



# MUNICIPAL PLANNING BOARD

MINUTES



JANUARY 19, 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

Karen Anderson, Vice-Chairperson [4/4]  
Stuart Buchanan [4/4]  
Bakari Burns [4/4]  
Scott Martin [4/4]  
Claudia Ray [1/1]  
Mark Suarez [4/4]  
Jennifer S. Tobin [4/4]  
Tyrone Smith, OCPS – Non-Voting [4/4]

### Members Absent

Jason Searl, Chairperson [2/4]  
Alfredo Barrott, Jr. [1/2]

## OPENING SESSION

- ♦ Karen Anderson, Vice-Chairperson (Acting as Chair), 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 December 15, 2015.

**Board member Tobin MOVED approval of the Municipal Planning Board Meeting Minutes of December 15, 2015, as written. Board member Buchanan SECONDED the motion, which was VOTED upon and PASSED by unanimous voice vote.**

## ANNOUNCEMENTS

- ♦ New Board member Claudia Ray was welcomed.

## PUBLIC COMMENTS

- ♦ No speaker requests were received for items on the Consent Agenda.

## AGENDA REVIEW

Dean Grandin, Executive Secretary, reviewed the Consent Agenda.

## CONSENT AGENDA

### 1. RECOMMENDED DEFERRAL, 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)
A) ANX2015-00028*	Annex subject property;
B) GMP2015-00050*	Growth Management Plan amendment to Urban Village;
C) GMP2015-00051*	New GMP Subarea Policy S.40.9 to include the property into the Southeast Orlando Sector Plan;
D) 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
E) ZON2015-00053**	Initial zoning of PD to allow 11,000 sq. ft. of commercial/retail and 40 multi-family units.

**Recommended Action:** Deferral to the February 16, 2016 MPB hearing, per the applicant's request.

## 2. RECOMMENDED DEFERRAL, 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. ( $\pm$ 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: Deferral to the February 16, 2016 MPB hearing, per the applicant's request.

## 3. RECOMMENDED APPROVAL, CHICK-FIL-A

Applicant/Owner: Ken Choquette – Equity One (Florida Portfolio) Inc.

Location: 4752 S. Kirkman Rd., south of Conroy Rd., northeast of the Florida Turnpike ( $\pm$ 10.54 acres).

District: 6

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

**CUP2015-00020\*\*** Conditional Use Permit to construct an additional drive-through lane on an existing Chick-Fil-A for a total of two drive-through lanes.

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

## 4. RECOMMENDED APPROVAL, LDC AMENDMENT DISTRIBUTED ANTENNA SYSTEMS

Applicant: City of Orlando

Owner: N/A

Location: Citywide

District: All

Project Planner: Karl Wielecki (407-246-2726, karl.wielecki@cityoforlando.net)

**LDC2015-00495\*** Amendment to the Land Development Code for Small Cell/DAS system installations (wireless communications facilities) in the rights-of-way.

Recommended Action: Approval of the request.

## 5. RECOMMENDED APPROVAL, ENGINEERING STANDARDS MANUAL (ESM) RELATED CODE AMENDMENT

Applicant: City of Orlando

Owner: N/A

Location: Citywide

District: All

Project Planner: Jason Burton (407-246-3389, jason.burton@cityoforlando.net)

**LDC2015-00503\*** Amendment to Land Development Code Chapters 63 and 65 to reflect updates to the City's Engineering Standards Manual (ESM).

Recommended Action: Approval of the request.

## 6. RECOMMENDED APPROVAL, 1006 W. COLONIAL REDEVELOPMENT

Applicant: Tim Cloe

Owner: JA1 Investments LLC

Location: 1100 W. Colonial Dr., 1001 Arlington St., 1006 W. Colonial Dr. (southwest intersection of W. Colonial Dr. and N. Westmoreland Dr.) (±4.19 acres).

District: 5

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

**A) MPL2015-00036\*\*** Framework Master Plan to establish uniform design regulations for overall development.

**B) CUP2015-00019\*\*** Conditional Use Permit request to allow a drive-through use for a restaurant on the eastern two parcels.

