



# APPEARANCE REVIEW BOARD

## MEETING MINUTES February 19, 2015

### MEETING INFORMATION

#### Location

Sustainability Conference  
Room

2nd Floor, City Hall

One City Commons

400 South Orange  
Avenue

#### Time

2:00p.m.

#### Board Members Present:

Greg Witherspoon, Chair

Mike Beale, Vice Chair

Matt Taylor

Daisy Staniszkis

Jeffrey Bush

Tim Lemons

#### Board Members Absent:

Justin Ramb

### OPENING SESSION:

- Chairman Greg Witherspoon called the meeting to order at 2:00P.M.
- Shaniqua Rose, ARB Recording Secretary, conducted the Roll Call.
- Determination of a quorum was confirmed.
- Chairman Greg Witherspoon read the Welcome, General Rules of Order and the Appeals process.

### MINUTES

*A motion was made by Mike Beale and seconded by Tim Lemons to approve the December 18, 2014 ARB Meeting Minutes. The motion carried unanimously 6-0.*

### NEW BUSINESS:

#### 1. Election of Chairman and Vice-Chairman for 2015

A motion was made by Matt Taylor and seconded by Mike Beale nominating Greg Witherspoon to serve as 2015 Chairman of the Appearance Review Board. A motion was made by Greg Witherspoon and seconded by Matt Taylor nominating Mike Beale to serve as 2015 Vice-Chairman of the Appearance Review Board. The motion carried unanimously.

### CONSENT AGENDA

#### 1. 450 South Orange Avenue – Red Lobster Corporate Headquarters

Applicant/Owner: Jack McNertney/CNL Plaza LLC

Location: 450 South Orange Avenue

District: 5

Project Planner: Ken Pelham

ARB2015-00006

Request for a Major  
Certificate of Appearance  
Approval for new high-rise  
sign on the CNL I Tower.

Recommended Action:

Staff recommends APPROVAL of the request  
with the following conditions:

1. The Red Lobster high-rise sign shall be installed in the location and manner proposed. As described in the drawings, the final height of the sign may differ slightly from the estimated 4'-6" shown based on the height of the existing eyebrow. Staff also supports a final size that may be slightly larger than the eyebrow as well.
2. Any holes or blemishes left from the removal of the CNL sign on the west façade of the building shall be patched and finished to match the surrounding wall finishes prior to installation of the Red Lobster high-rise sign.
3. The existing CNL high-rise sign on the south façade of the building shall be removed to comply with the high-rise sign code that states two differing

high-rise signs on the same building shall not be visible from the same vantage point. All holes and remnants of the south façade CNL sign shall be filled and repaired to match the existing building finish.

4. CNL shall be permitted to have one high-rise on the building. That sign shall be located on the east façade of the building and shall be submitted for an ARB Minor Review prior to permitting and installation.

5. ARB approval does not constitute approval to fabricate and install the sign. All required building, sign, structural, and wind load requirements shall be met and all appropriate building and sign permits shall be obtained prior to installation of the Red Lobster sign.

**A motion was made by Mike Beale and seconded by Daisy Staniszakis to approve the Consent Agenda. The motion carried unanimously.**

## REGULAR AGENDA:

### 1. 315 West Concord Street – Lexington Court

Applicant/Owner:	Paul Missigman/Concord Lexington LLC
Location:	315 West Concord Street
District:	5
Project Planner:	Doug Metzger

ARB2013-00103	Request for a Major Certificate of Appearance Approval for final building colors and exterior painting.
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Recommended Action: Staff recommends APPROVAL of the request:

- ~~1. The number of colors and architectural bay color schemes be reduced and simplified.~~
- ~~2. Priority be given to using accent or darker bay colors on the upper cells of the architectural bays or on narrow vertical elements of the architectural bays.~~
- ~~3. The treatment above the primary entry on Concord be simplified and designed in a way that makes the entry architectural bay the most prominent on the south façade.~~
- ~~4. That the revised color elevations be submitted for ARB Minor Review and approval prior to the commencement of exterior painting of the building.~~
5. Staff approves final building colors and exterior painting as submitted in the current application.

Mr. Doug Metzger gave an overview of the color changes to the project; he let the Board know that staff is recommending approval of the final building colors as presented in the application and explained that the conditions in the agenda were from the applicant's previous application, so there are no conditions of approval at this time.

Karen Anderson, Atlantic Housing, explained the new color scheme of building using color chips.

The Board was concerned with the current proposed signage for the building, as there was question on whether or not it was part of the originally approved master sign plan and also wanted to know if there is a City code that can control the words on a building's signage. Mr. Metzger explained that the current item for the Board to take action on is the color of the building and that the signage is currently under review by staff as a minor review and may come back to the Board at a later date.

Mr. Metzger asked Mr. Shephard if it was possible to place the sign on today's meeting agenda. Mr. Kyle Shephard, Assistant City Attorney II, explained that items cannot be walked on because the public has to be put on notice of the item being presented.

