



MUNICIPAL PLANNING BOARD

MINUTES



FEBRUARY 16, 2016

MEETING INFORMATION

Location

City Council Chambers

2nd Floor, City Hall
One City Commons
400 South Orange Avenue

Time

8:30 a.m.

Members Present

Jason Searl, Chairperson
[3/5]

Karen Anderson, Vice-Chairperson [5/5]

Alfredo Barrott, Jr. [2/3]

Bakari Burns [5/5]

Scott Martin [5/5]

Mark Suarez [5/5]

Jennifer S. Tobin [5/5]

Members Absent

Stuart Buchanan [4/5]

Claudia Ray [1/2]

Tyrone Smith, OCPS – Non-Voting [4/5]

OPENING SESSION

- ♦ Jason Searl, Chairperson, called the meeting to order at 8:34 a.m., after determination of a Quorum.
- ♦ The meeting was opened with the Pledge of Allegiance.
- ♦ Consideration of Minutes for Meeting of January 19, 2016.

Board member Burns MOVED approval of the Municipal Planning Board Meeting Minutes of January 19, 2016, as written. Board member Tobin SECONDED the motion, which was VOTED upon and PASSED by unanimous voice vote.

ANNOUNCEMENTS

- ♦ None

PUBLIC COMMENTS

- ♦ Speaker requests were received for items # 1, 2, and 3 on the Consent Agenda. These items were moved to the Regular Agenda for discussion.

AGENDA REVIEW

Paul Lewis, Acting Executive Secretary, reviewed the Consent Agenda.

CONSENT AGENDA

1. NARCOOSSEE COVE I & II – MOVED TO REGULAR AGENDA
2. PIONEERS PROJECT – MOVED TO REGULAR AGENDA
3. SEMORAN COMMERCE CENTER DRI – MOVED TO REGULAR AGENDA
4. RECOMMENDED APPROVAL – STARWOOD PHASE 1

Applicant:	Nicole P. Stalder – Dewberry Engineers, Inc.
Owner:	Carlsbad Orlando, LLC
Location:	South of Beachline Expwy. (SR 528) and east of Central Florida Pkwy. (SR 417) (±162.14 acres).
District:	1
Project Planner:	Colandra Jones (407-246-3415, colandra.jones@cityoforlando.net)

MPL2015-00039** Specific Parcel Master Plan for Starwood Phase 1 residential development which is comprised of 287 single family residential units.

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

5. RECOMMENDED APPROVAL, ATLAS COMMERCE PARK REPLAT WITH MODS

Applicant: Paul Straubinger, et al – Straubcos LLC
 Owner: Straubcos Construction Inc.
 Location: 11334 Boggy Creek Rd., southwest side of Boggy Creek Rd., between Tradeport Dr. and Richard Johnson Blvd. (±48.0 acres).
 District: 1
 Project Planner: Jim Burnett (407-246-3609, james.burnett@cityoforlando.net)

SUB2015-00069** Request to replat the subject industrial property into thirteen (13) parcels and four (4) tracts for further development and sale of lots within the industrial park. The replat needs a Modification of Development Standards because the parcels will front onto a substandard 34-ft. wide internal access drive.

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

6. RECOMMENDED APPROVAL, CFE FEDERAL CREDIT UNION

Applicant: William R. Hockensmith, PE – Florida Engineering Group, Inc.
 Owner: Orange County Teachers Federal Credit Union
 Location: 1200 Weber St., north of E. Marks St., east of Mills Ave., and west of Pine Grove Ave. (±1.41 acres).
 District: 4
 Project Planner: Katy Magruder (407-246-3355, kathleen.magruder@cityoforlando.net)

ZON2015-00051** Planned Development amendment request to modify the existing North Mills PD to demolish the existing 32,208 sq. ft. multi-story office and bank building, and to build a 5,595 sq. ft. bank branch.

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

Board member Tobin declared a conflict on Item #7 (Westminster Tower); Chairperson Searl declared a conflict on Item #2 (Pioneers Project). They both filed the appropriate Conflict Form 8B with the Board secretary.

