



Town of Eatonville, Florida
Town Council
Regular Meeting
7:30 PM
September 20, 2022

Item: B

Town Council Action

I.	Proclamations, Awards, and Presentations	<input type="checkbox"/>	Department: Police Department Exhibits: <ul style="list-style-type: none"> • Staff Report • Ordinance 2022-07 • Ordinance 2022-08 • Ordinance 2022-9
II.	Public Hearing 1 st or 2 nd Reading	<input checked="" type="checkbox"/>	
III.	Consent Agenda	<input type="checkbox"/>	
IV.	COUNCIL DECISION	<input type="checkbox"/>	
V.	Administrative	<input type="checkbox"/>	

REQUEST: Approval of the first reading of Ordinance #2022-07, Ordinance #2022-08, and Ordinance #2022-9 inclusive in the Hungerford Park development with proposed amendments through the stated Ordinances.

SUMMARY: The Planning and Zoning met on Thursday, August 18, 2022. After much review and discussion, recommendations are being made to adopt the Hungerford Large Scale Amendment and HPRD Zoning Amendment – for approvable of a Large-Scale Comprehensive Plan Amendment changing portion of Table 1.6.8 (A), Table 1.6.8 (B) and Companion Revisions to H-PRD Ordinance 2016-08; By **Ordinance 2022-07**, Amending the Text of the Town’s Comprehensive Plan to Amend the Text Of Future Land Use Element Policy 1.6.8; The Future Land Use Map and Density/Intensity Tables; also By **Ordinance 2022-08**, Amending The Town’s Comprehensive Plan to Change the Future Land Use Map Designation for Property Generally Located South of E. Kennedy Boulevard and West Of N. Wymore Road, From Commercial To Mixed Use on the Town’s Official Future Land Use Map; By **Ordinance 2022-9**, Amending the Text of Ordinance 2016-8 Pertaining to Certain Land Generally Located South of E. Kennedy Boulevard And East Of N. Wymore Road

RECOMMENDATION: For Town Council to Approve the first reading of Ordinances 2022-07, Ordinance 2022-08, and Ordinance 2022-9 of the Hungerford Park development with proposed amendments through the stated Ordinances.



Planning Board Staff Report

Town of Eatonville

APPLICATION INFORMATION

APPLICATION NUMBER: #DEV2022.02

OWNER: Orange County Public Schools

APPLICANT: Alex J. Stringfellow, Stringfellow Planning & Design, Hungerford Park LLC

PREPARED BY: Tara Salmieri, AICP Town Planner

MEETING DATE: September 20, 2022

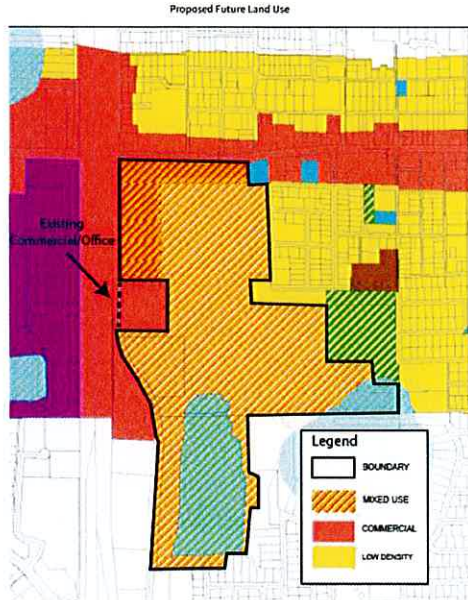
REQUEST:	DEV 2022.02 A request by Alex Stringfellow of Stringfellow Planning & Design on behalf of Orange County Public Schools., property owners, for approval of a Large-Scale Comprehensive Plan Map Amendment changing Commercial Land Use to a Mixed Land Use Designation and Comprehensive Plan Text Amendments changing the text of Table 1.6.8 (A), Table 1.6.8 (B) and Companion Revisions to H-PRD Ordinance 2016-08.
LOCATION:	100 E Kennedy Boulevard, Eatonville, FL Parcel ID 35-21-29-0000-00-090, 35-21-29-0000-00-192 and 02-22-29-0000-00-002.
ACREAGE:	Approximately 100.6 +/-acres
EXISTING ZONING	PUD
FUTURE LAND USE	Commercial and Mixed Use
SURROUNDING ZONING and FUTURE LAND DESIGNATIONS:	North – C-3/Commercial South – Winter Park East – C-3/Commercial, R-1/ Low Density Residential West – Interstate 4

STAFF SUMMARY OF PLANNING BOARD RECOMMENDATIONS

1. TOWN COUNCIL HEARING AND TRANSMITTAL ITEMS

The project is a 100.6 +/- mixed use development that is proposing commercial, office, retail, service, residential and civic uses. The Town Council is being provided the planning board recommendations and applicants request, where different as follows:

- 1- Map Amendment- Commercial Land Use Assignment (11.13 +/- Acres) to the Mixed Land Use Category Future Land Use Map (Ordinance 2022-8);



RECOMMENDATION: Planning Board recommended approval of the map amendment.

- 2- Text Amendment (ordinance 2-22-07)- Amending text in the Mixed Use Land Use Category of the Comprehensive Plan, specifically Table 1.6.8.(A) and Table 1.6.8 (B);

Table 1.6.8 (A):

Hungerford Mixed Developments	Min % Land Use Mix	Max % Land Use Mix
Residential	5	20 (1)
Commercial Offices	20 5	60
Commercial Retail/Service Use	40 10	60

Public/Institutional, including Educational, Religious and Philanthropic	520	15-No maximum
--	-----	---------------

(1) The minimum percentage use requirements on Table 1.6.8.(A) shall be met for each use category prior to the allowance of any maximum percentage of a use category as provided in the table.

RECOMMENDATION: Planning Board recommendation's for Table 1.6.8 (A) are in red.

Table 1.6.8 (B)

Residential Land Use	Min. Site Size	Maximum Density (Units/Acre)	Maximum Intensity (Height in feet)
Low Density Single Family Residential: Detached or Attached	The minimum lot size and dimension shall be negotiated during the preliminary subdivision plat and site plan approval process as part of the terms of a duly executed H-PRD development agreement	5 u/a	35 feet
Medium Density Single Family Residential: Detached Dwellings/Attached Town Houses Zero Lot Line Home		8 u/a	35 feet
High Density Multi-Family Residential or Attached Single Family Town Homes		17 u/a	40 feet 50 feet (2)
Non-Residential Land Uses		Intensity (Height)	
E. Kennedy-Wymore Commercial	2 acres	40 ft.	
Public/Semi Public		40 ft.	
Civic or Medical		48 ft.	
Wymore Office South		110 ft. Potential bonus up to 115 ft. ¹	

¹ Bonus height may be permitted for building in the Wymore Office South and the Wymore Office Central Sector of the Hungerford-Planned Redevelopment Future Land Use Map Designated Area. The height shall be measured from the weighted average of approved finished ground elevation of the property to the peak of the roof. Through a negotiated Hungerford-Planned Redevelopment Development Agreement an increase in height may be negotiated to achieve an additional height up to 115 feet in the Wymore Office South Segment if the applicant desires to negotiate an investment in storm water management, roadways, wastewater/potable water systems, mass transit system, fiber optics cable District system expansion to site, or other off-site or on-site community improvements within the Hungerford Planned Redevelopment District that is not a requirement pursuant to Town of Extonville regulatory powers. The objective is for applicant and Town to achieve mutually proportionate benefits through terms of a negotiated Development Agreement through the development review process. The Town Council and the Applicant/Owner, and any successor in title, would be bound by the terms of a duly negotiated Development.

(2) Architectural elements shall be incorporated to the overall design and height.

RECOMMENDATION: Planning Board recommendation's for Table 1.6.8 (B) are in red.

3- Amendments to the Hungerford Planned Development (Zoning Ordinance 2022-09)

The planning board recommended updates to Table 2-16.4 permitting the following:

Mixed use projects, farmer's market, essential services and parks and recreation. Multiple family was permitted, however the ordinance showed a highlight, so staff updated the table.

MIXED USE DEVELOPMENTS*	MIN. % LAND USE MIX (1)	MAX % LAND USE MIX
Residential	5%	20%
Employment Center Use (Office/Business Park)	5%	60%
Commercial Retail/Service Use	10%	60%

Public/Semi-Public Uses, including Educational, Religious, and Philanthropic	5%	15%
*acreage percentages calculated using gross acreage of the PUD		

(1) **THE MINIMUM PERCENTAGE USE REQUIREMENTS SHALL BE MET FOR EACH USE CATEGORY PRIOR TO THE ALLOWANCE OF ANY MAXIMUM PERCENTAGE OF A USE CATEGORY AS PROVIDED IN THE TABLE.**

Sec. V Size and dimension regulations

- A. Maximum Residential Density. The maximum overall residential density shall be **3.5 dwelling units per acre, not to exceed 350 dwelling units**. Specific dwelling unit type densities shall be limited as follows: as follows: 1) Detached single family residential low density maximum is up to 5 dwelling units per acre and 2) Attached or detached residential medium density maximum is up to 8 units per acre and 3) Attached town homes and multiple family residential maximum high density up to 18 dwelling units per acre.
- E. Minimum Lot Size. No detached single family residential lot area shall be smaller than 5,000 square feet excepting approved zero lot line developments. **The minimum size lot for a proposed attached single family residential dwellings within a townhouse development or a proposed zero lot line single family residential development shall be a minimum of 1,800 square feet and will be reviewed during the preliminary plat and site plan review process.** The applicant shall include project amenities for the future residents of the development and the public.
- G. Distance between Buildings. A minimum of twenty (20) feet separating structures, excepting building with immediately adjoining or common walls. However, the minimum distance separating any one building or twenty-five (25) feet in height from an adjacent building shall be twenty (20) feet in height from an adjacent building shall be twenty (20) feet plus one (1) foot for each additional two (2) feet in height above twenty-five (25) feet unless otherwise approved by the Fire Marshal.

Additional Conditions Planning Board Recommended:

- (a) A developers agreement shall be executed prior to any site development plan or plat approval that is consistent with the policies of the comprehensive plan as it relates to phasing, mixed use, lake access, uses, housing, open space, concurrency and any other policies that effect the overall design intent of the project.
- (b) Hungerford Design guidebook will be drafted to be consistent with the Town's Comprehensive Plan policies for mixed use development to ensure the overall development meets the vision, goals and objectives as provided in the staff report along with the Hungerford Development Plan as provided in section 7 of this report and will be used as the overall review of the site development plan process for ease of review during site plan approval process and shall be incorporated in the developers agreement.

3. MATERIALS PROVIDED FOR REVIEW.

- Planning Board Staff Report (July 21, 2022) (EXHIBIT A)
- Hungerford Justification and Background Report (July 13, 2022) (EXHIBIT B)

RECOMMENDATION

The Town Council will provide one of the following:

- (a) Recommendation of denial
- (b) Recommendation of approval
- (c) Recommendation of approval with conditions
- (d) Recommendation of approval in part, with or without conditions, and denial in part.

The Town Planner recommends that the Town Council approves the Planning Board Recommendations for each ordinance.



**Planning Board
Staff Report**

EXHIBIT A

Town of Eatonville

APPLICATION INFORMATION

APPLICATION NUMBER: #DEV2022.02

OWNER: Orange County Public Schools

APPLICANT: Alex J. Stringfellow, Stringfellow Planning & Design, Hungerford Park LLC

PREPARED BY: Tara Salmieri, AICP Town Planner

MEETING DATE: July 21, 2022

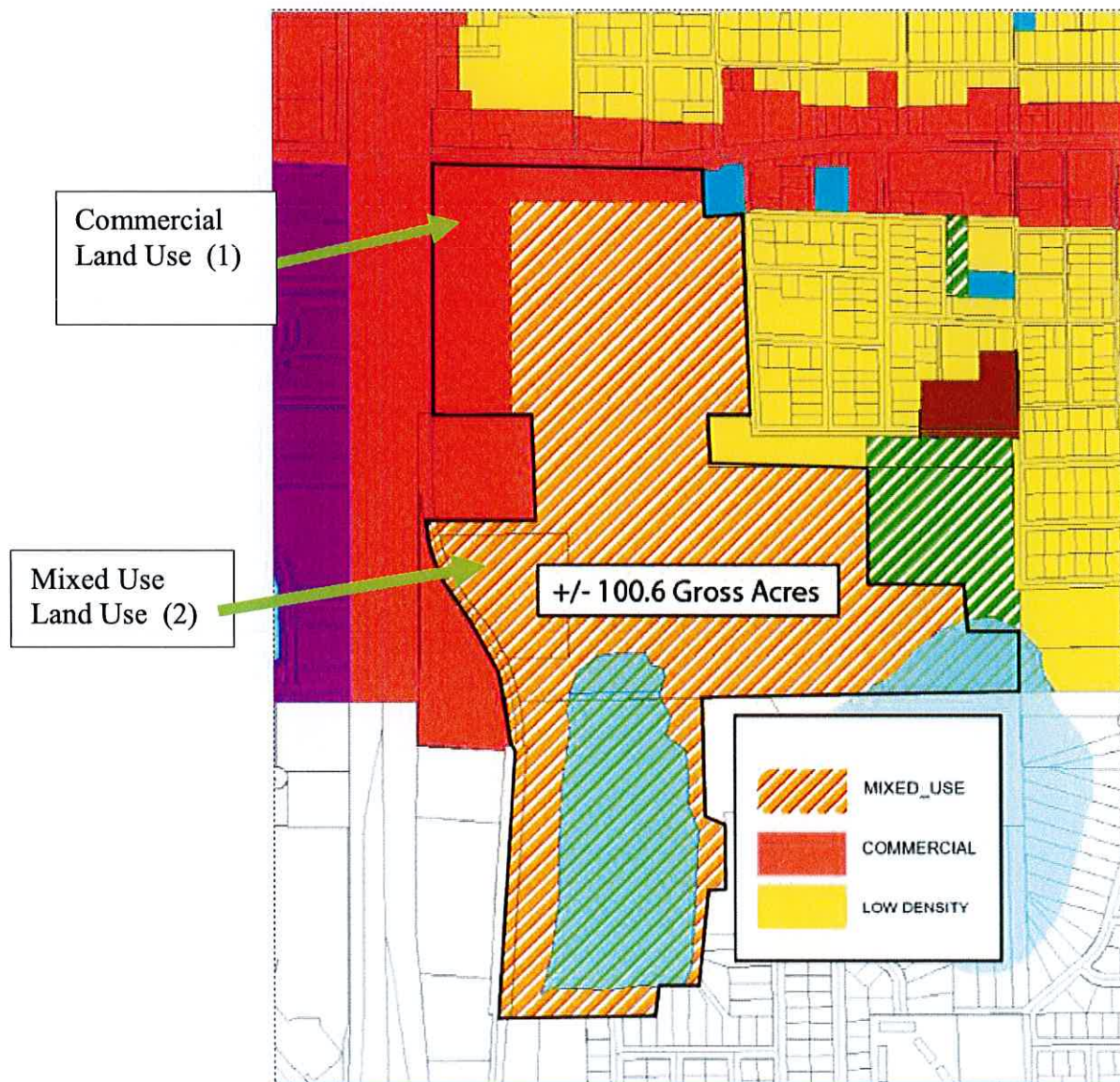
REQUEST:	DEV 2022.02 A request by Alex Stringfellow of Stringfellow Planning & Design on behalf of Orange County Public Schools., property owners, for approval of a Large-Scale Comprehensive Plan Map Amendment changing Commercial Land Use to a Mixed Land Use Designation and Comprehensive Plan Text Amendments changing the text of Table 1.6.8 (A), Table 1.6.8 (B) and Companion Revisions to H-PRD Ordinance 2016-08.
LOCATION:	100 E Kennedy Boulevard, Eatonville, FL Parcel ID 35-21-29-0000-00-090, 35-21-29-0000-00-192 and 02-22-29-0000-00-002.
ACREAGE:	Approximately 100.6 +/-acres
EXISTING ZONING	PUD and C-3
FUTURE LAND USE	Commercial and Mixed Use
SURROUNDING ZONING and FUTURE LAND DESIGNATIONS:	North – C-3/Commercial South – Winter Park East – C-3/Commercial, R-1/ Low Density Residential West – Interstate 4

STAFF EVALUATION AND FINDINGS

1. PROPOSAL.

The project is a 100.6 +/- mixed use development that is proposing commercial, office, retail, service, residential and civic uses. This applicant is requesting the following:

- 1- Map Amendment- Commercial Land Use Assignment (11.13 +/- Acres) to the Mixed Land Use Category Future Land Use Map;
- 2- Text Amendment- Amending text in the Mixed Use Land Use Category of the Comprehensive Plan, specifically Table 1.6.8.(A) and Table 1.6.8 (B); and
- 3- Amendments to the Hungerford Planned Development Zoning Ordinance 2016-8.



2. REVIEW REQUIREMENT.

All comprehensive plan amendments and zoning changes are required to be reviewed by the Planning Board per Sec 44-81 Duties in the Land Development Code. The Planning Board will provide recommendation with an affirmative vote of a majority of members in attendance comprising a quorum.

3. MATERIAL PROVIDED AS PART OF THE RECORD.

In addition to verbal presentations and testimony to be provided at the Planning Board meeting, the written Planning Board Report, attachments, plans, and other written and graphic materials provided to the Board as part of the agenda package for this application are to be considered part of the record for this application.

4. MATERIALS PROVIDED FOR REVIEW.

- Hungerford Justification and Background Report (July 13, 2022)
- Unified Application for Dev 2022.02 (revised July 18, 2022)
- Hungerford Partner's RFP Response (2 documents)

5. BACKGROUND

The Hungerford property, as outlined in the application, is a vacant parcel of land that is owned by OCPS. Last year, OCPS solicited bids for acquisition of the property. The following is the Request for Proposal information for the subject property:

Hungerford Park Development submitted a response to RFP #2106164 Purchase and development of Wymore/Hungerford Property in August 2021 . The acquisition and redevelopment of a publicly-owned property commonly referred to as Wymore Road/Hungerford site, consisting of approximately 94 acres. The various land uses identified for the site include, retail, restaurant, office, residential and civic. It is the intent of the overall development to create a new Town Center anchored by office development fronting Wymore Road and Interstate 4, retail spaces fronting East Kennedy Boulevard, and supported by a mix of smaller office spaces, multi-family and single-family residential product. A portion of the Property should be considered for the accommodation of civic activities or facilities

On January 5, 2022, Orange County Public Schools ("OCPS") entered into a Real Estate Purchase Agreement with Falcone & Associates ("Falcone") for the acquisition and redevelopment of the Wymore Road/Hungerford site, with a closing to occur on or before October 24, 2022. Part of that agreement included the ability for Falcone to assign its rights under the contract to a development group then described as "Sovereign" and made up of the managers of Hungerford Park, LLC – Allan Keene and Kyle Sanders – as well as their individual companies (collectively referred to as "Hungerford Park") in the event Falcone decided not to proceed with the purchase of the Wymore Road/Hungerford site. In late May or early June, 2022, Falcone notified OCPS it would not be proceeding with the purchase of the Wymore Road/Hungerford site under its contract with OCPS. On June 23, 2022, Falcone and Hungerford Park entered into an Amended Assignment and Assumption Agreement. OCPS approved that assignment on June 27, 2022.

6. TOWN PLAN 2018-2038, THE COMPREHENSIVE PLAN.

The proposed development has two land use categories in Table 1.6.8 (A) Future Land Use Designations and Allowable Uses: 1) Commercial Land Use Designation with a C-3 Zoning Designation and Hungerford Mixed Use Designation with a PUD zoning designation.

Table 1.6.8(A) mix requirements:

Hungerford Mixed Developments	Min % Land Use Mix	Max % Land Use Mix
Residential	5	20
Commercial Offices	20	60
Commercial Retail/Service Use	40	60
Public/Institutional, including Educational, Religious and Philanthropic	5	15

Table 1.6.8(B) Adopted Density and intensity for Hungerford mixed-use development.

Residential Land Use	Min. Site Size	Maximum Density (Units/Acre)	Maximum Intensity (Height in (feet))
Low Density Single Family Residential: Detached or Attached	The minimum lot size and dimension shall be negotiated during the preliminary subdivision plat and site plan approval process as part of the terms of a duly executed H-PRD development agreement.	5 u/a	35 feet
Medium Density Single Family Residential: Detached Dwellings/Attached Town Houses Zero Lot Line Home		8 u/a	35 feet
High Density Multi-Family Residential or Attached Single Family Town Homes		17 u/a	40 feet
Non-Residential Land Uses		Intensity (Height)	
E. Kennedy-Wymore Commercial		40 ft.	
		40 ft.	
Public/Semi Public		48 ft.	
Civic or Medical		48 ft.	
Wymore Office South	2 acres	110 ft. Potential bonus up to 115 ft. ¹	

¹ Bonus height may be permitted for building in the Wymore Office South and the Wymore Office Central Sector of the Hungerford-Planned Redevelopment Future Land Use Map Designated Area. The height shall be measured from the weighted average of approved finished ground elevation of the property to the peak of the roof. Through a negotiated Hungerford-Planned Redevelopment Development Agreement an increase in height may be negotiated to achieve an additional height up to 115 feet in the Wymore Office South Segment if the applicant desires to negotiate an investment in storm water management, roadways, wastewater/potable water systems, mass transit system, fiber optics cable District system expansion to site, or other off-site or on-site community improvements within the Hungerford Planned Redevelopment District that is not a requirement pursuant to Town of Eatonville regulatory powers. The objective is for applicant and Town to achieve mutually proportionate benefits through terms of a negotiated Development Agreement through the development review process. The Town Council and the Applicant/Owner, and any successor in title, would be bound by the terms of a duly negotiated Development.

Policies that support are specific to the Hungerford Property

The overall comprehensive plan provides for a range of policies that the proposed project will be required to meet from open space, recreation, concurrency, transportation and the mix

of uses. The following objectives and policies are only a set of examples that the proposed applicant must maintain consistency with prior to issuance of permits, and any approvals.

Objective 1.11: Planning for Mixed Land Use Development. The Town Future Land Use Map Designations and the Land Development Code shall promote the physical and functional integration of a mixture of land uses by implementing the following innovative policies and regulations. Mixed use development shall occur consistent with a flexible planned development management framework for achieving comprehensive plan objectives for redevelopment consistent as below presented:

- (1) Create a quality sense of place, character and image with high performance infrastructure promoting green technology.
- (2) Require mixed use to exemplify best planning and management principles and practices of economic development, urban design, and amenities that fosters economic development, a healthy living and working environment and cultural enrichment.
- (3) Achieve unified design and function of the mix of uses.
- (4) Plans shall produce a land use pattern consistent with the public objectives and standards for accessibility, land use compatibility and effective connectivity with the East Kennedy Town Center corridor or activity centers and pedestrian ways existing or to be developed along the West Kennedy corridor.
- (5) Promote efficient use of land by facilitating cost effective infrastructure by ensuring implementation of master plans for drainage and stormwater management; transportation improvements, and expansion of upgraded water and wastewater systems.
- (6) Stimulate opportunities for economic development and varied housing opportunities and an attractive business climate.
- (7) Conserve and protect the natural environment including wetlands, flood prone lands, natural habitat, flood prone lands, and other environmentally sensitive lands; and
- (8) Ensure suitably located open space, recreational opportunities, waterfront amenities, an expansive pedestrian system that links pedestrians with civic amenities, working and living areas, consumer markets, communication venues, and places for gathering, cultural enrichment, education, and healthy life pursuits.
- (9) Achieve low impact designed “green streets” and sidewalks, and well-designed parking facilities throughout the district.

