

JPB

ORDINANCE NO. 1244

AN ORDINANCE OF THE CITY OF OVIEDO, FLORIDA, AMENDING ORDINANCE NO. 1143 OF THE CITY OF OVIEDO, FLORIDA, FURTHER AMENDING ORDINANCE NO. 374 OF THE CITY OF OVIEDO, FLORIDA, SAID ORDINANCE BEING THE COMPREHENSIVE ZONING ORDINANCE FOR THE ALAFAYA WOODS PLANNED UNIT DEVELOPMENT; SAID AMENDMENT REVISING SECTION VIII (3) OF THE ALAFAYA WOODS PLANNED UNIT DEVELOPMENT ZONING CLASSIFICATION AGREEMENT TO ALLOW RECREATION USES WHERE ACTIVITY IS CONDUCTED ENTIRELY WITHIN BUILDING (BOWLING ALLEYS, SKATING RINKS, EXERCISE FACILITIES, ETC.) ON APPROXIMATELY ONE (1) ACRE OF LAND LOCATED ON THE SOUTH SIDE OF ALAFAYA WOODS BOULEVARD, JUST EAST OF ALAFAYA TRAIL; PROVIDING SEVERABILITY, CONFLICTS AND EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF OVIEDO, FLORIDA, AS FOLLOWS:

WHEREAS, Ordinance Number 374 zoned the property described in Exhibit A as Planned Unit Development and established a Zoning Classification Agreement for said property; and

WHEREAS, Ordinance Number 1143 amended Ordinance Number 374 amending Section VIII (3) of the Zoning Classification Agreement of the Alafaya Woods Planned Unit Development to allow a bank with drive-thru facilities as a permissible use on the property described and depicted in said Ordinance.

WHEREAS, the Alafaya Woods Planned Unit Development Master Plan designates the property described and depicted in Exhibit B as Office Park; and

WHEREAS, the Zoning Classification Agreement of the Alafaya Woods Planned Unit Development states that the area designated Office Park on said Master Plan shall follow the O-C, Office-Commercial zoning classification; and

WHEREAS, recreation uses where activity is conducted entirely within building (bowling alleys, skating rinks, exercise facilities, etc.) is not a permissible use within the O-C zoning classification.

WHEREAS, there has been filed with the City of Oviedo, Florida, a petition to amend Section VIII (3) of the Zoning Classification Agreement for the Alafaya Woods Planned Unit Development to allow recreation uses where activity is conducted entirely within building (bowling alleys, skating rinks, exercise facilities, etc.) as a permissible use on the property described in Exhibit B and depicted on Exhibit C.

WHEREAS, an amendment to the Zoning Classification Agreement for the Alafaya Woods Planned Unit Development is needed to allow recreation uses where activity is conducted entirely within building (bowling alleys, skating rinks, exercise facilities, etc.) on the property described in Exhibit B and depicted on Exhibit C.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF OVIEDO, FLORIDA:

Section 1: That Section VIII (3) of the Zoning Classification Agreement for the Alafaya Woods Planned Unit Development is hereby amended as described in Exhibit D, to allow recreation uses where activity is conducted entirely within building (bowling alleys, skating rinks, exercise facilities, etc.) as a permissible use on the property described in Exhibit B and depicted on Exhibit C.

@City of Oviedo

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 04861 PG 0669
CLERK'S # 2003099414
RECORDED 06/12/2003 08:46:25 AM
RECORDING FEE \$ 37.50
RECORDED BY J. Eckhardt

Section 2: The provisions of this ordinance are declared to be separable and if any section, sentence, clause or phrase of this ordinance shall for any reason be held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, phrases or clauses of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section 3: All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

Section 4: This ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED THIS 19th day of May, A.D., 2003

FIRST READING: May 5, 2003

SECOND READING: May 19, 2003



ROBERT DALLARI
CHAIRMAN of the City Council of the
City of Oviedo, Florida

APPROVED BY MAYOR THIS 19th day of May, A.D., 2003



THOMAS G. WALTERS
MAYOR



ATTEST:


Barbara J. Barbour,
CITY CLERK

I HEREBY CERTIFY that a true and correct copy of the foregoing Ordinance No. 1244 was by me, on the 20th day of May, A.D., 2003, posted at City Hall, 400 Alexandria Boulevard,

IN WITNESS WHEREOF, I have hereunto set my hand and official seal of said City of Oviedo, Florida, this 20th day of May, A.D., 2003.