Vice-Chairperson Anderson moved APPROVAL of the CONSENT AGENDA and ADDENDUMS. Board member Tobin SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote.

REGULAR AGENDA

1. RECOMMENDED APPROVAL, NARCOOSSEE COVE I & II

Applicant: Miranda Fitzgerald – Lowndes, Drosdick, Doster, Kantor & Reed, P.A.
 Owner: Al Yamama LLC
 Location: 12615 Narcoossee Rd., south of Kirby Smith Rd., east of Narcoossee Rd. and north of Tagore Pl. (±44.919 acres).
 District: 1

Project Planner:	Michelle Beamon, (407-246-3145, michelle.beamon@cityoforlando.net)
ANX2015-00028*	Annex subject property;
GMP2015-00050*	Growth Management Plan amendment to Urban Village;
GMP2015-00051*	New GMP Subarea Policy S.40.9 to include the property into the Southeast Orlando Sector Plan;
ZON2015-00052**	Initial zoning of PD to allow 90,000 sq. ft. of commercial/retail; 30,000 sq. ft. of office; 250 multi-family units and 70 townhome units; and
ZON2015-00053**	Initial zoning of PD to allow 11,000 sq. ft. of commercial/retail and 40 multi-family units.

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

This item was presented by Michelle Beamon, Planner III, Comprehensive Planning Studio, City Planning Division. Using PowerPoint, Ms. Beamon presented the proposed project, staffs' conditions and recommendation to the Board.

The applicant was represented by Miranda Fitzgerald of Lowndes, Drosdick, Doster, Kantor & Reed, P.A., 215 N. Eola Dr., Orlando, FL 32801. Ms. Fitzgerald stated that notices had been sent out to the mobile home property owners advising them of the change of use request in August of 2015. Tenants would be evicted if they have not vacated by the end of February 2016. She noted that her client offered financial assistance to help them relocate. Ms. Fitzgerald also advised that there was an agency in Tallahassee that offers financial assistance for relocation.

Having no questions from the Board for Ms. Beamon or Ms. Fitzgerald, Chairperson Searl opened the hearing to the public.

The following speakers appeared before the Board:

- 1) Leslie Yurko Gill – 12212 Kirby Smith Rd., Orlando, FL 32832 – Opposed – main concerns were possible negative impact to the public schools due to transient population, and project might attract lower income demographic causing property values to decrease.
- 2) Maria Gonzalez – 12033 Narcoossee Rd., Orlando, FL 32832 – Opposed – requested more time to move. Stated she had a child in school and would like for her child to be able to finish the school year. She also stated she had nowhere to move.
- 3) Judith Chartier – 12009 Narcoossee Rd., Orlando, FL 32832 – Opposed – stated she was a single mom with limited funds and had a daughter attending Lake Nona High School. Requested more time to move.
- 4) Nettie L. Vetcher – 10034 Dock Dr., Orlando, FL 32832 – Opposed – stated she needed financial assistance to move.
- 5) Raigan Alianeu – 10008 Lake Whippoorwill Ct., Orlando, FL 32832 – Opposed – stated that the mobile park residents were victims of fraud. She noted that the previous owner raised their rent because of supposed park improvements which never happened. Now they were being evicted. She also read a letter to the Board from a blind veteran who was unable to attend the meeting. She requested the rezoning to be denied.

Chairperson Searl closed the public hearing.

Ms. Fitzgerald reiterated that her client was willing to help with relocation costs. She welcomed all those present at today's meeting to provide her with their names and addresses in order to work with them individually.

Ms. Fitzgerald stated that they were in agreement with the staff report's conditions and addendum, except for some language in the conditions in page 21 of the staff report under the Parks section and requested they be revised to allow more open space areas to be counted towards the park's Level of Service.

Ms. Beamon, along with Ms. Denise Riccio from Parks and Recreation responded to Boards questions. Mr. Lewis stated that LDC Chapter 68 – Southeast Orlando Section Plan Section 68.500 and Figure 68-M allows for a portion of the park Level of Service acreage calculation to include village greens and plazas, conservation buffers and the Primary Conservation Network. Staff suggested amending the section as follows:

Parks

1. NARCOOSSEE COVE I

Narcoossee Cove 1 plan shows a 4.06 acre, 100' wide public park and green space along the shoreline of Lake Whippoorwill. The area shown is lake buffer area, and will not a portion of which may be used to meet park requirements consistent with LDC Chapter 68 – Southeast Orlando Sector Plan, Section 68.500 and Figure 68-M.

