



MUNICIPAL PLANNING BOARD

MINUTES



MARCH 18, 2014

MEETING INFORMATION

Location

City Council Chambers

2nd Floor, City Hall

One City Commons

400 South Orange Avenue

Time

8:30 a.m.

Members Present

Jennifer S. Tobin, Chairperson
[6/6]

Jason Searl, Vice-Chairperson
[6/6]

Karen Anderson [6/6]

Bakari Burns [5/6]

Laurence Lewis [6/6]

Scott Martin, [5/6]

Scott Skidelsky [6/6]

Tyrone Smith, OCPS – Non-Voting [4/6]

Members Absent

Stuart Buchanan [5/6]

Maria Sanquirico, [2/6]

OPENING SESSION

- ♦ Jennifer Tobin, Chairperson, called the meeting to order at 8:35 a.m., after determination of a Quorum.
- ♦ The meeting was opened with the Pledge of Allegiance.
- ♦ Consideration of Minutes for Meeting of February 18, 2014.

Board member Lewis MOVED approval of the Municipal Planning Board Meeting Minutes of February 18, 2014, as written. Board member Anderson SECONDED the motion, which was VOTED upon and PASSED by unanimous voice vote.

ANNOUNCEMENTS

- ♦ None

PUBLIC COMMENTS

- ♦ Speaker requests were received for items #3, 4 and 6 on the Consent Agenda. All items were moved to the Regular Agenda for further discussion.

AGENDA REVIEW

Dean Grandin, Executive Secretary, reviewed the Consent Agenda.

CONSENT AGENDA

1. RECOMMENDED APPROVAL, PICERNE-MOSS PARK CUP/MPL

Applicant:	Steve Novacki – Picerne Development Corporation of Florida
Owner:	Gary T. Randall – as Trustee, and not individually
Location:	11001 Moss Park Rd., located on the northeast corner of SR 417 and Moss Park Rd. (+16.13 acres).
District:	1
Project Planner:	Michelle Beamon (407-246-3145, michelle.beamon@cityoforlando.net)
CUP2014-00001**	Conditional Use Permit/Master Plan for a 320-unit apartment development, to include four (4) story structures in an R-3B district.

Recommended Action: Approval of the request, subject to the conditions in the staff report.

2. RECOMMENDED APPROVAL, MOTORPOINT AUTO SALES

Applicant/Owner: David Gomez – Motor-Point Auto Sales

Location: 2820 N. Orange Blossom Trl., located west of N. Orange Blossom Trl., between Silver Star Rd. and Ellman St. (±0.43 acres).

District: 3

Project Planner: Jim Burnett (407-246-3609, james.burnett@cityoforlando.net)

CUP2014-00002** Conditional Use Permit to establish a used car sales lot in the Princeton/Silver Star neighborhood.

Recommended Action: Approval of the request, subject to the conditions in the staff report.

3. SOUTHPORT INDUSTRIAL PARCEL – MOVED TO REGULAR AGENDA**4. STOREY PARK SPMP PARCELS I & J – MOVED TO REGULAR AGENDA****5. RECOMMENDED APPROVAL, HEROES COMMONS REPLAT (with Modifications)**

Applicant/Owner: City of Orlando

Location: 1203 W. Jefferson St., located at the northwest corner of W. Jefferson St. and Benson Ave., east of N. Orange Blossom Trl. (±0.25 acres).

District: 5

Project Planner: Jim Burnett (407-246-3609, james.burnett@cityoforlando.net)

SUB2014-00012** Request to replat a vacant residential property preparatory to constructing two (2) single-family homes. A Modification of Standards is needed for the corner lot, which cannot meet the required lot width under R-2B/T/PH zoning.

Recommended Action: Approval of the request, subject to the conditions in the staff report.

