



MUNICIPAL PLANNING BOARD

MINUTES



APRIL 15, 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
[7/7]

Jason Searl, Vice-Chairperson
[7/7]

Stuart Buchanan [6/7]

Bakari Burns [6/7]

Laurence Lewis [7/7]

Scott Martin, [6/7]

Scott Skidelsky [7/7]

Vacant

Tyrone Smith, OCPS – Non-Voting [5/7]

Members Absent

Karen Anderson [6/7]

OPENING SESSION

- ♦ Jennifer Tobin, Chairperson, called the meeting to order at 8:33 a.m., after determination of a Quorum.
- ♦ The meeting was opened with the Pledge of Allegiance.
- ♦ Consideration of Minutes for Meeting of March 18, 2014.

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

ANNOUNCEMENTS

- ♦ Regretfully, due to family medical reasons, Ms. Sanquirico will no longer be a member of the Municipal Planning Board.

PUBLIC COMMENTS

- ♦ Speaker requests were received for items #2 and 9 on the Consent Agenda. Items were moved to the Regular Agenda for discussion.

AGENDA REVIEW

Dean Grandin, Executive Secretary, reviewed the Consent Agenda.

CONSENT AGENDA

1. RECOMMENDED APPROVAL, MILLENIUM HOMES

Applicant: Chris Harrison – HPI Group
Owner: Javier Vicente – Millenium Homes
Location: 1200 & 1226 S. Bumby Ave., located on the southwest corner of S. Bumby Ave. and Hand Blvd. (±0.46 acres).
District: 4
Project Planner: Colandra Jones (407-246-3415, colandra.jones@cityoforlando.net)

- A) ANX2014-00001*** Annex the subject property;
- B) GMP2014-00007*** Assign the Residential Low Intensity future land use designation; and
- C) ZON2014-00006*** Initial zoning of R-3A/T.

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

2. 502 SHANNON ROAD ANNEXATION – Board member Skidelsky MOVED to place Item #2 on the Regular Agenda. Board member Lewis SECONDED the motion. No one opposed. – **MOVED TO REGULAR AGENDA**

3. RECOMMENDED APPROVAL, LEEVISTA CELL TOWER HEIGHT EXTENSION

Applicant: LauraLee Westine – Crown Castle South, LLC
 Owner: Mary Gay – Manager, Crowntree Associates LLC
 Location: 10255 Vickers Ridge Dr., located north of SR 528, west of SR 417, east of S. Econlockhatchee Trl., and south of LeeVista Blvd. (±0.17 acres).
 District: 1
 Project Planner: Michaëlle Petion (407-246-3837, michaelle.petion@cityoforlando.net)

CUP2014-00003** Conditional Use Permit to allow a 12 ft. height extension to an existing cell tower.

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

4. RECOMMENDED APPROVAL, ST. IGNATIUS KIM CHURCH SITE IMPROVEMENTS

Applicant: Javier Omana, V.P. – CPH, Inc.
 Owner: John G. Noonan, Bishop – Diocese of Orlando
 Location: 1518 E. Muriel St., located on the southwest corner of E. Muriel St. and S. Fern Creek Ave., north of E. Michigan St. (±1.46 acres).
 District: 4
 Project Planner: Jim Burnett (407-246-3609, james.burnett@cityoforlando.net)

CUP2014-00004** Conditional Use Permit to replace an existing fellowship hall, and make general site improvements for an existing church.

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

5. RECOMMENDED APPROVAL, TRANSIT LEVEL OF SERVICE GMP POLICIES

Applicant: City of Orlando
 Owner: N/A
 Location: N/A
 District: Citywide
 Project Planner: Gus Castro (407-246-3385, gustavo.castro@cityoforlando.net)

GMP2014-00001* Amend Policy 1.13.1, Transportation Element, and Policy 1.2.12, Capital Improvement Element of the City's Growth Management Plan, to add text clarifying transit level of service standards and recognize the performance value of designated transit corridors with increased service frequencies.