2. NARCOOSSEE COVE II

Narcoossee Cove 2 plan shows a .28 acre, 100' wide public park and green space along the shoreline of Lake Whippoorwill. The area shown is lake buffer area, and will not a portion of which may be used to meet park requirements consistent with LDC Chapter 68 – Southeast Orlando Sector Plan, Section 68.500 and Figure 68-M.

3. LEVEL OF SERVICE

- a. The developer must dedicate at least the amount of park land consistent with overall City level of service standards of 3.25 acres per 1,000 population, which has a Unit Equivalent of 0.0074 acres per residential unit, which equals 2.37 acres for Narcoossee Cove I and 0.30 acres for Narcoossee Cove II. Consistent with GMP Recreation Policy 1.1.1, Future Land Use Policies 4.1.13 and 4.1.14, Future Land Use Subarea Policy S.40.6, and LDC Chapter 68 – Southeast Orlando Sector Plan, specifically Section 68.500 and Figure 68-M, the developer shall dedicate a total of 3.25 acres per 1,000 population of park land (Unit Equivalent of 0.0074 acres per residential unit). At least 2.05 acres per 1,000 population shall be in functional community and neighborhood parks, including such amenities as multi-use trails, pool/clubhouse areas, active park space, or other use as approved in an adopted PD. The remaining 1.2 acres per 1,000 population may be made up of village greens and plazas, conservation buffers and the Primary Conservation Network if such areas are visually accessible by the general public (not private backyards). Specific park acreage amounts shall be determined in conjunction with individual Specific Parcel Master Plan reviews.
- b. All acreage requirements for parks according the City's Level of Service Standards shall be met or exceeded.
- c. Per S.40.6, each PD that includes a residential component shall meet the neighborhood parks level of service (LOS) on site. Multi-use trails that meet City standards, pool/clubhouse areas, active park space, or other use as approved in a PD may count toward LOS, this include the lakefront trail within the 100' buffer area. Passive recreation or natural areas do not count toward LOS but are encouraged as open space.
- b. Land used for stormwater retention, drainage structures or wetlands will not be counted towards park land requirements.

Board member Tobin moved APPROVAL of the requests, ANX2015-00028, GMP2015-00050, GMP2015-00051, ZON2015-00052, and ZON2015-00053, subject to the conditions in the staff report and addendum, and with the corrections as stated above. Board member Burns SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote.

2. RECOMMENDED APPROVAL, PIONEERS PROJECT

- Applicant: Mark Meyer, Project Director – CNL Commercial Real Estate
- Owner: Pioneers, Inc.
- Location: 10123 William Carey Dr. and 12345 Narcoossee Rd., south of SR 417, north of Tyson Rd., and east of Narcoossee Rd. (±54.16 acres).
- District: 1
- Project Planner: Wes Shaffer (407-246-3792, thomas.shaffer@cityoforlando.net)
- A) ANX2015-00029* Annex the subject property;

- B) GMP2015-00052* Proposed future land use designation to Urban Village;
- C) GMP2015-00053* Growth Management Plan amendment to include the property into the Southeast Orlando Sector Plan.
- D) ZON2015-00054** Initial zoning designation of PD-Village Center with a maximum development program of 50,000 sq. ft. office use; 35,000 sq. ft. public/civic uses; 165,000 sq. ft. retail/commercial uses; and 350 dwelling units.

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

Miranda Fitzgerald requested that staff's presentation be bypassed noting that they were in agreement with the staff report and addendum, but would like the same compromise in language in the Parks section of the staff report on page 19 to state as follows:

Parks

1. LAKE BUFFER

The Pioneers Project plan shows a 3.88 acre, 100' wide public park and green space along the shoreline of Lake Whippoorwill. The area shown is lake buffer area, and will not a portion of which may be used to meet park requirements consistent with LDC Chapter 68 – Southeast Orlando Sector Plan, Section 68.500 and Figure 68-M.