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

## 7. RECOMMENDED APPROVAL, RONALDO SOCCER ACADEMY

Applicant: Sam J. Sebaali, P.E., President – Florida Engineering Group, Inc.

Owner: Campedro Realty, LLC

Location: 3516 President Barack Obama Pkwy., northwest corner of President Barak Obama Pkwy. and L.B. McLeod Rd. (±4.77 acres).

District: 6

Project Planner: Katy Magruder (407-246-3355, kathleen.magruder@cityoforlando.net)

**MPL2015-00037\*\*** Master Plan request to construct Ronaldo Soccer Academy as a Public Benefit Use on an industrial zoned parcel.

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

**8. RECOMMENDED APPROVAL, STONEGATE AT LAKE NONA**

Applicant: Sam J. Sebaali, P.E., President – Florida Engineering Group, Inc.

Owner: Lake Nona Senior Housing, LLC

Location: 10298 Savannah Park Dr., north of Moss Park Rd., east of Narcoossee Rd. and south of Savannah Park Dr. ( $\pm 10.3$  acres).

District: 1

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

**MPL2015-00038\*\*** Master Plan request for a 120 unit, 3-story, assisted living facility.

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

**9. RECOMMENDED DEFERRAL, 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) ( $\pm 162.14$  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: Deferral to the February 16, 2016 MPB hearing, per the applicant's request.

**10. RECOMMENDED DEFERRAL, 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.) ( $\pm 6.48$  acres).

District: 4

Project Planner: Michaëlle Petion (407-246-3837, michaelle.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: Deferral to the February 16, 2016 MPB hearing, per the applicant's request.

**11. RECOMMENDED APPROVAL, AIR COMMERCE PARK PD**

Applicant: Jean Abi-Aoun, P.E. – Florida Engineering Group, Inc.

Owner: Bogey Boggy Creek 08 LLC & City of Orlando

Location: 3650 8<sup>th</sup> St., south side of 8<sup>th</sup> St., extending south to Boggy Creek Rd., all west of Tradeport Dr. (±230.7 acres).

District: 1

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

**ZON2015-00050\*\*** Request to rezone the subject property to Planned Development (PD), with Resource Protection (RP) and Aircraft Noise (AN) Overlays, and approval of a framework development plan for ±3,000,000 sq. ft. of industrial warehouses, offices and flex-space uses in proximity to the Orlando International Airport.

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

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

**REGULAR AGENDA****12. RECOMMENDED APPROVAL, VISTA PARK PD**

Applicant: Miranda F. Fitzgerald, Esquire – Lowndes, Drosdick, Doster, Kantor & Reed, P.A.

Owner: Mockingbird Orlando, LLC

Location: South of Lee Vista Blvd., west of SR 417, north of SR 528, and east of Narcoossee Rd. (±1,572 acres).

District: 1

Project Planner: Michelle Beamon (407-246-3145, michelle.beamon@cityoforlando.net)

**A) GMP2015-00036\*** Growth Management Plan amendment to Office-Low Intensity, Neighborhood Activity Center and Conservation;

**B) GMP2015-00037\*** Amendment to GMP Subarea Policy S.39.3 to revise the development program from 2,955 residential units, 55,000 sq. ft. of office and 166,000 sq. ft. of retail to 4,300 residential units, 20,000 sq. ft. of office and 20,000 sq. ft. of retail; and

**C) ZON2015-00032\*\*** Initial Zoning designation of Planned Development.

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, and responded to Board's questions along with Mr. John Rhoades, Transportation Planning, and James Hunt, Public Works.

The applicant was represented by Miranda Fitzgerald of Lowndes, Drosdick, Doster, Kantor & Reed. Supporting the applicant were Dave Mulholland, Transportation Engineer of VHB, and Rey Malave, Engineer of Mockingbird, representing

the developer. They gave a PowerPoint presentation to the Board and responded to Board questions. Ms. Fitzgerald noted that a Neighborhood Committee was formed with representatives from the neighboring communities to express their concerns and give input to the developer. She also handed out to the Board a Q & A sheet with Vista Park residents' questions and applicant's/developer's responses; and a document with the Comparison of Owner's Florida Department of Environmental Protection (FDEP) approved Voluntary Cleanup Order (VCO) approach, and U.S Army Corps of Engineer's (ACOE) approach to clearance of the Vista Park property.