Barbara J. Barbour,
CITY CLERK of the City of Oviedo, Florida

EXHIBIT "A"

LEGAL DESCRIPTION

Tract 1- SE 1/4 of the NW 1/4 less the north 25.0 feet and the East 50.0 feet for road right-of-way purposes; and

Tract 2- NW 1/4 of the SW 1/4 of the NE 1/4 less the north 25 feet for road right-of-way purposes; and

Tract 3- SW 1/4 of the SW 1/4 of the NE 1/4; and

Tract 4- S 3/4 of the E 1/2 of the SW 1/4 of the NE 1/4; and

Tract 5- E 1/2 of the SE 1/4 of the NE 1/4 less the north 25 feet for road right-of-way; and

Tract 6- N 1/2 of the SE 1/4 less the W 1/4 of the NW 1/4 of the SE 1/4; and

Tract 7-3- The S 8.46 chains of the NE 1/4 of the NW 1/4, subject to road right-of-way; and

Tract 8-1- The S 1/2 of the W 3/4 of the NW 1/4 of the NE 1/4 subject to road right-of-way; and

Tract 9-2- The N 1/2 of the NE 1/4 of the SW 1/4 of the NE 1/4 subject to road right-of-way; and

Tract 10-5- The West 1/2 of the NW 1/4 of the SE 1/4 of the NE 1/4 less the N 25 feet thereof; and

Tract 11-4- The SW 1/4 of the SE 1/4 of the NE 1/4;

all located in Section 22, Township 21 S, Range 31 E; and containing 213.29 acres more or less; and

South 3/4 of the West 1/2, NE 1/4 of NW 1/4, and West 1/4 of East 1/2 of Section 23; also the North 1/2 of the NW 1/4, SE 1/4 of NW 1/4, and West 1/4 of NE 1/4, of Section 26; all in Township 21 South, Range 31 East (containing 524.509 acres more or less); subject to existing easements for public roads, utilities, and drainage. Also additional acreage, the East 1/2 of the NW 1/4 of the NE 1/4 and NE 1/4 of the NE 1/4, less the South 495 feet thereof, Section 23, Township 21 South, Range 31 East (containing 44.876 acres more or less);

all located in Seminole County, Florida.

EXHIBIT "B"