2. LEVEL OF SERVICE

- a. The developer must dedicate at least the amount of park land consistent with overall City level of service standards of 3.25 acres per 1,000 population, which has a Unit Equivalent of 0.0074 acres per residential unit (Pioneers Project proposes 350 units therefore minimum level of service standards equals 2.59 acres of park land). Consistent with GMP Recreation Policy 1.1.1, Future Land Use Policies 4.1.13 and 4.1.14, Future Land Use Subarea Policy S.40.6, and LDC Chapter 68 – Southeast Orlando Sector Plan, specifically Section 68.500 and Figure 68-M, the developer shall dedicate a total of 3.25 acres per 1,000 population of park land (Unit Equivalent of 0.0074 acres per residential unit). At least 2.05 acres per 1,000 population shall be in functional community and neighborhood parks, including such amenities as multi-use trails, pool/clubhouse areas, active park space, or other use as approved in an adopted PD. The remaining 1.2 acres per 1,000 population may be made up of village greens and plazas, conservation buffers and the Primary Conservation Network if such areas are visually accessible by the general public (not private backyards). Specific park acreage amounts shall be determined in conjunction with individual Specific Parcel Master Plan reviews.
- b. ~~All acreage requirements for parks according the City's Level of Service Standards shall be met or exceeded.~~
- c. ~~Per S.40.6, each PD that includes a residential component shall meet the neighborhood parks level of service (LOS) on site. Multi-use trails that meet City standards, pool/clubhouse areas, active park space, or other use as approved in a PD may count toward LOS, this include the lakefront trail within the 100' buffer area. Passive recreation or natural areas do not count toward LOS but are encouraged as open space.~~
- c. Land used for stormwater retention, drainage structures or wetlands will not be counted towards park land requirements.

Chairperson Searl bypassed staff's presentation since staff was in agreement with the changes requested. There were no other speaker requests for this item.

Board member Tobin moved APPROVAL of the requests, ANX2015-00029, GMP2015-00052, GMP2015-00053, AND ZON2015-00054, subject to the conditions in the staff report and addendum, and the above corrections. Board member Burns SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote (Searl abstained).

3. RECOMMENDED APPROVAL, SEMORAN COMMERCE CENTER DRI

Applicant: Henry Nieves – Omega Land Development Corp.

Owner: Omega Land Development Corp.

Location: West of Semoran Blvd., north of Hazeltine National Dr., east of Shadowridge Dr., and south of Butler National Dr. (±18.63 acres).

District: 1

Project Planner: Colandra Jones (407-246-3415, colandra.jones@cityoforlando.net)

DRI2015-00005* DRI amendment to remove subject property from the Semoran Commerce Center DRI.

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

This item was presented by Colandra Jones, Planner III, Comprehensive Planning Studio, City Planning Division. Using the staff report, Ms. Jones presented the proposed project, staffs' conditions and recommendation to the Board.

Having no questions from the Board for Ms. Jones, Chairperson Searl opened the public hearing.

Ms. Cecilia Bonifay, Akerman – 420 S. Orange Ave., Orlando FL, spoke in representation of Master Developer Semoran Commerce Center LLC. Ms. Bonifay wanted the record to reflect that they were not opposed to withdrawing the acreage from the DRI, as long as they were ensured that by doing so this would not adversely affect the remaining property of the Master Developer, since a large amount of the land contains retention and conservation areas. Ms. Bonifay also requested that they be included in the process of the 5th amendment to the DRI.

Board member Burns moved APPROVAL of the request, DRI2015-00005, subject to the conditions in the staff report. Board member Tobin SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote.

Chairperson Searl called for a quick break at 10:00 a.m. The hearing reconvened at 10:12 a.m.

7. RECOMMENDED APPROVAL, WESTMINSTER TOWER

Applicant: William Burkett – Burkett Engineering, Inc.

Owner: Presbyterian Retirement Communities

Location: 80 S. Lucerne Cir. W., 116 America St., 726 Lucerne Ter. (north of Ernestine St., east of Franklin Ln., west of Kuhl Ave. and south of S. Lucerne Cir. W.) (±6.48 acres).