Recommended Action: Approval of the request.

6. RECOMMENDED APPROVAL, ANNEXATION UPDATES TO THE GROWTH MANAGEMENT PLAN MAPS

Applicant: City of Orlando
 Owner: N/A
 Location: N/A
 District: Citywide
 Project Planner: Michelle Beamon (407-246-3145, michelle.beamon@cityoforlando.net)

GMP2014-00004* Approval of the Growth Management Plan map amendments, and the proposed Growth Management Plan text amendments.

Recommended Action: Approval of the request.

7. RECOMMENDED APPROVAL, LAND USE INDICATORS

Applicant: City of Orlando
 Owner: N/A
 Location: N/A
 District: Citywide
 Project Planner: Colandra Jones (407-246-3415, colandra.jones@cityoforlando.net)

GMP2014-00005* Amend Future Land Use Element Policies 1.5.1 and 1.5.2 to delete references to the Local Government Comprehensive Planning Certification Agreement and add the requirement to track Land Use Indicators.

Recommended Action: Approval of the request.

8. RECOMMENDED APPROVAL, MILLENIA REGIONAL ACTIVITY CENTER: FUTURE LAND USE FIGURE LU-2D AMENDMENT

Applicant: City of Orlando
 Owner: N/A
 Location: North of W. Oakridge Rd., south of I-4, east of Vineland Rd. and I-4, and west of S. John Young Pkwy. (±542.5 acres).
 District: 4
 Project Planner: Mary-Stewart Droege (407-246-3276, mary-stewart.droege@cityoforlando.net)

GMP2014-00006* Amend Future Land Use Figure LU-2D to remove a ±86.5 acre property from the Millenia Regional Activity Center.

Recommended Action: Approval of the request.

9. SHOOTERS WORLD GMP AMENDMENT & PD – MOVED TO REGULAR AGENDA

10. RECOMMENDED APPROVAL, SAND LAKE WEST PHASE IV MASTER PLAN

Applicant: Jim Hall, Planning Director – VHB, Inc.
 Owner: Sand Lake West Business Park
 Location: 7501 Greenbriar Pkwy., located on the east side of Greenbriar Pkwy., between W. Sand Lake Rd. and Carrier Dr., and east of S. Kirkman Rd. (±8.2 acres).
 District: 6
 Project Planner: Jim Burnett (407-246-3609, james.burnett@cityoforlando.net)

MPL2014-00005** Master Plan approval to construct a 2-story 73,048 sq. ft. office building and associated surface parking.

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

11. RECOMMENDED APPROVAL, CAMPBELL SUBDIVISION WITH MODIFICATION OF STANDARDS

Applicant: Cameron Thomas – Bloom Group, LLC
 Owner: Richard Bosserman, Manager – 2943 Helen, LLC
 Location: 2943 Helen Ave., located at the southeast corner of Helen Ave. and W. Hazel St., west of Formosa Ave. (±0.31 acres).
 District: 3
 Project Planner: Jim Burnett (407-246-3609, james.burnett@cityoforlando.net)

SUB2014-00015** Request to replat a developed residential property preparatory to demolishing the existing home and constructing two (2) single-family homes. A Modification of Standards is needed for both lots, both of which will not meet the minimum required 110 ft. lot depth under R-1/T/W zoning.

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

12. RECOMMENDED APPROVAL, THORNTON PARK TOWNHOMES PD

Applicant: Franco Scala – F & J Developers, LLC
 Owner: Stephen Bozarth, Manager – Jackson-Mariposa Properties
 Location: 620 Mariposa St., 615 & 621 E. Jackson St., located north of E. Jackson St., south of Mariposa St., east of S. Eola Dr., and west of S. Summerlin Ave. (±1.11 acres).
 District: 4
 Project Planner: Michaëlle Petion (407-246-3837, michaëlle.petion@cityoforlando.net)

ZON2014-00002** Request to amend and rename the Carriage House PD to allow a 28-unit townhome development.