6. ELAN @ AUDUBON PARK APARTMENTS PD AMENDMENT (F.K.A. ORLANDO HEIGHTS) – MOVED TO REGULAR AGENDA

The following Board members declared a conflict of interest for the following items and filed the appropriate form(s) with the Board secretary:

- 1) Item #4 – Story Park SPMP Parcels I & J
 - a) Lawrence Lewis
 - b) Jason Searl
 - c) Jennifer Tobin
- 2) Item #6 – Elan @ Audubon Park Apartments PD Amendment
 - a) Karen Anderson
 - b) Jennifer Tobin

Board member Martin moved APPROVAL of the CONSENT AGENDA. Board member Skidelsky SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote.

REGULAR AGENDA

3. RECOMMENDED APPROVAL, SOUTHPORT INDUSTRIAL PARCEL

Applicant: City of Orlando

Owner: N/A

Location: South of Dowden Rd. (a.k.a. 8th St.) and east of Family Camp Rd. (±53.35 acres).

District: 1

Project Planner: Bruce Hossfield (407-246-3355, bruce.hossfield@cityoforlando.net)

A) GMP2013-00026* Amend GMP Future Land Use Map to change land use on ±7.35 acres from Residential Low Intensity to Industrial.

B) GMP2013-00027* Amend GMP Future Land Use Subarea Policy S.33.4 to take into account concurrent changes in FLU designation and zoning on the Industrial Parcel.

C) ZON2013-00026** Change zoning on ±43.57 acres from R-3A (Residential) to I-P (Industrial); change zoning on ±4.45 acres from P (Public) to I-P (Industrial); and change zoning on ±5.34 acres from P (Public) to I-P/RP (Industrial/Resource Protection).

Recommended Action: Approval of the requests, subject to the conditions in the staff report, and addendum.

This item was presented by Bruce Hossfield, Senior Planner, Comprehensive Planning Studio, City Planning Division. Using PowerPoint, Mr. Hossfield described the site location, and discussed the Southport Vision Plan for 2002 and 2014, the applicant's requests, and Staff recommendation.

Chairperson Tobin opened the hearing to the public.

Mr. Stanley Robinson, 3270 Oak Bluff Dr., Orlando, FL 32827-4963, spoke on his own behalf. Although he was not in opposition to the project, his main concern was the possibility of flooding from the airport if there was not proper drainage installed.

Mr. Hossfield clarified that any future developer would be required to comply with City code in regards to drainage to prevent flooding.

Having no other speaker requests for this item, Chairperson Tobin closed the public hearing.

Board member Burns moved APPROVAL of the requests, GMP2013-00026, GMP2013-00027, and ZON2013-00026, subject to the conditions in the staff report. Vice-Chair Searl SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote.

4. RECOMMENDED APPROVAL, STOREY PARK SPMP PARCELS I & J

Applicant/Owner: Michael Southward – Lennar Homes

Location: East of the Central Florida Greenway (SR 417), north of Moss Park Rd. and south of the Beachline (SR 528) (±242.3 acres).

District: 1

Project Planner: Michaëlle Petion (407-246-3837, michaëlle.petion@cityoforlando.net)

MPL2014-00001** Master Plan approval for Phases 1 through 8, excluding Phase 6, of Parcels I and J of the Wewahootee PD.

Recommended Action: Approval of the request, subject to the conditions in the staff report.

This item was presented by Michaëlle Petion, Planner II, Land Development Studio, City Planning Division. Using the Staff Report, Ms. Petion described the site location, zoning, existing conditions, and proposed improvements. She also discussed the applicant's request, notable conditions and Staff's recommendations.

Chairperson Tobin opened the hearing to the public.

Mr. R. Lance Bennett, P. E., Poulos & Bennett, LLC, spoke in representation of the applicant. Mr. Bennett stated they were in agreement with Staff's recommendations and were there to respond to any questions.

Mr. Jason Allen, 12804 Moss Park Ridge Dr., Orlando, FL 32832, spoke on his behalf as an opponent. Mr. Allen stated that the wetland study used was conducted during a drought, therefore rendering its results inaccurate. He stated that Moss Park currently had drainage problems and was concerned that this development would worsen the problems. He also noted that there were five (5) endangered birds residing on the subject property.

