

ORDINANCE NO. 2811-10

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION FROM CENTRAL BUSINESS DISTRICT TO OPEN SPACE AND RECREATION ON THE SOUTH HALF OF THE WINTER PARK POST OFFICE PROPERTY AT 300 NORTH NEW YORK AVENUE AND TO INSTITUTIONAL ON THE NORTH HALF OF THE WINTER PARK POST OFFICE PROPERTY, MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the 2.03 acres of the Winter Park Post Office property at 300 N. New York Avenue is the site of a quasi-governmental institutional public service entity as described in the Institutional future land use category of the Comprehensive Plan, and

WHEREAS, the City Commission changed the previous government and institutional Comprehensive Plan future land use designation for this property on November 8, 2004 via ordinance No. 2608-04 in order to facilitate a proposed joint venture redevelopment project that included retail, office, residential uses in addition to the post office, and

WHEREAS, that joint venture redevelopment project is no longer viable and thus the current future land use designation of central business district no longer reflects the appropriate current or future use of this property and as such the more accurate open space and recreation future land use should be established on the south half of the property and institutional future land use designation should be restored on the north half of the property, and

WHEREAS, the City Commission via adoption of Resolution 2043-10 and in conversations with Post Office officials had made their vision and intent clear to, at some future time, expand the boundaries of Central Park over to New York Avenue, and

WHEREAS, the land use provisions of the City allow for the continuation of the post office facilities and a process for their future improvement, and

WHEREAS, this City initiated amendment of the Comprehensive Plan future land use designation meets the criteria established by Chapter 163, Florida Statutes and Rule 9J-5, Florida Administrative Code and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held, and

WHEREAS, the proposed amendment was reviewed by the City's Planning and Zoning Board on April 6, 2010, and said amendment was found to be consistent with the Comprehensive Plan.

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AS FOLLOWS:

SECTION 1. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to change the future land use map designation from central business district to open space and recreation on the south half of the Winter Park Post Office property at 300 N. New York Avenue, said portion of that property being more particularly described as follows:

LEGAL DESCRIPTION: (SOUTH PARCEL of PROPERTY TAX ID# 05-22-30-9400-21-010)

LOTS 25 THROUGH 34, BLOCK 25, OF THE REVISED MAP OF THE TOWN OF WINTER PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "A", PAGES 67 THROUGH 72, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. (LESS RIGHT-OF-WAY FOR NEW YORK AVENUE)

TOGETHER WITH:

GARFIELD AVENUE, (NOW VACATED) LYING EAST OF NEW YORK AVENUE'S, EAST RIGHT-OF-WAY LINE AND WEST OF THE CSX RAILROAD'S, WEST RIGHT-OF-WAY LINE. (AND ALSO): THE WEST ½ OF WEST PARK AVENUE (NOW VACATED) LYING NORTH OF CAROLINA AVENUE'S, NORTH RIGHT-OF-WAY LINE AND SOUTH OF GARFIELD AVENUE (NOW VACATED) SOUTH RIGHT-OF-WAY LINE, OF THE REVISED MAP OF THE TOWN OF WINTER PARK, AS RECORDED IN PLAT BOOK "A", PAGES 67 THROUGH 72, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

SECTION 2. That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to change the future land use map designation from central business district to institutional on the north half of the Winter Park Post office property at 300 N. New York Avenue, said portion of that property being more particularly described as follows:

LEGAL DESCRIPTION: (NORTH PARCEL of PROPERTY TAX ID# 05-22-30-9400-21-010)

LOTS 1 THROUGH 9, BLOCK 21, AND THE VACATED 14.00 FEET WIDE ALLEY OF BLOCK 21, OF THE REVISED MAP OF THE TOWN OF WINTER PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK "A", PAGES 67 THROUGH 72, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

SECTION 3. SEVERABILITY. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 4. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective 31 days after adoption on May 10, 2010. If this Ordinance is challenged pursuant to Florida Statutes Section 163.3187 within 30 days after adoption, it will not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a Final Order determining the Ordinance is in compliance with Chapter 163, Florida Statutes.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 10th day of May, 2010.

Kenneth W. Bradley

Mayor Kenneth W. Bradley

Attest:

Cynthia S. Bonham

City Clerk Cynthia S. Bonham