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

Vice-Chairperson Searl declared a conflict on Item #3 (LeeVista Cell Tower Height Extension – CUP2014-00003) and Item #9 (Shooters World GMP Amendment & PD – GMP2014-00008, ZON2014-00001). Board member Lewis declared a conflict on Item #10 (Sand Lake West Phase IV Master Plan – MPL2014-00005). The appropriate conflict forms were filled out and filed with the recording secretary.

Board member Burns moved APPROVAL of the CONSENT AGENDA. Board member Buchanan SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote (Searl abstained on Item #3; Lewis abstained on Item #10).

REGULAR AGENDA

2. RECOMMENDED DEFERRAL, 502 SHANNON ROAD ANNEXATION

Applicant: George L. Powell – AIA, NCARB
 Owner: Paul Halyand – MGRM
 Location: 502 Shannon Rd. (±0.851 acres).
 District: 4
 Project Planner: Michelle Beamon (407-246-3145, michelle.beamon@cityoforlando.net)

- A) ANX2014-00003*** Annex the subject property;
B) GMP2014-00003* Assign the Residential Low Intensity and Conservation future land use designations; and
C) ZON2014-00004* Initial zoning of R-3A and C.

Recommended Action: Deferral, per the applicant's request.

Although the applicant requested this item be deferred to next month's MPB Hearing (May 20, 2014), two speaker request forms were received; therefore, Chairperson Tobin allowed the speakers to address the Board.

Mr. Kevin H. Paffrath, 508 Shannon Rd., Orlando, FL 32806 deferred his comments to Mr. Dimasi who would speak on his behalf and on behalf of some of the homeowners present at the meeting.

Mr. John Dimasi, 801 N. Orange Ave., Suite 500, Orlando, FL 32801, spoke on behalf of a majority of the neighbors of 502 Shannon Rd. Mr. Dimasi stated that it was not his intent to present the case at the moment, but because they learned about the deferral in less than 24 hours and weren't able to contact some neighbors, out of respect to some of the neighbors that came to the meeting, they wanted to make sure that the Board understood that every neighbor that they spoke with which live adjacent to the subject property was opposed to this project. He stated he would be back next month to present his case.

Although many neighbors were present at the meeting, no other speaker requests were received.

Board member Skidelsky moved DEFERRAL of the requests, ANX2014-00003, GMP2014-00003, and ZON2014-00004. Board member Burns SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote.

9. RECOMMENDED APPROVAL, SHOOTERS WORLD GMP AMENDMENT & PD

Applicant: Kevin Mineer – Genesis Group for Shooters World Orlando

Owner: MDR Health Club LP

Location: 4850 Lawing Ln., located at the south end of Lawing Ln., east of S. Kirkman Rd. and north of the Florida Turnpike (±3.0 acres).

District: 6

Project Planners: Colandra Jones (407-246-3415, colandra.jones@cityoforlando.net)
Jim Burnett (407-246-3609, james.burnett@cityoforlando.net)

A) GMP2014-00008* Change future land use designation from Community Activity Center to Industrial.

B) ZON2014-00001** Planned Development request to convert the former Bally's Fitness Club into a 3-story 81,112 sq. ft. indoor shooting range, classrooms, snack bar/lounge and firearms retail store.

Recommended Action: Approval of the requests, 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 requests, location characteristics, requirements and criteria for indoor shooting ranges, the purpose for the Planned Development, proposed site plan, and concluded his presentation with Staff's findings and recommendations. He stated that Staff was recommending approval of both requests, subject to the 23 required conditions in the staff report.