Mr. Michael Knox, 12624 Moss Park Ridge Dr., Orlando, FL 32832, spoke on his behalf as the President of Moss Park Ridge Homeowner's Association. Mr. Knox's main concern was in regards to the traffic study, and if Wewahootee Rd. would be affected by the extension of Innovation Way South.

Mr. Gus Castro, Project Manager I, Transportation Planning, City of Orlando, stated that the traffic study provided by the applicant showed the distribution of the trips based on the build-out situation. According to the staff report, 64% of the trips would be on Innovation Way North and only 2% would be on Wewahootee at build-out.

Mr. Bennett stated that Wewahootee Rd. would not be affected by the extension of Innovation Way South for the phases included in this SPMP. He also noted that the project had received review and approval by the South Florida Water Management District (SFWMD) and the Army Corps of Engineers with regards to the wetland studies. In regards to drainage, the project would have to meet the SFWMD criteria. SFWMD reviewed the master drainage plan, as well as Orange County and the City, and has provided the criteria to which the developer will adhere to. In regards to the endangered species, the Corps and the Water Management District reviewed the site and concluded that the proposed development was consistent with their regulatory requirements.

Ms. Petion concluded stating Staff agreed with Mr. Bennett.

Having no other speaker requests for this item, Chairperson Tobin closed the public hearing.

Board member Anderson moved APPROVAL of the request, MPL2014-00001, subject to the conditions in the staff report. Board member Burns SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote (Lewis, Searl & Tobin abstained).

Chairperson Tobin recused herself for Item #6 and requested Vice-Chairperson Searl to continue as the Acting-Chair for the presentation and discussion of this item.

6. RECOMMENDED APPROVAL, ELAN @ AUDUBON PARK APARTMENTS PD AMENDMENT (F.K.A. ORLANDO HEIGHTS)

Applicant: James Johnston – Shutts & Bowen, LLP

Owner: Phil Saada, President – Orlando Heights, LLC

Location: 980 Warehouse Rd., located at the north end of Warehouse Rd., south of Plaza Terrace Dr. and west of the Koger Business Park (±19.4 acres).

District: 4

Project Planner: Jim Burnett (407-246-3609, james.burnett@cityoforlando.net)

ZON2014-00005** Request to amend the Orlando Heights Planned Development (PD) with a new revised 450-unit multi-family development plan and building elevations featuring additional 3- and 4-story buildings.

Recommended Action: Approval of the request, subject to the conditions in the staff report.

This item was presented by Jim Burnett, Planner III, Land Development Studio, City Planning Division. Using PowerPoint, Mr. Burnett described the site location, discussed the applicant's request, the history of the subject property, the entitlements and standards, the comparisons (existing and proposed), the adopted 2009 PD plan and the proposed PD. Mr. Burnett stated that the applicant held a neighborhood meeting on the evening of March 17, 2014. He concluded his presentation with Staff's recommendation.

Board discussion began in regards to road access to the development. Mr. Burnett clarified that the only vehicular access would be via Warehouse Rd. When Koger Center redevelops, then there would be an extension north of Warehouse Rd. and hopefully a connection to either Woodcock or to a new road that would have access to Maguire. He also noted that there was enough proposed parking to meet City code requirements, even if Warehouse Rd. was ultimately extended north.

Vice-Chairperson Searl opened the hearing to the public.

Mr. James Johnston, Shutts & Bowen, LLP, 300 S. Orange Ave., Orlando, FL 32789, spoke on behalf of the applicant. Mr. Johnston stated that they agreed with Staff's conditions of approval. They were not changing the density, number of units or type of use from the existing PD. He noted that the reason for the amendment request was to allow 3 story buildings on the north and south ends of the site, instead of the originally proposed 2 story. Mr. Johnston stated that the originally proposed 2 story buildings could have been up to 35 feet tall, and the currently proposed 3 story buildings would be 38 feet tall, which would only be a difference of 3 feet. He concluded requesting that the Board support the project.