Policy 1.11.1: Diverse Land Use Mix, Housing Types, and Densities/Intensities. The Town shall discourage continuous stretches of similar types and density of units and encourage a diverse mix of land uses, housing types and densities.

Policy 1.11.3: Hungerford Mixed Use Redevelopment. The 2018-2038 Comprehensive Plan Future Land Use Element, including the Future Land Use Map, have designated the 99±-acre Hungerford property which abuts the south side of East Kennedy Boulevard and the east side of Wymore Road--east of the I-4 corridor--as a mix-use redevelopment area.

Policy 1.11.6: Promote Retail Development along East Kennedy Gateway Corridor and Avoid Strip Development. The Town shall encourage retail commercial uses on the ground

floor of buildings fronting East Kennedy Avenue and promote this area as the retail center for the Town, while directing development and redevelopment away from strip development.

Policy 3.4.1: Hungerford Mixed Use Healthy Living and Working Town Center Marketplace Accommodating Educational, Spiritual, and Cultural Enrichment. The Town's 2017 amended Future Land Use Element and Future Land Use Map shall designate the 99±-acre Hungerford property—abutting the east side of Wymore Road east of the I-4 corridor--as a mix-use redevelopment area. The redeveloped Hungerford property will become the southwest anchor of the Eatonville Town Center and shall accommodate a mix of single family townhomes and multi-family housing with convenient pedestrian access to a central place to for educational, spiritual and cultural enrichment, marketplace activities and other healthy pursuits within the historic Hungerford center. The Hungerford Planned Redevelopment District shall provide a flexible management framework for achieving objectives for redevelopment consistent with the Town of Eatonville Comprehensive Plan for the redevelopment for mixed use development in the historic downtown Hungerford property. The Hungerford Planned Redevelopment is intended to accomplish the objectives in Policy 3.4.1 and Objective 1.11.

Policy 9.6.3: Energy Efficient Building and Site Design Techniques. The Town shall continue to enforce develop by 2013 energy efficient building and site design techniques requirements for new development.

Policy 1.11.7: Promote Town Center Special District East of I-4. The Town shall promote the preservation of the area on East Kennedy Blvd. east of I-4 as a Town Center Special District and discourage the widening of West Kennedy Blvd. beyond four lanes. The Land Development Code shall be amended by December 2020 to ensure that development and redevelopment in the East Kennedy corridor is based on best planning principles and practices for Town Center urban design and traditional pedestrian- friendly Town Center corridor development.

Policy 1-15.1: Land Use Planning to Improve Pedestrian- and Bicycle-Friendly Environment. Establish a pedestrian- bicycle-friendly environment that is attractive and entertaining for residents and community guests. Pedestrian and bicycle route should connect residential area with destinations, including the following *(Staff only inserted the items specific to Hungerford, not as an exclusive directive, but to be used for Planning Board Review):*

5. Develop a “grid system” street network in the potential redevelopment area on within the planned Hungerford Redevelopment which is to become the southwest anchor of Town Center.
6. Work with Orange County and the local Metropolitan Planning Organization to coordinate economic development initiatives on the Hungerford property and on private land abutting the scheduled widening of the West Kennedy Boulevard corridor. Reinvestment in commercial and industrial land use initiatives are anticipated to accelerate with the completion of the corridor improvements and the addition of significant roadway capacity. However, the design of land improvements must

incorporate streetscape amenities similar to those implemented along the East Kennedy gateway corridor.

10. Continue to maintain and improve the Town's parks and continue to scheduling timely capital improvements to repair and upgrade existing parks. Implement planned facilities to accommodate field sports as part of the Hungerford redevelopment initiative and consider other areas that can accommodate such field sports facilities based on accommodating unmet demands.

11. Enhance access to public transportation. Coordinate with the Links transit program that has plans to improve service routes within the Town, especially considering the planned improvements to gateway corridors. Ensure that the Hungerford redevelopment accommodates needed bus stops and shelters and establish continuing efforts to initiate such transit support facilities to meet anticipated future demands as gateway improvements come online.

Policies for Development

The Planning Board members asked about infrastructure and how the development supports the current needs. The applicant would be required to adhere to the concurrency management policies that provide direction on how that will occur. The following are just a summary of some of the obligations, but are not meant to remove any obligations that are in the comprehensive plan, only to provide an overview to the planning board.

Policy 12.6.1 Enforce Concurrency management policy provides for the town requiring public facility The Town shall require public facilities and services consistent with adopted level of service must be available concurrent with the impacts of development and provide provisions for Potable water, sanitary sewer, solid waste and drainage, parks and recreation, and roads will be subject to a developers agreement prior to any development order or permit is issued. (page 83 comprehensive plan)

Policy 1.8.1: Development Required to Be Serviced by Adequate Facilities. No development shall be permitted by the Town unless and until adequate capital facilities levels of service exist or are ensured.

Policy 1.8.6: Enforce Concurrency Management in Review of all Development. All developers shall assess their needs for essential services and seek confirmation of availability from the appropriate utility suppliers. The availability of these services shall be confirmed by the issuance of a development order.

Policy 1.10.3: Concurrency Management System Requirements. The Concurrency Management System shall determine the availability of facilities and services based on the following criteria:

1. The necessary facilities/services are in place at the time a development permit is issued;
2. A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur;
3. The necessary facilities are under construction at the time a permit is issued;
4. The necessary facilities and services are guaranteed in an enforceable development agreement that ensures the necessary facilities and services will be in place when the impacts of the development occur.

Policy 2.1.2: Enforce Concurrency Management. The Town shall not issue development permits to any project that degrades the roadway level of service below the adopted level of service standard unless and until adequate capital facilities levels of service exist or are ensured.

Policy 2.1.3: Enforce Level of Service Standards. The Town shall enforce develop the Concurrency Management System which establishes procedures for reviewing the impact of development in conjunction with all development permits to ensure the adopted level of service standards are is maintained.

Policy 4.5.5: New Development to Pay for Capacity Based on Adopted LOS Standard. The Town shall require proposed developments to purchase capacity at a level of service (LOS) of 300 gallons per day per ERU in accordance with local ordinances.

Policy 7.4.3: Require Compliance with LOS Standards and Regulatory Criteria. The Town of Eatonville will require that all proposed developments meet or exceed the Levels of Service standards established in the Comprehensive Plan as implemented by the Land Development Regulations. The Town shall ensure that no new development shall receive a final development order unless and until the development has met potable water concurrency requirements.

OBJECTIVE 12.5 Future Development to Pay Fair Share. The Town shall require that all future development bear the incremental capital costs for all facilities and services necessary to accommodate the impacts created by new growth in order to maintain the adopted level of service.

Policy 12.5.1: Develop and Apply User Fees. The Town shall assess user fees on new developments to cover a fair share of the capital cost to provide those services to new growth.

Policy 12.5.2: Consider Economic Impacts of User Fees. The Town shall use these user fees for as many public facilities as feasible, but with consideration to the economic impact on affordable housing and building industry.

Policy 12.5.3: Develop and Apply Special Assessments and Other Measures. The Town shall use special assessments or other development actions and assess new development their pro-rata share of the cost for the needed public facilities to service future growth.

7. HUNGERFORD PARTNER'S PLAN

The Hungerford property, as outlined in the application, is a vacant parcel of land that is owned by OCPS. Last year, OCPS solicited bids for acquisition of the property. The following is the Request for Proposal information for the subject property:

Hungerford Park Development submitted a response to RFP #2106164 Purchase and development of Wymore/Hungerford Property in August 2021 . The acquisition and redevelopment of a publicly-owned property commonly referred to as Wymore Road/Hungerford site, consisting of approximately 94 acres. The various land uses identified for the site include, retail, restaurant, office, residential and civic. It is the intent of the overall development to create a new Town Center anchored by office development fronting Wymore Road and Interstate 4, retail spaces fronting East Kennedy Boulevard, and supported by a mix of smaller office spaces, multi-family and single-family residential product. A portion of the Property should be considered for the accommodation of civic activities or facilities. The following sections were the applicants response to the RFP and shall serve as the overall intent, objectives, vision and design for the development.

INTENT OF THE DEVELOPMENT

The intent of the overall development of the Wymore Road/Hungerford Property is to expand the Town's existing downtown by adding office development fronting Wymore Road and Interstate 4, retail spaces fronting East Kennedy and supported by a mix of smaller office space, multi-family and single-family residential product. Additionally, a portion of the property has been designated for the accommodation of civic activities and facilities.

The following intent was provided. The overall design concept of the redevelopment will encourage compatibility with historic town character, as well as architecture typical of structures constructed between 1880 and 1920. This site plan proposes an integration of educational civic uses and the incorporation of parks as places of interaction and interconnectivity. Community gardens, artistic sculptures and a vernacular Florida Architecture will combine the nostalgia of Eatonville with the quality of modern design.

In addition to the Wymore Road commercial and office space, our team proposes a Main Street for locally owned businesses. The Main Street has the potential to serve homeowners and renters with personal services such as gyms, salons, dry cleaning, coffee shops, restaurants and more. A food hall with affordable stalls for lease, as well as surrounding open spaces provides opportunities for small-scale entrepreneurship to thrive.

A dedicated arts district allows for the stories of Eatonville's history to be told through architectural and social art incorporated into the fabric of the redevelopment site. Murals and street art attract "mural tours" bringing tourism from neighboring communities as well as retail opportunities and cultural education.

The applicants response to the RFP, provided the following commitments:

VISION

Hungerford Partners' preferred uses of the site align with the Town of Eatonville's vision as stated in the RFP, which includes a mix of single-family residential, multi-family residential, office, retail, cultural, educational, recreational, and civic uses. Hungerford Park will be an

urban infill, pedestrian-oriented community with office uses along Wymore Road and a retail corridor along Kennedy Boulevard, both of which will generate employment and new retail options for current and future residents. Our team will work with national retailers to recruit major grocery and drug store outlets. These types of retailers are needed in Eatonville and will further enhance the quality of life of the local community.

GOALS & OBJECTIVES

1. Promote diversity & affordability by offering a wide range of housing choices in order to create a new community of socially and economically diverse residents. We will work with housing providers to develop programs to provide attainable housing options to City employees and first responders, while also incentivizing homeownership for residents of the community.
2. Reach a target market of first-time homebuyers in the workforce community including teachers, nurses, firefighters and police officers to mid-level executives desiring a more affordable lakefront lifestyle.
3. Establish an Arts District to integrate and showcase work by local artists, while further cementing Eatonville's culture and historical relevance into the local, state, and national landscape.
4. Integrate open spaces and civic buildings in multiple locations, encouraging residents to walk, bike, and explore the community. The goal is to create interconnectivity between the spaces within the community that encourages a lifestyle designed to build community togetherness. Additionally, spaces designed for public markets, pop-up shops, and art installations will serve as a major catalyst in revitalizing the surrounding neighborhood and providing opportunities for small-scale entrepreneurship.
5. Provide retail spaces designed as 'food halls' and 'think tanks' offering small businesses affordable options to start operations.
6. Promote fiscal responsibility by creating a positive revenue stream that will fund on-site infrastructure and increase the City's tax base for the benefit of all citizens while also recognizing the history and culture that distinguishes Eatonville.
7. Promote economic development by reinforcing Eatonville's role in an increasingly global marketplace and create a wide range of employment opportunities for a diverse range of citizens through opportunities for commercial and local office space.
8. Develop partnerships with businesses, vocational, and non-profit organizations to provide mentorship programs and education for young and adult residents of the Town of Eatonville to further improve their qualifications to successfully enter the workforce.
9. Work closely with partners to develop realistic timelines for the completion of the project and therefore ensure timely completion of the different stages of development.

10. Maintain and enhance the quality of life in adjacent neighborhoods by providing complimentary linkages, land uses and transportation patterns as well as using green spaces and connecting trails to promote a walkable community that will encourage healthy choices and lifestyles.

HONORING THE PAST

Eatonville's character has roots that run deep, with a strong sense of community that evokes nostalgia among the many whose lives have been touched by it. Our plan for the property focuses on honoring Eatonville's history while building branches to extend its vibrant cultural diversity. We will partner with local historians, leaders of community programs and local minority business groups to ensure every segment of our future residential, office and retail space can be occupied by local talent and residents. Our vision of linking past and present will ensure this extraordinary town's continued desirability and importance well into the future.

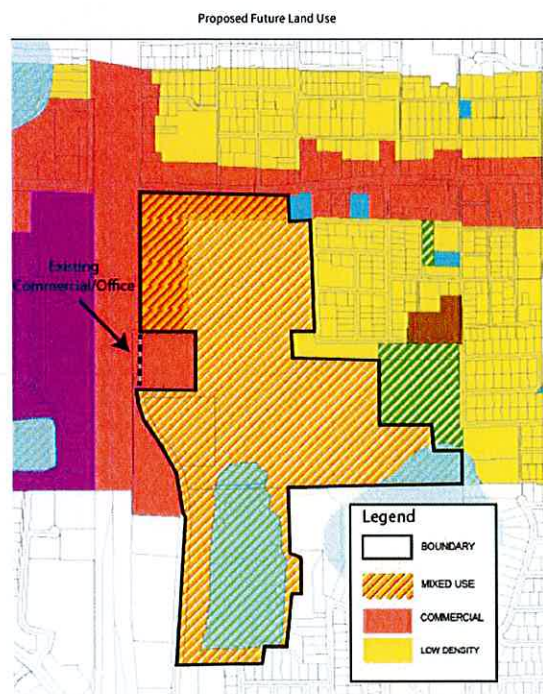
Staff Response: The applicants vision, goals and objectives align with the overall comprehensive plan. The applicant did not include this in the application for revisions to the Town, however, these provisions were included in the RFP and should be established as part of the overall commitments, site plan review, and design to ensure that what has been presented to the community, the planning board and town council are consistently applied during the development approval process. The evaluation of amendments, based solely on the unified application and requested modifications was not sufficient enough to determine the proposed outcomes for the development.

The applicant has requested the following amendments: Comprehensive Map amendment, Comprehensive text amendment, and HPRD ordinance amendment. Item 8-10 provides the applicants request, reasoning and staff evaluation for each item.

The applicants vision, goals and objectives align with the overall comprehensive plan. The applicant did not include this in their application and justifications for revisions to the Town, however, these provisions were included in the RFP and should be established as part of the overall commitments, site plan review, and design to ensure that what has been presented to the community, the planning board and town council are consistently applied during the development approval process. The evaluation of amendments, based solely on the unified application and requested modifications was not sufficient enough to determine the proposed outcomes for the development would meet the intent of the Town's Comprehensive Plan. Please refer to above item 7 "Hungerford Partner's Plan".

8. MAP AMENDMENT

The applicant is requesting a comprehensive map amendment changing the Commercial Land Use designation, 11.13 +/- acres to Mixed Use Land Use Designation.



Staff Response: The overall development of the proposed project having one land use designation is preferred and staff recommends approval, provided that the applicant maintain consistency with the RFP proposal, and acceptance of the following: The intent

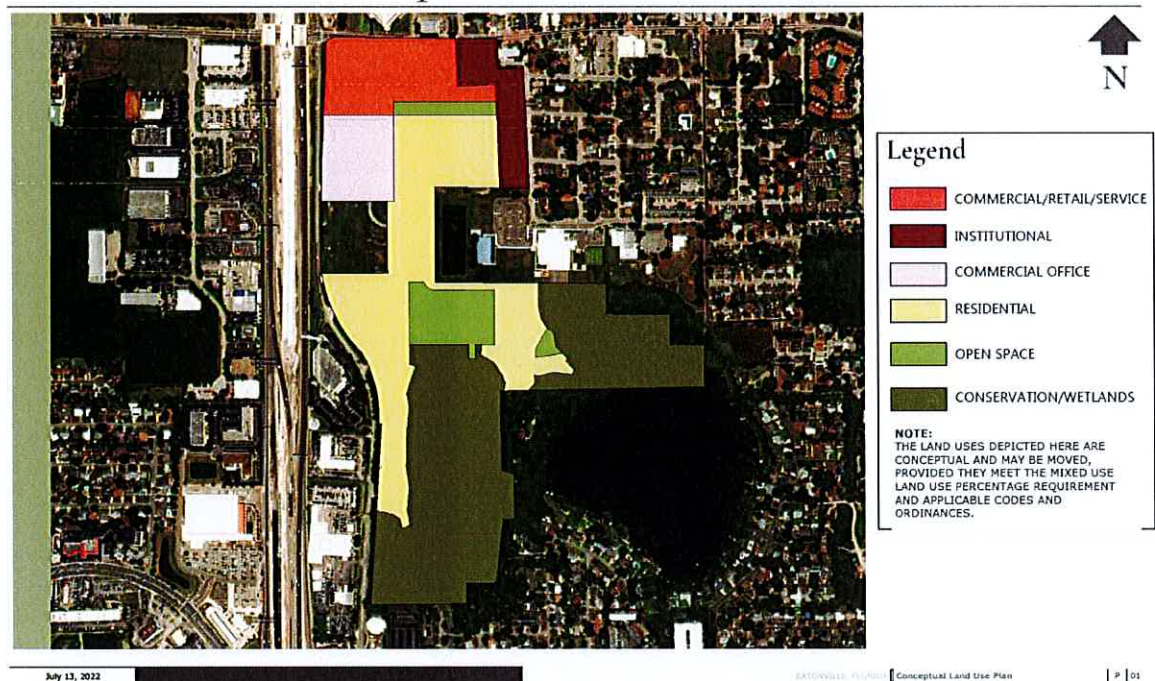
of the overall development of the Wymore Road/Hungerford Property is to expand the Town's existing downtown by adding office development fronting Wymore Road and Interstate 4, retail spaces fronting East Kennedy and supported by a mix of smaller office space, multi-family and single-family residential product. Additionally, a portion of the property has been designated for the accommodation of civic activities and facilities.

9. Text Amendments Comprehensive Plan

The applicant has requested four changes to table 1.6.8 (A): reductions to the minimum mix requirements for non-residential and an increase of maximum % for residential and adding a new use in the mix table.

The conceptual land use plan proposes uses and densities that are consistent with the uses, densities as established in the Comprehensive Plan, however the proposed

Conceptual Land Use Plan



development is not consistent with the required minimum and maximum mixture of land uses in Table 1.6.8 (A) or the intensity (height).

The applicant is requesting additional land use categories to be assigned to the overall land use plan.

"Proposed" Hungerford Mixed Developments	Min % Land Use Mix	Max % Land Use Mix	Changes result in
Residential	5	30	Increase of 50%
Commercial Offices	5 (20)	60	Decrease min 75%
Commercial Retail/Service Use	10 (40)	60	Decrease min 75%
Public/Institutional, including Educational, Religious and Philanthropic	5	15	No Change
Public Open Space/Recreation/Conservation	20	NA	New Category

INFRASTRUCTURE ASSESSMENT

The project has been reviewed for potential impacts to the overall land use assignment of the application by the applicant. The applicant has included analysis of the existing land use mix assignment against the proposed mix use changes. The minimum mix use criteria has decreased in non-residential by 75% of the Town's mixed use requirement. The Data, Inventory and Analysis of the Comprehensive Plan 2018-2038 provided review of the infrastructure and it supported the maximum percentage of mix requirements in Table 1.6.8(A). The residential maximum mix percentage request is a 50% increase in residential. The additional residential units would be approximately 40 units and have a minimum impact to the overall mix of uses.

Use	Existing	Proposed	Change
Single Family	21,000 GPD	27,000 GPD	6,000 GPD
Multi-Family	37,800 GPD	40,500 GPD	2,700 GPD

Table applicant review of utility demand (pg 2 of applicants request Hungerford LUP HPRD 7132022)

The analysis is only to be used for the comprehensive land use amendment as a potential impact on the changes to the land use assignment.

If the development proceeds to site plan/plat, and the developer agreement, additional information and engineering assessment will be provided prior to any site plan approvals/building permits and be consistent with the Comprehensive Plan policies. Some of the policies that address concurrency are highlighted to ensure that the infrastructure needs shall be met prior to permitting any portion of the project.

Staff Response: The applicant has provided draft concept plans that show the overall program for the development. It appears that the reduction in minimum nonresidential

uses will be the actual development mix and does not appear to use any non-residential maximum thresholds. (refer to figure 2, development program proposed”),

The program also appears to have a maximum land use mix of 30% residential. The overall intent of the mixed use land use category was to provide a more non-residential mixed use with supporting residential. Changing this mix, will change the intent of the land use category.

The applicant states the need for housing. The Town has two significant housing developments underway: 1) Enclave at Lake Shadow (96 units) and 2) Lake Weston Apartment Development (437 units) These two developments (Total 533) will increase the Town’s units from 919 to 1,452 which is a 58% increase of units. The proposed Hungerford Park development would be approximately 390 units, which results in an additional 27% increase in units. The applicant states that the additional increase in maximum residential would yield 40 units, which would result in a 24% increase verses 27% increase. The comprehensive plan provided for 350 units as a maximum as the applicant has stated.

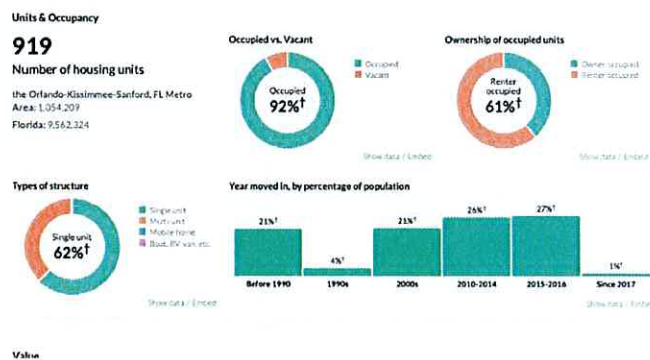


Figure 1, Census Data 2020

Staff does not recommend the additional separated land use category for public open space/recreation/conservation. This request would require additional land use assignments that are not necessary to yield the overall development program of the concept plan and require additional map amendments that are not part of this application, the applicant requested a map amendment for the Commercial and not a map amendment for land use designations within the Mixed Use Category. The naming of the proposed land uses would be in conflict with the overall comprehensive land use. The mix land use mix on Table 1.6.8 (a) (Public/Institutional, including Educational,

Religious and Philanthropic) can be updated to N/A maximum threshold and there would be no issue with the assignment of uses from the applicant.



Figure 2, Development Program "proposed"

The applicant, in the RFP response stated the following in regards to the development plan "Hungerford Partners is proposing the development of an 88-acre mixed-use community called Hungerford Park. The community will include single-family residential, multi-family residential, office, retail, cultural, educational, recreational, and civic uses. The community will be an infill, pedestrian-oriented community with office uses along Wymore Road and a retail corridor along Kennedy Boulevard, both of which will serve the community as well as the surrounding area. The residential component will include rentals as well as for sale product and will integrate into the existing residential neighborhood. We will also provide a civic and cultural arts area adjacent to the existing branch library, to accommodate cultural, educational, and event facilities, thereby serving as a "community living room." Finally, the community will feature a master stormwater system that not only provides attenuation and filtration for the project, but also serves as an open space and recreational amenity for the community."