Discussion ensued in regards to the 500 ft. separation buffer requirement between the site and other uses, and whether the PD was a way to get around that requirement. Mr. Grandin stated that the Florida Turnpike served as a man made buffer separating the subject use from the uses on the other side of the Turnpike. He also stated that City staff did not take this application lightly, considering the very unusual conditions of the site. Given that the location was next to the Turnpike and its inaccessibility, staff concluded that it was appropriate to change the zoning. The fact that the site has been vacant for 5 years reflects the difficulty of developing the site.

Chairperson Tobin opened the hearing to the public.

Applicant Kevin Mineer, 3910 US 301, Tampa, FL 33619, distributed handouts to the Board members with more detailed information of their unique request. Mr. Mineer echoed Mr. Grandin's statement and noted that in addition to the Turnpike and a six lane elevated highway that crosses the Turnpike, there was also an existing 18 to 20 ft. sound wall barrier along the Turnpike that serves as buffer. He clarified that the site had 546 ft. of separation from the residential structures. The reason it seemed they didn't meet the 500 ft. separation requirement was because the residential zoning runs to the middle of the Turnpike. Mr. Mineer stated that they exceed the National Institute of Occupational Safety and Health regulations as well as EPA and OSHA regulations. The range would be sound proof to eliminate any noises outside of the building. In conclusion, Shooter's World Orlando would be an excellent reuse of a vacant, bankrupt property on a very challenging commercial parcel.

Mr. Eric Mellen, 129 Night Owl Ct., Longwood, FL 32779, stated he was the owner of Tires Plus which is located north of the Outback Steakhouse restaurant, which abuts the subject property. Mr. Eric's main concern was noise pollution and how the noise ordinance would be enforced.

Mr. Donald Butner, 5850 Windhover Dr., Orlando, FL 32819, spoke on his behalf as an opponent of the project. He began with a list of officers and people killed by gun shots. He referred to stats of privately owned guns in America and Florida and stats of deaths by gunfire. He continued naming the gun ranges in close proximity to the subject property, and available places to purchase guns in Orlando. Mr. Butner concluded by stating that this was a neighborhood community and it was the wrong use for the building.

Mr. Grandin stated that the City's Noise Ordinance was enforced by the Orlando Police Department and was confident that, based on the information provided by the applicant, there would be adequate sound proofing within the building itself, between the different sections, and also outside, to make sure that there were no noise violations.

Mr. Burnett further noted that they had to meet all building code requirements for indoor shooting ranges. If there were to be a noise issue, Mr. Mellen was entitled to notify the Orlando Police Department. He also stated that if there were any building related issues, these would be noted during the SPMP and permitting processes.

Mr. Grandin stated that City Code required that shooting ranges be on industrially zoned properties and that a lot of the ranges mentioned by Mr. Butner were either outside city limits, were grandfathered in or were on properties zoned industrial.

Chairperson Tobin closed the public hearing.

Board member Skidelsky moved APPROVAL of the requests, GMP2014-00008, and ZON2014-00001, subject to the conditions in the staff report. Board member Lewis SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote (Searl abstained).

13. RECOMMENDED APPROVAL, FASHION SQUARE MALL MASTER PLAN & DRI AMENDMENT

Applicant: UP Fieldgate US Investments - Fashion Square, LLC

Owner: MMM Lakewood, LLLP and UP Fieldgate US Investments - Fashion Square, LLC

Location: North of E. Colonial Dr., east and south of Maguire Blvd., and west of Bennett Rd. (±78.7 acres).

District: 3

Project Planner: Fabian De La Espriella (407-246-3292, fabian.delaespriella@cityoforlando.net)

A) MPL2014-00006** Master Plan approval to add multi-family residential units and additional retail and office uses to the metropolitan activity center.

B) DRI2014-00001* Development of Regional Impact (DRI) approval to amend the Fashion Square Mall DRI Development Order.

