CITY OF ORLANDO **COUNCIL AGENDA ITEM**

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Items Types:

Hearings/Ordinances/2nd Read

District: 1

Contract ID: Exhibits: Yes

Grant Received by City?: No

For Meeting of: March 20, 2023

From:

Document Number:

On File (City Clerk): Yes

Draft Only: No

Subject:

Ordinance No. 2022-69 Annexing the Properties at 12575 and 12591 Narcoossee Rd., Assigning Urban Village and Conservation as Future Land Use Designations; Initial Zoning Designation of Planned Development (PD) and to Create Subarea Policy S.40.14 with the Maximum Development Program (One Nona Plaza, ANX2022-10009; GMP2022-10024; GMP2022-10025; ZON2022-10022) (Economic Development)

Summary:

Ordinance No. 2022-69 will annex the properties at 12575 and 12591 Narcoossee Rd., assign Urban Village and Conservation as Future Land Use designations; assign initial zoning of Planned Development (PD) and create new subarea policy S.40.14 to provide development standards and maximum development capacity for the site.

The ± 7.3 acres property is generally located east of Narcoossee Road, south of Vickrey Place, and west of Lake Whippoorwill.

The proposal is for the construction of two-hundred-eighty-two (282) multifamily units, of which 10% will be for affordable housing.

The Municipal Planning Board (MPB) recommended approval of the associated cases (ANX2022-10009; GMP2022-10024 & -10025; and ZON2022-10022) on August 16, 2022.

City Council approved MPB actions on September 12, 2022 and the first reading of the Ordinance on February 20, 2023.

Fiscal & Efficiency Data:

Fiscal impact statement is attached.

Recommended Action:

Adopting Ordinance No. 2022-69 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: Yolanda Ortiz, Planner II, yolanda.ortiz@orlando.gov, (407) 246-3792. Sarah Taitt, Attorney, sarah.taitt@orlando.gov, (407) 246-4373.

Planner II Nicolas Thalmueller

City Council Meeting: 3-20-202 3 Item: 12-2 Documentary: 2303201201

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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY ORLANDO, FLORIDA, ANNEXING THE TO CORPORATE LIMITS OF THE CITY CERTAIN LAND GENERALLY LOCATED EAST OF NARCOOSSEE ROAD, SOUTH OF VICKREY PLACE, AND WEST OF LAKE WHIPPOORWILL, AND COMPRISED OF 7.3 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 URBAN VILLAGE AND CONSERVATION ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS; AMENDING THE CITY'S GROWTH MANAGEMENT PLAN TO ADD FUTURE LAND USE DESIGNATING SUBAREA POLICY S.40.14: PROPERTY AS THE **PLANNED** DEVELOPMENT ZONING DISTRICT ON THE CITY'S OFFICIAL ZONING MAPS; **PROVIDING FOR** SPECIAL DEVELOPMENT REGULATIONS; PROVIDING FOR CONSENT TO THE MUNICIPAL SERVICES TAXING UNIT FOR LAKE WHIPPOORWILL; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND USE AND ZONING MAPS; **PROVIDING** CORRECTION OF SCRIVENER'S SEVERABILITY. ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE DATE.

WHEREAS, on July 18, 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 Vickrey Place, and west of Lake Whippoorwill, comprised of approximately 7.3 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

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

WHEREAS, at its regularly scheduled meeting of August 16, 2022, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "city"), considered the following applications relating to the property:

- Annexation case number ANX2022-10009 requesting to annex the property into the jurisdictional boundaries of the city; and
- Growth Management Plan (hereinafter the "GMP") case number GMP2022-10024 requesting an amendment to the city's GMP to designate the property

47		as "Urban Village" and "Conservation" on the City's official future land use
48		map; and
49	_	OMD
50 51	3.	GMP case number GMP2022-10025, requesting to add subarea policy S.40.14 in the City's Future Land Use Element; and
52		7
53	4.	Zoning case number ZON2022-10022 requesting to designate the property
54 55		as the "Planned Development District" on the City's official zoning map
56		(together, hereinafter referred to as the "applications"); and
57	WH	EREAS, based upon the evidence presented to the MPB, including the
58		and analysis contained in the "Staff Report to the Municipal Planning Board"
59		ion case numbers ANX2022-10009, GMP2022-10024, GMP2022-10025, and
60		10022 (entitled "One Nona Plaza Multifamily"), the MPB recommended that
61		City Council approve said applications and adopt an ordinance or
62		in accordance therewith; and
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64	WH	EREAS, the MPB found that applications GMP2022-10024 and GMP2022-
65	10025 are	consistent with:
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67		The State Comprehensive Plan as provided at Chapter 187, Florida Statutes
68		(the "State Comprehensive Plan"); and
69		
70		The East Central Florida 2060 Plan adopted by the East Central Florida
71 72		Regional Planning Council pursuant to sections 186.507 and 186.508, Florida
73		Statutes (the "Strategic Regional Policy Plan"); and
74	3	The City of Orlando Growth Management Plan, adopted as the city's
75		"comprehensive plan" for purposes of the Florida Community Planning Act,
76		sections 163.3164 through 163.3217, Florida Statutes; and
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78	WH	EREAS, the MPB found that application ZON2022-10022 is consistent with:
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80	1.	The GMP; and
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82	2.	The City of Orlando Land Development Code, Chapters 58 through 68,
83		Code of the City of Orlando, Florida (the "LDC"); and
84	1871 1	EDEA0 (*
85		EREAS, sections 3, 4, and 5 of this ordinance are adopted pursuant to the
86 87		state review process for adoption of comprehensive plan amendments" as
88	provided by	section 163.3184, Florida Statutes; and
89	WH	EREAS, the Orlando City Council hereby finds that:
0)	****	ENERGY THE CHANGE ONLY COUNTRIES HILLS HILL.