The applicant is requesting increase in height on Table 1.6.8(B) from 40 feet to 50 feet. The applicant states that the Host time development is 100 ft and the height increase would serve as a transition. The proposed multi-family is significantly closer to existing residential neighborhoods. During public meetings, the applicant stated the design of the multi-family would create a need for architectural detailing, that would exceed the 40 feet in height. If the applicant is providing a design concept that integrates architectural relief to protect existing neighbors, the height could be considered.

10. Amendments to Ordinance 2016-8

The applicant is requesting modifications through strike thru underline of the HPRD Ordinance. The yellow highlighted areas were done by the Town (previously under different staff review) and not removed during the ordinance approval. During this process, the Town will clean up the ordinance to reflect the strike-thru underline of the document. The applicants requests are as follows.

Request #1 Permit Multiple Family Units in Table 2-16.4.

TABLE 2-16.4: HUNGERFORD PLANNED UNIT REDEVELOPMENT DISTRICT (H-PRD) LAND USES			
LAND USES	PERMITTED USES (P)	CONDITIONAL USES (C)	SPECIAL EXCEPTION USES (SE)
RESIDENTIAL USES			
Detached Single Family or Attached Town House	x		
Mixed Use Projects		x	
Multiple Family Units Will be inserted after comprehensive plan amendment	x		
Accessory Uses	x		
Home Occupations		x	
COMMERCIAL USES			
Business and professional offices	x		
Business and financial service facilities	x		
Cultural arts, museums, and related exhibits	x		
Educational, religious, and philanthropic institutions	x		
Farmers' market		x	
Hotel or motel	x		
Mixed use projects	x	x	
Personal service stores	x		
Cultural arts, museums, and related exhibits	x		
Restaurants	x		
Retail stores	x		
Accessory Uses	x		
PUBLIC AND SEMI-PUBLIC USES			
Community center and performing arts facility	x		

Ordinance 2016-8 Establishing Hungerford Planned Redevelopment District Zoning Regulations

Page 4 of 17

Staff Response: The HPRD stated this would be permitted as land use after the comprehensive plan was adopted, staff agrees with the request.

Request #2 Revise Land Use Percentages to match the Comprehensive Plan Amendment in Table 2-16.4. Refer to the images below:

ORDINANCE #2016 - 8 (Continued)

Essential services		x	
General government facilities	x		
Parks and Recreation, and Performing Arts Facilities			
Schools			
MIXED USE DEVELOPMENTS—Needs to be evaluated when the FLUM revised	MIN. % LAND USE MIX	MAX. % LAND USE MIX	
Residential	20% 5%	50% 30%	
Employment Center Use (Office/Business Park) Commercial/Office	20% 5%	60%	
Commercial Retail/Service Use	40% 10%	60%	
Public/Semi-Public Uses, including Educational, Religious, and Philanthropic	20% 5%	No Maximum 15%	
Public Open Space/Recreation/Conservation	25%	N/A	

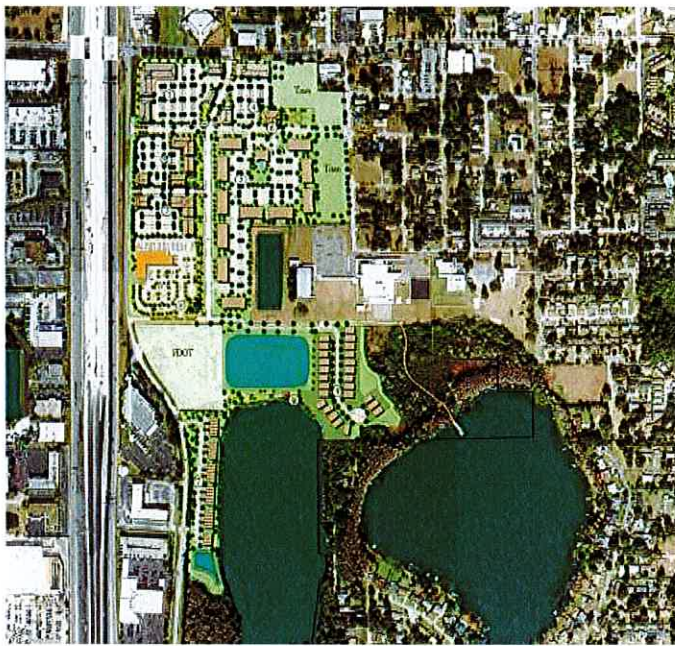


Figure 3, Hungerford Development Plan "proposed"

Staff Response: This request mirrors the changes in the map text amendment and staff comments for that request are the same for the consistency with the HPRD.

Request #3 Insert multi-family density information in the document.

- A. → Maximum Residential Density. The maximum residential density shall be as follows: 1) Detached single family residential low-density maximum is up to 5 dwelling units per acre and 2) Attached or detached residential medium density maximum is up to 8 units per acre and 3) Attached town homes and multiple family residential maximum high density is up to 47-3.9 dwelling units per acre, not to exceed 390 dwelling units. ¶

Staff Response: The capping of dwelling units for the overall development is accepted and will be updated as requested.

Request #4 Reduce minimum lot size in Section 2.16.5 sub E.

- E. → Minimum Lot Size. No detached single-family residential lot area shall be smaller than 5,000-1,800 square feet excepting approved zero lot line developments. The minimum size lot for a proposed attached single-family residential dwellings within a townhouse development or a proposed zero lot line single family residential development shall be determined during the preliminary plat and site plan review process upon demonstration by the applicant that the substantial project amenities for the future residents of the development and the public can be attained by such medication which cannot otherwise be achieved by retaining the 5,000-1,800 square foot minimum. The burden of proof is on the applicant to demonstrate to the Town Council's satisfaction that the increased amenities yielded by the modified minimum lot size is substantial and beneficial to the Town and its residents. ¶

Staff Response: No change is needed. The applicant stated the reduction was to permit townhomes, however the text above is for "detached single family". Townhome size is determined during the site plan review process. Changing 5,000 sq.ft. impacts detached single family.

G. → **Distance between Buildings.** A minimum of twenty (20)-feet separating structures, excepting buildings with immediately adjoining or common walls. However, the minimum distance separating any one building over twenty-five (25)-feet in height from an adjacent building shall be twenty (20)-feet plus one (1)-foot for each additional two (2)-feet in height above twenty-five (25)-feet unless otherwise approved by the Fire Marshal. Building separation shall meet the current applicable Fire Code and will require Fire Marshall review and approval.¶

Request #6 Re-insert text for attached townhomes and Multi-family residential, increase height, decrease “both sides” setbacks for MDR and make Lot Coverage percentages consistent with the Comprehensive Plans Impervious Surface Ratio in Table 2.16.5.

Land Use	Min. Site Size		Lot Minimum Lot Area		Front	Rear	Lot: Side Yard Requirements			Minimum Living Floor Area Per Dwelling Unit (sq. ft.) (1)		Max. Lot Coverage (%)	Max. Height (ft.)
	Site Area (Sq. Ft.)	Site Width (ft.)	Lot Area (Sq. Ft.)	Lot Width (ft.)			Min. Both Sides (ft.)	Min. One Side (ft.)	Corner Side (ft.)	# Bedrooms	Sq. Ft.		
Detached Single Family Low Density	(A) Max. density 5 u/a	(A)	7,500 Max. density 3 u/a	75	25	20	15	5	15	1-2 3 or 2+ den/office 4 or 3+ den/office 5 or more	1,100 1,300 1,600 1,900 (5)	35	35
Attached Single Family Res1 Low Density	(A) Max. density 5 u/a	(A)	(A) Max. density 5 u/a	A	25	20	15	5	15			75% -40-	35
Detached Single Family Medium Density	(A) Max. density 8 u/a	(A)	5,000 Max. density 8 u/a	50	25	20	19 -15-	5	15			75% -40-	35
Attached Town House Zero Lot Line Res1 Medium Density	(A) Max. density 8 u/a	(A)	(A) Max. density 8 u/a	(A)	(A)	(A)							
Attached Town House in Multi-Family Residential High Density	2 acres Max. density 22 u/a	(A)	(A) Max. density 22 u/a	(A)	20	20	15	5	15	Single-Family or Duplex Unit Same-as-above	75% 40	50 ft. 40	
E. Kennedy Commercial Retail	(A)	(A)	(A)	(A)	(A)	(A)	None	5	15	none		40	40 ft.
Wymore Office South	2 acres	(A)	(A)	(A)	15	20	30	15	15	none		40	110/15 (C)
Wymore Office Central	1 acre	(A)	(A)	(A)	15	15	30	5	15	none		40	40/70
Hungerford West Central Office	(A)	(A)	20,000 (A)	(A)	15	20	30	5	20	none		40	40
Public/Semi Public	(A)	(A)	(A)	None	20 (B)		None	None	15	none		65	48
Civic or Medical	(A)	(A)	(A)	(A)	35	20	30	15	20	none		50	48

A. Minimum size and dimension standards not in the table shall be negotiated during the preliminary subdivision plat and site plan approval process as part of the terms of a duly executed H-PRO development agreement pursuant to provisions of this Article. The Applicant shall propose the desired minimum size and dimension specifications in the required preliminary plat (if land is being subdivided) and in the required site plan. The site plan shall provide detailed information on land use and planned improvements, proposed minimum site size, minimum lot size, setbacks, as well as proposed open space, screening and buffers as may be needed.

B. The H-PRO Development Agreement negotiation may provide for a reduction in rear setback up to a minimum of 10.0 ft.

C. The maximum height permitted for building in the Wymore Office South and the Wymore Office Central Sector of the Hungerford-Planned Redevelopment District measured from the weighted average of approved finished ground elevation of the property to the peak of the roof is specified in Table 2.16.5. Through a negotiated H-PRO Development Agreement an increase in height may be negotiated to achieve an additional height up to 115 feet in the Wymore Office South Segment and up to 70 feet in the Wymore Office Central Segment as delineated on the zoning map if the applicant desires to negotiate an investment in storm

The applicant also wants “ the allowance of pools, backyard cabanas and patios need to be considered and factor into stormwater design”. It is unclear if the applicant is requesting stormwater credits for these allowances or they are stating what is intended to be on a parcel of land.

Page 19

There were three opportunities for public input for the project. The applicant conducted a listening session on April 13, 2022, with over 50 attendees present online and in person.

The applicant conducted a planning workshop on April 22, 2022 and a Planning Board Regular Meeting on April 28, 2022 to discuss the overall concept of the development and provided the following information:

The Development Plan program was presented and the applicant stated the project would:

- 1- Provide shops, restaurants, retail and entertainment venues
- 2- Local job creation and workforce training
- 3- Outdoor amphitheater
- 4- Lake bell, public access
- 5- Plaza space (restaurant space, gathering area- Wymore/Kennedy)
- 6- Restaurants outdoor space
- 7- 24,000 civic use space /amphitheater
- 8- Grocery store (in talks with potential partners)

The overall comments/concerns from the listening session and public meetings were:

- 1- Desire for local retailers, shops for the residents
- 2- Concerns regarding the amount of residential
- 3- Preservation of the heritage and culture of the town
- 4- Create a safe space for residents to enjoy recreation, open space
- 5- Keep access to the lake public and not private
- 6- Environmental concerns with the wetlands
- 7- Traffic concerns

12. NEXT STEP.

The following next steps of the application:

- 1- Planning Board recommends approval, approval with conditions or denial of each application.
- 2- If the Town Council approves the applications, and the state approves the comprehensive plan amendments, then the applicant will need to apply for rezoning of the C-3 parcel to a PUD, which will be a quasi-judicial hearing.

RECOMMENDATION

The Planning Board will provide one of the following:

- (a) Recommendation of denial
- (b) Recommendation of approval
- (c) Recommendation of approval with conditions
- (d) Recommendation of approval in part, with or without conditions, and denial in part.

The Town Planner recommends that the Planning Board recommend approval with the following conditions:

APPROVE WITH CONDITIONS:

1. Land Use Map Amendment from Commercial Land Use Designation to Mixed Use Land Use designation.
2. The Town's Comprehensive Plan's Land Use text amendment to Table 1.6.8 (A) and Table 1.6.8 (B), in this staff report with the following updates:
 - (a) Updated Table 1.6.8 (A)

Hungerford Mixed Developments	Min % Land Use Mix	Max % Land Use Mix
Residential	5	30 (1)
Commercial Offices	5	60
Commercial Retail/Service Use	10	60
Public/Institutional, including Educational, Religious and Philanthropic	5	NA

- (1) The minimum percentage use requirements on Table 1.6.8.(A) shall be met for each use category prior to the allowance of any maximum percentage of a use category as provided in the table.

(b) Updated Table 1.6.8 (B)

Residential Land Use	Min. Site Size	Maximum Density (Units/Acre)	Maximum Intensity (Height in feet)
Low Density Single Family Residential: Detached or Attached	The minimum lot size and dimension shall be negotiated during the preliminary subdivision plat and site plan approval process as part of the terms of a duly executed H-PRD development agreement	5 u/a	35 feet
Medium Density Single Family Residential: Detached Dwellings/Attached Town Houses Zero 1 of 1 line Home		8 u/a	35 feet
High Density Multi-Family Residential or Attached Single Family Town Homes		17 u/a 50 (2)	40 feet
Non-Residential Land Uses		Intensity (Height)	
E. Kennedy-Wymore Commercial	2 acres	40 ft.	
Public/Semi Public		40 ft.	
Civic or Medical		48 ft.	
Wymore Office South		110 ft. Potential bonus up to 115 ft. ¹	

¹ Bonus height may be permitted for building in the Wymore Office South and the Wymore Office Central Sector of the Hungerford-Planned Redevelopment Future Land Use Map Designated Area. The height shall be measured from the weighted average of approved finished ground elevation of the property to the peak of the roof. Through a negotiated Hungerford-Planned Redevelopment Development Agreement an increase in height may be negotiated to achieve an additional height up to 115 feet in the Wymore Office South Segment if the applicant desires to negotiate an investment in storm water management, roadways, wastewater/potable water systems, mass transit system, fiber optic cable District system expansion to site, or other off-site or on-site community improvements within the Hungerford Planned Redevelopment District that is not a requirement pursuant to Town of Edinburg regulatory powers. The objective is for applicant and Town to achieve mutually proportionate benefits through terms of a negotiated Development Agreement through the development review process. The Town Council and the Applicant/Owner, and any successor in title, would be bound by the terms of a duly negotiated Development.

(2) Architectural elements shall be incorporated to the overall design and height.

3. Revisions to the HPRD ordinance #2016-08- for Hungerford Park as provided:

(a) Table 2.16.4

TABLE 2.16.4: HUNGERFORD-PLANNED UNIT REDEVELOPMENT DISTRICT (H-PRD) LAND USES			
LAND USES	PERMITTED USES (P)	CONDITIONAL USES (C)	SPECIAL EXCEPTION USES (SE)
Community center and performing arts facility	X	-	-
Essential services	-	X	-
General government facilities	X	-	-
Parks and Recreation, and Performing Arts Facilities	X	-	-
Schools	-	X	-
MIXED USE DEVELOPMENTS	MIN. % LAND-USE MIX	MAX % LAND-USE MIX	
Residential	5%	2030%(1)	
Employment Center Use (Office/Business Park)	205%	60%	
Commercial Retail/Service Use	4015%	60%	
Public/Semi-Public Uses, including Educational, Religious, and Philanthropic	20%	No Maximum	

(1)→The minimum percentage use requirements on Table 1.6.8.(A) shall be met for each use category prior to the allowance of any maximum percentage of a use category as provided in the table.

(b) Section 2.16.5 Size and dimension regulations

- A. → **Maximum Residential Density.** The maximum residential density shall be as follows: 1) Detached single family residential low-density maximum is up to 5 dwelling units per acre and 2) Attached or detached residential medium density maximum is up to 8 units per acre and 3) Attached town homes and multiple family residential maximum high density is up to ~~47-3.9~~ **390 dwelling units** per acre, not to exceed

Land Use	Min. Site Size		Lot Minimum Lot Area		Front	Rear	Lot: Side Yard Requirements			Minimum Living Floor Area Per Dwelling Unit (sq. ft.) (1)	Max. Lot Coverage (%) (1)	Max. Height (ft.)
	Site Area (Sq. Ft.)	Site Width (ft.)	Lot Area (Sq. Ft.)	Lot Width (ft.)			Min. Both Sides (ft.)	Min. One Side (ft.)	Corner Side (ft.)			
Detached Single Family Low Density	(A) Max density 5 u/a	(A)	7,500 Max density 5 u/a	75	25	20	15	5	15	1,2 3 or 2 = den/office 4 or 3 = den/office 5 or more	35	35
Attached Single Family Res Low Density	(A) Max density 5 u/a	(A)	(A) Max density 5 u/a	4	25	20	15	5	15		75% -45%	35
Detached Single Family Medium Density	(A) Max density 8 u/a	(A)	5,000 Max density 8 u/a	50	25	20	10 -15	5	15		75% -45%	35
Attached Town House 2nd Lot Line Res Medium Density	(A) Max density 8 u/a	(A)	(A) Max density 8 u/a	(A)	(A)	(A)						
Attached Town-Homes or Multi-Family Residential High-Density	2 acres Min-density 32 u/a	(A)	(A) Max density 32 u/a	(A)	20	20	15	5	15	Single Family or Duplex Unit Same as above Efficiency Unit 2 800 300 1,200-140	75% 50	50 ft. 50
E. Kennedy Commercial Retail	(A)	(A)	(A)	(A)	(A)	(A)	None	5	15	none	40	40 ft.
Wynore Office South	2 acres	(A)	(A)	(A)	15	20	30	15	15	none	40	110/115 (C)
Wynore Office Central	1 acre	(A)	(A)	(A)	15	15	30	5	15	none	40	40/70
Hungerford West Central Office	(A)	(A)	20,000 (A)	(A)	15	20	30	5	20	none	40	10
Public/Semi Public	(A)	(A)	(A)	(A)	None	20 (B)	None	None	15	none	65	48
Civic or Medical	(A)	(A)	(A)	(A)	35	20	30	15	20	none	50	48

A. Minimum size and dimension standards not in the table shall be negotiated during the preliminary subdivision plat and site plan approval process as part of the terms of a duly executed H-PRD development agreement pursuant to provisions of this Article. The Applicant shall propose the desired minimum size and dimension specifications in the required preliminary plat (if land is being subdivided) and in the required site plan. The site plan shall provide detailed information on land use and planned improvements, proposed minimum site size, minimum lot size, setbacks, as well as proposed open space, screening and buffers as may be needed.

B. The H-PRD Development Agreement negotiation may provide for a reduction in rear setback up to a minimum of 10.0 ft.

C. The maximum height permitted for building in the Wynore Office South and the Wynore Office Central Sector of the Hungerford Planned Redevelopment District measured from the weighted average of approved finished ground elevation of the property to the peak of the roof is specified in Table 2.16.5. Through a negotiated H-PRD Development Agreement an increase in height may be negotiated to achieve an additional height up to 115 feet in the Wynore Office South Segment and up to 70 feet in the Wynore Office Central Segment as delineated on the zoning map if the applicant desires to negotiate an investment in storm water management, roadways, wastewater/potable water systems, mass transit system, fiber optics/cable system expansion to site, or other off-site or on-site community improvements within the Hungerford Planned Redevelopment District that is not a requirement pursuant to Town of Eastonville regulatory powers. The objective is for applicant and Town to achieve mutually proportionate benefits through terms of a negotiated Development Agreement through the development review process. The Town Council and the Applicant/Owner, and any successor in title, will be bound by the terms of a duly negotiated

- (1) Maximum lot coverage increase is contingent on open space/recreation areas to be within 1/8 of a mile from the development.

Additional Conditions to include:

- (c) A developers agreement shall be executed prior to any site development plan or plat approval that is consistent with the policies of the comprehensive plan as it relates to phasing, mixed use, lake access, uses, housing, open space, concurrency and any other policies that effect the overall design intent of the project.
- (d) Hungerford Design guidebook will be drafted to be consistent with the Town's Comprehensive Plan policies for mixed use development to ensure the overall development meets the vision, goals and objectives as provided in the staff report along with the Hungerford Development Plan as provided in section 7 of this report and will be used as the overall review of the site development plan process for ease of review during site plan approval process.



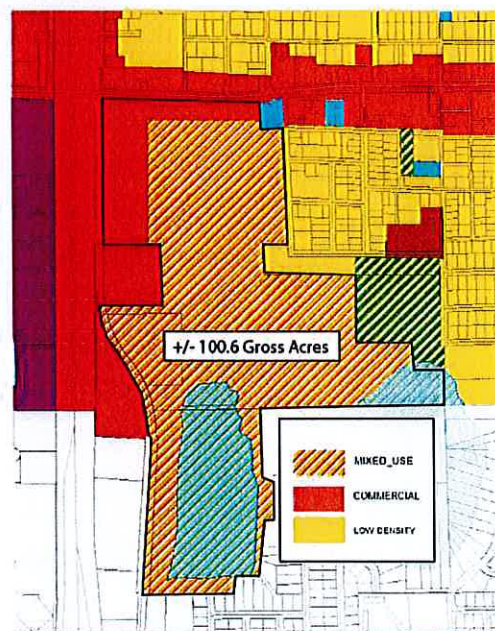
Comprehensive Plan & H-PRD Amendments - Hungerford Park

Justification & Background

EXHIBIT B

Hungerford Park is a mixed-use community intended to provide commercial, office, retail, service, residential and civic uses to the Town of Eatonville. In response to the formally analyzing the existing Comprehensive Plan requirements and the H-PRD, the applicant is requesting modification in order to achieve the Town's desired redevelopment and respond to the current market conditions.

The following Comprehensive Plan requests assume and recommends that the percentage of land uses be calculated based on the acreage of the use. The map below outlines the area used for the calculation which consists of the following parcel IDs: 35-21-29-0000-00-090, 35-21-29-0000-00-192 and 02-22-29-0000-00-002. The area is a gross area, and includes wetlands and waterbodies:



To summarize the request below is a table of minimum acreages and maximum square footage, based on the +/- 100.26 gross acres, which excludes the Host Dime parcel.