District: 4

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

A) MPL2015-00040** Master Plan request for the expansion of the existing senior housing facility to include a 49,000 sq. ft. learning center, 84 additional independent senior living residential units and a parking garage with 7,880 sq. ft. of office space. The Master Plan includes a modification to allow a Bufferyard B width of 5 ft.

B) CUP2015-00021** Conditional Use Permit request to allow building height in excess of 55 ft. in the MXD-2/T zoning district.

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

This item was presented by Michaëlle Petion, Planner III, Land Development Studio, City Planning Division. Using PowerPoint, Ms. Petion presented the proposed project, staffs' conditions and recommendation to the Board. Ms. Petion also responded to Board questions in regards to Bufferyard B specifications and the proposed garage height.

Chairperson Searl noted for the record several letters received with concerns and/or in opposition of the request.

The applicant was represented by Rebecca Wilson, 215 N. Eola Dr., Orlando, FL 32801. Ms. Wilson clarified that the CUP request was only for the development site to the east of Lucerne Terrace. She noted that the existing Westminster Tower was 19 stories tall, which is over 200 ft. and the CUP was only requesting a height of 175 ft. She also noted that they were not requesting any additional height on the property to the west of Lucerne Terrace. Ms. Wilson stated that City code allows the property to the west of Lucerne a height of up to 75 ft., yet their 5 levels parking garage would only be approximately 50 ft.

Having no questions from the Board for Ms. Wilson, Chairperson Searl opened the hearing to the public.

The following speakers appeared before the Board:

- 1) David Blackwood, 5162 Tellson Pl., Orlando, FL 32812, spoke on behalf of the owners of 102 and 106 America St. Mr. Blackwood stated he was the caretaker of both buildings and the owners could not attend the meeting due to health problems. – Opposed – main concern was the height of the building and proximity to their property, and the preservation of the oak trees.
- 2) Mark Arend, 124 America St. Apt. 6, Orlando, FL 32801– Opposed – requested a larger buffer between the building and their property and to lower the height of the parking garage.
- 3) Gary Olson, 1036 Kensington Park Dr. Apt. 102, Altamonte Springs, FL 32714 (owner of trust of condos in Lucerne Oaks) – Opposed – concerned for safety of condo residents and visibility. Requested the building be modified to give them more light instead of having to look at a garage from their living room windows.
- 4) Dawn Olson, 4532 Old Carraige Trl., Oviedo, FL – Opposed – concerned that garage might attract homeless population looking for shelter. Also concerned about the light and noise pollution due to the vehicles in the garage.
- 5) Russell Klemm, Esq., 1065 Maitland Center Blvd., Maitland, FL 34721 – Opposed – suggested a 15 to 20 ft. buffer should be the minimum required. Concerned about building height and possible light pollution. Requested the case be deferred or denied.
- 6) Colleen M. Kiely, 120 W. America St. Apt. 6, Orlando, FL 32801 – Opposed – concerned for their safety. Also concerned about the aesthetic of the new building and how it could impact their property value.

Ms. Wilson addressed the speakers' concerns and responded to Board questions. She noted that they would meet the City's lighting code. She also noted that as a condition of approval, they will have to go through ARB to get approval for the proposed elevations which will address the aesthetics. Mr. Doug Metzger, Project Manager I, Community Planning Studio, also addressed the Board in regards to ARB requirements.

Ms. Petion noted that the applicant had provided a tree protection plan which showed that the oaks to the west would be protected. She also clarified that the off-site pedestrian bridge shall have 17 ½ ft. of clearance per DOT standards, as specified by Transportation Planning in the staff report and not 17 ft. as specified by Transportation Engineering.

Ms. Wilson also agreed on providing the minimum required Bufferyard B along the west side of the garage (10 to 16 ft.), which would result in shifting the garage building 5 ft. to the east.

Vice-Chairperson Anderson moved APPROVAL of the requests, MPL2015-00040 and CUP2015-00021, subject to the conditions in the staff report and the modifications of the presentation, reflecting the 17 ½ ft. clearance and the minimum required Bufferyard B along the west side of the garage (10 to 16 ft.). Board member Barrott SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote (Tobin abstained).