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91	1.	As of the date of the petition, the property was located in the unincorporated
92		area of Orange County; and
93		and or crange county, and
94	2	As of the date of the petition, the property is contiguous to the city within the
95		meaning of subsection 171.031(11), Florida Statutes; and
96		meaning of casession in 1.55 i(11), i fonda cialacce, and
97	3.	As of the date of the petition, the property is reasonably compact within the
98		meaning of subsection 171.031(12), Florida Statutes; and
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100	4.	The petition bears the signatures of all owners of property in the area to be
101		annexed; and
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103	5.	Annexation of the property will not result in the creation of enclaves within the
104		meaning of subsection 171.031(13), Florida Statutes; and
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106	6.	The property is located wholly within the boundaries of a single county; and
107		
108	7.	The petition proposes an annexation that is consistent with the purpose of
109		ensuring sound urban development and accommodation to growth; and
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111	8.	The petition, this ordinance, and the procedures leading to the adoption of
112		this ordinance are consistent with the uniform legislative standards provided
113		by the Florida Municipal Annexation and Contraction Act for the adjustment of
114		municipal boundaries; and
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116	9.	The petition proposes an annexation that is consistent with the purpose of
117		ensuring the efficient provision of urban services to areas that become urban
118		in character within the meaning of section 171.021, Florida Statutes; and
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120	10.	The petition proposes an annexation that is consistent with the purpose of
121		ensuring that areas are not annexed unless municipal services can be
122		provided to those areas; and
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124		HEREAS, the Orlando City Council hereby finds that this ordinance is in the
125		st of the public health, safety, and welfare, and is consistent with the
126		provisions of Florida Statutes, the State Comprehensive Plan, the Strategic
127	Regional F	Policy Plan, and the City's GMP and LDC.
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129		W, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY
130	OF ORLA	NDO, FLORIDA, AS FOLLOWS:
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132	SECTION 1. ANNEXATION. Pursuant to the authority granted by section
133	171.044, Florida Statutes, and having made the findings set forth in this ordinance, the
134	property described in Exhibit A is hereby annexed into the corporate limits of the City of
135	Orlando, Florida, and the boundary lines of the City are hereby redefined to include the
136	property. In accordance with subsection 171.044(3), Florida Statutes, the annexed area
137	is clearly shown on the map attached to this ordinance as Exhibit B .
138	actions of the map attached to the ordinarios as <u>extractes</u> .
139	SECTION 2. CITY BOUNDARIES. Pursuant to section 171.091, Florida Statutes,
140	the charter boundary article of the city is hereby revised in accordance with this
141	ordinance. The city clerk, or designee, is hereby directed to file this ordinance as a
142	revision of the City Charter with the Florida Department of State. The city planning
143	official, or designee, is hereby directed to amend the city's official maps in accordance
144	with this ordinance.
145	
146	SECTION 3. FLUM DESIGNATION. Pursuant to section 163.3184, Florida
147	Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land
148	Use Map designation for the property is hereby established as "Urban Village" and
149	"Conservation" (denoted as "URB-VIL" and "CONSERV" on the City's Future Land Use
150	Maps), as depicted in Exhibit C to this ordinance.
151	
152	SECTION 4. ADDING FUTURE LAND USE SUBAREA POLICY S.40.14. The
153	City's Growth Management Plan, Future Land Use Element, is amended to add Subarea
154	Policy S.40.14 for the area depicted in Exhibit D to this ordinance, to read as follows:
155	
156	Policy S.40.14 The properties within the boundary of this Subarea Policy are located
157	within the Southeast Orlando Sector Plan area and shall be zoned
158	Planned Development (PD). The provisions specified in Future Land Use
159	Policy 2.4.4, Goal 4 and associated objectives and policies shall apply
160	within this area.
161	The second secon
162	The maximum development capacity of this area shall be as follows:
163 164	One Nona Plaza 60 du/ac and 0.4 FAR within the Village Center
165	designation and 12 du/ac within the Residential
166	Neighborhood designation. Dwelling units existing
167	at the time of annexation shall be considered legal
168	and conforming.
169	
170	Housing: If a project exceeds 30 du/ac within the Village Center
171	designation, at least 10% of all units shall be set aside as affordable units.
172	Affordable is defined by Sec. 420.0004, Florida Statutes. The PD will
173	further define how to implement these requirements, including
174	affordability time period and median household income target.