Use	Min/Max Percentage	Min /Max Acreage	Max SF (Density/Intensity)	ITE Trip Generation
Residential	5% / 30%	5.02 AC / 30.1 AC	3.9 DU/ Gross AC (approx. 390 units)	MF: $330 * 5.44 =$ <u>1,795 Trips Daily</u>
Commercial/Office	5% / 60%	5.02 AC / 60.16 AC	80,000 SF	SF Attached $24 * 7.32 =$ <u>176 Trips Daily</u> SF Detached: $34 * 10 =$ <u>340 Trips Daily</u>
Commercial/Retail/Service	10% / 60%	10.03 / 60.16 AC	210,00 SF	Office: $175 * 22 =$ <u>1,760 Daily Trips</u>
Public/Institutional	5% / 15%	5.02 AC / 15.0 AC	56,000 SF	Retail/Service: $210 * 115 =$ <u>24,150 Daily Trips</u>
Public Open Space/ Recreation / Conservation	20%	20.05 Acres / NA	N/A	Institutional: $56 * 6.95 =$ <u>390 Daily Trips</u>



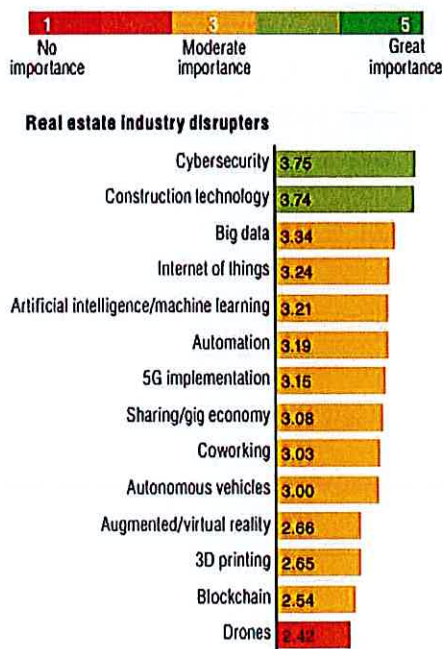
STRINGFELLOW
PLANNING & DESIGN

Comprehensive Plan & H-PRD Amendments - Hungerford Park

Justification & Background

Request #1: Increasing the allowable percentage of residential: The United States has recently experienced its slowest population growth rates in the nation's history; the population grew just 0.35 percent in 2020 . In spite of slowing population growth, housing affordability has skyrocketed in recent years across the nation. Supply chain challenges, increasing complexity of land development and various other factors have driven up cost. Against the national trend, Florida has seen a population boom, growing by 1 million residents since 2018. Orange County has a growth rate of around .84% year over year (2021-2022), more than double the national average. Demand for housing has outstripped supply nationally and locally, causing affordability challenges. The challenges are so great, that many professionals agree that government or private sector intervention is required to curb the trend in affordability. Amidst this supply bottleneck, working from home and the industries that allow for remote working, have become the dominant disruptors for the market. See Exhibit 1-5 below:

Exhibit 1-5 Importance of Disrupters for Real Estate in 2022



Source: Emerging Trends in Real Estate 2022 survey.

While technology and automation take center stage, light industrial land tenant vacancy has remained strong through the pandemic and market woes. In sum, the demand in the market is iron focused on a labor force that either works remotely or in a tech/industrial setting. This coupled with a residential supply issue, provides a powerful incentive for infill residential development.

Impact to Utilities and Infrastructure. Increasing the allowable residential acreage is estimated to increase the amount of residential units by approximately 40 units. For transportation, this change is de minimis. We have attached a utility demand estimate in a separate file and assert that the net change in residential demand for water/sewer would be as follows:

Use	Existing	Proposed	Change
Single Family	21,000 GPD	27,000 GPD	6,000 GPD
Multi-Family	37,800 GPD	40,500 GPD	2,700 GPD

Further, the student generation for these additional units is estimated to generate an additional 13 students. Another increase that we assert is de minimis.



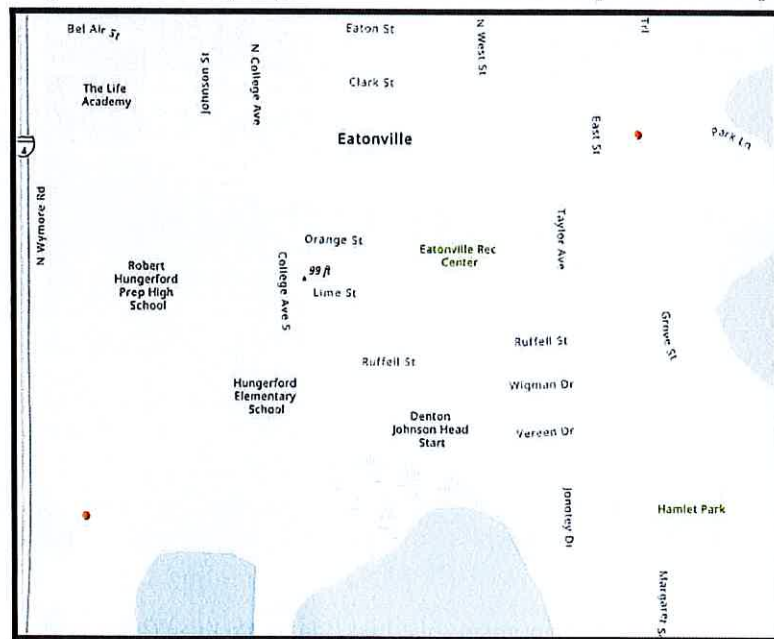
STRINGFELLOW
PLANNING & DESIGN

Comprehensive Plan & H-PRD Amendments - Hungerford Park

Justification & Background

Request #2: Decreasing minimum allowable percentage of commercial offices: According to the *Emerging Trends in Real Estate 2022 survey*, as of early fall 2021, most office workers are still working remotely most of the time. Furthermore, more than a quarter of the U.S. office building stock, representing more than 4 billion square feet of space, is at least 60 years old. Renovations and redevelopment is anticipated to absorb the demand for office space and the applicant insists that more tech and light industrial office is not consistent with the vision of the Town. Finally, the large supply of office space in the Maitland area heavily impacts the demand for conventional office development.

Request #3: Decreasing minimum allowable percentage of commercial/retail/service: The demand for retail and service is either a function of population density or annual daily traffic. Both population density and traffic counts are relatively low when analyzing a conventional retail development. See map and statistics below:



Station: 435 - Kennedy Bv/Lake Av

Limits: Wymore Rd to Orlando Av

Location: 0.66 Miles E. of Wymore Rd

Peak Hour Daily Volume: 649

Peak Direction: EB

Average Annual Daily Traffic, Most Recent: 9,211

Station: 1033 - Wymore Rd

Limits: Kennedy Bv to Lee Rd

Location: 0.5 Mi. N. Lee Rd

Peak Hour Daily Volume: 653

Peak Direction: NB

Average Annual Daily Traffic, Most Recent: 9,806



STRINGFELLOW
PLANNING & DESIGN

Comprehensive Plan & H-PRD Amendments - Hungerford Park

Justification & Background

This traffic can be compared to a retail/commercial corridor such as S Orlando Avenue (17-92)



Station: 6062 - Orlando Av

Limits: Kennedy Bv to Park Av

Location: 400 Ft S. Magnolia Av

Peak Hour Daily Volume: 3,010

Peak Direction: NB

Average Annual Daily Traffic, Most Recent: 52,492

Given the context of the site, smaller developments like East End Market in Winter Park or Plant Street Market in Winter Garden are more appropriate than some larger commercial developments. However, a grocery store may be an appropriate use given the commuting traffic in the eastbound direction.

Request #4: Adding minimum percentage of Open Space/Recreation/Conservation: The inclusion of this criteria will provide more focus on the creation of usable outdoor spaces for the community. Applicant recommends 25%, consistent with the H-PRD.

Request #5: Increasing Multi-family height: In order to allow for 3-story multi-family products and to provide flexibility for architectural elements (such as towers and decorative dormers). The applicant is requesting an increase in the height maximum to make the use of land more efficient and to fit the urban context of the site. In comparison, Host Dime is 100 feet tall and is in a prominent location. A 50 foot height would serve as an appropriate transition moving from I-4 to the single family neighborhoods westward.



STRINGFELLOW
PLANNING & DESIGN

Comprehensive Plan & H-PRD Amendments - Hungerford Park

Justification & Background

See summarized Land Use Mix changes below:

HUNGERFORD MIXED USE DEVELOPMENTS		MIN. % LAND USE MIX	MAX. % LAND USE MIX
Residential		5%	20% 30%
Commercial Offices		20% 5%	60%
Commercial Retail/Service Use		40% 10%	60%
Public / Institutional, including Educational, Religious, and Philanthropic		5%	15%
Public Open Space/Recreation/Conservation		25%	N/A

** Medium Mixed Use Future Land Use. Within the Medium Mixed Use Future Land Use boundaries as shown on the Future Land Use Map, a mix of uses including Multi-Family Residential and/or Attached Single Family Townhomes (up to 13 units per acre), commercial and conservation uses (The maximum intensity for commercial is 0.45 FAR) may be allowed. The wetlands adjacent to Lake Weston within the Lake Weston Future Land Use boundaries are hereby designated as a Class I Conservation Area pursuant to §13- 5.3, Town of Eatonville Land Development Code (LDC) and shall be subject to applicable provisions of §13-5. LDC. The intent of this Future Land Use policy and related Lake Weston Overlay District is to allow a range of commercial, and residential uses on the subject property with appropriate development standards, protect environmental resources, mitigate negative impacts and promote compatibility with surrounding properties. Subject to requirements of this Future Land Use policy, the current industrial zoning of the property is hereby deemed consistent.

H-PRD Amendments

Please note: anything highlighted in **yellow** is **not the applicant's request**, but existing language in the ordinance.

Request #1 Permit Multiple Family Units in Table 2-16.4. The applicant is requesting a modification to allow for Multi-family units. In order to improve the viability of future commercial development and to provide for a rental option in the community, the applicant is requesting that this use be permitted. The table below shows that this use was already anticipated to be added alongside the Comprehensive Plan Amendment.

TABLE 2-16.4: HUNGERFORD PLANNED UNIT REDEVELOPMENT DISTRICT (H-PRD) LAND USES			
LAND USES	PERMITTED USES (P)	CONDITIONAL USES (C)	SPECIAL EXCEPTION USES (SE)
RESIDENTIAL USES			
Detached Single Family or Attached Town House	x		
Mixed Use Projects		x	
Multiple Family Units Will be inserted after comprehensive plan amendment	x		
Accessory Uses	x		
Home Occupations		x	
COMMERCIAL USES			
Business and professional offices	x		
Business and financial service facilities	x		
Cultural arts, museums, and related exhibits	x		
Educational, religious, and philanthropic institutions	x		
Farmers' market		x	
Hotel or motel	x		
Mixed use projects	x	x	
Personal service stores	x		
Cultural arts, museums, and related exhibits	x		
Restaurants	x		
Retail stores	x		
Accessory Uses	x		
PUBLIC AND SEMI-PUBLIC USES			
Community center and performing arts facility	x		



Comprehensive Plan & H-PRD Amendments - Hungerford Park

Justification & Background

Request #2 Revise Land Use Percentages to match the Comprehensive Plan Amendment in Table 2-16.4. Refer to the images below:

CURRENT:

ORDINANCE #2016 - 8 (Continued)

Essential services		x	
General government facilities	x		
Parks and Recreation, and Performing Arts Facilities			
Schools			
MIXED USE DEVELOPMENTS—Needs to be evaluated when the FLUM revised	MIN. % LAND USE MIX	MAX. % LAND USE MIX	
Residential	20%	50%	
Employment Center Use (Office/Business Park)	20%	60%	
Commercial Retail/Service Use	40%	60%	
Public/Semi-Public Uses, including Educational, Religious, and Philanthropic	20%	No Maximum	

PROPOSED: To match the requested Comprehensive Plan, the below changes are needed:

ORDINANCE #2016 - 8 (Continued)

Essential services		x	
General government facilities	x		
Parks and Recreation, and Performing Arts Facilities			
Schools			
MIXED USE DEVELOPMENTS—Needs to be evaluated when the FLUM revised	MIN. % LAND USE MIX	MAX. % LAND USE MIX	
Residential	20% 5%	50% 30%	
Employment Center Use (Office/Business Park) Commercial/Office	20% 5%	60%	
Commercial Retail/Service Use	40% 10%	60%	
Public/Semi-Public Uses, including Educational, Religious, and Philanthropic	20% 5%	No Maximum 15%	
Public Open Space/Recreation/Conservation	25%	N/A	

Request #3 Insert multi-family density information in the document. The snapshot below shows the existing highlighted language to be added into the H-PRD. Applicant requests the below language. See below:

SECTION 2.16.5: SIZE AND DIMENSION REGULATIONS. Encourage an overall planned mix of land uses within the Town Center Hungerford Redevelopment District. At the time of its creation the Hungerford Redevelopment District property was comprised of large tracts under the Orange County School Board's unified ownership. The ownership of the subject property is transitioning from the Orange County School Board to the Town of Eatonville. The Town of Eatonville desires to encourage redevelopment of a large tract mixed use Town Center. The Town of Eatonville desires to implement a flexible planning and management framework that attracts private sector investment in innovative mixed use redevelopment that demonstrating consistency with the nation's best planning, design and management principles and practices. Size and dimension specifications shall comply with the following standards and principles:

- A. **Maximum Residential Density.** The maximum residential density shall be as follows: 1) Detached single family residential low density maximum is up to 5 dwelling units per acre and 2) Attached or detached residential medium density maximum is up to 8 units per acre and 3) Attached town homes and multiple family residential maximum high density is up to 17 dwelling units per acre. **Will be inserted after comprehensive plan amendment**

Request: Maximum Residential Density. The maximum residential density shall be 390 units, or 3.9 Dwelling Units per Gross Acre (100.26 Gross Acres).



Comprehensive Plan & H-PRD Amendments - Hungerford Park

Justification & Background

Request #4 Reduce minimum lot size in Section 2.16.5 sub E. The snapshot below shows the existing lot size minimum. The applicant proposes to include townhome units within the development. In order to allow for a 20'x90' lot or larger (roughly), the lot sizes would need to be +/-1800 SF). Allowing for townhouse development would allow for increased housing diversity and provide more moderately priced units, in lieu of traditional detached single family. See strikethrough below:

Minimum Lot Size. No detached single family residential lot area shall be smaller than ¹⁸⁰⁰~~5,000~~ square feet excepting approved zero lot line developments. The minimum size lot for a proposed attached single family residential dwellings within a townhouse development or a proposed zero lot line single family residential development shall be determined during the preliminary plat and site plan review process upon demonstration by the applicant that substantial project amenities for the future residents of the development and the public can be attained by such modification which cannot otherwise be achieved by retaining the ~~5,000~~¹⁸⁰⁰ square foot minimum. The burden of proof is on the applicant to demonstrate to the Town Council's satisfaction that the increased amenities yielded by the modified minimum lot size is substantial and beneficial to the Town and its residents.

Request #5 Remove building separation requirements. The current code requires 20 feet between buildings arbitrarily. This should defer to Building and Fire Code for the most recent regulations and industry standards based on use, occupancy and construction materials.

EXISTING

- G Distance between Buildings. A minimum of twenty (20) feet separating structures, excepting buildings with immediately adjoining or common walls. However, the minimum distance separating any one building over twenty-five (25) feet in height from an adjacent building shall be twenty (20) feet plus one (1) foot for each additional two (2) feet in height above twenty-five (25) feet unless otherwise approved by the Fire Marshal.

PROPOSED

- G Distance between Buildings. ~~A minimum of twenty (20) feet separating structures, excepting buildings with immediately adjoining or common walls. However, the minimum distance separating any one building over twenty-five (25) feet in height from an adjacent building shall be twenty (20) feet plus one (1) foot for each additional two (2) feet in height above twenty-five (25) feet unless otherwise approved by the Fire Marshal.~~ Building separation shall meet the current applicable Fire Code and will require Fire Marshall review and approval.

Intentionally Blank



STRINGFELLOW
PLANNING & DESIGN

Comprehensive Plan & H-PRD Amendments - Hungerford Park

Justification & Background

Request #6 Re-insert text for attached townhomes and Multi-family residential, increase height, decrease “both sides” setbacks for MDR and make Lot Coverage percentages consistent with the Comprehensive Plans Impervious Surface Ratio in Table 2.16.5. The language related to multi-family needs to be reinserted into the table as highlighted below in the current code. The height on the right hand column would be inconsistent with the Comprehensive Plan request if it was not changed from 40 feet to 50 feet. The setback on “Both Sides” for Medium Density would be reduced from 15 feet to 10 feet to allow for a typical 40’ home on a 50’ lot (industry standard) and to allow for 5’ side setbacks (10’ between buildings). The Lot Coverage percentages do not match the comprehensive plan ISR which is 75% in all Land Uses. Since the Open Space requirement is being added into the documentation, and given the stringent requirements from the Water Management Districts to meet stormwater requirements, we see this as only causing confusion down the road for permitting. Further, the allowance of pools, backyard cabanas and patios need to be considered and factor into stormwater design.

Table 2.16.5: Hungerford-Planned Redevelopment District Size and Dimension Regulations.														
Land Use	Min. Site Size		Lot Minimum Lot Area		Front	Rear	Lot: Side Yard Requirements			Minimum Living Floor Area Per Dwelling Unit (sq. ft.) (1)		Max. Lot Coverage (%)	Max. Height (ft.)	
	Site Area (Sq. Ft.)	Site Width (ft.)	Lot Area (Sq. Ft.)	Lot Width (ft.)			Min. Both Sides (ft.)	Min. One Side (ft.)	Corner Side (ft.)	# Bedrooms	Sq. Ft.			
Detached Single Family Low Density	(A) Max. density 5 u/a	(A)	7,500 Max. density 5 u/a	75	25	20	15	5	15	1-2 3 or 2+ den/office 4 or 3+ den/office 5 or more	1,100 1,300 1,600 1,900 (5)	35	35	
Attached Single Family Res'l Low Density	(A) Max. density 5 u/a	(A)	(A) Max. density 5 u/a	A	25	20	15	5	15			75% 40	35	
Detached Single Family Medium Density	(A) Max. density 8 u/a	(A)	5,000 Max. density 8 u/a	50	25	20	10 15	5	15			75% 40	35	
Attached Town House Zero Lot Line Res'l Medium Density	(A) Max. density 8 u/a	(A)	(A) Max. density 8 u/a	(A)	(A)	(A)								
Attached Town Homes or Multi-Family Residential High-Density	2-acres Max. density 37 u/a		(A) Max. density 37 u/a	(A)	30	20	15	5	15	Single Family or Duplex Unit Same as above		75% 40	50 ft. 40	
										Efficiency of 4 2 3		800 800 1,200 (5)		
E. Kennedy Commercial Retail	(A)		(A)	(A)	(A)	(A)	None	5	15	none			40	40 ft.
Wymore Office South	2 acres	(A)	(A)	(A)	15	20	30	15	15	none			40	110/115 (C)
Wymore Office Central	1 acre	(A)	(A)	(A)	15	15	30	5	15	none			40	40/70
Hungerford West Central Office	(A)		20,000 (A)	(A)	15	20	30	5	20	none			40	40
Public/Semi Public	(A)		(A)	(A)	None	20 (B)	None	None	15	none			65	48
Civic or Medical	(A)		(A)	(A)	35	20	30	15	20	none		50	48	
A Minimum size and dimension standards not in the table shall be negotiated during the preliminary subdivision plat and site plan approval process as part of the terms of a duly executed H-PRD development agreement pursuant to provisions of this Article. The Applicant shall propose the desired minimum size and dimension specifications in the required preliminary plat (if land is being subdivided) and in the required site plan. The site plan shall provide detailed information on land use and planned improvements, proposed minimum site size, minimum lot size, setbacks, as well as proposed open space, screening and buffers as may be needed.														
B The H-PRD Development Agreement negotiation may provide for a reduction in rear setback up to a minimum of 10.0 ft.														
C The maximum height permitted for building in the Wymore Office South and the Wymore Office Central Sector of the Hungerford-Planned Redevelopment District measured from the weighted average of approved finished ground elevation of the property to the peak of the roof is specified in Table 2.16.5. Through a negotiated H-PRD Development Agreement an increase in height may be negotiated to achieve an additional height up to 115 feet in the Wymore Office South Segment and up to 70 feet in the Wymore Office Central Segment as delineated on the zoning map if the applicant desires to negotiate an investment in storm water management, roadways, wastewater/potable water systems, mass transit system, fiber optics cable system expansion to site, or other off-site or on-site community improvements within the Hungerford Planned Redevelopment District that is not a requirement pursuant to Town of Eatonville regulatory powers. The objective is for applicant and Town to achieve mutually proportionate benefits through terms of a negotiated Development Agreement through the development review process. The Town Council and the Applicant/Owner, and any successor in title, would be bound by the terms of a duly negotiated Development Agreement.														
Deletions Will be inserted after comprehensive plan amendment														



STRINGFELLOW
PLANNING & DESIGN

Comprehensive Plan & H-PRD Amendments - Hungerford Park Justification & Background

In conclusion, the applicant asserts that the changes requested here-in are justified in order to (1) meet current market requirements, (2) create consistency between the code and comprehensive plan and (3) provide clarity on the forthcoming applications. The applicant anticipates to coordinate and continue the public process for the Preliminary Plat at a later date, and anticipates coordination on the layout, conceptual designs and program opportunities for the site.

Sincerely,

Alex Stringfellow | Principal

Ph: (352)-217-7710

alex@stringfellowplanning.com

StringfellowPlanning.com



STRINGFELLOW
PLANNING & DESIGN

ORDINANCE #2022-07

AN ORDINANCE OF THE TOWN OF EATONVILLE, FLORIDA, ORD. NO. 2022-7, AMENDING THE TEXT OF THE TOWN'S COMPREHENSIVE PLAN TO AMEND THE TEXT OF FUTURE LAND USE ELEMENT POLICY 1.6.8; THE FUTURE LAND USE MAP AND DENSITY/INTENSITY TABLES; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Eatonville adopted a Comprehensive Plan, which meets the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act of 1985; and

WHEREAS, the Town of Eatonville is committed to planning and managing the future growth and development of the Town; and

WHEREAS, the Town Council of the Town of Eatonville, upon the recommendation of the Planning and Zoning Commission of the Town of Eatonville, has the authority to amend its Comprehensive Plan pursuant to Chapter 163, Florida Statutes; and

WHEREAS, the Local Planning Agency held a public hearing on August 18, 2022, has reviewed and recommended by the adoption of the proposed Comprehensive Plan amendment; and

WHEREAS, the Town Council of the Town of Eatonville held public hearings to consider this amendment, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including supporting documents; and

WHEREAS, the Town of Eatonville has complied with all other requirements and procedures of Florida law in processing this amendment to the Town's Comprehensive Plan; and

WHEREAS, the Town Council of the Town of Eatonville hereby finds and determines that this amendment is internally consistent with the Town's Comprehensive Plan and is consistent with other controlling law to include, but not limited to Chapter 163, Florida Statutes; and

WHEREAS, the Town Council of the Town of Eatonville hereby finds that this Ordinance serves a legitimate governmental purpose and is in the best interests of the public health, safety, and welfare of the citizens of Eatonville, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, AS FOLLOWS:

Section 1. LEGISLATIVE FINDINGS. The recitals set forth above are hereby adopted as the legislative findings of the Town Council of the Town of Eatonville, Florida.

Section 2. COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT POLICY 1.6.8 “THE FUTURE LAND USE MAP AND DENSITY/INTENSITY TABLES.” Pursuant to subsection 163.3184(3), Florida Statutes, the table within Policy 1.6.8(A) regarding Hungerford Mixed Use Developments and the table representing Policy 1.6.8(B) in the Future Land Use Element of the Town’s Comprehensive Plan, shall be to read as follows in their entirety:

HUNGERFORD MIXED USE DEVELOPMENTS	MIN. % LAND USE MIX (1)	MAX. % LAND USE MIX
Residential	5%	20%
Commercial Offices	5%	60%
Commercial Retail/Service Use	10%	60%
Public / Institutional, including Educational, Religious, and Philanthropic	5%	15%

(1) The minimum percentage user requirements on Table 1.6.8 (A) shall be met for each use category prior to the allowance of any maximum percentage of a use category as provided in the table.