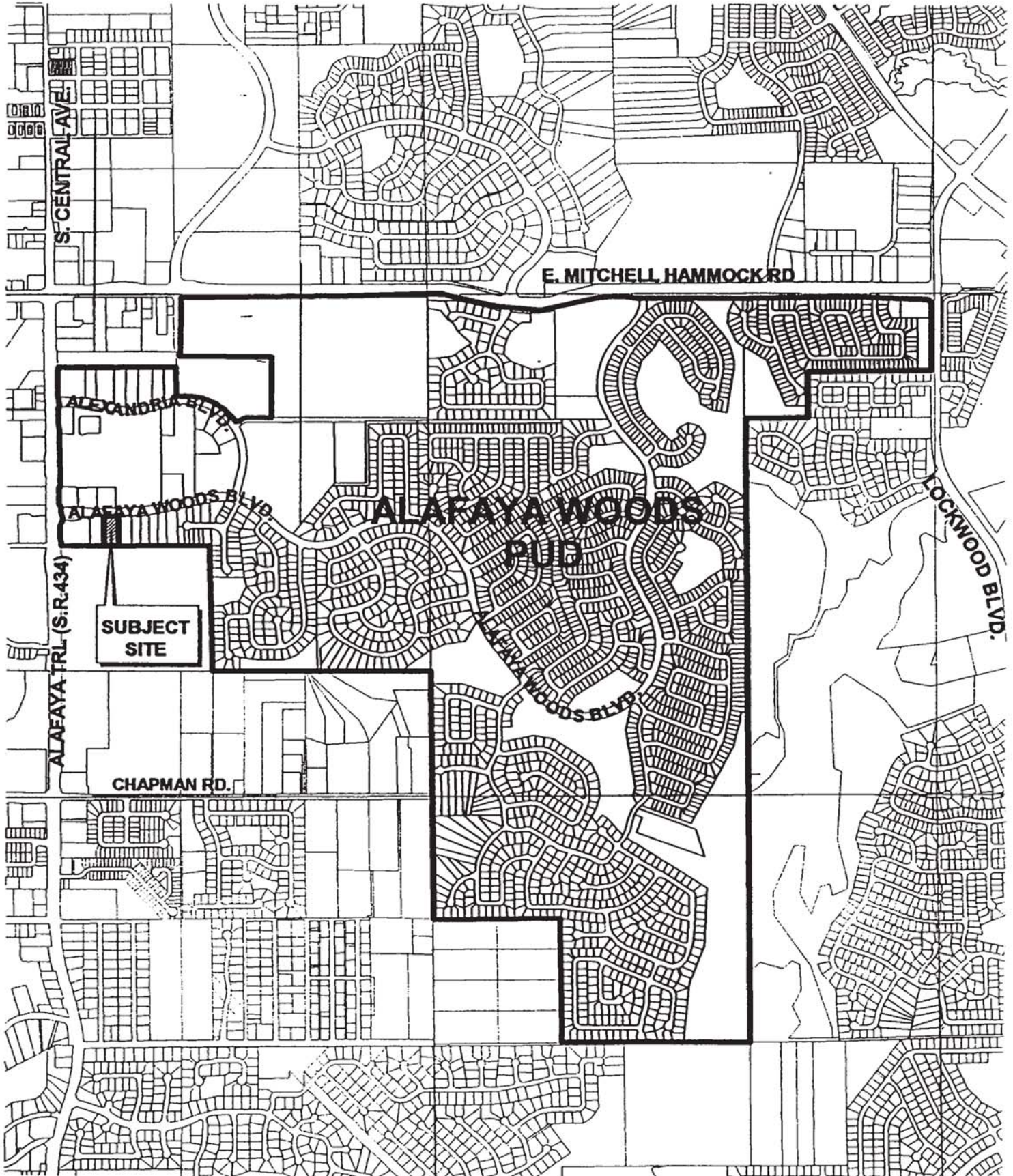
LEGAL DESCRIPTION

From the west $\frac{1}{4}$ corner of Section 22, Township 21 south, Range 31 east, Seminole County, Florida; run S89°54'13"E, 1737.32 feet along the south line of the north $\frac{1}{2}$ of said Section 22 to the point of beginning thence run N00°14'52"E, 299.23 feet; thence run S89°38'36"E, 291.79 feet along the south line of Alafaya Woods Boulevard as shown on the plat of Alafaya Woods Phase 1 Unit A, recorded in Plat Book 31, pages 80 through 85 of the public records of Seminole County, Florida; thence run S00°14'52"W, 297.91 feet; thence run N89°54'13"W, 291.79 feet along the south line of the north $\frac{1}{2}$ of said Section 22 to the point of beginning.

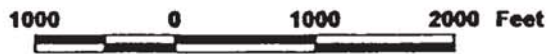
Less the west half thereof.

Parcel Identification Number 22-21-31-300-006G-0000

LOCATION



PLANNING DEPT.
4/18/03



ALAFAYA WOODS
PLANNED UNIT DEVELOPMENT
OVIEDO, FLORIDA

ZONING CLASSIFICATION
(AMENDED AND RESTATED)

I. LEGAL DESCRIPTION

See sheet 4 attached.

II. STATEMENT OF BASIC FACTS

Total Acreage: 782.7
Maximum Total Units: 3835
Maximum Gross Density: 4.9 Units/Acre

<u>KEY</u>	<u>LAND USE CLASSIFICATION</u>	<u>ACRES</u>	<u>DENSITY</u>
RLD	Residential Low Density	184.8	0-4 U/A
RMD	Residential Medium Density	213.1	3-9 U/A
RHD	Residential High Density	122.1	8-16 U/A
	Commercial (Village Center Convenience Center)	39.0	
	Office Park	26.0	
	School	15.0	
	Sewage Treatment Plant	15.0	
	Road R.O.W.	40.0	
	Open Space	<u>127.7</u>	
		782.7	