175	
176	Village Center Mix of Uses: If a project includes at least 10% affordable
177	units, the mix of affordable and market rate units will be deemed to satisfy
178	the mixed use requirements of the Village Center in Policy 4.1.9.
179	
180	Open Space: A minimum of 5% of the upland acreage of the PD must be
181	reserved for parks, recreation or greenspace.
182	
183	Any increase in development capacity beyond that allowed by this
184	subarea policy shall require a GMP amendment and shall be supported
185	by data and analysis that demonstrates adequate facilities and services
186	are available to accommodate the proposed density and intensity of
187	development. Prior to development, each development site shall be
188	reviewed by the Development Review Committee (DRC) as part of a
189	Specific Parcel Master Plan that addresses building layout, parking, and
190	other site planning issues as identified in the Land Development Code.
191	
192	<u>Transportation</u>
193	The proposed roadway network within the project shall conform to the
194	City of Orlando's Major Thoroughfare Plan, as may be amended from
195	time to time. Each Specific Parcel Master Plan shall include typical street
196	cross sections if new streets are proposed.
197	
198	Lakefront Trail Development
199	An ADA accessible trail shall be developed near Lake Whippoorwill. The
200	trail must be privately maintained and shall be located in such a manner
201	as to facilitate reasonable, pedestrian-friendly connections with future
202	segments. If it is publicly accessible, a portion may be used to meet park
203	requirements consistent with LDC Chapter 68, Sec. 68.500 and Fig. 68-
204	<u>M</u> .
205	
206	SECTION 5. AMENDMENT OF GROWTH MANAGEMENT PLAN. The city
207	planning official, or designee, is hereby directed to amend the city's adopted Growth
208	Management Plan and the city's official Future Land Use Maps in accordance with this
209	ordinance.
210	
211	SECTION 6. ZONING DESIGNATION. Pursuant to the LDC, the zoning
212	designation for the property is hereby established as the "Planned Development District"
213	(denoted on the city's official zoning maps as the "PD" district), as depicted in Exhibit E
214	to this ordinance.
215	

SECTION 7. AMENDMENT OF OFFICIAL ZONING MAP. The city zoning 216 217 official, or designee, is hereby directed to amend the city's official zoning maps in 218 accordance with this ordinance. 219 220 SECTION 8. SPECIAL LAND DEVELOPMENT REGULATIONS. The Property 221 is subject to the following special land development regulations: 222 223 A. General 224 1. Framework Map. Subject to any modifications expressly contained in the text of 225 this ordinance, development and maintenance of the property must be consistent 226 with the framework map attached to this ordinance as Exhibit F (the "Framework Map"). In the event of a conflict between the text of this ordinance and the 227 228 Framework Map, the text of this ordinance controls. 229 2. Subject to Codes. Except as provided herein, the development is subject to all 230 codes and ordinances of the State of Florida, City of Orlando, and all other 231 applicable regulatory agencies. 232 3. PD Expiration. A building permit for vertical construction must be issued within 5 233 years of the effective date of the PD Ordinance or the PD shall expire and an 234 applicant must apply to rezone the property or amend the PD to proceed with 235 development requiring this PD. 236 237 B. Growth Management 238 1. SOUTHEAST ORLANDO SECTOR PLAN MAP The Southeast Orlando Sector 239 Plan will be updated to include this area with the Village Center, Residential 240 Neighborhood and Conservation categories prior to PD approval. 241 2. ZONING For any requirements not specifically addressed in the PD Ordinance, 242 Chapter 68 of the Land Development Code (the Southeast Sector Plan) shall 243 apply. For any requirements not specifically addressed in the Southeast Sector 244 Plan, the AC-1 zoning district shall apply. 245 3. SPECIFIC PARCEL MASTER PLANS The properties within this subject area 246 shall be required to submit Specific Parcel Master Plans (SPMPs) to the 247 Development Review Committee (DRC) or applicable review committee prior to 248 the issuance of building permits. The DRC may approve minor modifications to 249 the design standards, as described in 68.609(e). 250 4. VILLAGE CENTER STANDARDS To provide flexibility of development and 251 based on site-specific constraints, the standard for Village Center composition of 252 mix can be determined at the time of SPMP review. The development must 253 adhere to Chapter 68 of the Land Development Code. 5. EXISTING USES Uses existing as of the effective date of this ordinance shall be 254 255 considered legally conforming uses. Minor alterations that meet the AC-1 256 standards are allowed. Any substantial improvements or enlargements shall 257 meet the PD standards.

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- PROHIBITED USES Prohibited uses shall be consistent with Subarea Policy S.40.6.
- MAXIMUM INTENSITY The maximum development density/intensity shall not exceed 60 du/ac and 0.4 FAR, respectively.
- 8. MAXIMUM IMPERVIOUS SURFACE RATIO (ISR) The maximum ISR is 0.85 for the Village Center area and 0.60 for the Residential Neighborhood area. An overall ISR of 0.70 is permissible subject to approval by the South Florida Water Management District and the City Engineer at time of permitting. This shall not be construed as requiring changes to single-family lots existing at time of annexation.
- 9. SITE PLAN The site plan shall indicate FEMA flood zone boundaries and types.
- 10. STREET CONNECTION A street must be provided from Pioneers Way to a point parallel to Waterline Road on the south property line. An ingress/egress access easement in lieu of ROW may be considered at the time of SPMP review. The street cross section must match Pioneers Way, unless otherwise approved by the City's Transportation Official at the time of SPMP review. A secondary cross access drive is strongly encouraged further west, at the existing driveway adjacent to the medical office buildings to the south. The location of the access point(s) are shown on the Framework Map.

11. LIGHTING

- All utilities, including street light poles, shall be kept out of the pedestrian path.
- Site lighting must comply with the City outdoor lighting code, section 63.400 of the Land Development Code.
- c. Light-emitting diode (LED) lamps are encouraged.
- 12. SIGNAGE A Master Sign package for each phase or parcel is subject to review and approval by the City Planning Official, or designee, prior to the issuance of any building permit for the respective phase or parcel. The Property must be developed and maintained in accordance with the final approved sign package. Signs on the Property must comply with the City's generally applicable sign code, and the following:
 - Offsite signs are prohibited, except that the multifamily development may share a sign along Narcoossee Road.
 - b. Pole signs are prohibited.
 - c. Monument signs are encouraged. The height limit is 15 ft.
- 13. SETBACKS Setbacks are required to conform with the City/County Interlocal Agreement for Lake Whippoorwill, including:
 - a. The Narcoossee Road setback is 32.5', which includes the 15' utility easement, 7.5' street tree area and a 10' landscaped area.
 - A 100' buffer and an additional 20' setback is required from the mean high water line of Lake Whippoorwill.
 - c. Proposed setbacks will be reviewed as part of the SPMP.