TABLE 1.6.8(B): ADOPTED DENSITY AND INTENSITY FOR HUNGERFORD MIXED-USE DEVELOPMENT			
Residential Land Use	Min. Site Size	Maximum Density (Units/Acre)	Maximum Intensity (Height in feet)
Low Density Single Family Residential: Detached or Attached	The minimum lot size and dimension shall be negotiated during the preliminary subdivision plat and site plan approval process as part of the terms of a duly executed H-PRD development agreement.	5 u/a	35 feet
Medium Density Single Family Residential: Detached Dwellings/Attached Town Houses Zero Lot Line Home		8 u/a	35 feet
High Density Multi-Family Residential or Attached Single Family Town Homes		17 u/a	50 feet ¹
Non-Residential Land Uses		Intensity (Height)	
E. Kennedy-Wymore Commercial		40 ft.	
		40 ft.	
Public/Semi Public		48 ft.	
Civic or Medical		48 ft.	
Wymore Office South	2 acres	110 ft. Potential bonus up to 115 ft. ¹	
¹ Bonus height may be permitted for building in the Wymore Office South and the Wymore Office Central Sector of the Hungerford-Planned Redevelopment Future Land Use Map Designated Area. The height shall be measured from the weighted average of approved finished ground elevation of the property to the peak of the roof. Through a negotiated Hungerford-Planned Redevelopment Development Agreement an increase in height may be negotiated to achieve an additional height up to 115 feet in the Wymore Office South Segment if the applicant desires to negotiate an investment in storm water management, roadways, wastewater/potable water systems, mass transit system, fiber optics cable District system expansion to site, or other off-site or on-site community improvements within the Hungerford Planned Redevelopment District that is not a requirement pursuant to Town of Eatonville regulatory powers. The objective is for applicant and Town to achieve mutually proportionate benefits through terms of			

a negotiated Development Agreement through the development review process. The Town Council and the Applicant/Owner, and any successor in title, would be bound by the terms of a duly negotiated Development.

2 Architectural elements shall be incorporated to the overall design and height.

Section 3. TRANSMISSION TO AGENCIES; DIRECTIONS TO THE CLERK.

Within ten (10) days after the first public hearing of this Ordinance and passage of same by the Town Council of the Town of Eatonville, the Town Clerk or her designee is hereby directed to transmit a copy of the adopted plan amendments, with any supporting data and analysis, to the Florida Department of Economic Opportunity (DEO), and all units of local governments or governmental agency in the State of Florida that has oversight and comment authority with respect to the Town of Eatonville's comprehensive plan in accordance with Chapter 163, Florida Statutes.

Section 4. CONFLICTS. After the effective date of this Ordinance, in any case where all or any part of this Ordinance is found to be in conflict with any provision of any other ordinance of the Town of Eatonville, to the extent of such conflict, all such ordinances are hereby repealed.

Section 5. SEVERABILITY. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unenforceable, unlawful or unconstitutional by a court of competent jurisdiction, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance.

Section 6. EFFECTIVE DATE. This Ordinance shall become effective thirty-one (31) days after the Department of Economic Opportunity notifies the Town that the plan amendment package is complete. However, if timely challenged, this Ordinance shall not become effective until the Department of Economic Opportunity or the Administration Commission enters a final order determining the adopted amendment to be in compliance. *See* Fla. Stat. 163.3184(3)(c)4 (2021).

Upon motion duly made and carried, the foregoing Ordinance was approved and passed and transmitted upon the first reading on the ____ day of _____, 2022.

Upon motion duly made and carried, the foregoing Ordinance was approved and passed upon the second reading on the ____ day of _____, 2022.

Advertised in the Orlando Sentinel on _____, 2022.

Attest:

TOWN OF EATONVILLE

Veronica King,
Town Clerk

Angie Gardner, Mayor

Approved as to Form:

Clifford B. Shepard, Town Attorney

CERTIFICATE OF POSTING

I HEREBY CERTIFY that copies of the foregoing Ordinance were posted at Town Hall and on the Town's Official Website this ____ day of _____ 2022.

Veronica King
Town Clerk

ORDINANCE #2022-08

AN ORDINANCE OF THE TOWN OF EATONVILLE, FLORIDA, ORD. NO. 2022-8, AMENDING THE TOWN'S COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FOR PROPERTY GENERALLY LOCATED SOUTH OF E. KENNEDY BOULEVARD AND WEST OF N. WYMORE ROAD, FROM COMMERCIAL TO MIXED USE ON THE TOWN'S OFFICIAL FUTURE LAND USE MAP; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Eatonville adopted a Comprehensive Plan, which meets the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act of 1985; and

WHEREAS, the Town of Eatonville is committed to planning and managing the future growth and development of the Town; and

WHEREAS, the Town Council of the Town of Eatonville, upon the recommendation of the Planning and Zoning Commission of the Town of Eatonville, has the authority to amend its Comprehensive Plan pursuant to Chapter 163, Florida Statutes; and

WHEREAS, the Local Planning Agency held a public hearing on August 18, 2022, has reviewed and recommended by the adoption of the proposed Comprehensive Plan amendment; and

WHEREAS, the Town Council of the Town of Eatonville held public hearings to consider this amendment, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including supporting documents; and

WHEREAS, the Town of Eatonville has complied with all other requirements and procedures of Florida law in processing this amendment to the Town's Comprehensive Plan; and

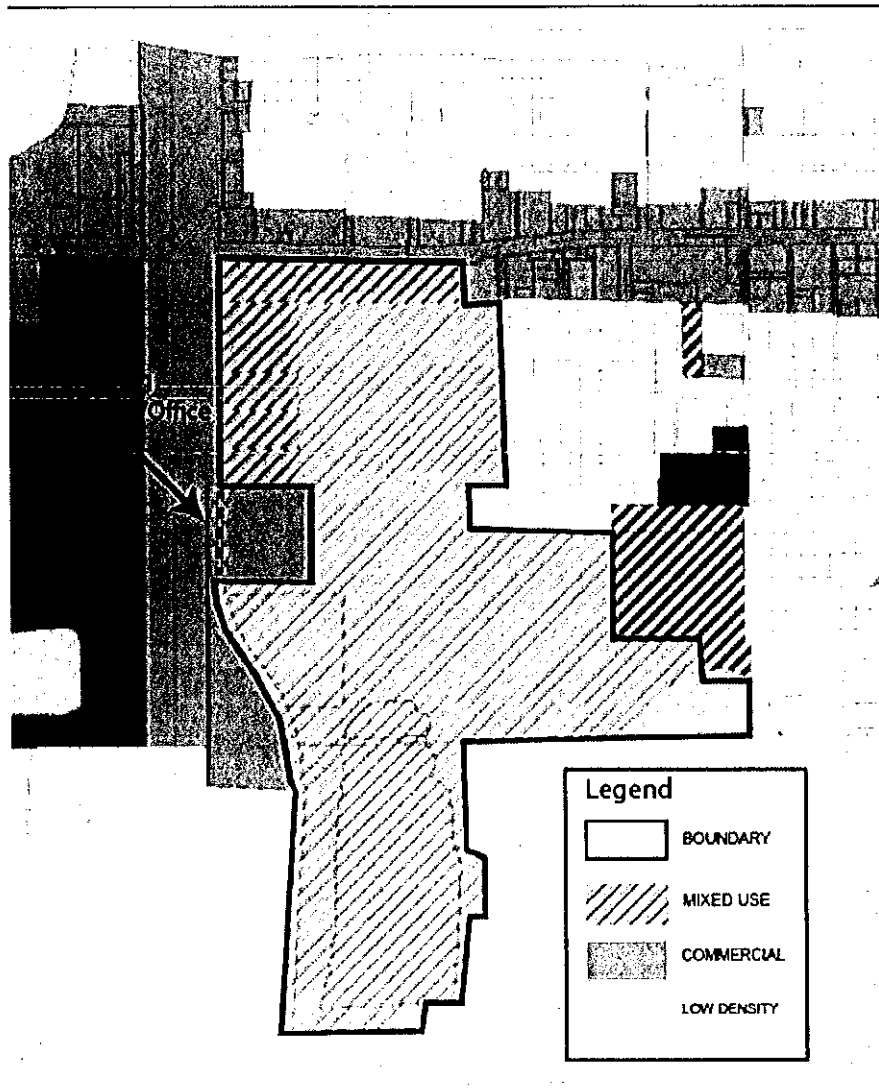
WHEREAS, the Town Council of the Town of Eatonville hereby finds and determines that this amendment is internally consistent with the Town's Comprehensive Plan and is consistent with other controlling law to include, but not limited to Chapter 163, Florida Statutes; and

WHEREAS, the Town Council of the Town of Eatonville hereby finds that this Ordinance serves a legitimate governmental purpose and is in the best interests of the public health, safety, and welfare of the citizens of Eatonville, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, AS FOLLOWS:

Section 1. LEGISLATIVE FINDINGS. The recitals set forth above are hereby adopted as the legislative findings of the Town Council of the Town of Eatonville, Florida.

Section 2. COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT. Pursuant to subsection 163.3184(3), Florida Statutes, the proposed Future Land Use Map Amendment changing the Future Land Use Map designation for property generally located south of E. Kennedy Boulevard and west of N. Wymore Road, as more particularly described in Exhibit "A" attached hereto, from COMMERCIAL to MIXED USE on the Town's Official Future Land Use Map as show below:



Section 3. TRANSMISSION TO AGENCIES; DIRECTIONS TO THE CLERK. Within ten (10) days after the first public hearing of this Ordinance and passage of same by the Town Council of the Town of Eatonville, the Town Clerk or her designee is hereby directed to

transmit a copy of the adopted plan amendments, with any supporting data and analysis, to the Florida Department of Economic Opportunity (DEO), and all units of local governments or governmental agency in the State of Florida that has oversight and comment authority with respect to the Town of Eatonville's comprehensive plan in accordance with Chapter 163, Florida Statutes.

Section 4. CONFLICTS. After the effective date of this Ordinance, in any case where all or any part of this Ordinance is found to be in conflict with any provision of any other ordinance of the Town of Eatonville, to the extent of such conflict, all such ordinances are hereby repealed.

Section 5. SEVERABILITY. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unenforceable, unlawful or unconstitutional by a court of competent jurisdiction, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance.

Section 6. EFFECTIVE DATE. This Ordinance shall become effective thirty-one (31) days after the Department of Economic Opportunity notifies the Town that the plan amendment package is complete. However, if timely challenged, this Ordinance shall not become effective until the Department of Economic Opportunity or the Administration Commission enters a final order determining the adopted amendment to be in compliance. *See Fla. Stat. 163.3184(3)(c)4 (2021).*

Upon motion duly made and carried, the foregoing Ordinance was approved and passed and transmitted upon the first reading on the ____ day of _____, 2022.

Upon motion duly made and carried, the foregoing Ordinance was approved and passed upon the second reading on the ____ day of _____, 2022.

Advertised in the Orlando Sentinel on _____, 2022.

Attest:

TOWN OF EATONVILLE

Veronica King,
Town Clerk

Angie Gardner, Mayor

Approved as to Form:

Clifford B. Shepard, Town Attorney

CERTIFICATE OF POSTING

I HEREBY CERTIFY that copies of the foregoing Ordinance were posted at Town Hall and on the Town's Official Website this ____ day of _____ 2022.

Veronica King
Town Clerk

Exhibit "A"
Legal Description

①

SURVEYOR DESCRIPTION

NORTH PARCEL

A PORTION OF SECTION 35, TOWNSHIP 21 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 35; THENCE SOUTH 89°48'04" EAST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 410.75 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 2, TOWNSHIP 22 SOUTH, RANGE 29 EAST; THENCE CONTINUE ALONG SAID SECTION LINE, NORTH 88°52'36" EAST, A DISTANCE OF 5.03 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF WYMORE ROAD (A 60 FOOT RIGHT-OF-WAY PER OFFICIAL RECORDS BOOK 2008, PAGE 625, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA), SAID POINT BEING ON A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 863.00 FEET; THENCE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 449.52 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 24°59'49" WEST AND A CHORD DISTANCE OF 444.46 FEET TO THE POINT OF REVERSE CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 803.00 FEET; THENCE NORTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 392.47 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 25°59'06" WEST AND A CHORD DISTANCE OF 388.58 FEET TO A POINT ON SAID CURVE AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 803.00 FEET AND ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 60.87 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF NORTH 09°48'42" WEST AND A CHORD DISTANCE OF 60.85 FEET TO A POINT ON SAID CURVE, SAID POINT BEING THE SOUTHWEST CORNER OF LANDS DESCRIBED IN INSTRUMENT NUMBER 20160285054, RECORDED IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE SOUTH 89°47'23" EAST, DEPARTING SAID RIGHT-OF-WAY LINE AND ALONG THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 445.28 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE NORTH 00°12'37" WEST, ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 484.90 FEET TO THE NORTHEAST CORNER OF SAID LANDS; THENCE NORTH 89°47'23" WEST, ALONG THE NORTH LINE OF SAID LANDS, A DISTANCE OF 446.54 FEET TO THE NORTHWEST CORNER OF SAID LANDS, SAID POINT ALSO ON AFORESAID EASTERLY RIGHT-OF-WAY LINE OF WYMORE ROAD, AS SHOWN ON ORANGE COUNTY ENGINEERING DEPARTMENT RIGHT-OF-WAY MAP FOR KENNEDY BOULEVARD/LAKE AVENUE CONTRACT NO. Y7-805A PREPARED BY PEC INC., DATED 04/11/1989; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES AND DISTANCES: (1) NORTH 00°37'38" EAST, 294.19 FEET; (2) THENCE NORTH 03°44'24" EAST, 180.30 FEET; (3) THENCE NORTH 00°36'03" EAST, 119.97 FEET; (4) THENCE NORTH 03°41'24" EAST, 210.43 FEET; (5) THENCE NORTH 00°33'28" EAST, 249.99 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 65.00 FEET, A CENTRAL ANGLE OF 90°03'17" AND A CHORD BEARING AND DISTANCE OF NORTH 45°35'07" EAST, 91.97 FEET; (6) THENCE ALONG THE ARC OF SAID CURVE 102.16 FEET TO THE POINT OF TANGENCY, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF EAST KENNEDY BOULEVARD, AS SHOWN ON SAID ORANGE COUNTY ENGINEERING DEPARTMENT RIGHT-OF-WAY MAP FOR KENNEDY BOULEVARD/LAKE AVENUE; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) SOUTH 89°23'15" EAST, 620.61 FEET; (2) THENCE SOUTH 88°11'32" EAST, 128.68 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 2,904.93 FEET, A CENTRAL ANGLE OF 01°18'42" AND A CHORD BEARING AND DISTANCE OF SOUTH 88°50'53" EAST, 66.50 FEET; (3) THENCE ALONG THE ARC OF SAID CURVE 66.50 FEET TO THE POINT OF TANGENCY; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 02°26'36" EAST, 322.57 FEET; THENCE NORTH 87°33'51" EAST, 255.12 FEET TO A POINT 200 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF COLLEGE AVENUE AS RECORDED IN OFFICIAL RECORDS BOOK 286, PAGE 845, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE SOUTH 02°26'09" EAST, ALONG A LINE 200 FEET WEST OF AND PARALLEL TO THE WEST LINE OF SAID COLLEGE AVENUE, A DISTANCE OF 699.68 FEET; THENCE NORTH 89°30'56" WEST, LEAVING SAID PARALLEL LINE, A DISTANCE OF 443.13 FEET; THENCE SOUTH 00°00'00" EAST, A DISTANCE OF 645.52 FEET; THENCE SOUTH 89°30'56" EAST, A DISTANCE OF 400.49 FEET; THENCE SOUTH 00°02'49" EAST, A DISTANCE OF 47.59 FEET; THENCE NORTH 89°11'51" WEST, A DISTANCE OF 578.12 FEET; THENCE NORTH 00°10'50" WEST, A DISTANCE OF 45.72 FEET; THENCE SOUTH 89°49'22" WEST, A DISTANCE OF 577.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 32.370 ACRES, MORE OR LESS.

ORDINANCE #2022-9

AN ORDINANCE OF THE TOWN OF EATONVILLE, FLORIDA, ORD. NO. 2022-9, AMENDING THE TEXT OF ORD. NO. 2016-8 PERTAINING TO CERTAIN LAND GENERALLY LOCATED SOUTH OF E. KENNEDY BOULEVARD AND EAST OF N. WYMORE ROAD; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on June 21, 2016, the Town of Eatonville adopted Ordinance 2016-8, creating the Hungerford-Planned Redevelopment District regulations;

WHEREAS, The Town of Eatonville Planning Board on August 18, 2022 recommended that the Town Council consider adopting the proposed amendments to the Hungerford-Planned Redevelopment District regulations as a contemporary regulatory framework that will promote the planned redevelopment of the Hungerford property and assist in achieving the following objectives:

1. A innovative and high quality sense of place, character and image with high performance infrastructure.
2. Mixed use redevelopment within the Hungerford Town Center that includes commercial, residential, public and semi-public land uses that exemplify best planning and management principles and practices of economic development, urban design, and amenities that foster economic development, healthy living and working environments and cultural enrichment.
3. Achieve unified design and function of the various uses comprising the Hungerford-Planned Redevelopment District.
4. Encourage a more productive use of land consistent with the public objectives and standards for accessibility, land use compatibility and effective connectivity among activity centers in the Hungerford Planned Redevelopment District and to other portions of the Town Center along East Kennedy Boulevard.
5. Promote efficient use of land by facilitating cost effective infrastructure by ensuring implementation of master plans for drainage and stormwater management; transportation improvements, and expansion of upgraded water and wastewater systems.
6. Stimulate opportunities for economic development and varied housing opportunities and an attractive business climate.
7. Conserve and protect the natural environment including wetlands, flood prone lands, natural habitat, flood prone lands, and other environmentally sensitive lands; and
8. Ensure suitably located open space, recreational opportunities, waterfront amenities, an expansive pedestrian system that links pedestrians with civic amenities, working and living areas, consumer markets, communication venues, and places for gathering, cultural enrichment, education, and healthy life pursuits.

9. Achieve low impact designed “green streets” and sidewalks, and promote environmentally designed parking facilities throughout the district.
10. Effectuate Community Redevelopment Agency cost sharing policies for infrastructure improvements and coordinate infrastructure sharing with the proposed new elementary school.

WHEREAS, the Town Council has considered the recommendations of the Town Planning Board and desires to promote the above stated objectives for the redevelopment of the Hungerford property.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA:

SECTION 1. ORDINANCE 2016-8. Sections I through XV of Ordinance 2016-8 in their entirety shall be amended to read as follows:

**SECTION I: LEGAL DESCRIPTION OF HUNGERFORD PROPERTY REGULATED
PURSUANT TO EXHIBIT “A” AS ATTACHED TO ORDINANCE 2022-9.**

SECTION II. PURPOSE AND INTENT

SECTION 2.16.2: PURPOSE AND INTENT OF HUNGERFORD PLANNED REDEVELOPMENT) DISTRICT (H-PRD). This district is intended to implement Hungerford redevelopment objectives and policies of the Town of Eatonville Comprehensive Plan and the Community Redevelopment Plan. The H-PRD district provides a flexible management framework for achieving objectives for Hungerford redevelopment consistent with the Town of Eatonville Comprehensive Plan for the redevelopment for mixed use development in the historic downtown Hungerford property. For instance, the H-PRD district provides for negotiating private sector redevelopment objectives that reinforce and advance public sector goals, objectives and policies for mixed use redevelopment and resource conservation. The purpose of the H-PRD district is to:

- (1) Create a quality sense of place, character and image with high performance infrastructure.
- (2) Require mixed use redevelopment within the Hungerford Town Center as well as commercial, residential, public and semi-public land uses that exemplify best planning and management principles and practices of economic development, urban design, and amenities that foster economic development, healthy living and working environments and cultural enrichment.
- (3) Achieve unified design and function of the various uses comprising the Hungerford-Planned Redevelopment District.
- (4) Encourage a more productive use of land consistent with the public objectives and standards for accessibility, land use compatibility and effective connectivity among activity centers in the Hungerford Planned Redevelopment District and to other portions of the Town Center along East Kennedy Boulevard.
- (5) Promote efficient use of land by facilitating cost effective infrastructure by ensuring implementation of master plans for drainage and stormwater management; transportation improvements, and expansion of upgraded water and wastewater systems.

- (6) Stimulate opportunities for economic development and varied housing opportunities and an attractive business climate.
- (7) Conserve and protect the natural environment including wetlands, flood prone lands, natural habitat, flood prone lands, and other environmentally sensitive lands; and
- (8) Ensure suitably located open space, recreational opportunities, waterfront amenities, an expansive pedestrian system that links pedestrians with civic amenities, working and living areas, consumer markets, communication venues, and places for gathering, cultural enrichment, education, and healthy life pursuits.
- (9) Achieve low impact designed “green streets” and sidewalks, and promote environmentally designed parking facilities throughout the district.
- (10) Effectuate CRA cost sharing policies for infrastructure improvements and coordinate infrastructure sharing with the proposed new elementary school.

SECTION III: COMPLIANCE WITH COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE.

SECTION 2.16.3: COMPLIANCE WITH COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE. All development within the Hungerford-Planned Redevelopment District (H-PRD) shall comply with the Town’s Comprehensive Plan, the Community Redevelopment Agency Plan, and applicable provisions of the Land Development Code, including, but not limited to, the following provisions:

- A. Unified Control. All developments proposed Hungerford Planned Redevelopment District (H-PRD) district shall be under unified ownership or control as evidenced by legal instruments submitted by the applicant. These legal instruments shall be approved by the Town Attorney.
- B. Compliance with Other Regulatory Provisions of the Land Development Code as generally described below, excepting cases where an executed H-PRD Development Agreement over-rides more conventional regulatory provisions of the Land Development Code. The regulatory provisions of the Land Development Code are generally summarized below:
 1. Subdivision Regulations (Chapter 3, Articles 1-6, Town of Eatonville Land Development Code). Subdivision means the division of land into three or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land; and includes establishment of new streets and alleys, additions, and resubdivisions pursuant to Florida Statutes §177.031. Applications for H-PRO development located on a site that is not duly subdivided shall comply with Ch. 3 Subdivision Regulations that require the preparation and Town approval of a duly certified engineered preliminary subdivision plat and a duly certified engineered final plat pursuant to procedures and specifications contained in Chapter 3.
 - b. Preliminary Plat. Pursuant to the above paragraph, in cases where a preliminary plat is required for a development proposed in the H-PRD, the preliminary plat shall include engineering data and analysis address design factors, computations and specifications demonstrating estimated demand and designed capacity of proposed public facilities, and anticipated impacts on the levels of service of respective systems for; a) distribution of an

adequate supply of potable water; 2) waste water collection and treatment; 3) transportation system; 4) drainage and storm water management, including environmental impacts; and 5) pedestrian circulation plan consistent with subsection 2-16.1(8) herein. Also several Chapter 3 preliminary and final subdivision plat requirements state that supportive development information, data or planning and design illustrations that are not included in the preliminary plat shall be submitted with supportive site plan components consistent with Chapter 3 and Chapter 14 site plan regulations.

- c. Final Plat. Final plat shall comply with Chapter 3 procedures and specifications for final plats.

2. Minimum Property Maintenance Standards (Reference: Chapter 4).

- 11. Landscape Regulations. Landscaping plans compliant with Chapter 5 shall become part of the requisite site plan required pursuant to Chapter 14 and shall be submitted with preliminary subdivision plats as required pursuant to Chapter 3.

- 12. Tree Protection Regulations. Tree planting, protection and/or removal plans compliant with Chapter 6 shall become part of the requisite site plan required pursuant to Chapter 14 and shall be submitted with preliminary subdivision plats as required pursuant to Chapter 3.

- 13. Storm Water Management Regulations. Storm water management plans compliant with Chapter 7 and the most recent NPDES standards shall become part of the requisite site plan required pursuant to Chapter 14 and shall be submitted with preliminary subdivision plats as required pursuant to Chapter 3.

