

RESOLUTION NO. 4346-23

A RESOLUTION OF THE CITY OF OVIEDO, FLORIDA, APPROVING ARCHITECTURAL DESIGN ORDER NO. 075-23 FOR LONGHORN STEAKHOUSE OVIEDO; AUTHORIZING THE MAYOR TO EXECUTE SAID ARCHITECTURAL DESIGN ORDER; AND PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS, SCRIVENER'S ERRORS, CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, the Property Owner is the fee simple owner of certain real property located in the City of Oviedo, Seminole County, Florida, assigned Tax Parcel Identification Number 13-21-31-300-005C-0000; and

WHEREAS, the Property is comprised of approximately 0.72-acre located within the City of Oviedo, located on the east side of Lockwood Boulevard approximately 408 feet north E. Mitchell Hammock Road; and

WHEREAS, the applicant submitted an Architectural Design Order (ADO) application for Longhorn Steakhouse Oviedo development on March 23, 2023 for the above described property, which plans are provided in Exhibit 1; and

WHEREAS, per LDC section 2.5(A) (18), the City Council shall have final approval authority to issue Architectural Design Orders; and

WHEREAS, the applicant proposes to construct a 5,170 square foot Commercial Restaurant establishment and associated infrastructure development; and

WHEREAS, the applicant requests the following deviations in connection to the LDC minimum architectural standards, which are listed in the Architectural Design Order provided in Exhibit 1; and

West Elevation

- **LDC Section 8.7(C)(4)(ii), Fenestration:** A 67 sq. ft. deviation to the minimum fenestration requirement of 30% of the area of a primary façade to allow for 280 sq. ft. of fenestration on the west elevation instead of the minimum required 347 sq. ft., resulting in a **19% deviation.**

North Elevation:

- **LDC Section 8.7(C)(4)(ii), Fenestration:** A 22 sq. ft. deviation to the minimum fenestration requirement of 20% of area for fenestration of a secondary façade to allow for 175 sq. ft. of fenestration on the north elevation instead of the minimum required 197 sq. ft., resulting in an **11% deviation.**
- **LDC Section 8.7(C)(5)(g)(i), Materials:** A 15 sq. ft. deviation to the minimum 10% brick and/or stone material requirement on a secondary façade to allow for 66 sq. ft. of brick and/or stone material on the north elevation instead of the minimum required 81 sq. ft., resulting in an **18% deviation.**

- **LDC Section 8.7(C)(5)(g)(ii), Materials:** A 50 sq. ft. deviation over the maximum 50% wood or other material requirement on a secondary façade to allow for 455 sq. ft. of wood or other material on the north elevation instead of the maximum required 405 sq. ft., resulting in a **12% deviation.**

South Elevation

- **LDC Section 8.7(C)(4)(ii), Fenestration:** A 38 sq. ft. deviation to the minimum fenestration requirement of 20% of area of a secondary façade to allow for 172 sq. ft. on the south elevation instead of the minimum required 210 sq. ft., resulting in an **18% deviation.**
- **LDC Section 8.7(C)(5)(g)(ii), Materials:** A 52 sq. ft. deviation over the maximum 50% wood or other material requirement on a secondary façade to allow for 490 sq. ft. of wood or other material on the south elevation instead of the maximum required 438 sq. ft., resulting in a **12% deviation.**

WHEREAS, the LDC requires deviations to the minimum LDC requirements to be accompanied by mitigative techniques; and

WHEREAS, the highest deviation requested by the applicant is 19 %, therefore, one (1) mitigative technique is required, and

WHEREAS, the applicant is proposing the following one (1) mitigative technique:

1. **(11) Public Art Contribution:** \$4,000 donation.

WHEREAS, City Staff reviewed the project per the requirements of the City's Land Development Code and Comprehensive Plan, and recommends approval; and

WHEREAS, the City of Oviedo City Council finds that the project is consistent with the City's Comprehensive Plan and Land Development Code; and

WHEREAS, the City Council of the City of Oviedo, Florida, considered the Architectural Design Order No. 075-23 at its Monday, July 17, 2023 meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVIEDO, FLORIDA, AS FOLLOWS:

SECTION 1. Approval of Architectural Design Order. The City Council approves Architectural Design Order No. 075-23 provided in Exhibit 1.

SECTION 2. Authorization to Execute Architectural Design Order. The City Council authorizes the Mayor to execute the Architectural Design Order No. 075-23 provided in Exhibit 1.

SECTION 3. Implementing Administrative Actions. The City Manager is hereby authorized and directed to take such actions as he may deem necessary and appropriate in order to implement the provisions of this Resolution. The City Manager may, as deemed appropriate,

necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

SECTION 4. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the City Clerk and City Attorney may be corrected.

SECTION 5. Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 6. Severability. If any Section or portion of a Section of this Resolution 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 Resolution.

SECTION 7. Effective Date. This Resolution shall take effect immediately upon its passage by the City Council of the City of Oviedo, Florida.

PASSED AND ADOPTED this 17th day of July, 2023

ATTEST:

MEGAN SLADEK
MAYOR of the City of Oviedo, Florida

ELIANNE RIVERA
CITY CLERK