PD zoning (ZON2022-10028) on November 15, 2022.

The subject property is contiguous to the City limits. If annexed, the property will not create an enclave.

The proposed annexation meets all requirements under Chapter 171, Florida Statutes. Unless appealed, all actions will be effective thirty-one (31) days after adoption.

The applicant is requesting annexation in order to facilitate a multifamily residential development by combining the property to the north which is currently within the City limits.

The associated PD ordinance is concurrently before the council for first reading.

The first reading of this ordinance was on March 20, 2023.

Fiscal & Efficiency Data:

Fiscal impact is attached.

Recommended Action:

Received by: Clerk of BCC May 02, 2023 gh c: Planning, Environmental, & Development Services Director Jon Weiss Planning Division Manager Alberto Vargas City Council Meeting: 4-7-2023

Item: 12-2 Documentary: 2304031202

3/24/23, 9:26 AM Coversheet

Adopting Ordinance No. 2023-12 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: Colandra Jones, colandra.jones@orlando.gov; 407-246-3415; Sarah Taitt, 407-246-4373, sarah.taitt@orlando.gov.

Approved By:

DepartmentDate and TimeBudget Outside Routing Approval3/22/2023 8:54 AMCity Clerk3/23/2023 1:24 PM

ATTACHMENTS:

Name:	Description:	Type:
D 7525 Narcoossee Road ANX GMP final ordinance.pdf	7525 Narcoossee Road Ordinance No. 2023-12	Ordinance
Exhibit A - 7525 Narcoossee Rd Verified Legal Description.pdf	Exhibit A - Verified Legal Description	Exhibit
D Exhibit B - Annexation Map 7525 Narcoossee Rd.pdf	Exhibit B - 7525 Narcoossee Road Annexation Map	Exhibit
Exhibit C - GMP Map 7525 Narcoossee Rd.pdf	Exhibit C - 7525 Narcoossee Road GMP Map	Exhibit
Fiscal Impact Statement for 7525 Narcoossee Road,pdf	FIS - 7525 Narcoossee Road	Fiscal Impact Statement

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY ORLANDO, FLORIDA, ANNEXING TO CORPORATE LIMITS OF THE CITY CERTAIN LAND GENERALLY LOCATED EAST OF NARCOOSSEE ROAD, SOUTH OF LEE VISTA BOULEVARD, AND NORTH OF THE BEACHLINE EXPRESSWAY (SR 528), AND COMPRISED OF 4.99 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 AIRPORT SUPPORT DISTRICT-MEDIUM INTENSITY AND CONSERVATION ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS: PROVIDING AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND USE MAPS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE DATE.

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WHEREAS, on October 24, 2022, the City Council of the City of Orlando, Florida (the "Orlando City Council"), accepted a petition for voluntary annexation (hereinafter the "petition") bearing the signatures of all owners of property in an area of land generally located east of Narcoossee Road, south of Lee Vista Boulevard, and north of the Beachline Expressway (SR 528), comprised of approximately 4.99 acres and being precisely described by the legal description of the area by metes and bounds attached to this ordinance as **Exhibit A** (hereinafter the "property"); and

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

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WHEREAS, at its regularly scheduled meeting of November 15, 2022, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "city"), considered the following applications relating to the property:

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 Annexation case number ANX2022-10013 requesting to annex the property into the jurisdictional boundaries of the city; and

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 Growth Management Plan (hereinafter the "GMP") case number GMP2022-10035 requesting an amendment to the city's GMP to designate the property as "Airport Support District-Medium Intensity" and "Conservation" on the City's official future land use map; and

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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 ANX2022-10013 and GMP2022-10035 (entitled "7525 Narcoossee Road Annexation"), the MPB recommended that the Orlando City Council

therewith	said applications and adopt an ordinance or ordinances in accordance
therewith	, and
W	HEREAS, the MPB found that application GMP2022-10035 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; and
process fo	HEREAS, sections 3 and 4 of this ordinance are adopted pursuant to the or adoption of small scale comprehensive plan amendments as provided by 63.3187, Florida Statutes; and
W	HEREAS, 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
6.	The property is located wholly within the boundaries of a single county; and

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- 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
- 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
- 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. 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 163.3184, Florida Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land Use Map designation for the property is hereby established as "Airport Support District-Medium Intensity" and "Conservation" (denoted as "AIR-MED" and "CONSERV" on the City's Future Land Use Maps), as depicted in **Exhibit C** to this ordinance.