The proposed stormwater management plan shall be consistent with Florida laws and applicable administrative rules of the Florida Department of Environmental Protection and Department of Transportation addressing stormwater and state administrative oversight procedures for implementing the National Pollutant Discharge Elimination System permit program. Planning and design illustrations and/or analysis which are not integrated in a preliminary plat shall be contained in the required drainage and storm water management site plan component required pursuant to Chapter 2, §3-1.5 and §3-2.1 and pursuant to Chapter 14, §14-5(3)(o), Chapter 14 Site Plan Review.

- 14. Sign Regulations. Plans for signs shall be compliant with Chapter 8 but provisions of this Article shall override any provisions of Chapter 8 that conflict with provisions of this Article. Plans for new signs shall become part of the site plan required pursuant to Chapter 14 and shall be submitted with preliminary subdivision plats as required pursuant to Chapter 3.

- 15. Legal Provisions (Reference: Chapter 9).

- 16. Flood Damage Protection. Plans for flood damage protection shall be compliant with Chapter 8; however, provisions in this Article shall override any those of Chapter 8 that conflict with provisions of this Article. Plans for new signs shall become part of the requisite site plan required pursuant to Chapter 14 and shall be submitted with preliminary subdivision plats as required pursuant to Chapter 3.

- 17. Permit Fee Schedule (Reference: Chapter 12).

18. Supplemental Regulations (Reference: Chapter 13).
19. Site Plan Review Regulations (Reference: Chapter 14).
20. Administrative Processes and Procedures (Reference: Chapter 15).
21. Definitions (Reference: Chapter 1).

SECTION IV: LAND USES

SECTION 2-16.4: LAND USES. Table 2-16.4 below describes permitted uses, conditional uses, and special exception uses within the Hungerford-Planned Redevelopment District (H-PRD) that may be duly approved pursuant to the terms of an H-PRD Redevelopment uses may be allowed only after a finding that the use complies with respective conditional use or special exception use criteria and procedures.

TABLE 2-16.4: HUNGERFORD PLANNED UNIT REDEVELOPMENT DISTRICT (H-PRD) LAND USES			
LAND USES	PERMITTED USES (P)	CONDITIONAL USES (C)	SPECIAL EXCEPTION USES (SE)
RESIDENTIAL USES			
Detached Single Family or Attached Town House	x		
Mixed Use Projects	x		
Multiple Family Uses	x		
Accessory Uses	x x		
Home Occupations		x	
COMMERCIAL USES			
Business and professional offices	x		
Business and financial service facilities	x		
Cultural arts, museums, and related exhibits	x		
Educational, religious, and philanthropic institutions	x		
Farmers' market	x		
Hotel or motel	x		
Mixed use projects	x		
Personal service stores	x		
Cultural arts, museums, and related exhibits	x		
Restaurants	x		
Retail stores	x		
Accessory Uses	x		
PUBLIC AND SEMI-PUBLIC USES			
Community center and performing arts facility	x		
Essential services	x		
General government facilities	x		
Parks and Recreation, and Performing Arts Facilities	x		
Schools		x	
MIXED USE DEVELOPMENTS*	MIN. % LAND USE MIX (1)	MAX % LAND USE MIX	
Residential	5%	20%	
Employment Center Use (Office/Business Park)	5%	60%	
Commercial Retail/Service Use	10%	60%	
Public/Semi-Public Uses, including Educational, Religious, and Philanthropic	5%	15%	
*acreage percentages calculated using gross acreage of the PUD			

- (1) THE MINIMUM PERCENTAGE USE REQUIREMENTS SHALL BE MET FOR EACH USE CATEGORY PRIOR TO THE ALLOWANCE OF ANY MAXIMUM PERCENTAGE OF A USE CATEGORY AS PROVIDED IN THE TABLE.

SECTION V. SIZE AND DIMENSION REGULATIONS

SECTION 2.16.5: SIZE AND DIMENSION REGULATIONS. Encourage an overall planned mix of land uses within the Town Center Hungerford Redevelopment District. At the time of its creation the Hungerford Redevelopment District property was comprised of large tracts under the Orange County School Board's unified ownership. The ownership of the subject property is transitioning from the Orange County School Board to the Town of Eatonville. The Town of Eatonville desires to encourage redevelopment of a large tract mixed use Town Center. The Town of Eatonville desires to implement a flexible planning and management framework that attracts private sector investment in innovative mixed use redevelopment that demonstrating consistency with the nation's best planning, design and management principles and practices. Size and dimension specifications shall comply with the following standards and principles:

- A. Maximum Residential Density. The maximum overall residential density shall be 3.5 dwelling units per acre, not to exceed 350 dwelling units. Specific dwelling unit type densities shall be limited as follows: as follows: 1) Detached single family residential low density maximum is up to 5 dwelling units per acre and 2) Attached or detached residential medium density maximum is up to 8 units per acre and 3) Attached town homes and multiple family residential maximum high density up to 18 dwelling units per acre.
- A. Height and Other Size Dimension Regulations. Height, setback, yard, open space and other size dimension regulations are established in Table 2.16.5: Hungerford-Planned Redevelopment District Size and Dimension Regulations. However, modification in the minimum provisions of Table 2.16.5 may be negotiated and approved by the Town Council as part of the terms of a duly H-PRD development agreement pursuant to provisions of this Article. The Applicant shall propose the desired minimum size and dimension specifications in the required preliminary plat (if land is being subdivided) and in the required site plan.

The site plan shall provide detailed information on land use and planned improvements, proposed minimum site size, minimum lot size, setbacks, as well as proposed open space, screening and buffers as may be needed. The Town shall retain the authority to increase proposed setbacks or require buffers consistent with sound application of urban design principles and practices. The building setbacks shall provide adequate access to light and air and shall provide sufficient open areas to accommodate landscape improvements, sidewalks, and project amenities consistent with the term of this Article. In addition, distance between buildings shall be adequate for access be adequate for convenient access by fire trucks and emergency vehicles.

- B. Building Configuration and Open Space. The placement of building footprints and arrangement and orientation of structures, open space, landscaping, and pedestrian and vehicular circulation improvements shall provide a functional and an aesthetically pleasing environment for pedestrian users. Minimum open space requirement is 25% pursuant to Chapter 14: Site Plan Review, §14-8(5) Required Open Space.
- C. Frontage and Accessibility. All residential development shall have access to a paved public street either directly or via an approved private roadway.

- D. Minimum Lot Size. No detached single family residential lot area shall be smaller than 5,000 square feet excepting approved zero lot line developments. The minimum size lot for a proposed attached single family residential dwellings within a townhouse development or a proposed zero lot line single family residential development shall be a minimum of 1,800 square feet and will be reviewed during the preliminary plat and site plan review process. The applicant shall include project amenities for the future residents of the development and the public.
- E. Setbacks. The minimum setbacks from perimeter boundary setbacks established in this Article shall be required unless otherwise established in a duly approved H-PRD development agreement pursuant to provisions of this Article. The Applicant shall propose minimum setbacks in the required site plan. The site plan shall provide detailed information on all setbacks for each respective lot as well as proposed buffers as may be needed. The Town shall retain the authority to increase proposed setbacks or require buffers consistent with sound application of urban design principles and practices. The building setbacks shall provide adequate access to light and air and shall provide sufficient open areas to accommodate landscape improvements, sidewalks, and pedestrian plazas. In addition, distance between buildings shall be adequate for access be adequate for convenient access by fire trucks and emergency vehicles.
- F. Distance between Buildings. A minimum of twenty (20) feet separating structures, excepting building with immediately adjoining or common walls. However, the minimum distance separating any one building or twenty-five (25) feet in height from an adjacent building shall be twenty (20) feet in height from an adjacent building shall be twenty (20) feet plus one (1) foot for each additional two (2) feet in height above twenty-five (25) feet unless otherwise approved by the Fire Marshal.

SECTION VI: PRD PRE-APPLICATION CONFERENCE

SECTION 2.16.6: H-PRD PRE-APPLICATION CONFERENCE REQUIRED. Applications for a preliminary plat and/or a site plan for a proposed development within the Hungerford- Planned Redevelopment District shall not be accepted until after the pre-application conference is completed. The purpose of a pre-application conference is to provide an opportunity for an informal evaluation of the applicant's proposal and to familiarize the applicant and the City staff with the applicable provisions of this Ordinance, the Comprehensive Plan, infrastructure requirements, and any other issues that may affect the applicant's proposal.

- A. Initiation of Pre-Application Conference. The potential applicant shall request a pre-application conference at the Town of Eatonville Planning Office. With the request for a pre-application conference, the applicant shall provide a description of the character, location, and magnitude of the proposed development and any other available supporting materials, including written statements, maps and/or available illustrations, as may be appropriate, that identify the name and contact information regarding the person or entity requesting the pre-application conference; the location and owner of the proposed development site; and a description of the proposed use and characteristics of the proposed development. The applicant maintains responsibility to provide sufficiently detailed plans and descriptions of the proposal for staff to make the informal recommendations discussed below. The materials should be submitted at least five (5) business days before the conference.
- G. Waiver of Pre-Application Conference. The Town Administrative Official or designee may waive the pre-application conference requirement for applications upon the Town Administrative

Official's decision that the projected size, complexity, anticipated impacts, or other factors associated with the proposed development clearly support such waiver.

- H. Schedule and Convene Pre-Application Conference. The Town Administrative Official or designee shall schedule a pre-application conference after receipt of a proper request and supportive information as described in paragraph "I" above. At the conference, the applicant, the Town Administrative Official or designee, and any other persons the Town deems appropriate to attend shall discuss the proposed development. Based upon the information provided by the applicant and the provisions of this Ordinance, the parties should discuss in general the proposed development and the applicable requirements and standards of this Ordinance and provide the applicant with applications for a preliminary plat if required, and an application for site plan review.
- I. Record of Pre-Application Conference. The applicant shall be responsible for recording a summary of topics discussed at the pre-application conference. The record shall be submitted as part of the formal application.
- J. Informal Pre-Application Meeting Evaluation Not Binding. The informal evaluations of the Town Administrative Official or designee and staff provided at the conference are not binding upon the applicant or the Town, but are intended to serve as a guide to the applicant in making the application and advising the applicant in advance of the formal application of issues that may be presented to the appropriate decision-making body.

Table 2.16.5: Hungerford-Planned Redevelopment District Size and Dimension Regulations.

Land Use	Min. Site Size		Lot Minimum Lot		Front	Rear	Lot: Side Yard Requirements			Minimum Living Floor Per Dwelling Unit # Bedrooms	Area (sq. ft.) (1) Sq. Ft.	Max. Lot Coverage (%)	Max. Height (ft.)		
	Site Area (Sq. Ft.)	Site Width (ft.)	Lot Area (Sq. Ft.)	Lot Width (ft.)			Min. Both Sides (ft.)	Min. One Side (ft.)	Corner Side (ft.)						
Detached Single Family Low Density	(A) Max. density 5 u/a	(A)	7,500 Max. density 5 u/a	75	25	20	15	5	15	1-2 Bedroom; 3 or 2+den/office; 4 or 3+den/office; 5 or more	1,100; 1,300; 1,600; 1,900; (5)	35	35		
Attached Single Family Res'l Low Density	(A) Max. density 5 u/a	(A)	(A) Max. density 5 u/a	A	25	20	15	5	15			75	35		
Detached Single Family Medium Density	(A) Max. density 8 u/a	(A)	5,000 Max. density 8 u/a	50	25	20	10	5	15			75	35		
Attached Town House Zero Lot Line Res'l Medium Density	(A) ⁴⁰ Max. density 8 u/a		Max. density 8 u/a	(A)	(A)	(A)				Single Family or Duplex Unit Same-as-above Efficiency or 1 2 3	600 800 1,200	75	50		
Attached-Town-Homes or-Multi-Family Residential High Density	2-acres Max density 17 u/a		(A) Max. density 17 u/a	(A)	30	20	10	5	15						
E. Kennedy Commercial Retail	(A)	(A)	(A)	(A)	(A)	(A)	None	5	15	none		40	40		
Wymore Office South	2 acres	(A)	(A)	(A)	15	20	30	15	15	none		40	110/115 (C)		
Wymore Office Central	1 acre	(A)	(A)	(A)	15	15	30	5	15	none		40	40/70		
Hungerford West Central Office	(A)	(A)	20,000(A)	(A)	15	20	30	5	20	none		40	40		
Public/Semi Public	(A)	(A)	(A)	(A)	None	20 (B)	None	None	15	none		65	48		
Civic or Medical	(A)	(A)	(A)	(A)	35	20.	30	15	20	none		50	48		
A Minimum size and dimension standards not in the table shall be negotiated during the preliminary subdivision plat and site plan approval process as part of the terms of a duly executed H-PRD development agreement pursuant to provisions of this Article. The Applicant shall propose the desired minimum size and dimension specifications in the required preliminary plat (if land is being subdivided) and in the required plan. The site plan shall provide detailed information on land use and planned improvements, proposed minimum site size, minimum lot size, setbacks, as well as proposed open space, screening and buffers as needed.															
B The H-PRD Development Agreement negotiation may provide for a reduction in rear setback up to a minimum of 10.0 ft.															
C The maximum height permitted for building in the Wymore Office South and the Wymore Office Central Sector of the Hungerford-Planned Redevelopment District measured from the weighted average of finished ground elevation of the property to the peak of the roof is specified in Table 2.16.5. Through a negotiated H-PRD Development Agreement an increase in height may be negotiated to achieve an height up to 115 feet in the Wymore Office South Segment and up to 70 feet in the Wymore Office Central Segment as delineated on the zoning map if the applicant desires to negotiate an investment in water management, roadways, wastewater/potable water systems, mass transit system, fiber optics cable system expansion to site, or other off-site or on-site community improvements within the Hungerford Planned Redevelopment District that is not a requirement pursuant to Town of Eatonville regulatory powers. The objective is for applicant and Town to achieve mutually proportionate benefits through terms negotiated Development Agreement through the development review process. The Town Council and the Applicant/Owner, and any successor in title, would be bound by the terms of a duly negotiated Development Agreement.															

A Minimum size and dimension standards not in the table shall be negotiated during the preliminary subdivision plat and site plan approval process as part of the terms of a duly executed H-PRD development agreement pursuant to provisions of this Article. The Applicant shall propose the desired minimum size and dimension specifications in the required preliminary plat (if land is being subdivided) and in the required plan. The site plan shall provide detailed information on land use and planned improvements, proposed minimum site size, minimum lot size, setbacks, as well as proposed open space, screening and buffers as needed.

B The H-PRD Development Agreement negotiation may provide for a reduction in rear setback up to a minimum of 10.0 ft.

C The maximum height permitted for building in the Wymore Office South and the Wymore Office Central Sector of the Hungerford-Planned Redevelopment District measured from the weighted average of finished ground elevation of the property to the peak of the roof is specified in Table 2.16.5. Through a negotiated H-PRD Development Agreement an increase in height may be negotiated to achieve an height up to 115 feet in the Wymore Office South Segment and up to 70 feet in the Wymore Office Central Segment as delineated on the zoning map if the applicant desires to negotiate an investment in water management, roadways, wastewater/potable water systems, mass transit system, fiber optics cable system expansion to site, or other off-site or on-site community improvements within the Hungerford Planned Redevelopment District that is not a requirement pursuant to Town of Eatonville regulatory powers. The objective is for applicant and Town to achieve mutually proportionate benefits through terms negotiated Development Agreement through the development review process. The Town Council and the Applicant/Owner, and any successor in title, would be bound by the terms of a duly negotiated Development Agreement.

~~approved~~ additional storm

SECTION: VII: PRELIMINARY PLAT AND SITE PLAN REQUIREMENTS

SECTION 2-16.7: H-PRD PRELIMINARY PLAT AND SITE PLAN REQUIREMENTS. This section addresses required adherence to preliminary plat requirements and site plan regulations for development within the Hungerford-Planned Redevelopment District (H-PRD). The preliminary plat and site plan shall include maps necessary to show at least the following:

- A. Purpose and Intent. Development within the H-PRD shall incorporate and demonstrate consistency with best planning, design, and management principles and practices in the overall planning and design of development and shall include but not limited to the following:
- K. Preliminary Plat and Site Plan Content. Reference §2-16.3(B)(1)(a) for a summary of preliminary plat which may be required. Chapter 3 of the Land Development Code addresses preliminary and final subdivision plat requirements; however, requisite supportive development information, data and planning and design illustrations that are not included in the preliminary plat shall be submitted with supportive site plan components consistent with Chapter 3 Subdivision Regulations and Chapter 14 Site Plan Review, Section 2-16.3 cross references other applicable Land Development Code requirements. The preliminary plat and site plan shall describe planning, design and specifications that fully describe the proposed development in the Hungerford Redevelopment District (H-PRD) and shall describe relevant procedures for construction as well as dimensions and character of buildings and structures consistent with Chapter 3 Subdivision Regulations and Chapter 14 Site Plan Review Regulations. The following identifies significant features applicable to site plans required for development in the H-PRD.
 - 1. Development Schedule. A development schedule indicating the approximate date when construction of the H-PRD or stages of the PRD can be expected to begin and be completed.
 - 22. Symbols, Descriptions and Quantitative Data: Symbols and quantitative data shall address the following as appropriate:
 - a. Proposed name of the H-PRD, title of map, name of Town, and description of section, township and range.
 - b. Name and address of record owners, applicant, and person preparing preliminary development plan.
 - c. The locations and names of abutting subdivisions and the names of owners of record of adjacent acreage.
 - d. Date, north arrow and graphic scale acceptable to the Town Engineer.
 - e. Legal description, survey of the proposed H-PRD boundaries with total number of acres made and certified by the Florida registered land surveyor.
 - f. Proposed lot or building site lines with dimensions, setbacks, and landscaped yards. Location and floor area size of all existing and proposed buildings, structures, and other improvements. Area in square feet of each lot or building site, to be indicated in a rectangle within each lot or building site. Designation of all dwelling unit types and number of units. Gross and net residential density calculations. Plans for non-residential uses shall include the square footage allocated to each respective use.

- g. Proposed lot or building site coverage by buildings, structure and other impermeable surfaces each identified and listed separately.
 - h. Proposed amount of open space.
 - i. Proposed amount of public lands including all dedicated rights-of-way, easements, and other lands dedicated for public facilities and services. Location, name and dimensions of all existing and proposed dedicated public lands and the conditions of such dedication. Location and width of proposed permanent utility easements. The easements shall provide satisfactory access to existing rights-of-way or other open space shown upon the tentative H-PRO plat. Proposed locations and proposed designs for sidewalks, curbs, storm drainage facilities, water mains, sanitary sewers, fire hydrants, and flow facilities. Permanent drainage easements shall also be shown. The location and size, in acres or square feet, of all areas to be conveyed, dedicated or preserved as open spaces, public parks, recreational areas, school sites, and similar public uses.
 - j. A legend of all symbols and abbreviations shall be shown.
23. Site Plan Drawings and Supportive Analysis. Site plan and supportive analysis shall address the following:
- a. Site Boundaries and Topography. Information on adjacent areas sufficient to indicate the relations between the proposed development and the adjoining areas, including:
 - (i) Site Preparation. Address methods for excavation, site preparation, existing and finished grade and resource conservation.
 - (ii) Land ownership within 500 feet of the exterior boundary of the property. Where lands in the vicinity include substantial acreage under unified control, the applicant may be required to submit land ownership data, including principal officers/owners of corporately owned property.
 - (iii) Existing land use.
 - (iv) Circulation system
 - (v) Density.
 - (vi) Public facilities.
 - (vii) Unique natural features.
 - b. Storm Water Management Master Plan. Reference §2-16.3(B)(5) herein. The following factors shall be considered:
 - (i) Natural environmental conditions of the site;
 - (ii) Existing and proposed future hydrological conditions of the site, including existing and proposed site elevations, amounts and rates of water run-off, water quality, and other related factors; and

(iii) Available drainage improvements on and off site.

- c. Potable Water Distribution System Plan. Include projected demand and supply factors anticipated, proposed designed capacity and system components specifications including, but not limited to: distribution lines, force mains, and fire flow specifications. Location of closest available public water supply system and proposed design for water service improvements, including proposed level of service, general location of facility improvements, and schematic drawings as required by the Town Engineer.
- d. Sanitary Sewerage System Improvements. Include the location of proposed wastewater collection system and proposed design of wastewater collection improvements, including proposed location of improvements, level of service proposed, and schematic drawings as required by the Town Engineer. Describe projected demand and supply factors anticipated including the designed capacity and system components specifications including, but not limited to: collection lines, lift stations, and other relevant specifications.
 - e. Vehicular and Pedestrian Circulation Systems. The existing and proposed circulation system of arterial, collector, and local streets including off-street parking areas, service areas, loading areas, and major points of access to public rights-of-way (including major points of ingress and egress to the development). Include the width and location of any street or other public way shown upon the comprehensive plan within the H-PRD and the proposed width, location and grade of all streets or other public ways proposed by the applicant. Notations of proposed ownership--public or private--shall be included where appropriate. The existing and proposed pedestrian and bicycle circulation system, including its interrelationship with the vehicular circulation system indicating proposed treatments of points of conflict. Include engineered design specifications for system components, such as pavement specifications for roadways, improvements for on and off-site improvements for access and egress, bikeways, and sidewalks; and specifications for directory or other relevant on-site signage for safe and convenient internal vehicular and pedestrian circulation. Sidewalks shall link vehicle use areas including parking areas with all principal buildings and other principal pedestrian destinations. The pedestrian circulation system shall include marked pedestrian crossings in order to separate vehicular and pedestrian traffic.
- f. Land Use. Specific land uses and mixed use activity centers, including residential, office, commercial, public and semi-public uses, and supportive infrastructure improvements that provide a functional and an aesthetically pleasing environment for pedestrian users. The intent is to incorporate a flexible management policy, require urban design amenities, and foster innovative master planning in the design of the proposed development. Such land uses and improvements shall demonstrate best planning and management principles and practices of economic development, urban design, and cultural enrichment. Where the tentative H-PRD plat covers only a part of contiguous rear property owned by the applicant, a master phasing plan shall also be required unless the application certifies that the remaining real property shall be developed independently of the proposed H-PRD plat.
- g. Floor Plans. Scaled drawings shall illustrate the floor plans, including the allocation of uses and activities proposed for all buildings and structures, including inhabited and uninhabited space.

- h. Placement and Design of Buildings. The scaled site plan shall describe and illustrate with appropriate professional drawings demonstrating the location and dimensions of the building footprint, architectural treatment of buildings, building orientation, including character and articulation of building facades, windows, roof lines, building materials, building height, color schemes, and other design attributes. Elevations, sections and/or perspectives as necessary to indicate the basic architectural intent, the height of buildings and structures, and the general window and door arrangements.
- (i) **Wall Articulation.** Primary structures having single walls exceeding fifty feet (50') in length shall incorporate two or more of the following features at least every fifty feet (50') in length:
- (1) Changes in color, graphical patterning, changes in texture, or changes in material;
 - (2) Projections, recesses, and reveals, expressing structural bays or other aspects of the architecture with a minimum change of plane of twelve inches (12");
 - (3) Windows and fenestration;
 - (4) Gable projections; and
 - (5) Horizontal/vertical breaks.
- (ii) **Entrances.** Each primary structure shall have a clearly defined main pedestrian entrance featuring at least three of the following elements:
- i. Canopies or porticos, or
 - ii. Overhangs, or
 - iii. Recesses or projections
 - iv. Arcades, or
 - v. Arches, or
 - vi. Peaked roof forms, or
 - vii. Outdoor patios, or
 - viii. Architectural tile work or moldings integrated in building design, or
 - ix. Integrated planters or wing walls that incorporate landscaped areas or seating areas.
- (iii) **Multiple Buildings in Commercial Centers.** In order to achieve unity between all buildings in a commercial development consisting of more than one building, all buildings in such a development shall employ a consistent architectural style or theme, be constructed of similar exterior materials, and feature similar colors.