Ms. Linda Reinders, 2508 Laura Pl., Orlando, FL 32803, spoke on her behalf and on behalf of the residents of Coytown in opposition to the request. Her main concerns were: noise caused by large delivery trucks, increased traffic with no signal light at the corner of Warehouse Rd. and Maguire Blvd., overcrowded schools, and existing ground pollution on the property.

Mr. Paul James, 2901 E. Marks St., Orlando, FL 32803, spoke on his behalf in opposition to the request. Mr. James stated he did not receive notice of the community meeting that was held; therefore he did not have the opportunity to attend. His main concern was that the proposed 3 story buildings would become an invasion of privacy issue for the residents of Coytown. He was also concerned about the emergency access through the City park.

Mr. Michael Housel, 1101 N. Bumby Ave., Orlando, FL 32803, spoke on his behalf in opposition to the request. His main concerns were the ground pollution, noise due to trucks dumping trash in the dumpsters, endangered species in the area, and potential flooding issues.

Mr. Ted Greenberg, 2919 E. Marks St., Orlando, FL 32803, spoke on his behalf. His main concerns were invasion of privacy issues with the 3 story buildings, stated that the trash dumpsters were right behind their houses and needed to be relocated, and noted that he was not informed of the previous night's community meeting. Mr. Greenberg requested that the approval of this item be postponed for 30 days until there was another community meeting where the neighbors could have a proper chance to meet with the developer.

Applicant Johnston addressed the speakers' concerns as follows:

- ♦ In regards to the emergency access - that access was a condition of approval requested by City staff and would be strictly an emergency access.
- ♦ In regards to traffic issues - City's Transportation Dept. agreed with what was being proposed and also stated that a signal light was not warranted at the intersection of Warehouse Rd. and Maguire Blvd.
- ♦ As far as access to the Koger Center - they were giving right-of-way to the City to provide that access at a later time.
- ♦ As far as schools - they were going through the school concurrency/capacity process and have completed the concurrency review.
- ♦ In regards to lighting issues - lighting would meet City code.

- ♦ In regards to pollution - the property had been cleaned up by the Navy to commercial standards. The developer would further clean it to bring it to residential standards, which would benefit the surrounding neighborhoods.
- ♦ In regards to invasion of privacy - there was adequate distance from the subject property to the neighboring homes. From the back of their homes, there was the backyard, then the City bike path and an OUC easement, then at the subject property there would be a heavy landscape buffer, plus parking, and then the apartment buildings.
- ♦ In regards to the dumpster - it would be a sealed unit and double landscaped pursuant to the landscaping conditions of approval.
- ♦ In regards to endangered species - the property would be developed meeting all City requirements. The property was formerly Navy warehouses that were recently demolished and, thus, there were no endangered species issues on the property.

Mr. Johnston concluded stating they would like to move forward with the request since, as applicants and potential purchasers, they had timing constraints. He also noted that they would continue to talk to the neighbors between the MPB meeting and when the City Council hearing occurred.

Mr. Ashley Heggie, Greystar, 18 Broad St., Charleston, SC 29401, spoke as the potential developer of the property. Mr. Heggie noted that he reached out to the Audubon Place City Condominiums through their Condo Board Association and had a meeting the previous night (3/17/14). He also reached out to the contact given by the City for Coytown. At one point in time, Coytown had started to form a homeowners' association and the City had the name of an individual who was considered to be the point of contact at that time. Mr. Heggie stated that he spoke with this person and understood that he was going to reach out to the residents on E. Marks St. Mr. Heggie followed up with an email, but never heard back from him. He stated that he would be available to meet with anyone that had further questions.

In regards to the emergency access, Mr. Heggie stated that it was the City's direction to provide an emergency access location with a crash box device. The emergency access was not intended to have residential traffic. He concluded stating he would work with City staff in regards to the issue to meet all requirements.