SECTION 4. AMENDMENT OF GROWTH MANAGEMENT PLAN. The city planning official, or designee, is hereby directed to amend the city's adopted Growth

131 132	Management Plan and the city's official Future Land Use Maps in accordance with this ordinance.
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134	SECTION 5. SEVERABILITY. If any provision of this ordinance or its application
135	to any person or circumstance is held invalid, the invalidity does not affect other
136	provisions or applications of this ordinance which can be given effect without the invalid
137	provision or application, and to this end the provisions of this ordinance are severable.
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139	SECTION 6. SCRIVENER'S ERROR. The city attorney may correct scrivener's
140	errors found in this ordinance by filing a corrected copy of this ordinance with the city
141	clerk.
142	
143	SECTION 7. DISCLAIMER. As provided by subsection 166.033(6), Florida
144	Statutes, issuance of a development permit by a municipality does not in any way create
145	any right on the part of an applicant to obtain a permit from a state or federal agency and
146	does not create any liability on the part of the municipality for issuance of the permit if
147	the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a
148	state or federal agency or undertakes actions that result in a violation of state or federal
149	law. In accordance with subsection 166.033(6), Florida Statutes, it is hereby made a
150	condition of this ordinance that all other applicable state or federal permits be obtained
151	before commencement of the development.
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153	SECTION 8. EFFECTIVE DATE. This ordinance is effective upon adoption,
154	except for sections one and two, which take effect on the 30th day after adoption, and
155	sections three and four, which take effect on the 31st day after adoption unless this
156	ordinance is lawfully challenged pursuant to subsection 163.3187(5), Florida Statutes, in
157	which case sections three and four shall not be effective until the state land planning
158	agency or the Administration Commission issues a final order declaring this ordinance
159	"in compliance" as defined at section 163.3184(1)(b), Florida Statutes.
160	DONE THE FIRST DUDI IC NOTICE is a second of second of second
161	DONE, THE FIRST PUBLIC NOTICE, in a newspaper of general circulation in
62	the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this day of March, 2023.
63	
65	DONE, THE FIRST READING AND HEARING, by the City Council of the City of
66	Orlando, Florida, at a regular meeting, this 20 day of Harch,
67	2023.
68	2025.
69	DONE, THE SECOND PUBLIC NOTICE, in a newspaper of general circulation in
70	the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this
71	ay of March , 2023.
72	, 2020.
1.00	

DONE, THE SECOND READING A	AND HEARING, AND ENACTED ON FINAL
PASSAGE, by an affirmative vote of a major	ority of a quorum present of the City Council
of the City of Orlando, Florida, at a regular	
Apri , 2023.	
	BY THE MAYOR OF THE CITY OF
	ORLANDO FLORIDA:
	(10).4
	X
	Mayor
ATTEST, BY THE CLERK OF THE	
CITY COUNCIL OF THE CITY OF	
ORLANDO, FLORIDA:	
SMILL	
City Clerk	-0
Stephance Herdocia	
Print Name	-
THE CHAINS	
APPROVED AS TO FORM AND LEGALITY	(
FOR THE USE AND RELIANCE OF THE	
CITY OF ORLANDO, FLORIDA:	
V C . O NO. "	
Melisse C. Clarke	_
Assistant City Attorney	
MI CPIV	
Melissa C. Clarke	
Print Name	
**ID evenind f i	A
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VERIFIED LEGAL DESCRIPTION FORM

MUNICIPAL PLANNING BOARD

The following legal description has been prepared

by James D. Bray, PSM 6507

Altamax Surveying

and submitted

to the City Planning Bureau for verification.

homopis

Digitally signed by James D Bray DN: cn=James D Bray c=US o=Florida Date: 2023-01-30 13:49-05:00

Signature

12/20/2022

Date

Tan .

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

PLATS, GIS MAPPING

BY: Date: 2-3-23
GUY ADKINS

Application Request (Office Use Only):

File No. ANX2022-10013

Legal Description Including Acreage (To be Typed By Applicant):

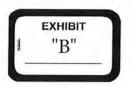
(Written by Surveyor)