III. BUILDING RESTRICTIONS

<u>TYPE</u>	<u>MINIMUM SETBACKS FROM PROPERTY LINE</u>			<u>MAXIMUM HEIGHT</u>
	<u>FRONT</u>	<u>SIDE</u>	<u>REAR</u>	
Residential Low Density	25'	7.5'	25'	35'
Residential Medium Density	20'	* 0'	20'	35'
Residential High Density	20'	* 0'	25'	35'

*Minimum 15' between buildings

IV. VEHICLE PEDESTRIAN CIRCULATION

- I. The developer agrees to abide by Seminole County requirements for setback and right of way Width along S.R. 520 and Lockwood Road.

2. All improvements to be built to City of Oviedo Subdivision Ordinance requirements, unless specific requests are approved by the City.
3. The developer shall participate on a pro-rata basis in the cost of installing a traffic signal at the intersection of S.R. 520 and the main entrance road to ALAFAY WOODS when the need is determined by the City of Oviedo or Seminole County.
4. The developer will make intersection improvements along property frontage on S.R. 520 as specified by the City Engineer.
5. The developer shall install all internal traffic control signs and signalization as needed.
6. The developer shall pave Lockwood Road from the project to S.R. 419 at such time as the collector street within the project is extended to Lockwood Road or participate in the paving on a pro-rata basis if Lockwood Road is paved by the County.
7. Future connection to Chapman Road Extension will be provided.
8. Future connections to north and south will be provided.

V LANDSCAPING AND BUFFERING

1. The developer shall comply with all City of Oviedo landscape requirements.
2. The developer shall provide a 30' landscape buffer easement on the perimeter of the project.
3. Maintenance of all common landscaped areas to be by the developer or the Homeowner's Association.

VI RECREATION AND OPEN SPACE

1. All park and open space will become the property of the Homeowner's Association and Maintained by same.
2. Open space to be developed into lakes and park areas for homeowner's use.
3. Recreation and open space facilities will comply with the minimum standards pertaining to park areas as published by the East Central Florida Regional Planning Council or other reasonable standards as established by the City of Oviedo.

VII PUBLIC FACILITIES

1. Schools

The developer agrees to reserve a 15 acre school site at a location suitable to the Seminole County School Board and the developer.

2. Fire and Police Protection

The developer shall dedicate a two (2) acre site located in the Commercial or Office Park Area for a Municipal Complex.

3. Drainage and Water Quality

The developer will meet all applicable regulations in the design and construction of the storm water management system.

4. Water and Sewer Commitments

- A. The developer shall build and operate the sewage treatment plant necessary to serve the project.
- B. The developer will work with the City of Oviedo to provide water service to the project without an economic burden to the City.
- C. The developer will dedicate a site for a City of Oviedo water plant or well site.

VIII OTHER

- 1. Where a particular item is not specifically covered or permitted by this agreement, the Applicable portion of the Oviedo Zoning Ordinance or Subdivision Regulations shall Prevail.
- 2. Whenever the term "developer" is used herein, same shall be taken and construed to mean DEVELOPMENT CORPORATION OF SEMINOLE, its successors or assigns. All obligations, liabilities, and responsibilities incurred by or imposed upon the developer by this agreement shall be assumed by and enforceable against any successor-in-interest of DEVELOPMENT CORPORATION OF SEMINOLE as the overall developer of the Planned Unit Development, or any portion thereof.
- 3. The area designated as Commercial shall conform to the C-2 zoning district and the area Designated as Office Park shall conform to the OC zoning district, except that a bank with Drive-through shall be a permitted use on that certain parcel of land located on the south-West corner of Lockwood Road and Mitchell Hammock Road, Tax Parcel ID # 23-21-31-300-001F-0000; and in addition recreation uses where activity is conducted entirely within building (bowling alleys, skating rinks, exercise facilities, etc.) shall be a permitted use on that certain parcel of land located on the south side of Alafaya Woods Blvd., Tax Parcel ID # 22-21-31-300-006G-0000.

DATE: _____

CITY OF OVIEDO

ATTEST: _____

BY: _____

ATTEST: _____

SERGIO VON SCHMELING, OWNER
PARCEL ID # 22-21-31-300-006G-0000