300			d. Any building that exceeds 2 stories must be set back at least 10 feet from the
301			property line, unless otherwise approved in coordination with the adjacent
302			property as part of SPMP review.
303		14.	BUFFERYARDS The development must be consistent with the bufferyard
304			requirements in Chapter 60. While the bufferyards adjacent to existing uses shall
305			be established at the SPMP, the bufferyard from Orange County properties
306			located within the rural settlement shall be 25' per S.40.6. If the adjacent property
307			is annexed or removed from the rural settlement, the buffer may be eliminated,
308			but may be subject to further site plan review or a PD amendment.
309		15.	BUILDING HEIGHT The building height shall be between one and four stories.
310			The maximum building height within 400' of Lake Whippoorwill is two stories.
311			Only residential uses are allowed within 400' of Lake Whippoorwill.
312		16.	PEDESTRIAN CONNECTIONS Minimum 5' wide pedestrian connections shall
313			be provided from the public street to the principal building.
314		17.	LAKEFRONT TRAIL DEVELOPMENT An ADA accessible trail shall be
315			developed near Lake Whippoorwill as specified in the subarea policy. The trail
316			must be privately maintained and shall be located in such a manner as to
317			facilitate reasonable, pedestrian-friendly connections with future segments. If it is
318			publicly accessible, a portion may be used to meet park requirements consistent
319			with LDC Chapter 68, Sec. 68.500 and Fig. 68-M.
320		18.	URBAN DESIGN Urban design shall meet the requirements of LDC Ch. 68.
321		19.	DOCK AND BOAT RESTRICTIONS Neither additional docks nor boat ramps
322			shall be built within the PD. Existing docks may be maintained and rehabilitated
323			but not expanded.
324		20.	ROW Consistent with LDC regulations, density, setbacks and ISR requirements
325			shall be determined prior to dedication of ROW and shall be considered
326			conforming after construction, pursuant to Chapter 58, Part 7G.
327		21.	OPEN SPACE/PARKS Per the SE Sector Plan, 3.25 acres of park/open space is
328			required. In addition to the permitted uses allowed to be counted toward this
329			designation, the dock(s) and courtyard may be included provided they are open
330			and accessible to the public. Minor modifications to the acreage requirement may
331			be reviewed at the time of SPMP.
332		_	
333	C.		mmunity Planning and Urban Design
334		1.	ACCESS DRIVE. Whether ROW or an easement, the vehicular access drive
335			from Narcoossee shall be designed consistent with Transportation Conditions of
336			Approval and must include canopy trees adjacent to the sidewalk in the planting
337		2	strip/parkway.
338		۷.	BUILDING DESIGN. All facades shall have:
339 340			a. A recognizable "base" consisting of (but not limited to): (a) thicker walls, (b)
340 341			richly textured materials (e.g. tile or masonry treatments), (c) special
341 342			materials such as ceramic tile, granite and marble, (d) contrasting colored materials, mullion, and/or panels.
JTL	I		materials, mullon, and/or pariets.

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- b. A recognizable "top" consisting of (but not limited to): (a) cornice treatments,
 (b) roof overhangs with brackets, (c) stepped parapets, (d) richly textured materials (e.g. tile or masonry treatments), and/or (e) differently colored materials; colored "stripes" are not acceptable as the only treatment.
- c. A flat roofline is prohibited. The building must incorporate vertical and horizontal articulation to create a distinct roofline. All projecting parapet walls must wrap a minimum depth of 5 ft. or more whichever is proportionate to the parapet wall, in efforts for the projecting parapet walls to appear 3D.

3. PARKING GARAGE

- a. The parking garage is limited to 4 stories to help mitigate that height from the adjacent single-story office building. Upon review of elevations of all 4 garage sides, the DRC may approve an alternative height if they deem it an appropriate request.
- b. Any proposed parking garage must reflect the character, scale and massing of the principal structure.
- c. Exterior wall materials shall be compatible with the materials and finish of the principal building.
- Angled ramping shall not be visible from the right-of-way and shall be obscured from view.
- e. Any exposed garage shall include a solid opaque wall at least 42 inches high at the exterior of all parking levels to prevent headlights from shining onto streets or adjacent properties.
- Additional screening elements may also be required as part of the SPMP review.
- g. All parking garages must be set back at least 10 feet from adjacent property lines to provide room for required landscaping to screen the garage at the ground level.

D. Housing

Before submittal of permits for construction of the project, the Applicant shall enter into a Developer's Agreement with the City that addresses the need for affordable housing within the project. The Developer's Agreement shall contain the following concepts, at a minimum:

- For the purposes of this PD, Affordable units are the multifamily rental units dedicated to households earning at or below 120% Area Median Income (AMI).
- 2. If the project exceeds 30 du/ac in the Village Center portion of the PD, affordable housing is required. A minimum of 10% of all units in the project shall be set aside as Affordable Housing.
- 3. Of the affordable unit set aside, 10% shall meet an average of 80% AMI or less with no portion of the 10% set-aside to exceed 120% AMI. However, should a qualifying unit contain a household whose income has grown to exceed 140% AMI, that unit shall be allowed to continue to qualify as affordable for a period of one year.