8. RECOMMENDED APPROVAL, 2023 ELIZABETH AVE REVERT TO ORIGINAL PLAT

Applicant: Mike Lahr – Lahr Construction (dba M. Lahr Homes)

Owner: SCR Properties 4 LLC

Location: 2023 Elizabeth Ave., east side of Elizabeth Ave., south of W. Princeton St., and north of W. Yale St. (±0.3 acres).

District: 3

Project Planner: Jacques Coulon (407-246-3427, jacques.coulon@cityoforlando.net)

SUB2015-00072** Minor subdivision request to revert the lot back to the original plat consisting of two (2) 50 ft. wide, 130 ft. deep lots, each to have a single-family residence built on it.

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

This item was presented by Jacques Coulon, Planner I, Land Development Studio, City Planning Division. Using PowerPoint, Mr. Coulon presented the proposed project, staffs' conditions and recommendation to the Board. He noted that the applicant was requesting to have a rear detached garage on lot 8 and a front facing garage on lot 9. Staff recommended a rear detached garage on lot 9 as well.

Chairperson Searl opened the hearing to the public.

Applicant Michael Lahr, 2548 Orange Blossom Trl., Suite 700, Orlando, FL 32804, from M. Lahr Homes stated that he was in agreement with most of the conditions in the staff report, but requested the Board allow lot 9's garage to remain a front face two car garage. He noted that a prospective buyer would lose their backyard or having a pool due to the detached garage in the backyard. Mr. Lahr stated that he received letters of approval from neighbors to both sides of the subject property.

Mark Cechman, Chief Planner, Land Development Studio, City Planning Division, noted that the subject property was located in the Traditional City overlay and that staff's recommendation was to maintain compatibility within the neighborhood.

Jason Burton, Chief Planner, Community Planning Studio, City Planning responded to Board questions and confirmed Mr. Cechman's remarks.

Chairperson Searl closed the public hearing.

After further discussion, Board member Suarez moved APPROVAL of the request, SUB2015-00072, subject to the conditions in the staff report. Board member Burns SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote.

OLD BUSINESS

- Update on Appeals – Kyle Shephard, CAO
 1. Princeton Oaks
 2. Star Communications
 3. Orlando Union Rescue Mission
 4. Vista Park

Mr. Shephard offered an off-line update to any Board member interested in information on the appeals.

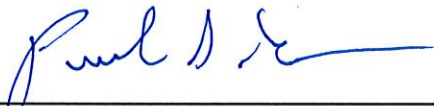
ADJOURNMENT

Having no other matters to bring before the Board, Chairperson Searl adjourned the meeting at 11:37 a.m.

STAFF PRESENT

Mark Cechman, AICP, City Planning
Paul Lewis, AICP, City Planning
Karl Wielecki, AICP, City Planning
Elisabeth Dang, AICP, City Planning
Ken Pelham, RLA, City Planning
Jim Burnett, AICP, City Planning
Mary-Stewart Droege, AICP, City Planning
Colandra Jones, AICP, City Planning
Michaëlle Petion, City Planning
Michelle Beamon, AICP, City Planning
Kathleen Magruder, City Planning
Doug Metzger, AICP, City Planning
Jason Burton, AICP, City Planning
Jacques Coulon, City Planning
Wes Shaffer, City Planning

Shannan Stegman, City Planning
Brian Ford, City Planning
Terrence Miller, City Planning
Lourdes Diaz, City Planning
Kyle Shephard, City Attorneys' Office
David Bass, City Attorneys' Office
Audra Nordaby, Orlando Police Department
Keith Grayson, Permitting Services
John Groenendaal, Permitting Services
John Rhoades, Transportation Planning
Nancy Ottini, Transportation Planning
Lauren Torres, Transportation Engineering
Frank Consoli, Transportation Engineering
Denise Riccio, Parks & Special Facilities
Ian Jurgesen, Green Works



Paul Lewis, AICP, Acting Executive Secretary



Lourdes Diaz, MPB Recording Secretary