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

This item was presented by Fabian De La Espriella, Planner III, Community Planning Studio, City Planning Division. Using PowerPoint, Mr. De La Espriella described the site location, discussed the requested action, proposed improvements and uses. He also discussed the increase of external vehicle trips, and the increase to a multiuse DRI. Mr. De La Espriella continued with the Master Plan summary, discussing the proposed street cross sections, the proposed development program for the Master Plan, the parking requirements, the proposed conditions, and concluded his presentation with staff's recommendation.

Board discussion ensued in regards to whether a traffic study would be needed due to all the new developments within the area.

Mr. Ian Sikonia, Planner III, Transportation Planning Division, Economic Development Department, stated that, in regards to the apartments that were being developed in area C (which were approved by MPB last month), the applicant was required to provide a traffic study back in 2008 as part of their PD process since the proposed development generated more than 1,000 daily trips. In regards to the Fashion Square Mall DRI, a monitoring and modeling (M&M) study would be required prior to phase two or in 2017, whichever came first. The M&M study would need to address all the internal circulation and vehicular access points to Fashion Square Mall, including every entrance on Maguire Blvd., the McCullough Ave. entrance by Sears, Herndon Ave., and everything within the surroundings of the DRI.

Discussion continued in regards to concerns of creating traffic problems if the Master Plan was approved without an immediate traffic study.

Mr. Grandin stated that the Florida Statutes for DRI's grant some protections once they are adopted. The Fashion Square Mall DRI consists of multiple phases and the different phases trigger the need for additional traffic analysis. Based on the applicant/developer's submitted proposal, it would all fall under phase one, which wouldn't trigger the need for any additional traffic improvements in the area to address trips. Mr. Grandin noted that all the proposed changes in phase one fell below the allotted trips' threshold.

Discussion continued in regards to the need of safe pedestrian crossings on all sides of the project. Mr. Grandin clarified that the Master Plan, as proposed to be amended, would address all those issues. He added that the developer proposed additional connections that were not currently on the site.

Chairperson Tobin opened the hearing to the public.

Mr. Chris Roper, Akerman LLP, 420 S. Orange Ave., Suite 1200, Orlando, FL 32801, spoke on behalf of the applicant. He stated that they were in agreement with Staff's recommendation and were available to answer any questions.

Mr. William E. Tipton, Sr., 8737 Aspen Ave., Orlando, FL, 32817, spoke on his behalf as the owner of an office building located at 760 Maguire Blvd., and as a traffic engineer. He stated that he was not opposing the project, but he would like to request the following additional conditions of approval on the basis of public safety:

1. Add left turn lanes at every left turn opportunity on Maguire Blvd. into the shopping center driveways. Mr. Tipton noted that there's been a dramatic change in traffic shift due to Baldwin Park. He would like immediate action on this matter, instead of waiting for the M&M study.
2. Improve the driveway grades – the following driveways drag bottom when driving out: the Post Office driveway on Maguire Blvd., the Burdines driveway and the Sears Auto driveway. He stated that these driveways were not constructed properly and needed to be addressed.

After further discussion in regards to whether there was enough right-of-way for the suggested left turn lanes, Mr. Sikonia stated that it would be better to analyze this issue during the M&M study. This would allow addressing the maximum impact of the development, how the turning movements would happen, and if the turning lanes were even warranted for each entrance into the mall. In regards to the driveway grades, Mr. Sikonia suggested that the Public Works Department and City staff inspect the location and assess the current conditions. He also clarified that although Sears was part of the DRI, it was not part of the Master Plan application, due to the fact that it's owned by a different property owner.

Mr. De La Espriella stated that specific portions of the Master Plan would come before the Board as Specific Parcel Master Plans (SPMPs), and suggested that the grading issue be addressed at that point. He noted that since the driveways were providing access to those areas, there could be conditions added for the grading improvements. Assistant City Attorney Kyle Shephard concurred with Mr. De La Espriella's recommendation.

Mr. Roper stated that they would like to follow what was already in the Development Order (DO). He noted that they had a vested phase one and certain amount of trips allocated to that phase. He also noted that, even including the current proposal, they had not built out to the full extent of phase one. Mr. Roper stated that in accordance to the DO, he'd rather wait for the M&M study.