- 4. Income and rent limits are established through the Florida Housing Finance Corporations (FHFC) Multifamily Rental Program matrix based on household size and unit number of bedrooms.
- 5. The Affordable unit type and size shall be similar to the overall units within the multi-family development and surrounding developments. The units cannot materially differ from standard units. Set-aside units cannot be clustered within a development unless a high percentage of affordable units must be provided to qualify for local, state, or federal housing subsidies or grants, in which case, the proposal can be reviewed by the Housing and Community Development Department or assignee on a case-by-case basis.
- 6. Affordable units shall not be part of dormitories, group housing, micro-units, or other similar types of developments. Alternative development proposals can be submitted to the Housing and Community Development Department or assignee for review and approval.
- 7. The affordability period shall be twenty (20) years for each Affordable unit. As further detailed in the Developer's Agreement, this period may be achieved by setting aside a unit as Affordable for the full twenty (20) year period, or by setting aside an Affordable unit for less than the full twenty (20) year period and replacing it with one or more Affordable units that, when combined with the initial Affordable unit, result in a minimum twenty (20) year Affordability period, or it may be achieved in a different manner as mutually agreed by the City and developer in the Developer's Agreement.
- 8. The Developer's Agreement shall further outline income qualification, unit management, affordability period, monitoring, and compliance.
- 9. The conditions in this project are the minimum established, the applicant can pursue additional affordable units and could be eligible for other financial and development incentives.

E. Transportation

- Intersection with Narcoossee. New curbcuts and intersections at Narcoossee Road are restricted to a right-in/right-out turn; new median cuts on Narcoossee are not permitted.
- East-West Road Design. East-West Road shall be designed with 8 ft. parkway, 2 ft. curb, 20 ft. travel, 2 ft. curb, 8 ft. parkway, 6 ft. sidewalk. An additional 7 feet may be included south of the travel lanes if on-street parking is desired.
 - a. An ingress/egress access easement in lieu of ROW may be considered at time of SPMP review. If this access is provided as an easement, cross access shall be provided to adjacent properties for driveway access.
 - b. Where Pioneers Way has a "T" intersection within the subject property, care must be taken to ensure proper transition of the bicycle and pedestrian paths across the east-west roadway.
- 3. North-South Road (Waterline Road Extension) Design. North-South Road shall be designed with 6 ft. sidewalk, 7 ft. parkway, 2 ft. curb and gutters, and two 10

429 ft. travel lanes in each direction. To coordinate timing and construction, an 430 431 Whippoorwill Cove development to the south. 432 433 434 435 436 437 closely as possible. 438

- agreement is required between the City, the developer, and the Lake
- a. Although the sidewalk and parkway are anticipated on one side of the travel lanes, those features are encouraged on both sides.
- b. The route must be designed and located logically for safe, intuitive pedestrian and vehicular travel to Waterline Road. The route must stub out at the southern property line at a point parallel to the existing Waterline Road, or as
- c. The street cross-section and location must be approved by the Transportation Department at the time of SPMP review. Disapproval might require reconfiguration of the site plan to accommodate a logical roadway.
- 4. Crosswalks. Pedestrian crossings between residential portion of the site and the amenity area along the eastern portion of the site must be constructed as raised crosswalks.
- 5. Design Speeds. All public roadways shall be designed to a minimum speed of 25 mph. Any deviation from these design criteria shall take into account limitations in roadway geometry, sight line requirements as determined by the Florida Greenbook, and on-street parking. All variations shall be subject to review by the City transportation engineer, and approval of design variances shall be at the discretion of the City Transportation Engineer.

SECTION 9. CONSENT TO MUNICIPAL SERVICES TAXING UNIT (MSTU).

Pursuant to section 125.01(1)(q), Florida Statutes, the Orlando City Council hereby consents to the boundaries of the Lake Whippoorwill MSTU for aquatic weed control, general maintenance, and improvements of the lake including that certain part of the corporate territory of the City of Orlando as annexed by this ordinance. The City's consent expires on the date on which Orange County discontinues the MSTU levy. This consent applies only with respect to levies lawfully existing as of the effective date of this ordinance. Additionally, the City's consent is hereby conditioned on the City maintaining its full constitutional authority to levy ad valorem taxes of up to 10 mills for municipal purposes. Therefore, the City's consent provided by this section shall terminate as of the date the Orlando City Council levies an ad valorem millage rate that when added to the existing MSTU levy would, if the City's consent to the MSTU was not terminated, exceed the constitutional 10 mill cap. The purpose of this term and condition is to maintain the City's ability, if ever necessary, to levy its full constitutional allotment of ad valorem taxes without restriction by virtue of the County's MSTU.

SECTION 10. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are

severable.