Having no other speaker requests for this item, Vice-Chairperson Searl closed the public hearing.

Discussion ensued and Mr. Burnett stated that the PD that was approved in 2009 technically had expired. The developer applied for the amendment before the expiration of the PD. He clarified that the only thing that had truly changed from the 2009 PD was the request for the buildings to be 3 stories/38 feet tall instead of 2 stories. He also noted that the property was not in an Aircraft Noise Overlay.

Mr. John Rhoades, Transportation Planning Division, stated the City didn't require an updated traffic study since the conditions had not significantly changed. The size of the project and the existing uses on Warehouse Rd. were basically the same as they were in 2009. Traffic on Maguire Blvd. had not significantly changed either. He stated that the real issue was the distance from Warehouse Rd. to Woodcock Rd., along Maguire Blvd., which was only 350 feet. This was far too close for two signals to be together. The long term vision was to relocate the signal from Woodcock Rd. to Warehouse Rd. when Warehouse Rd. was extended and the roadways were reconfigured. Mr. Rhoades noted that the amount of traffic on Maguire Blvd. had not reached the threshold where a signal would be warranted.

Board member Skidelsky moved APPROVAL of the request, ZON2014-00005, subject to the conditions in the staff report. Board member Martin SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote (Tobin and Anderson abstained).

Ms. Tobin resumed her position as Chair for the discussion of Item #7. Chairperson Tobin called for a 5 minute recess at 10am. The meeting resumed at 10:07 am. It was noted that Mr. Searl would return in a few minutes.

7. RECOMMENDED DENIAL, ORWIN MANOR NOTTINGHAM ST. REPLAT (with Modifications)

Applicant/Owner: Andy Katzman, Aker Holdings, LLC.

Location: 1009 & 1015 Nottingham St., located on the north side of Nottingham St., between N. Mills Ave. and Westchester Ave. (±0.32 acres).

District: 3

Project Planner: Jim Burnett (407-246-3609, james.burnett@cityoforlando.net)

SUB2014-00004** Request to replat a vacant residential property preparatory to constructing two (2) single-family homes. A Modification of Standards is needed for both lots, both of which will not meet the minimum required 70 ft. lot width under R-1A/T zoning. The smaller of the two (2) lots will also not meet the minimum 7,700 sq. ft. lot size requirement.

Recommended Action: Denial of the request.

This item was presented by Jim Burnett, Planner III, Land Development Studio, City Planning Division. Using PowerPoint, Mr. Burnett described the site location, discussed the applicant's request, the history of the subject property, the development standards, Nottingham's block face, block face lot comparisons, non-conforming lot criteria, plat with modification of standards criteria, and Staff's recommendations.

Discussion ensued between the Board and Mr. Burnett. Mr. Burnett noted that by City code, 50% of the block face would have to be existing non-conforming lots in order to meet the requirements for a Revert-to-Plat request. In this case the block face of the neighborhood did not meet the 50% requirement. He stated that in recent history, the City had granted approval of a modification of standards when the lot did not meet minimum width or depth requirements, but denied the requests when the lot didn't meet the minimum area requirements.

After further discussion, Chairperson Tobin read the names of the people who submitted letters in support and in opposition of the project, and stated that copies were provided to all Board members:

- 1) Connie & Mack Wadsworth, 860 Nottingham St., Orlando, FL 32803 – in support
- 2) Clay Clayton, 1006 Nottingham St., Orlando, FL 32803 – in support
- 3) Evelyn Ross, 1010 Nottingham St., Orlando, FL 32803 – in support
- 4) Diane & Terrence Hollman, 1018 Nottingham St., Orlando, FL 32803 – in support
- 5) Lauren Hoffman & Brian Guppenberger, 1441 Norfolk Ave., Winter Park, FL 32789 – in support
- 6) Christopher and Domonique Messeroff, 1001 Nottingham St., Orlando FL, 32803 – in opposition of the request and in support of City's recommendation for denial.