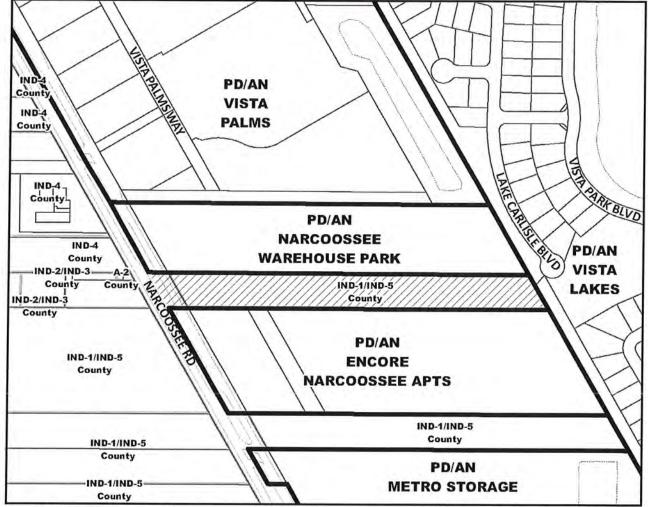
A PORTION OF THE NORTHWEST 1/4, THE SOUTHWEST 1/4, THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 23 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 1, NARCOOSSEE WAREHOUSE PARK, AS RECORDED IN PLAT BOOK 70, PAGES 108 AND 109, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; RUN THENCE S30°12'40"E ALONG THE EASTERLY RIGHT-OF-WAY LINE OF NARCOOSSEE ROAD, ALSO KNOWN AS STATE ROAD 29 & 15, AS DESCRIBED IN OFFICIAL RECORDS BOOK 9390, PAGE 3473, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, A DISTANCE OF 330,36 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1 FOR A POINT OF BEGINNING; THENCE S89°47'28"E ALONG THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 1481.67 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE S30°12'40"E A DISTANCE OF 170.64 FEET TO THE NORTHEAST CORNER OF ENCORE NARCOOSSEE, AS RECORDED IN PLAT BOOK 110, PAGES 7 THROUGH 10, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE N89°46'40"W ALONG THE NORTH LINE OF SAID ENCORE NARCOOSSEE A DISTANCE OF 1481.87 FEET TO THE NORTHWEST CORNER OF SAID ENCORE NARCOOSSEE, BEING A POINT ON SAID EASTERLY RIGHT-OF-WAY LINE OF NARCOOSSEE ROAD; THENCE N30°12'40"W ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF NARCOOSSEE ROAD; THENCE N30°12'40"W ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF 170.24 FEET TO THE POINT OF BEGINNING.

CONTAINS: 217,775 SQUARE FEET OR 4.9994 ACRES MORE OR LESS.

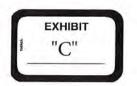
Sheet 1 of 1

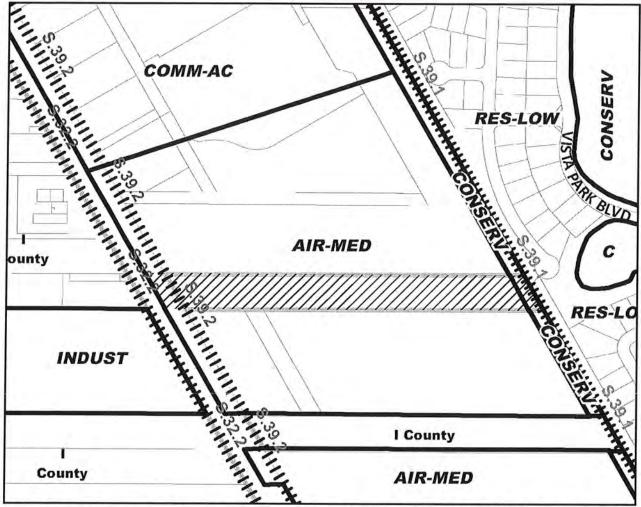




ANX2022-10013







Future Land Use - Proposed GMP2022-10035





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.

<u>Description:</u> 7525 Narcoossee Road Annexation

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	\$0	\$0
Total Amount	\$ <u>0</u>	\$0

Comments (optional): (enter text here)

Revenues

What is the source of any revenue and the estimated amount? Property Taxes Amount \$5,664.74

Is this recurring revenue?

✓ Yes

No

Comments (optional): According to the Orange County Property Appraiser, the assessed value for the subject site is \$851,840, therefore the calculation for property taxes is \$5,664.74.

Funding

Expenses/Revenues will be recorded to:

	Source #1	Source #2	Source #3
Fund	General Fund	(enter text here)	(enter text here)
Department /Division	Citywide	(enter text here)	(enter text here)
Cost Center/Project/Grant	Citywide	(enter text here)	(enter text here)
Total Amount	\$5,664.74	\$0	\$0



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 Florida County Of Orange

Before the undersigned authority personally appeared Rose Williams, who on oath says that he or she is a duly authorized representative of the ORLANDO SENTINEL, a DAILY newspaper published in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in:

The matter of 11200-Misc. Legal Was published in said newspaper by print in the issues of, or by publication on the newspaper's website, if authorized on Mar 19, 2023.