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473	SECTION 11. SCRIVENER'S ERROR. The city attorney may correct scrivener's
474	errors found in this ordinance by filing a corrected copy of this ordinance with the city
475	clerk.
476	
477	SECTION 12. DISCLAIMER. As provided by subsection 166.033(6), Florida
478	Statutes, issuance of a development permit by a municipality does not in any way create
479	any right on the part of an applicant to obtain a permit from a state or federal agency and
480	does not create any liability on the part of the municipality for issuance of the permit if
481	the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a
482	state or federal agency or undertakes actions that result in a violation of state or federal
483	law. In accordance with subsection 166.033(6), Florida Statutes, it is hereby made a
484	condition of this ordinance that all other applicable state or federal permits be obtained
485	before commencement of the development.
486	
487	SECTION 13. EFFECTIVE DATE. This ordinance is effective upon adoption,
488	except for sections one and two, which take effect on the 30th day after adoption, and
489	sections three through nine, which take effect on the 31st day after adoption unless this
490	ordinance is lawfully challenged pursuant to subsection 163.3184(5), Florida Statutes, in
491	which case sections three through nine shall not be effective until the state land planning
492	agency or the Administration Commission issues a final order declaring this ordinance
493	"in compliance" as defined at sections 163.3184(1)(b), Florida Statutes.
494	
495	DONE, THE FIRST PUBLIC NOTICE, in a newspaper of general circulation in
496	the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this
497	<u>76</u> day of <u>February</u> , 2023.
498	
499	DONE, THE FIRST READING AND HEARING, by the City Council of the City of
500	Orlando, Florida, at a regular meeting, this 20 day of February,
501	2023.
502	
503	DONE, THE SECOND PUBLIC NOTICE, in a newspaper of general circulation in
504	the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this
505	<u>S</u> day of <u>March</u> , 2023.
506	
507	DONE, THE SECOND READING AND HEARING, AND ENACTED ON FINAL
508	PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council
509	of the City of Orlando, Florida, at a regular meeting, this day of
510	March , 2023.
511	
512	**[Signatures on the following page]**

513 514 515 516 517 518 519		BY THE MAYOR OF THE CITY O ORLANDO, FLORIDA: Mayor	F -
520	ATTEST, BY THE CLERK OF THE		
521	CITY COUNCIL OF THE CITY OF		
522	ORLANDO, FLORIDA:		
523	(0.10)		
524	SMH		
525	City Clerk		
526	61 - 1 - 1 - 1 - 1 - 1 - 1		
527	Stephance Herdovia		
528	Print Name		
529	ADDDOVED AS TO FORM AND LEGALITY	,	
530 531	APPROVED AS TO FORM AND LEGALITY		
532	FOR THE USE AND RELIANCE OF THE CITY OF ORLANDO, FLORIDA:		
533	CITT OF ORLANDO, FLORIDA.		
534	La l'Aint		
535	Assistant City Attorney	•	
536	CITI		
537	Jarah laitt		
538	Print Name	•	
539			
540	**[Remainder of page in	tentionally left blank1**	

Page 13 of 13
One Nona Plaza Multifamily ANX2022-10009, GMP2022-10024 & -10025, ZON2022-10022
CODING: Words <u>underlined</u> are additions.

EXHIBIT \mathbf{A} (1 of 2)



Verified Legal DESCRIPTION FORM

The following legal description has been prepared by Richard D. Brown, Johnston's Surveying, Inc.

and submitted to the City Planning Division for verification.

Richard D. Brown, FL, PSM #5700

01-04-2023

Date

Application Request (Office Use Only)



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

PLATS, GIS WAPPING

Date: /-6-23

File No. ANX2022-10009 GMP2022-10024 GMP2022-10025 ZON2022-10022

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

PARCEL 1 (PER DEED RECORDED 4/15/21, DOC #20210228989)

COMMENCE AT THE SW CORNER OF SECTION 20, TOWNSHIP 24 S, RANGE 31 E, THENCE RUN ALONG THE WESTERLY LINE OF THE SW 1/4 OF SAID SECTION 20, N 00°13'55" E FOR 1995.15' TO A POINT. THENCE RUN S 89°55'04" E FOR 33.00' TO THE EASTERLY RIGHT OF WAY LINE OF NARCOOSSEE ROAD. THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE N 00°13'55" E FOR 160.00' TO THE POINT OF BEGINNING. THENCE RUN S 89°55'04" E FOR 563.46' TO A POINT. THENCE RUN S 00°04'56" W FOR 159.99' TO A POINT. THENCE RUN S 89°55'04" E FOR 1133.12' TO A POINT. THEN RUN N 00°13'55" E FOR 100.00' TO A POINT. THENCE RUN N 89°55'04" W FOR 1113.38' TO A POINT. THEN RUN N 00°04'56" E FOR 80.00' TO A POINT. THEN RUN N 89°55'04" W FOR 583.41' TO THE EASTERLY RIGHT OF WAY OF NARCOESSEE ROAD, THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE S 00° 13'55" W FOR 20.00' TO THE POINT OF BEGINNING.

CONTAINING 3.07 ACRES, MORE OR LESS, CALCULATED TO THE NORMAL HIGH WATER LINE.

PARCEL 2 (PER DEED RECORDED 12/21/17, DOC #20170694000)

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 20, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN ALONG THE WESTERLY LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 20, NORTH 00 DEGREES 13 MINUTES 55 SECONDS EAST FOR 1995.15 FEET TO A POINT: THENCE RUN SOUTH 89 DEGREES 55 MINUTES 04 SECONDS EAST FOR 33.00 FEET TO THE EASTERLY RIGHT OF WAY LINE OF (Continued on next page)

1 OF 2

(Continued from previous page)

NARCOOSSEE ROAD; THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE NORTH 00 DEGREES 13 MINUTES 55 SECONDS EAST FOR 180.00 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 89 DEGREES 55 MINUTES 04 SECONDS EAST FOR 583.41 FEET TO A POINT; THENCE RUN SOUTH 00 DEGREES 04 MINUTES 56 SECONDS WEST FOR 80.00 FEET TO A POINT; THENCE RUN SOUTH 89 DEGREES 55 MINUTES 04 SECONDS EAST FOR 1113.38 FEET TO A POINT; THENCE RUN NORTH 00 DEGREES 13 MINUTES 55 SECONDS EAST FOR 100.00 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 55 MINUTES 04 SECONDS WEST FOR 1697.00 FEET TO THE EASTERLY RIGHT OF WAY OF NARCOOSSEE ROAD; THENCE RUN ALONG SAID EASTERLY RIGHT OF WAY LINE SOUTH 00 DEGREES 13 MINUTES 55 SECONDS WEST FOR 20.00 FEET TO THE POINT OF BEGINNING.