The letters were filed with the Board secretary for the record.

Chairperson Tobin opened the hearing to the public.

Mr. Andrew Katzman, 822 Weatherly Ct., Longwood, FL 32750, spoke as the applicant and owner. He stated that when they acquired the property, they believed they would be allowed to do a Revert-to-Plat, but because of a 13 feet lot remnant, apparently it didn't meet the criteria. He stated that the four properties across the street from his property were all non-conforming to the current City code. He noted that the improvements proposed were consistent with the neighborhood.

Having no other speaker requests for this item, Chairperson Tobin closed the public hearing.

Board member Anderson stated that she understood the City's point on this matter, but she believed that the request was consistent with the neighborhood and surrounding properties.

Ms. Anderson motioned to APPROVE the request, SUB2014-00004.

Discussion continued regarding concerns on setting a precedent.

Board member Skidelsky SECONDED the motion.

Mr. Grandin stated that although the proposed architecture was excellent, the fact remained that the lots did not meet the City's minimum area code requirement.

Mr. Burnett stated that different zoning categories had different standards. The applicant, in his analysis, presented properties that were in Winter Park zoned R-1A. Mr. Burnett noted that the neighborhood analysis stayed in the same zoning district and the same block face.

Chairperson Tobin stated that granting the request would be a big dimensional accommodation.

After further discussion in regards to concerns of setting a precedent if this request was approved, Chairperson Tobin noted that there was a motion standing for approval of the applicant's request by Ms. Anderson and seconded by Mr. Skidelsky.

The standing motion was VOTED upon and FAILED by a majority vote of 2-4 (Searl, Burns, Lewis and Martin voted nay).

Board member Lewis moved DENIAL of the request, SUB2014-00004. Board member Martin SECONDED the MOTION, which was VOTED upon and PASSED by a majority vote of 4-2 (Anderson and Skidelsky voted nay).

OTHER BUSINESS

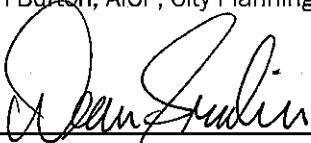
➤ None

ADJOURNMENT

Having no other matters to bring before the Board, Chairperson Tobin adjourned the meeting at 9:55 a.m.

STAFF PRESENT

Dean Grandin, AICP, City Planning
Mark Cechman, AICP, City Planning
Paul Lewis, AICP, City Planning
Karl Wielecki, AICP, City Planning
Elisabeth Dang, AICP, City Planning
Holly Stenger, AIA, City Planning
Ken Pelham, City Planning
Bruce Hossfield, City Planning
Jim Burnett, AICP, City Planning
Colandra Jones, City Planning
Michaëlle Petion, City Planning
Michelle Beamon, City Planning
Doug Metzger, City Planning
Jennifer Moreau, AICP, City Planning
Jason Burton, AICP, City Planning


Dean Grandin, AICP, Executive Secretary

Lourdes Diaz, City Planning
Kyle Shephard, City Attorneys' Office
David Bass, City Attorneys' Office
Audra Nordaby, Orlando Police Department
Keith Grayson, Permitting Services
Olivia Boykin, Permitting Services
John Rhoades, Transportation Planning
Nancy Ottini, Transportation Planning
Gus Castro, Transportation Planning
Ian Sikonia, Transportation Planning
Matthew Wiesenfeld, Transportation Planning
Clayton Green, Real Estate
Rose Melillo, Real Estate
Denise Riccio, Parks & Special Facilities


Lourdes Diaz, MPB Recording Secretary

Note: Ms. Julie Bishop, 3188 Sea Venture, Orlando, FL 32827 sent an email with a list of concerns in regards to Item#3 (Southport Industrial Parcel), and requested the email be presented to City Council. Mr. Grandin agreed to have the email attached to these minutes for City Council's consideration.

(Attachment)