

**ORDINANCE NO. 2024-13**

**AN ORDINANCE OF THE CITY OF WEBSTER, FLORIDA PROVIDING FOR THE AMENDMENT OF A PREVIOUSLY APPROVED PLANNED DEVELOPMENT; PROPERTY TOTALING 28 ACRES IN SIZE (TAX PARCEL IDENTIFICATION NUMBER N24-054, N24-099 & N24-038) WITHIN THE CITY LIMITS; PROVIDING FOR THE AMENDMENT OF THE MAP BY REFERENCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Armstrong Air & Heating whose address 671 Business Park Blvd., Winter Garden, FL 34787, is the owner of the property which is the subject of this Ordinance; and

**WHEREAS**, David Beeler of 75502 w. Stoneybrook Parkway, Winter Garden FI7478 S SR 471, Bushnell, Fl. 34787 is the registered agent for the project; and

**WHEREAS**, the real property, totaling 28 acres in size, is located on the west side of SR 471, 1100-ft south of C-48 E (Attachment A); and

**WHEREAS**, the owner applied to the City of Webster, for a rezoning and Comprehensive Plan amendment which was approved on January 17<sup>th</sup>, 2019, pursuant to the controlling provisions of State law and the *Code of Ordinances of the City of Webster*, to have the subject property rezoned from Light Commercial (CL- County) and Regional Commercial (CR - County) zoning districts/classifications to Residential Planned Unit Development (RPUD - City) zoning district/classification; and

**WHEREAS**, the Applicant chooses to amend the approved Development Plan to add additional residential units and therefore requires City Council approval of the amendments

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

**SECTION 1. LEGISLATIVE FINDINGS AND INTENT.**

(a). The City Council of the City of Webster hereby adopts and incorporates into this Ordinance the City staff report and City Council agenda memorandum relating to the application relating to the proposed rezoning of the subject property as well as the recitals (whereas clauses) to this Ordinance.

(b). The City of Webster has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

**SECTION 2. REZONING OF REAL PROPERTY/IMPLEMENTING ACTIONS.**

(a). Upon enactment of this Ordinance the following described property, as depicted in the Attachment of this Ordinance, and totaling 28 acres in size, shall have a development order amended that allows for the following: 224 apartment units, a 250 bed ALF facility, 54,000 sf of professional office, 10,000 sf of truck stop/gas/convenience store and 115,000 sf of retail.

ALL BEING IN SEC 24, TWP 21N, RNG 22E:

PARCEL N24-054: BEGIN AT A POINT THAT IS 50 FT SOUTH ON A BEARING OF S 1 DEG 55 MIN 05 SEC EAST OF THE SW CORNER OF THE W ½ OF THE SE ¼ OF THE NE ¼; RUN THENCE NORTH 1 DEG 55 MIN 50 SEC W 1326.92 FT TO A POINT ON THE R/W OF CR 48; THENCE NORTH 88 DEG 02 MIN 40 SEC E 660.40 FT ALONG THE R/W OF SAID CR 48 TO A POINT REFERRED TO HEREIN AS POINT "B"; BEGIN AGAIN AT THE POINT OF BEGINNING RUN NORTH 88 DEG 02 MIN 40 SEC E TO A POINT THAT IS 1326.92 FT S/LY OF POINT " B", THENCE NORTHLY 1326.92 FT TO POINT "B" LESS COMMENCE AT THE NE CORNER OF THE WEST ½ OF THE SE ¼ OF THE NE ¼, THENCE RUN SOUTH 00 DEG 03 MIN 14 SEC W 51.52 FT TO THE SOUTH R/W LINE OF CR 48 AND THE POINT OF BEGINNING OF THIS DESCRIPTION, RUN NORTH 89 DEG 47 MIN 09 SEC E 32 FT, THENCE NORTH 00 DEG 03 MIN 14 SEC E, A DISTANCE OF 210.87 FT TO THE POINT OF BEGINNING.

AND

PARCEL N24-038: THE SOUTH 914.56 FT OF THE E ½ OF THE SE ¼ OF THE NE ¼, LESS ROAD RIGHT OF WAY AND LESS THE SOUTH 210 FT OF THE EAST 470 FT OF THE E ½ OF THE SE ¼ OF THE NE ¼, AND LESS THE NORTH 210 FT OF THE SOUTH 420 FT OF THE EAST 210 FT THEREOF.

AND

PARCEL N24-099: COMMENCE AT THE SE CORNER OF THE SE ¼ OF SE ¼ OF NE ¼, RUN THENCE SOUTH 88 DEG 03 MIN 20 SEC WEST A DISTANCE OF 50.65 FT TO THE WESTERLY RIGHT OF WAY LINE OF SR 471, RUN NORTH 1 DEG 56 MIN 40 SEC WEST A DISTANCE OF 210 FT TO THE POINT OF BEGINNING, THENCE LEAVING SAID RIGHT OF WAY, RUN SOUTH 88 DEG 03 MIN 20 SEC WEST A DISTANCE OF 210 FT, RUN NORTH 01 DEG 56 MIN 40 SEC WEST A DISTANCE OF 210 FT, RUN NORTH 38 DEG 03 MIN 20 SEC EAST A DISTANCE OF 210 FT TO THE WESTERLY RIGHT OF WAY LINE OF SR 471, RUN SOUTH 01 DEG 56 MIN 40 SEC EAST ALONG THE RIGHT OF WAY A DISTANCE OF 210 FT TO THE POINT OF BEGINNING

(b). The attached conditions of development (Attachment B) relating to the subject property may be incorporated into the subsequent pertinent development orders and development permits and such development orders and development permits may be subject to public hearing requirements in accordance with the provisions of controlling law.

**SECTION 3. INCORPORATION OF MAP.** The map attached to this Ordinance as the Attachment is hereby ratified and affirmed and incorporated into this Ordinance as a substantive part of this Ordinance.

**SECTION 4. CONFLICTS.** All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 5. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, 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 not otherwise