BEING A PORTION OF LOT 1, WHIPPOORWILL ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 63, PAGE 52, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

CONTAINING 2.13 ACRES, MORE OR LESS, CALCULATED TO THE NORMAL HIGH WATER LINE.

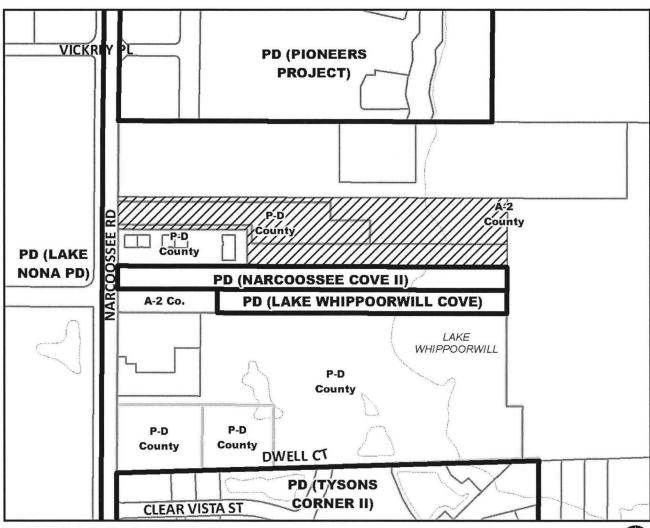
PARCEL 3 (PER DEED RECORDED 7/3/19, DOC #20190410415)

THE NORTH 100 FEET OF THE SOUTH 900 FEET OF THE NORTH 1230 FEET OF THE WEST 1730 FEET OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 24 SOUTH, RANGE 31 EAST, LESS THE WEST 30 FEET THEREOF FOR COUNTY ROAD.

CONTAINING 2.11 ACRES, MORE OR LESS, CALCULATED TO THE NORMAL HIGH WATER LINE.

EXHIBIT B

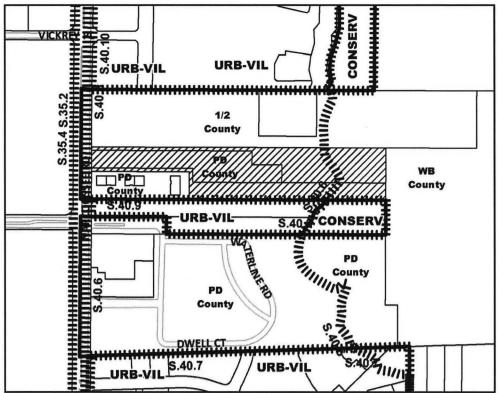
Location Map



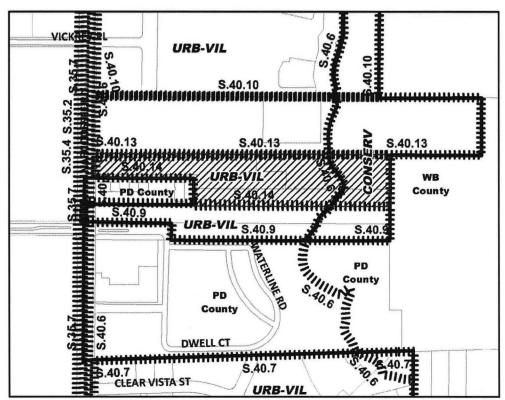
ANX2022-10009



Future Land Use Map



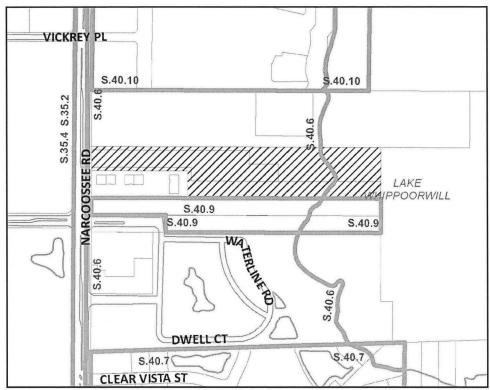
Future Land Use - Existing GMP2022-10024



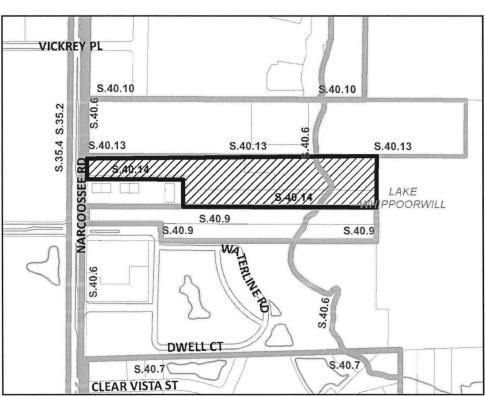
Future Land Use - Proposed GMP2022-10024

EXHIBIT

D



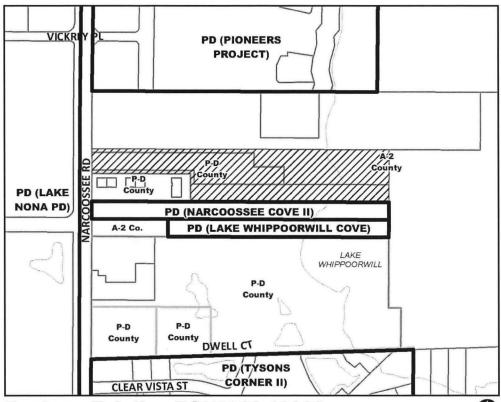
Existing GMP2022-10025 Policy Line 40.14