Mr. Thomas Chatmon expressed appreciation for the applicant's efforts; he emphasized that the current occupancy rate of rental units Downtown Orlando are about 93-94% and that the applicant consider the optimal image being conveyed in regards to the new signage proposal.

**A motion was made by Mike Beale to approve the item as submitted with no conditions and seconded by Daisy Staniszkis. The motion carried unanimously.**

## **2. 100 W. Livingston Street – Ace Café Phase II**

Applicant/Owner: Tim Lemons/Ace North America, LLC.  
Location: 100 W. Livingston Street  
District: 5  
Project Planner: Doug Metzger

ARB2015-00007

Request for a Major Certificate of Appearance Approval for the Phase II expansion of Ace Café to include renovation of the barn and restroom facility and a new container style structured for the event lawn.

Recommended Action: Staff recommends APPROVAL of the request with the following conditions:

### **1. General**

- a. ARB Staff supports the redevelopment and re-use of the existing structures on-site as part of Phase Two.
- b. Phase Three of the project will require an additional and separate Major Certificate of Appearance Approval.

### **2. Architecture**

- a. Elevations — Architectural renovations, elevations, plans, materials and colors of the barn and restroom facility are approved as submitted.
- b. Container Structures — The general design of the container structure on the Event Lawn is acceptable. However, since the facility is specified as “design/build” the final plans, materials and colors shall require an ARB Minor Review prior to submittal of building permits.
- c. Barn Deck — Final design , materials and colors for the “barn deck” shall be submitted for ARB Minor Review prior to submittal of building permits for the structure.
- d. Dumpster Enclosure — The proposed design and materials of the proposed dumpster enclosure is approved. However a “man-door” or pedestrian gate access shall be incorporated into the enclosure design to accommodate employee access to the dumpster enclosure for future re-cycling programs currently being developed by City Staff.
- e. ARB Approval — Final Architectural elevations for all Phase Two structures shall be submitted for ARB Minor Review prior to issuance of building permits. Elevations shall include the location of all proposed exterior signage, lighting fixtures, architectural ornamentation, mechanical equipment, venting and exhaust fixtures.

### **3. Site Plan**

- a. Streetwall—The 5-foot tall street wall design with a 2-foot masonry and brick base, 2.5 foot tall aluminum picket fencing and 5-foot tall brick with masonry cap column is approved as submitted.
- b. Perimeter Walls — The proposed streetwall design can be increased to 6-feet in height along the east property boundary and on the south property boundary from Garland Avenue to the corner of the structure on the adjacent property. The southern wall may be opaque to 6-feet for all or a portion of the remaining south boundary at the Applicant’s discretion in order to screen the adjacent uses. The perimeter wall shall be constructed with the Phase One development of the project.
- c. Dumpster Location — The dumpster location which has been a concern in previous submittals is approved in its proposed location. The west side of the drive aisle leading to the dumpster enclosure and the dumpster enclosure shall be screened with a 3-foot tall hedge. Understory trees shall also be utilized to help screen views of the enclosure from Garland Avenue.
- d. Fencing — All fencing on site shall be decorative, open, CPTED-approved fencing, such as aluminum or wrought-iron picket, excluding fences or walls that are used to buffer impacts of or to adjacent properties. Chain link fencing is prohibited.
- e. Phase Three — The undeveloped area of Phase Three shall be seeded or sodded with bahia grass at a minimum. Until a building permit is issued for Phase Three the undeveloped area shall be secured with a post and rope or chain system in order to prohibit parking on the undeveloped site.

### **4. Mechanical Equipment**

- a. Venting and Exhaust—All restaurant venting and restaurant exhaust shall be directed to the roof of the building(s), and shall not be visible from the public right-of-way. Restaurant venting is not permitted on any façade of the building. All other venting and exhaust for mechanical systems and utilities shall be a minimum of 10 ft. above grade, and shall be designed and integrated with the building so as to be seamless with the overall architecture of the building.
- b. Mechanical Equipment - All ground and roof mounted mechanical equipment and transformers shall be screened from view with parapets, fencing and/or landscaping to meet the requirements of the Land Development Code.
- c. Backflow Preventer - Backflow preventer/s shall be located so as not to be directly visible from the right-of-way and should be screened from view where necessary. They shall be clearly identified on the final site plan.
- d. ARB Approval — A final mechanical equipment, venting and roof plan including architectural elevations with venting shall be submitted for an ARB Minor Review prior to submittal for exterior building permits.

## **5. Landscape**

- a. Tree Mitigation — There are several substantial existing trees on the Phase 2 site. A report from the City Arborist on the health and viability of the existing trees is required. Removal of existing healthy specimen trees will require mitigation based on the recommendation of the City Arborist.
- b. ARB Approval — Final landscape and hardscape plans shall be submitted for ARB Minor Review prior to submittal for exterior building permits for Phase One.