Affiant further says that the newspaper complies with all legal requirements for publication in Chapter 50, Florida Statutes.

Rose Williams

Signature of Affiant

Name of Affiant

Sworn to and subscribed before me on this 20 day of March, 2023, by above Affiant, who is personally known to me (X) or who has produced identification ().

Signature of Notary Public

Selve Rellins

LEANNE ROLLINS

Notary Public - State of Florida

Commission # GG 982233

My Comm. Expires Apr 27, 2024

Bonded through National Notary Assn.

Name of Notary, Typed, Printed, or Stamped

Notice of Proposed Enactment

On Monday, April 3, 2023, the Orlando City Council will consider proposed ordinance #2023-12, 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 EAST OF NARCOOSSEE ROAD, SOUTH OF LEE VISTA BOULEVARD. AND NORTH OF THE BEACHLINE EXPRESSWAY (SR 528), AND COMPRISED OF 4.99 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 AIRPORT SUPPORT DISTRICT-MEDIUM INTENSITY AND CONSERVATION ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND USE 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 Council Chamber, 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida, Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. All pertinent information about meeting access and participation instructions will be available on orlando.gov/councilmeeting at least 3 days prior to the meeting. Additionally, 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. All items received are public record. The proposed ordinance may be inspected at the Office of the City Clerk located on the 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida or online at 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 Office of the City Clerk at 407.246.2251 or cityclerk@orlando.gov.

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

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Affiant further says that the newspaper complies with all legal requirements for publication in Chapter 50, Florida Statutes.

Rose Williams

Signature of Affiant

Name of Affiant

Sworn to and subscribed before me on this 27 day of March, 2023, by above Affiant, who is personally known to me (X) or who has produced identification ().

Signature of Notary Public

Lane Rollins

LEANNE ROLLINS

Notary Public - State of Florida

Commission # GG 982233

My Comm. Expires Apr 27, 2024

Bonded through National Notary Assn.

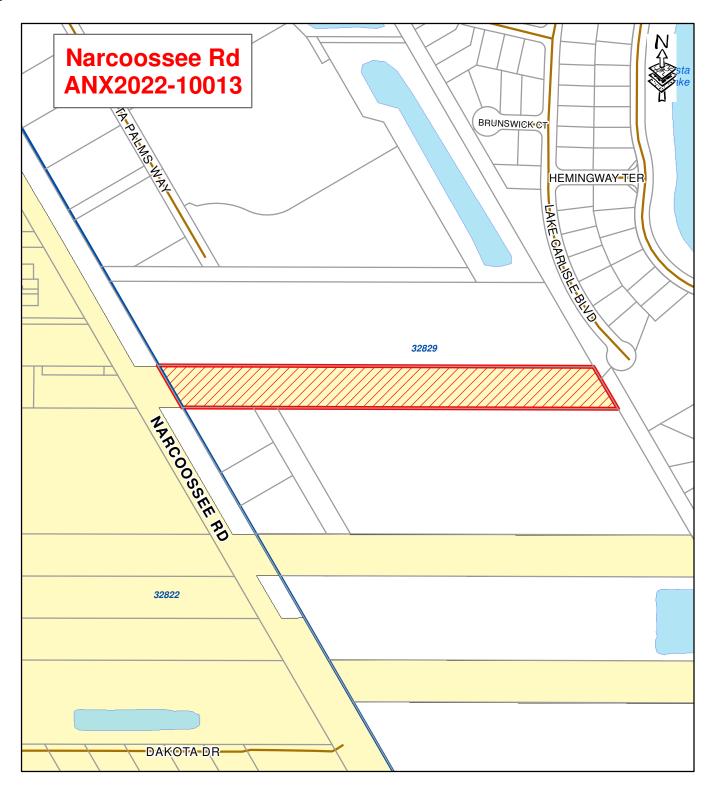
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1st Reading 03-20-2023 2nd Reading 04-03-2023

Effective 30 Days Effective Date 05-03-2023

Annexation #2304031202

Address Range: Narcoossee Rd 7513 - 7549 (odd) Comm Dist: 1
Neighborhood:
Vista East
Legal: 5 +/- acres
Pg 92; S23E26
Zip Code: 32829

Prepared by City GIS, TMD lvg 050123