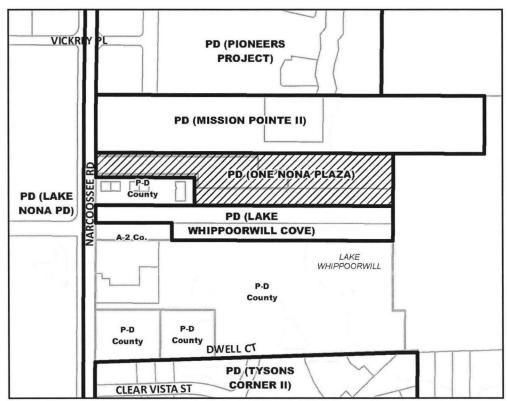
Proposed GMP2022-10025 Policy Line 40.14



EXHIBIT E



Zoning - Existing ZON2022-10022

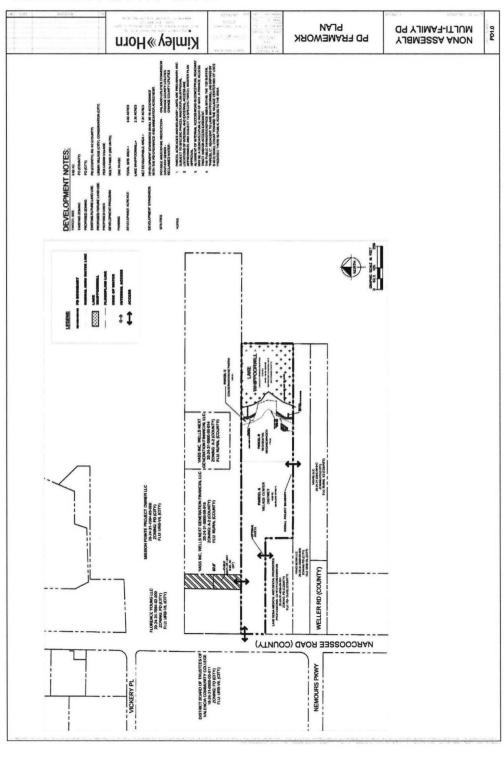


Zoning - Proposed ZON2022-10022



Framework Plan

PD FRAMEWORK MAP





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 12575 and 12591 Narcoossee Road

Ex	pe	en	S	e	S

Will the action be funded from the Department's current year budget? \square Yes \square 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	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 \$5,863.00

Is this recurring revenue? X□ Yes □ No

Comments (optional): (enter text here)

Funding

Expenses/Revenues will be recorded to:

	Source #1	Source #2	Source #3
Fund	\$5,863.00	(enter text here)	(enter text here)
Department /Division	(enter text here)	(enter text here)	(enter text here)
Cost Center/Project/Grant	(enter text here)	(enter text here)	(enter text here)
Total Amount	\$ \$5,863.00	\$0	\$ <u>0</u>

Orlando Sentinel

Published Daily ORANGE County, Florida

Sold To:

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

Bill To:

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

State Of 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 Feb 26, 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 27 day of February, 2023, by above Affiant, who is personally known to me (X) or who has produced identification ().

N 0 8 8

Signature of Notary Public

Lane Rollins

LEANNE ROLLINS

Notary Public - State of Florida

Commission # GG 982233

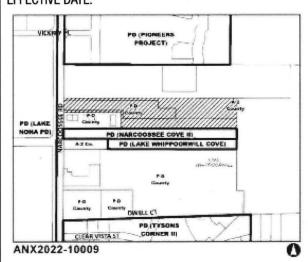
My Comm. Expires Apr 27, 2024

Bonded through National Notary Assn.

Name of Notary, Typed, Printed, or Stamped

Notice of Proposed Enactment

On Monday, March 20, 2023 the Orlando City Council will consider proposed Ordinance #2022-69, 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 VICKREY PLACE, AND WEST OF LAKE WHIPPOORWILL, AND COMPRISED OF 7.3 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 URBAN VILLAGE AND CONSERVATION ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS; AMENDING THE CITY'S GROWTH MANAGEMENT PLAN TO ADD FUTURE LAND USE SUBAREA POLICY S.40.14; DESIGNATING THE PROPERTY AS THE PLANNED DEVELOPMENT ZONING DISTRICT ON THE CITY'S OFFICIAL ZONING MAPS; PROVIDING FOR SPECIAL LAND DEVELOPMENT REGULATIONS; PROVIDING FOR CONSENT TO THE MUNICIPAL SERVICES TAXING UNIT FOR LAKE WHIPPOORWILL; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND USE AND ZONING MAPS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE DATE.



A public hearing on this ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in 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.



Published Daily ORANGE County, Florida

Sold To:

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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 6 day of March, 2023, by above Affiant, who is personally known to me (X) or who has produced identification (X).

Signature of Notary Public

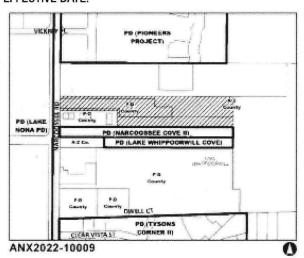
Selve Rollins

LEANNE ROLLINS
Notary Public - State of Florida
Commission # GG 982233
My Comm. Expires Apr 27, 2024
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