- i. Open Space, Court Yards, Plazas, and Other Amenities. Site plans shall comply with open space requirements of Chapter 14. An explanation of proposed open space areas, landscaping, screening and buffering features, including specification of the size of open space and landscaped areas and a tabular accounting of permeable and impermeable surfaces, and setbacks is required. The proposed treatment of the perimeter of the H-PRD plat, including material and techniques used, such as landscape, fences and walls for screening and buffering.
- j. Street Furniture, Street Trees, and Other Streetscape Amenities. Site plans shall describe and illustrate streetscape amenities, including open plazas, walkways, possible uses and functions, aesthetic treatment and materials comprising paved areas, proposed streetscape and/or sidewalk furniture, street benches, waste disposal receptacles, and sidewalk plantings which promote the project's urban design and aesthetics. Typical cross-sections of proposed streets, sidewalks, canals and ditches and other proposed improvements.
- k. Landscaping. Reference Chapter 5 Landscape Requirements. Site plans must include the type and specifications of trees and plant material, proposed installation and protective measures.
- l. Common Areas and Maintenance Agreements. Site plans shall denote the character, magnitude and dimensions of common areas. A Maintenance Agreement shall include an explanation of intended ownership of common areas including open space and the entity or entities responsible for the maintenance of common areas, including wet and dry ponds and retention/detention areas.
- m. Street Graphics and Signage. Reference Chapter 8 general requirements for signage. Within the Hungerford-Planned Redevelopment District proposed developments shall include a unified scheme for signage which describes plans for coordinating the character, scale, and specifications for signage on each site.
- n. Outdoor Lighting. All outdoor lighting must be harmonious with the urban design theme of the project, and shall promote aesthetics and reinforce good principles and practices of streetscape design. Street lighting shall be installed on all internal and perimeter streets, within parking areas, and along pedestrian walkways. All outdoor lighting shall comply with §2-16.13 of this Article.
- o. Loading Docks together with Shipping and Receiving Operations. Loading docks and related shipping and receiving operations are prohibited on interior streets. Loading docks shall be located at the rear of all principal structures. Parking for trucks and all other company owned or controlled vehicles customarily used in shipping and receiving operations shall be located at the rear of all principal structures. Shipping or receiving areas shall be screened and buffered from adjacent residential areas.
- p. Screening of Loading and Refuse Collection. All loading and refuse collection facilities shall be screened pursuant to Ordinance 2005-5.
- q. Utilities. Unless a waiver is authorized by the Town Council, all electrical and telephone lines and wires including, but not limited to, street lighting, shall be placed underground. Feeder and other major transmission lines may remain overhead. All utility installation shall conform to the Town's protocols for standards and specifications.

- r. Additional Information. Any other additional material and information as the Town Staff, Planning Board or Town Council may reasonably require.

SECTION VIII: GENERAL REVIEW PROCEDURE FOR PRELIMINARY PLAT AND SITE PLAN

SECTION 2.16.8: GENERAL REVIEW PROCEDURE FOR PRELIMINARY PLAT AND SITE PLAN.

- A. Fee for H-PRD Preliminary Plat and Site Plan. The minimum fee for filing said applications for a Preliminary Plat Review and Site Plan Review shall be as established in Chapter 12, Permit Fees, Land Development Code. Before a development in the Hungerford-Planned Redevelopment District (H-PRD) shall be approved, the applicant for a development approval shall request a Pre-Application Conference prior to submitting a preliminary plat, as may be required [Reference §2-16.3(6)(a)(i)] as well as site plan approval filed together with the requisite fee at the Town Public Works and Planning Office.
- A. Review Procedures for Preliminary Plat and Site Plan. Each applicant for approval of a development application within the Hungerford-Planned Redevelopment District (H-PRD) shall submit appropriate applications for review by Town officials. The review process shall be carried out pursuant to this Article. If a required preliminary plat is approved and the site plan are approved, the applicant shall submit a final plat for review by Town officials.
1. Staff Review. Copies of the preliminary plat and site plan shall be submitted to the Planning Office and shall be reviewed by the Building Official, the Town Planner and Engineer, and such other staff or professional consultants as the Town Council deems appropriate.
 24. Criteria for Review. The Town staff shall present its findings in written report to the Planning Board. Staff review shall be accomplished expeditiously in order to prevent undue delay or inconvenience, but shall not be limited to the subdivision ordinance time frame for review of plats. The preliminary plat and site plan shall comply with the preliminary plat and site plan requirements of the Land Development Code.
 25. Review by Planning Board and Town Council. The Planning Board shall hold a meeting to review the preliminary plat and site plan. If approved by the Planning Board, the Town Council shall also review the plan and approve said plan prior to the submission of any Final Development Plan.
- a. Considerations by the Planning Board. The Board shall consider all aspects of the preliminary plat and site plan necessary to meet the intent and requirements of this article and the comprehensive plan. The Board shall also consider the recommendations and comments of the staff.
 - b. Action by the Planning Board. The Board shall recommend approval, approval with modifications or conditions, or disapproval; and such recommendation shall be endorsed on the face of each copy of the preliminary plat and site plan, by the Chairman of the Board. The recommendation and reasons for the Board action shall be reduced to writing and forwarded to the Town Council.
 - c. Consideration by Town Council. The Town Council shall consider the recommendations and comments of the Planning Board and staff. The Town Council may make such investigations as

may be deemed reasonably necessary to ensure conformity with the intent and requirements of this Article.

- d. Action by the Town Council. The Town Council shall approve, approve with modifications or conditions, or deny the preliminary plat and site plan, or may refer the preliminary plat and site plan to the Planning Board for further consideration. In making its decision, the Town Council shall consider all aspects of the preliminary plat and site plan necessary to meet the intent and requirements of the Land Development Code and the Comprehensive Plan.
- e. Conditions. In approving a preliminary plat and site plan, the Town Council may establish such conditions and may require such modifications as shall assure compliance with the Hungerford-Planned Redevelopment District (H-PRD) standards and regulations and further, the Town Council may waive or modify subdivision, site plan or other zoning requirements otherwise applicable to the development when such waiver or conflict is not in conflict with said standards and regulations.
- f. Requests for Additional Information. Prior to, or in addition to, approval of a preliminary plat and site plan, and upon a determination that additional information is necessary for proper review of the H-PRD project, the Town Council may require the submission of additional information by the applicant.

The review of such additional information shall follow the procedures applicable to the review of the Preliminary Development Plan. The Town Council should approve a preliminary plat and site plan application subject to a prescribed time limit of not more than eighteen (18) months for the applicant to submit a Final Plat for approval.

- g. Amendments of Preliminary Plat and Site Plan. Once the H-PRD preliminary plat and site plan have been approved, and there is cause for amendment of the same, or any portion thereof, such amendment shall be processed in a like manner as the original submission.
- h. Changes in Preliminary Development Plan. If a Final H-PRD Plat is submitted which includes changes from the approved preliminary plat and site plan, the Administrative Official or designee shall review the plan to determine the effect of the H-PRD and consistency with applicable ordinances and recommend appropriate action to the Planning Board. The Planning Board shall determine whether any changes are of such significance that the preliminary plat and site plan should be re-submitted to the Planning Board. In any case of doubt, the revised preliminary plat and site plan shall be re-submitted for approval by the Planning Board and the Town Council. The prescribed time limit for the submission and approval of the Final H-PRO Plan may be extended by the Town Council, for good cause if the developer presents evidence within the eighteen-month period which demonstrates that the developer has progressed in good faith toward implementing the Preliminary Development Plan.

SECTION IX: GENERAL PROCEDURE FOR FINAL H-PRD PLAT REVIEW

SECTION 2-16.9: GENERAL PROCEDURE FOR FINAL H-PRD PLAT REVIEW. Approval of the preliminary plat and site plan by the Town Council shall constitute authority for the applicant to submit a Final H-PRD Plat prepared in accordance with the approved preliminary plat and site plan and all conditions as may have been required by the Town Council. A Final H-PRD Plat shall not be considered approved by the Town Council and shall not be recorded in the records of Orange County

until it has been approved in a manner prescribed herein. After the final plat is duly approved by the Town of Eatonville, the applicant shall file the final plat at the Orange County Recording Office.

- A. Filing Final H-PRD Plat. No Final H-PRD Plat shall be filed unless it has been prepared on the basis of a duly approved preliminary plat. The appropriate number of copies of the Final H-PRD Plat shall be filed with the Town Clerk together with the requisite fee for processing and reviewing the said plan.
- A. Filing Staged Final H-PRD Plat. A Final H-PRD Plat may be prepared and submitted for the entire Hungerford-Planned Redevelopment District at one time, or for the approved development stages on an individual basis.
- B. Time Limit for Submission of Final H-PRD Plan. The Final H-PRD Plat for either the entire H-PRD or the first phase(s) thereof shall be submitted within eighteen (18) months of the date of approval of the preliminary plat or within such extended periods as the Council may authorize.
- C. Fee for Town Review of Final H-PRD Plat. A minimum fee for filing a Final H-PRD Plat shall be as resolved by the Town Council.
- D. Ownership Requirements for Application. The ownership requirements for filing a Final H-PRD Plat shall be the same as for filing the preliminary plat and site plan
- E. Review Procedures for Final H-PRD Plat. Each applicant that receives Town Council approval of a preliminary plat must file a Final Plat for review by Town Officials pursuant to the requirements for a Final Plat as addressed in Chapter 3 Subdivision Regulations and the final plat must be consistent with the terms of this Article.
 - 1. Staff Review and Surety. The Administrative Official or designee shall transmit the final plat to the Building Official, Town Planner and Town Engineer and/or such other staff or professional consultants as may be deemed necessary. The professional review the Final H-PRD Plat shall assure that all public improvements are constructed and in place pursuant to the approved plans and specifications, and that no outstanding indebtedness is due for said improvements. As an alternate surety, the applicant may deposit a certified check, cash, performance bond, or such surety as the Town Council deems adequate to ensure total compliance pursuant to §2-5.1 of Chapter 3 and §14-7 of Chapter 14. The bond requirement shall be established based on procedures to be adopted by resolution of the Town Council.
- 26. Criteria for Final H-PRD Plat Review. The Town staff shall report its findings in a written report to the Planning Board. The staff report shall evaluate the said plan based on the following criteria:
 - a. Compliance with Preliminary Plat and Site Plan. The Final H-PRD Plat shall incorporate all changes, modifications, and conditions required for approval of the preliminary plat, site plan and final plat which pertain to the final plat. The Final H-PRD Plat may constitute only that portion of an approved preliminary plat which the applicant proposes to currently record and develop, provided all requirements of this Article are satisfied by such portion standing alone. If a Final H-PRD Plat is submitted which includes changes from the approved Preliminary Development Plat, the Building Official or other designated professional shall review the plat to determine the effect of such changes on

the proposed H-PRD development and consistency with applicable ordinances. The Building Official or other designated professional shall review the Final plat and file a written report to the Planning Board evaluating whether the Final Plan complies with the preliminary plat and all applicable regulations and laws. The Planning Board shall determine whether any changes are of such significance that a revised Preliminary Development Plan should be re-submitted to the Planning Board and the Town Council. In any case of doubt, a revised Preliminary Development Plan shall be re-submitted for approval by the Planning Board and the Town Council.

- b. Compliance with Subdivision Ordinance. The Final H-PRD Plan and plat thereof shall comply with all applicable provisions of the Land Development Code, including Chapter 3, "Subdivision Regulations" as well as site plan requirements of Chapter 3 and Chapter 14 Site Plan Review.
- c. Compliance with Final H-PRD Plat Requirements. The Final H-PRD Plan shall comply with all requirements for form and content of a Final Plat herein stated. This information shall be used to evaluate compliance with the purpose and intent of the H-PRD district. All permitted and conditional uses shall be allowed only in the location shown on the approved Final H-PRD Plat.
- d. Compliance with Other Regulations, Ordinances, and Statutes. The Final H-PRD Plat shall comply with all other provisions of this Article as well as provisions of this Chapter which are not in conflict with this Article and shall comply with all other applicable regulations, ordinances, and statutes of the Town, County and State concerning final plats and site plan review.

27. Review and Action by Town Council. Upon receipt of the written staff evaluation of the Final H-PRD Plat, the Town Council shall consider said plan. Such consideration shall be predicated on criteria listed in the above paragraph. The Town Council shall approve, approve with conditions or modifications, or deny the Final Plat. The signature of the Town Clerk and Mayor of the Town Council, date of approval and the Seal of the Town Council on the Final Plat shall certify that the Final Plat has been adopted. However, no final plat approved with conditions or modifications shall be executed until such conditions or modifications are carried out and duly approved. The Town Clerk shall provide the applicant with written notice of its action, including reasons for rejection in cases of denial.

- A. Commencement of Development. Following the approval of a Final Plat for development within the Hungerford-Planned Redevelopment District (H-PRD) by the Town Council, the plat shall be filed by the applicant with the Orange County Court Clerk. The applicant shall be authorized to apply for other necessary permits to proceed with the construction of cited in the duly approved plans for the H-PRD development.
- B. Failure to Comply with Approved Final H-PRD Plat. Failure to comply with the requirements of the approved Final Plat and any conditions imposed in its final approval, including time conditions, shall constitute a violation of this Article. Upon finding by the Town Council that the developer has failed to comply with the conditions of any staging plans or prescribed time limits, the approval of the Final Plat shall be automatically terminated. Prior to continuing with finalizing plans for development with the Hungerford-Planned Redevelopment District, the developer shall reapply to the Town Council for approval to continue. The Town Council may authorize the petitioner to

continue under the terms of the Final Plat approval or may require the developer to re-submit the application in conformance with any step outlined in the procedure for preliminary plat and site plan approval or Final Plat approval. No subsequent plan or re-approval shall effect an increase in the overall project density or change in use as established in the original approval.

- C. Minor Changes in Approved Final H-PRD Plat. Minor final plat changes in the location or siting of buildings and structures or in the landscape plan may be authorized by signature of the Administrative Official or designee, the Chairman of the Planning Board and Chair of the Town Council, if required by engineering or other circumstances not foreseen at the time the Final H-PRD Plat was approved. A staff or consulting professional shall first review the preliminary plat, site plan, Final Plat and provide an appropriate recommendation to the Chair of the Town Council and the Chair of the Planning Board. No change authorized by this subsection may cause any of the following:
1. A change in the use or character of the H-PRD site plan and/or the preliminary plat or final plat;
 28. An increase in overall coverage of structures;
 29. An increase in the intensity of use, or the density;
 30. An increase in the problems of traffic circulation and public utilities;
 31. A reduction in approved open space;
 32. A reduction in required pavement widths;
 33. A violation of a specific requirement or condition of this Article. Changes, erasures, modifications, additions or revisions shall not be made to a final H-PRD plat after the Town Council approval has been given, unless the final H-PRD plat is resubmitted for approval, except as required by law for clarification. All changes in use, re-arrangement of lots and blocks, changes in the provision of common open spaces, and other changes except those listed in the paragraph above, may be allowed at the discretion of the Town Council. Such amendments may be made only if they are shown to be required by changes in conditions that have occurred since the Final H-PRD Plan was approved, or by changes in adopted community policy. Any changes which are approved in the Final H-PRD Plan must be recorded as amendments in accordance with the procedure established for the recording of the Final H-PRD Plan.
- A. Occupancy and Use of Premises. Prior to the use or occupancy of any portion of the H-PRD project, the developer must satisfy all the provisions of the approved Final H-PRD Plan as stipulated herein, and obtain all necessary permits.

SECTION X: FINAL PLAT: FORM AND CONTENT

SECTION 2-16.10: FINAL PLAT: FORM AND CONTENT. The form and content of a Final H-PRD Plat shall be consistent and shall comply with requirements of Chapter 177, Part I, s. 177.011 - 177.151, F.S. A final H-PRD shall also include the attached approved preliminary plat and site plan components. The final H-PRD plan, shall include the Preliminary Plat and all site plan components as

approved by the Town Council, or as subsequently amended pursuant to applicable regulations, shall comprise the elements of the Final H-PRD Plan. The final H-PRD plat shall be consistent with all form, content, criteria, and procedures as presented in Chapter 3, Subdivision Regulations of the Land Development Code.

SECTION XI: FINAL PLAT: FORM AND CONTENT

SECTION 2-16.11: OPEN SPACE AND LANDSCAPED AREAS. All open space required by this Chapter shall be either private, reserved for common use, or dedicated to the public. All required open space shall be reserved as such through appropriate deed restrictions which cannot be removed without the consent of the Town Council. Private open space shall be owned in fee simple title as part of a lot or parcel in private ownership. The use of private open space shall be reserved and limited through appropriate deed restrictions. The deed restriction shall require the property owner to maintain the private open space in perpetuity. All open space reserved for common use shall ultimately be owned in fee simple by an organization of property owners within the H-PRD plat. The organization shall be established by the applicant, and all organizational documents, including, but not limited to, article of incorporation, bylaws and restrictive deed covenants, shall be submitted to the Town Attorney for approval prior to recording in the public records of the County. The organization shall be responsible for the maintenance of all common open spaces. The organization shall be empowered to assess reasonable maintenance fees upon the owners of real property within the H-PRO plat for the maintenance of the common open space.

- (1) All open space reserved for common use shall be conveyed to the organization prior to or at the time when two-thirds (2/3) of all the dwelling units of the H-PRD plat under development have been sold. Conveyance shall be by a general warranty deed in fee simple absolute, acceptable to the Town Attorney. The deed shall include a deed restriction providing for the perpetual maintenance of the common open space by the organization.
- (2) The organization may offer to convey the common open space to the Town at no cost. If the Town accepts the offer, then the conveyance shall be of general warranty deed in fee simple absolute, acceptable to the Town Attorney. Upon acceptance, the open space shall be available for use by the general public. The Town shall not accept a conveyance of common open space unless arrangements acceptable to it are made for the continued maintenance of the open space.
- (3) Open space dedicated to the public shall be open to the general public.
- (4) All landscaped yards shall be owned in fee simple as part of an approved lot or parcel, and the landscaped yards shall be reserved and limited through appropriate deed restriction. The deed restrictions shall require the property owner to maintain the landscaping in perpetuity.

SECTION XII: OUTDOOR LIGHTING REGULATIONS FOR SITE PLAN REVIEW

SECTION 2-16.12: OUTDOOR LIGHTING REGULATIONS FOR SITE PLAN REVIEW

- A. Purpose and Intent. The purpose of the outdoor lighting regulations is to provide outdoor lighting standards to ensure that improvements do not unreasonably interfere with safety, security, comfort and productivity. The regulations are intended to encourage the types, kinds, construction, installation, and uses of outdoor electrically powered illuminating devices, lighting practices and

systems to conserve energy without decreasing safety, utility, security, and productivity while enhancing nighttime enjoyment of property within the jurisdiction.

- B. Outdoor Lighting Must Conform to Applicable Codes. All outdoor electrically powered illuminating devices shall be installed in conformance with the provisions of this Code, the Building Code, the Electrical Code as applicable and under appropriate permit and inspection.
- C. Approved Lighting Materials and Methods of Construction or Installation/Operation. The provisions of this Code are not intended to prevent the use of any design, material, or method of installation or operation not specifically prescribed by this Code, provided any such alternate has been approved. The building official may approve any such proposed alternate providing he finds that it:
1. Provides at least approximate equivalence to that applicable specific requirements of this Code
 34. Is otherwise satisfactory and complies with the intent of this Code; or
 35. Has been designed or approved by a registered professional engineer and content and function promotes intent of this Code.
- A. Definitions. As used in these outdoor lighting regulations, unless the context clearly indicates, certain word and phrases used in this chapter shall mean the following:
1. “*Person*” means any individual, tenant, lessee, owner, or any commercial entity including but not limited to firm, business, partnership, joint venture or corporation.
 36. “*Installed*” means the attachment, or assembly fixed in place, whether or not connected to a power source, of any outdoor light fixture.
 37. “*Outdoor Luminaire*” means outdoor electrically powered illuminating devices, outdoor lighting or reflective surfaces, lamps and similar devices, permanently installed or portable, used for illumination or advertisement. Such devices shall include, but are not limited to search, spot, area and flood lights for:
 - a. Buildings and Structures;
 - b. Recreational Areas;
 - c. Parking Lot Lighting;
 - d. Landscape Lighting;
 - e. Signs (Advertising or other);
 - f. Street Lighting;
 - g. Product Display Area Lighting;
 - h. Building Overhangs and Open Canopies.
- A. Shielding of Light Source. Shielded light sources shall be used to illuminate signs, building facades, parking and loading areas; and shall be so arranged as to eliminate glare onto roadways and streets; and shall be directed away from adjacent properties. No neon lights, intermittent, or flashing lights or such lighted signs shall be allowed. Following are more finite specifications for implementing the intent and purpose of the outdoor lighting regulations:
1. Areas with Intrinsically Dark Landscapes. All outdoor luminaires adjacent to areas with intrinsically dark landscapes such as areas of outstanding natural beauty and residential areas

shall have full cut-off optics with fully shielded lamps. Equip luminaire with house side shields in areas with intrinsically dark landscapes.

38. Areas of Low Ambient Brightness. All outdoor luminaires adjacent to low ambient brightness such as wetlands and lake areas shall have lamps with fully shielded cut-off optics. Equip luminaire with house side shields adjacent to all residential property and other light sensitive areas.
39. Areas of Medium Ambient Brightness. All outdoor luminaires adjacent to areas of medium ambient brightness in urban and residential areas shall have cut-off optics with fully shielded lamps. Equip luminaire with house side shields adjacent to all residential property and other light sensitive areas.
40. Areas of High Ambient Brightness. All outdoor luminaires adjacent to areas of high ambient brightness such as commercial areas may be semi-cutoff optics with shielding as required for compliance with other sections of the outdoor lighting regulations and as approved by the Town of Eatonville.
41. Definitions for Shielding Lighting. Following are related definitions for interpreting the outdoor lighting regulation of this Code:
 - a. *"Partially Shielded:"* shielded in such a manner that more than zero but less than ten percent of the light emitted directly from the lamp or indirectly from any part of the fixture is projected above the horizontal zones.
 - b. *"Semi-cutoff."* Intensity at 80 degrees from nadir does not exceed 200 candelas per 1000 lamp lumens, nor at 90 degrees from nadir does intensity exceed 50 candelas per 1000 lamp lumens.
 - c. *"Cutoff"* Intensity at 80 degrees from nadir does not exceed 100 candelas per 1000 lamp lumens, nor at 90 degrees from nadir does intensity exceed 25 candelas per 1000 lamp lumens.
 - d. *"Fully Shielded:"* constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal.
 - e. *"Full Cutoff."* A luminaire light distribution where no candlepower occurs at or above an angle of 90 degrees from nadir. Additionally, the candela per 1000 lamp lumens does not numerically exceed 100 at a vertical angle of 80 degrees above nadir. This applies to all lateral angles around the luminaire.
- A. Plans and Evidence of Compliance. The applicant for any permit required by the Town in connection with proposed work involving outdoor lighting shall submit (as part of the application for permit) evidence that the proposed work will comply with this Code. The submission of plans shall contain but shall not necessarily be limited to the following, all or part of which may be part or in addition to the information required elsewhere in this code, upon application for the required permit.