## **6. Lighting**

- a. Lighting Standards – Lighting shall comply with the City's Land Development Code. A signed and sealed lighting plan with photometrics consistent with the lighting ordinance is subject to approval by the Planning Official and ARB Minor Review. The submittal shall also include details of all proposed lighting fixtures on the exterior of the site. The final lighting and photometric plan shall be submitted for an ARB Minor [Staff] Review prior to submittal of final building permits.
- b. Security Lighting - Security lighting shall not be substituted for parking or pedestrian area lighting fixtures. Security lighting is restricted to lighting service, storage, loading and other similar uses. Security lighting shall not extend beyond the fascia or roofline of any building.
- c. Light Shields - Security lighting and pedestrian area lighting fixtures shall be fully shielded and similar in color with the surface to which the fixture is attached.
- d. Service Areas - Lighting under awnings, canopies, and porte-cocheres should be recessed. If not recessed, the box type or other lighting fixture shall be opaque on all sides (no light shall emanate from any side of the fixture).
- e. Pedestrian Areas – Pedestrian area lighting fixtures should be pedestrian in scale, as well as decorative in appearance, style and finish.

## **7. Signage**

- a. Master Sign Plan — A Master Sign Plan shall be submitted for review and approval by the planning official and ARB prior to obtaining a building permit for any new signs. The sign plan shall be approved, denied, or approved with conditions by planning official letter of determination and ARB Major Review. The sign plan must include, at a minimum, the locations, dimensions, areas, and types of each sign, and must conform to applicable provisions of the Orlando City Code and PD ordinance. The Property must be built and maintained in accordance with the approved sign plan.  
The Master Sign Plan must conform to the architectural elevations. The Master Sign Plan shall be updated prior to issuance of a Certificate of Occupancy for Phase Two.
- b. Downtown Special Sign District — This project is located in the Downtown Special Sign District and shall comply with all the rules and regulations of the district.

Tim Lemons declared a conflict.

Mr. Doug Metzger gave an overview of the project and reviewed staff conditions using PowerPoint. He highlighted that there is a change to the dumpster enclosure area as originally presented in Phase I to accommodate the future recycling programs currently being developed by City staff.

Mr. Jeff Bush expressed concern about the cohesiveness of the three phases of the project and it appears that the three phases all have different building materials. Mr. Lemons explained that the entire project is in full swing, the projected plan is to get all three phases completed consecutively and that the buildings will be integrated through the use of material and colors. He explained that Phase III will include a display of International motorcycles. He also explained that the owner wants to preserve the barn because of its historical context to the property and downtown.

The Board was concerned about the usage of containers on this project, the design guidelines of durable materials and the precedence the Board is setting by allowing this project to use containers. Mr. Richard Forbes, Historic Preservation Officer, explained that this area has been historically industrial in nature and that the container design is appropriate because the area on the site where the containers will be used is adjacent to the railroad tracks. Mr. Metzger explained that for any future projects wanting to use container structures, the contextual concept would have to be considered because there are areas where it is appropriate and areas where it might not be appropriate to have container structures.

**A motion was made by Mike Beale and seconded by Jeff Bush to approve the item based on the conditions in the staff report. The motion carried unanimously with Tim Lemons abstaining from the vote.**

### **OTHER BUSINESS:**

ARB Minor Reviews completed since the June ARB Meeting:

1. ARB2014-00074 – 150 North Orange Avenue - Signage

### **OLD BUSINESS:**

1. Meeting Attendance – Due to the cancellation of the January meeting Mr. Metzger brought to the Board's attention to be careful with their attendance until there is clarification from the City Clerk's office on how many meetings can be missed.
2. The Board members had a few concerns with the following locations:
  - 300 E. Jackson Street - chain link fence, trailer and usage of the land at this point.
  - Southwest corner of Orange Ave and Robinson Street – what will the previous owner do about that adjacent building appearance. Mr. Beale being the property manager of the adjacent building explained that they are waiting on the demolished building's owner to make a decision on what will take place on the vacant lot before making repairs.
  - 899 N. Orange Ave – there was discussion on the signage around the building.Mr. Metzger explained that he would research their concerns.

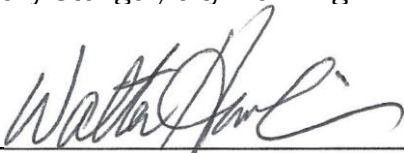
**ADJOURNMENT:** CHAIRMAN GREG WITHERSPOON ADJOURNED THE MEETING AT 3:33 P.M.

THE NEXT MEETING OF THE APPEARANCE REVIEW BOARD WILL BE THURSDAY, MARCH 19, 2015 AT 2:00 PM.

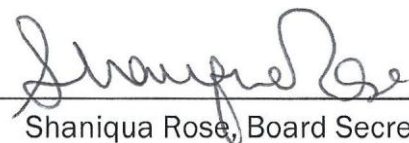
### **STAFF PRESENT**

Kyle Shephard, Assistant City Attorney II  
Doug Metzger, City Planning  
Shaniqua Rose, Board Secretary  
Christel Brooks, Administrative Specialist  
Holly Stenger, City Planning

Kenneth Pelham, City Planning  
Thomas Chatmon, Executive Director  
Richard Forbes, Historic Preservation Officer  
Jason Burton, City Planning



Walter Hawkins, Acting Executive Secretary



Shaniqua Rose, Board Secretary