Vice-Chairperson Searl inquired about the Cady Way Trail extension. Mr. Robert (Bob) Lochrane, from Lochrane Engineering, 201 S. Bumby Ave., Orlando FL 32803, spoke on behalf of the developer and discussed the proposed extension of the Cady Way trail.

Discussion shifted back to the intersections' traffic analysis. Mr. Mohammed Abdallah, Traffic and Mobility Consultant, 1507 S. Hiawasse Rd., Orlando, FL 32835, spoke on behalf of the developer and stated that there was no additional or specific capacity analysis done, so the intersections were not looked at in that respect.

Chairperson Tobin closed the public hearing.

Board member Lewis, concerned that there would not be data until the M&M study, suggested that as part of the SPMP, an operational study of each of those individual intersections on Maguire Blvd. should be required.

John Rhoades, Transportation Planning Division, Economic Development Department, stated that staff could request the applicant to provide traffic data in order to prepare internally an operational analysis of Maguire Blvd., in order to have an understanding of the situation and any associated impacts.

Mr. Paul Lewis, Chief Planning Manager, City Planning Division, added that the Florida Legislature, under certain circumstances, could extend build-out dates and phase dates of DRI's. This would result in the M&M study being postponed after 2017.

Mr. Shephard stated that the operational study would provide City transportation engineers with vital information, giving them the opportunity to make a decision about whether they would consider contributing City funds to change operational characteristics for the good of the public.

With the Board's approval, Chairperson Tobin reopened the public hearing to allow the applicant to respond to their discussion.

Mr. Roper stated that there was a specific condition in the DO that pertained to access to and from Maguire Blvd. and the adjacent roads. He noted that as part of the DO, it was agreed that they would revisit those turn lanes during the M&M process. In regards to the driveway grades, Mr. Roper agreed to link the SPMP to a review of the driveway grades that: (A) were within their control, excluding Sears, and (B) were actually affected by the proposed use located on the north side of the project.

Chairperson Tobin closed the public hearing. She summarized that the developer will provide traffic data to City staff for informational purposes and will also look at driveway grade conditions that are directly impacted by each development parcel as they go through the SPMP process.

Board member Lewis moved APPROVAL of the requests, MPL2014-00006 and DRI2013-00001, subject to the conditions in the staff report and the following additional conditions:

- 1. Driveway grading at access points to the property will be evaluated and addressed at the SPMP level.**
- 2. Due to change in traffic patterns as a result of proposed uses, the applicant will provide the City with traffic data for staff to develop an operational analysis of Maguire Blvd. as it specially relates to turning movements at access points into the Fashion Square Mall property. This internal study will be developed for informational purposes only. The applicant will provide the City with this data upon approval of the MPL (this meaning sooner rather than later).**

Board member Skidelsky SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote.

OTHER BUSINESS

- None

ADJOURNMENT

Having no other matters to bring before the Board, Chairperson Tobin adjourned the meeting at 10:39 a.m.

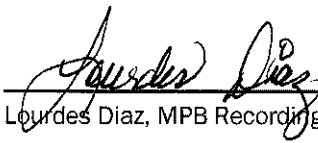
STAFF PRESENT

Dean Grandin, AICP, City Planning
Mark Cechman, AICP, City Planning
Paul Lewis, AICP, City Planning
Karl Wielecki, AICP, City Planning
Holly Stehner, AIA, City Planning
Ken Pelham, City Planning
Jim Burnett, AICP, City Planning
Colandra Jones, City Planning
Michaëlle Petion, City Planning
Michelle Beamon, City Planning
Doug Metzger, City Planning
Jason Burton, AICP, City Planning
Fabian de la Espriella, 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
Dolly Carwile, Public Works
Denise Riccio, Parks & Special Facilities



Lourdes Diaz, MPB Recording Secretary