1. Scaled site plan drawings. Scaled drawings shall include but are not limited to the following:
 - (a) All property boundaries, land use of abutting properties and all abutting streets and right-of-ways. Whether or not the adjacent streets are local, residential, private, collector, arterial, expressway, freeway, or frontage roads (service or access road).
 - (b) Outdoor luminaire locations on the premise including but not limited to wall mounted luminaires and recessed down and up lights.
 - (c) Showing all existing and proposed structures
 - (d) North arrow
 - (e) Title block with project name, date prepared, date of any revisions, the name, address, phone and fax number of the firm responsible for preparing the plan.
42. Outdoor luminaire descriptions shall include manufacturer's name and catalog number, lamp type and lamp burning position, lamp wattage, lens type and luminaire mounting height above finished grade.
43. Certified point by point photometric data shall be submitted with foot-candle levels on a five (5) foot grid extending 5 feet beyond abutting properties and all abutting streets & rights-of-ways. Point by point statistics with IES photometric file number, "Lamp Lumen Factor" (LLF) and luminaire "Coefficient of Utilization" (CU), luminaire mounting height and NEMA distribution such as type II, III, IV or V.
44. Submit certifications signed and sealed by a registered professional engineer that all calculations comply with this code and applicable State of Florida energy code.
45. Additional Submission. The above required plan submission, luminaire descriptions and data in subsections F (1-4) shall be sufficiently complete to enable the Town of Eatonville to readily determine whether compliance with the requirements of this Code is met. If such plans submission, luminaire description and data cannot determine compliance with this code applicant shall additionally submit as evidence of compliance to enable such determination. Additional submissions such certified reports of tests provided these tests have been performed and certified by a recognized testing laboratory.
46. Subdivision Plat Certification. If any subdivision proposes to have installed street or other common or public area outdoor lighting, the final plat shall contain a statement certifying that the applicable provisions of the Town of Eatonville Code will be adhered to.
47. Lamp or Fixture Substitution. Should any outdoor light fixture or the type of light source therein be changed after the permit has been issued, a change request must be submitted to the building official for his approval, together with adequate information to assure compliance with this code, which must be received prior to substitution.
- A. Prohibited Fixtures and Lamps. The installation, sale, offering for sale, lease or purchase of any low pressure sodium, high pressure sodium, metal halide, fluorescent, quartz or incandescent outdoor

lighting fixture or lamp the use of which do not comply with this code is prohibited. Exemptions and Exceptions are as follows:

- (1) Residential fixtures consisting of a single incandescent light having an output of less than 1800 lumens or 100 watts.
- (2) Floodlights and spotlight, provided that the total beam width is less than 120 degrees and the beam center is directed at least 65 degrees below the horizontal.
- (3) Grade mounted up lighting for signs and architectural illumination, provided that the total output is less than 5400 initial lumens per property parcel and less than 1800 initial lumens per fixture. No luminaire shall project beyond the highest point of the structure.
- (4) Seasonal decorative lighting consists of incandescent lamps in a temporary installation.
- (5) Full cutoff street lighting which is part of a federal, state, or municipal installations.
- (6) Specialized lighting necessary for safety, such as navigated or runway lighting of airports, or temporary lighting associated with emergency operations, road hazard warnings, etc.
- (7) Lighting of sports facilities or stadiums prior to 11:00 p.m. Illumination after 11:00 p.m. is also permitted if it is necessary in order to conclude a recreational, sporting or other scheduled activity which is in progress prior to that time.
- (8) Phosphor coated metal halide lamps are recommended. Other light sources submitted shall demonstrate to the satisfaction of the Town that light source is equally effective in eliminating adverse spill light, glare, and light intensities in compliance with latest edition of IESNA recommendations and applicable NEMA standards.
- (9) Flat lenses shall be used on pole mounted luminaires with a means to control glare and spill light
- (10) All pole mounted luminaires shall be equipped with horizontally mounted lamps.
- (11) Spill light and glare onto residential property shall comply with this code and latest edition of IESNA recommendations.
- (12) Luminaires with adjustable aiming brackets are prohibited.
- (13) Lighting as required for emergency egress, security and safety subject to approval by the Town.

B. Grandfathering. The following provisions address exceptions and exemptions to outdoor lighting regulations herein stated:

- (1) Existing lighting is exempt from the provision of this code except that replacement fixtures, must be fully compliant.
- (2) Luminaires with adjustable aiming brackets shall be modified in compliance with this code within ninety (90) days from notification of non-compliance.

- (3) These Grandfathering provisions do not apply to lighting on a property, which ceases operations or is unoccupied for more than twelve (12) months. Site lighting must be brought into full compliance before reoccupation or reuse.
- (4) These Grandfathering provisions do not apply to lighting on a property where renovation work exceeds the value of existing property by twenty-five percent. Site lighting must be brought into full compliance before reoccupation or reuse.
- (5) All existing lighting installations that do not qualify under the grandfather clause must be brought into full compliance with the provisions of this ordinance within ten (10) years of its effective date.

C. Lighting Standards. The following additional lighting standards shall apply:

1. For parking areas and general areas not under canopy: 30-foot maximum and a 20-foot minimum mounting height from finished grade to light source/luminaire in compliance with this code. The lamp shall be metal halide with a maximum wattage of 250 or as otherwise approved by the Town.
48. For pedestrian areas and walkways with luminaires mounted lower than twenty feet: 16 feet maximum height from finished grade to light source/luminaire. The lamp shall be metal halide, with a maximum wattage of 100 watts or as otherwise approved by the Town.
49. For decorative post top, acorn or globe type outdoor lighting: 16-foot maximum height from finished grade to light source/luminaire. Luminaire shall be equipped with an internal louvered optical system and textured clear acrylic lens/globe or equivalent. The lamp source shall be metal halide with a maximum wattage of 100 or as otherwise approved by the Town.
50. Fully Shielded Luminaires. Fully shielded luminaires such as shoe box lighting, shall have lamps mounted in the horizontal burn position. Decorative post top, acorn, or globe type lighting is exempt from the horizontal lamp burning position requirement.
51. “Shoe Box” rectilinear type luminaires. It is recommended that all “Shoe Box” rectilinear type luminaires be equipped with a flat tempered glass lens. Quartz lenses are prohibited.
52. Paved Driveway and Fire Lane at Front of Building. Maximum of 5 foot-candles for paved driveway and fire lane at front of building and an average maintained illumination across the lighted area of 1 to 2 foot-candles.
53. On/Off Time Controls. On/off time controls shall be provided. General outdoor lighting shall be turned off within thirty minutes after closing of business. Under no circumstances shall the full illumination of the lighted site be permitted after 11:00 p.m. without Town approval. All lighting used after 11:00 p.m. shall be used for security lighting and pedestrian safety only.
54. Required Phosphor Coated Lamps. Phosphor coated lamps shall be utilized in all luminaires where the lamp source is not hidden by the luminaire housing or equipped with a diffused lens.
55. For areas under a canopy. For areas under a canopy the following lighting standards shall apply:
 - a. The light source shall be metal halide (maximum of 250 watts) or fluorescent

- b. The light fixture shall have a flat lens, if recessed or, if not recessed but dropped and attached, a flat lens and opaque on all sides
 - c. The metal halide source shall be phosphor coated when used with a clear flat glass lens or may be clear, when used with a diffused flat glass lens
 - d. The maximum foot-candle level shall not exceed 30 foot-candles (average maintained maximum) — see IES Lighting Handbook, 8th edition, Chapter 11, Figure 11-1, Part IV, Outdoor Facilities, Service Station (at grade).
56. Lighting intensities. Lighting intensities at the property line shall range from 0 to 1 foot-candles, with .5 next to residential; house side shields shall be used to direct light away from light sensitive areas such as residential.
57. On-site building lighting. On-site building lighting shall be limited to wall-washer or up-light fixtures which do not produce spillover lighting; flood-light fixtures mounted on building walls, roofs or poles are prohibited.
58. Compliance with Statutes and IES Standards:
- 1. Lighting intensities for ATM's shall comply with Florida Statutes
 - 2. Lighting intensities shall be designed as recommended by the Illuminating Engineering Society of North America (IESNA)
59. Flood Lighting Restriction. Flood lighting is prohibited under this code without compliance for cutoff luminaire as specified herein and recommended by IESNA. If a flood light type luminaire is used its mounting shall be permanently fixed with no vertical adjustment.
60. Lighting for Facilities Served by a Canopy: Facilities located under a canopy the luminaire lamp wattage shall not exceed 250 watts. Light fixtures shall have flat lens, if recessed or, if not recessed, the fixture shall have a flat lens and shall be opaque on all sides.
61. Public Safety Considerations: Illumination shall not be designed, arranged, or installed in any manner that creates a hazard or nuisance to traffic flow or to adjacent properties. Sufficient details shall be submitted to show compliance.
- A. Lighting for Recreational Facilities: Any light source permitted by this Code may be used for lighting of outdoor recreational facilities (public or private) such as football, soccer, baseball and softball fields, tennis courts, and other similar Town approved recreational land uses, provided all of the following conditions are satisfied:
- a. Lighting for parking lots and other areas surrounding football, soccer, baseball, and softball fields, tennis courts, auto and similar approved recreational land uses shall comply with this Code.
 - b. All luminaires used for football, soccer, baseball, and softball fields, tennis courts, and similar approved recreational land uses shall be fully shielded as defined in this Code, or shall be designed to provide sharp cut-off capability, so as to minimize up-light, spill-light, and glare.

SECTION XIII: DEVELOPMENT AGREEMENT REQUIRED

SECTION 2-16.13: DEVELOPMENT AGREEMENT REQUIRED. Any approval of a Preliminary Plat, Final Plat and/or Site Plan within the Hungerford-Planned Redevelopment District by the Town Council shall be executed based on a written Development Agreement. The Development Agreement shall be approved by the Town Council and approved by the Town Attorney as to form and content pursuant to the provisions of §2-26.12 Hungerford-Planned Redevelopment District, Chapter 2, Town of Eatonville Land Development Code. Development Agreement files shall embrace the plans, documents, drawings, and tabulations comprising terms of negotiated agreement pertaining to:

- Preliminary plats and supportive plans;
- Site plans and construction drawings (i.e., building plans);
- Final plats.

Within the Hungerford-Planned Redevelopment District a written Development Agreement shall be required to duly verify each Town Council action required as a prerequisite approval to duly authorize subdivision of property, development, redevelopment, and/or expansion of property within the Hungerford Redevelopment District.

A plat and subdivision Development Agreement shall incorporate the duly approved preliminary and final plats required to authorize the subdivision of land within Hungerford-Planned Redevelopment District. A preliminary plat and final plat shall be required to be duly approved by Town Council and shall provide notice of the compliant actions associated with the subdivision of property, including detailed data and illustrations of the size, shape, dimensions, topography, approved excavation and other actions taken by the owner/applicant in reconfiguring and preparing property for development. Each file for a such a Development Agreement shall include a Resolution verifying Town Council action in approving the subject plat and related subdivision plans and shall specifically reference the copy of the signed official copy of the plat and subdivision documents as well as any supportive documents affixed thereto as may be required to describe special conditions negotiated in the process of achieving a Hungerford-Planned Redevelopment Development Agreement. Such plats, supportive subdivision plans, and documents shall describe and illustrate site improvements desired by the applicant/owner and required to verify compliance with the applicable subdivision provisions of the Town of Eatonville Land Development Code:

A site plan and building plan Development Agreement shall incorporate the duly approved components of the site plan and building plan required to initiate new, changed or expanded land uses and construct buildings and other supportive improvements on property within the Hungerford-Planned Redevelopment District. Development Agreements for respective site plans and construction drawings shall include a Resolution verifying Town Council's duly processed approval of the site plan and construction drawings and shall specifically reference signed official copy of the site plan and construction drawings as well as any supportive documents affixed thereto as may be required to describe special conditions negotiated in the process of achieving a Hungerford-Planned Redevelopment Development Agreement. Such plans and supportive documents shall describe and illustrate the buildings, on-site parking and landscaping, signage, access and egress improvements, including location and design of curb cuts, internal traffic circulation, and other feature of the proposed development desired by the applicant/owner and required to verify compliance with the applicable provisions of the Town of Eatonville Land Development Code. Key supplemental documents related to rezonings or specific negotiations addressing minimum lot sizes, building setbacks; minimum and maximum building

areas, maximum densities, maximum lot coverage, maximum building heights, and proposed architectural standards shall be described in the written development agreement.

The duly approved Development Agreement document shall reference and incorporate the duly approved preliminary plat, site plan, final plat and other documents as needed that address specific issues associated with proposed development within the Hungerford-Redevelopment District, including such issues as:

1. Stated agreements to:
 - c. Proceed with the proposed development according to all regulations;
 - d. Provide appropriate performance and maintenance guarantees;
 - e. Comply with all other provisions of the Land Development Code to the extent not expressly inconsistent with the written development agreement; and bind the applicant's successors in title to his commitments.
62. Acreage and percentage of the total land area devoted to each of the proposed land uses.
63. Maximum density for each type of dwelling unit.
64. Maximum building height.
65. Minimum building spacing and floor areas.
66. Lot sizes, yard areas, and buffer areas, including perimeter buffers.
67. Statement regarding the disposition of sewage and storm water and arrangements for potable water.
68. When the PUD is planned for phased development, a schedule of the phases.
69. The proposed language of any covenants, easements, or other restrictions.
70. Any additional information or statements subsequently deemed necessary by any reviewing department or agency.

SECTION XIV: ENFORCEMENT AND PENALTIES

SECTION 2-16.14: ENFORCEMENT AND PENALTIES. In the event of a non-compliance with this Article, the Town Council or a designated representative of the Town Council shall have the authority to suspend construction activity and revoke any building permit used under this Article, and to take all actions necessary to halt construction until such time as the provisions herein are complied with, including any direct costs, expenses, and fees. In the event legal action is necessary, and costs, expenses and fees, including attorney fees and any professional fees are incurred by the Town in forcing compliance, these expenses shall be borne by the developer or parties violating the terms of this Article.

SECTION XV: SAVINGS CLAUSE

SECTION 2-16.15: SAVINGS CLAUSE. If any section, part of a section, paragraph, sentence, clause, phrase or word of this Article is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Article without such constitutional, invalid, or inoperative part therein; and the remainder of this Article, after the exclusion of such part of parts, shall be deemed to be held valid as if such part or parts had not been included therein; or, if this Article or any of the provisions thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances, or set of circumstances, such holding shall not affect the applicability hereof to any other person, property or circumstances.

SECTION 2. Resolution of Conflicts.

All Ordinances or parts of Ordinances insofar as they are inconsistent or in conflict with the provisions of this Ordinance are hereby repealed to the extent of any conflict.

SECTION 3. Severability.

If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. Effective Date.

This Ordinance shall be effective immediately upon passage.

Upon motion duly made and carried, the foregoing Ordinance was approved and passed upon the first reading on the ____ day of _____, 2022.

Upon motion duly made and carried, the foregoing Ordinance was approved and passed upon the second reading on the ____ day of _____, 2022.

Advertised in the Orlando Sentinel on August 8, 2022.

Attest:

TOWN OF EATONVILLE

Veronica King,
Town Clerk

Angie Gardner, Mayor

Approved as to Form:

Clifford B. Shepard, Town Attorney

CERTIFICATE OF POSTING

I HEREBY CERTIFY that copies of the foregoing Ordinance were posted at Town Hall and on the Town's Official Website this ____ day of _____ 2022.

Veronica King
Town Clerk

Exhibit "A"
Legal Description

N. WYMORE ROAD AND E KENNEDY BOULEVARD

A portion of Section 35, Township 21 South, Range 29 East, and Section 2, Township 22 South, Range 29 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the North 1/4 Corner of Section 2, Township 22 South, Range 29 East Orange County, Florida; thence along the North line of said Section 2, North 88°54'36" East, 5.08 feet to a point on the Easterly Right of Way line of Wymore Road, as recorded in Official Records Book 2008, Pages 623 through 625, Public Records of Orange County, Florida, said point also being the POINT OF BEGINNING, said point also being on a non-tangent curve concave Southwesterly, having a radius of 863.00 feet, a central angle of 13°38'31" and a chord bearing and distance of North 16°55'56" West, 204.99 feet; thence from a tangent bearing of North 10°06'41" West along the arc of said curve and said Easterly Right of Way line, 205.48 feet to a point; thence departing said Easterly Right of Way line North 89°49'10" East, 281.14 feet; thence North 00°10'50" West, 556.92 feet; thence South 89°49'10" West, 577.83 feet to a point on the aforementioned Easterly Right of Way line and being a point on a non-tangent curve concave Easterly, having a radius of 761.78 feet, a central angle of 4°34'41" and a chord bearing and distance of North 09°43'56" West, 60.85 feet; thence from a tangent bearing of North 12°01'17" West along the arc of said curve and said Easterly Right of Way line, 60.87 feet to a point on the South line of lands described in Document number 20160285054, Public Records of Orange County, Florida; thence departing said Easterly Right of Way line South 89°47'23" East, 445.28 feet along the said South line of said lands to a point on the East line of said lands; thence North 00°12'37" West, 484.90 feet along said East line to a point on the North line of said lands; thence North 89°47'23" West, 446.54 feet along said North line to a point on said Easterly Right of Way line, as shown on Orange County Engineering Department Right of Way Map for Kennedy Boulevard/Lake Avenue contract NO. Y7-805A prepared by PEC INC., Dated 04/11/1989; thence along said Easterly Right of Way line the following six (6) courses and distances: (1) North 00°37'38" East, 294.19 feet; (2) thence North 03°44'24" East, 180.30 feet; (3) thence North 00°36'03" East, 119.97 feet; (4) thence North 03°41'24" East, 210.43 feet; (5) thence North 00°33'28" East, 249.99 feet to the point of curvature of a curve concave Southeasterly, having a radius of 65.00 feet, a central angle of 90°03'17" and a chord bearing and distance of North 45°35'07" East, 91.97 feet; (6) thence along the arc of said curve 102.16 feet to the point of tangency, said point being on the South Right of Way line of East Kennedy Boulevard, as shown on said Orange County Engineering Department Right of Way Map for Kennedy Boulevard/Lake Avenue; thence along said South Right of Way line the following four (4) courses and distances: South 89°23'15" East, 620.61 feet to a point hereinafter referred to as REFERENCE POINT "A"; (2) thence South 88°11'32" East, 128.68 feet to the point of curvature of a curve concave Northerly, having a radius of 2,904.93 feet, a central angle of 04°40'34" and a chord bearing and distance of North 89°28'11" East, 237.02 feet; (3) thence along the arc of said curve 237.08 feet to the point of tangency; (4) thence South 88°20'00" East, 109.77

feet; thence departing said South Right of Way line, South 02°26'36" East, 206.61 feet; thence North 87°33'24" East, 175.13 feet to a point on the West Right of Way line of College Avenue as recorded in Official Records Book 286, Page 845, Public Records of Orange County, Florida; thence along said West Right of Way line, South 02°26'09" East, 814.29 feet; thence departing said West Right of Way line, North 89°30'56" West, 643.40 feet; thence South 00°00'00" East, 645.52 feet; thence South 89°30'56" East, 1166.09 feet; thence South 00°17'47" East, 204.75 feet; thence South 89°33'47" East, 435.03 feet; thence South 00°26'13" West, 204.95 feet; thence South 89°33'47" East, 227.64 feet to the West Right of Way line of West Street as recorded in Official Records Book 3154, Page 690, Public Records of Orange County, Florida; thence along said West Right of Way line, South 00°17'47" East, 283.74 feet; thence departing said West Right of Way line, along the South line of the Southeast 1/4 of the Southeast 1/4 of said Section 35, South 88°54'03" West, 1,385.96 feet; thence South 00°32'26" East, 705.06 feet; thence South 72°26'24" East, 88.29 feet; thence South 00°32'26" East, 136.40 feet; thence South 85°51'44" West, 77.02 feet; thence South 07°13'24" West, 431.30 feet to a point on the North line of lands

described in Official Records Book 5637, Pages 1378 and 1379, Public Records of Orange County, Florida; thence along said North line, South 89°33'35" West, 198.52 feet to the Northwest corner of said parcel; thence South 00°27'20" East along the West line of said Official Records Book 5637, Pages 1378 and 1379, 80.83 feet to the North line of the Southwest 1/4 of the Northeast 1/4 of Section 2, Township 22 South, Range 29 East; thence along said North line, South 89°10'50" West, 316.40 feet; thence South 01°17'30" East, 30.00 feet to the North line of Vacated Right of Way as recorded in Official Records Book 4548, Pages 4029 through 4031, Public Records of Orange County, Florida; thence along said North line, South 89°10'50" West, 334.73 feet to the Easterly Right of Way line of aforesaid Wymore Road; thence along said East Right of Way line the following three (3) courses and distances: (1) North 03°41'45" East, 1,201.08 feet; (2) thence North 86°18'15" West, 20.00 feet to a point on a non-tangent curve concave Westerly, having a radius of 863.00 feet, a central angle of 13°48'26" and a chord bearing and distance of North 03°12'28" West, 207.46 feet; (3) thence along the arc of said curve 207.97 feet to the POINT OF BEGINNING.

Less the following:

Commence at the intersection of the South right of way line of Ruffel Street and the West right of way line of College Avenue per Plat Book K, Page 121 and Official Records Book 2849, Pages 295-296 and Official Records Book 286, Page 845, Public Records of Orange County, Florida; thence North 02°26'09" West, a distance of 190.92 feet along the West line of said College Avenue to the POINT OF BEGINNING; thence North 89°30'56" West, a distance of 200.26 feet to a point on a line that is 200.00 feet West of and parallel with said West right of way line; thence North 02°26'09" West, a distance of 699.68 feet along said parallel line; thence departing said parallel line South 87°33'51" West, a distance of 255.12 feet; thence North 02°26'36" West, a distance of 322.57 feet to a point on a non-tangent curve concave Northerly, having a radius of 2904.93 feet, a central angle of 03°21'52" and a chord bearing of North 88°48'50" East, said point being on the South right of way line of East Kennedy Boulevard per Orange County Engineering Department right of way Contract No. Y7-805A, dated 04-22-1989; thence

from a tangent bearing South 89°30'14" East, Easterly, a distance of 170.58 feet along the arc of said curve and along said South right of way line; thence continue along said right of way line South 88°20'00" East, a distance of 109.77 feet to a point on the West line of lands described in Official Records Book 6210, pages 4681 through 4685, Public Records of Orange County, Florida; thence South 02°26'36" East, a distance of 206.61 feet along the West line of said lands to a point on the South line of said lands; thence North 87°33'24" East, a distance of 175.13 feet along said South line to a point on said West right of way line; thence South 02°26'09" East, a distance of 814.29 feet along said West right of way line to the POINT OF BEGINNING.

An Also Less that part conveyed to Orange County, a charter county and political subdivision of the State of Florida, in Instrument No. 20210749461, Public Records of Orange County, Florida.

Together with all Owner's real property right, title and interest within those certain easements recorded in Official Records Book 5592, Page 3926, Public Records of Orange County, Florida.