Vice-Chairperson Anderson called for a break at 10:19 a.m. The meeting reconvened at 10:30 a.m.

Vice-Chairperson opened the public hearing and the following speakers appeared before the Board in opposition of the requests:

- 1) John Daly – 9053 Lee Vista Blvd. Apt. 102, Orlando, FL 32829 – Community Representative, selected for the neighborhood committee. He stated that over 700 signed petitions were received in opposition of the project.

*(Board secretary note – Many emails in opposition were received and a letter with over 200 signatures in opposition, which were provided to the Board members; but the 700 signed petitions mentioned by Mr. Daly were not provided to Staff or the Board).*

- 2) Carla Somerset Daly – 8679 Warwick Shores Crossing, Orlando, FL 32829 – on behalf of General Park @ Lee Vista Blvd.
- 3) Lisa Ayers – 8809 Warwick Shore Crossing, Orlando, FL 32829 – representing Vista Lakes neighborhood
- 4) Yveline Del Villar – 8793 Warwick Shore Crossing, Orlando, FL 32829 – representing Vista Lakes neighborhood
- 5) Fran Uddo, 6037 Apollos Corner Way, Orlando, FL 32829 – representing Tivoli Gardens neighborhood
- 6) Kent Campbell – 6696 Vista Park Blvd., Orlando, FL 32829
- 7) Ron Cumello – 6702 Vista Park Blvd., Orlando, FL 32829 (provided handouts with comments to the Board).
- 8) Carol Schuett – 8278 Lake Amhurst Trail, Orlando, FL 32829 – representing the Amhurst neighborhood in Vista Lakes.
- 9) Shelly Gage – 6156 Tivoli Gardens Blvd., Orlando, FL 32829 – representing Tivoli Gardens neighborhood.
- 10) Frank Sebestyen – 8680 Warwick Shore Crossing, Orlando, FL 32829 – member of the subcommittee
- 11) Katherine Sebestyen – 8680 Warwick Shore Crossing, Orlando, FL 32829 – Vice President of the Board of Directors of the Vista Lakes Home Owner's Association.
- 12) Pedro Aguilar – 8265 Westcott Shore Dr., Orlando, FL 32829
- 13) Robert Davis – 8619 Warwick Shore Crossing, Orlando, FL 32829
- 14) Nelson Flack – 6738 Vista Park Blvd., Orlando, FL 32829 – representing the Carlisle neighborhood.
- 15) Jennifer Johnson – 8494 Lake Amhurst Trl., Orlando, FL 32829 – had to leave and couldn't speak, but checked "Opponent" on the speaker request form.

Main concerns presented by the above speakers were:

- Residential portion of the development is too large
- Potential overcrowding of their neighborhoods' shopping centers since the development is not including a shopping center
- Traffic increase
- School overcrowding
- Safety of school children and pedestrians when crossing Passaic Parkway
- Drainage and stormwater
- Lowering of property values because of the bomb digging process
- Wildlife being displaced
- Destruction of mature trees
- Schools should be built on the Starwood property and not on the Jeep Range property
- Opposed to zoning change
- Overdevelopment
- Need traffic analysis during peak hours

Some were not totally opposed to the project, but were opposed to it moving forward until all neighbors' concerns were addressed.

Ms. Fitzgerald and Mr. Mulholland addressed the speakers' concerns and Board's questions. Ms. Fitzgerald stated that although they did not have answers to all of the questions, they have responded with the answers they currently have. She stated that they would continue to work with the neighbors and continue to provide answers to all their concerns.

Ms. Fitzgerald encouraged the Vista Lakes neighborhood to hire an engineer to work in collaboration with the developer on the stormwater/drainage design. She noted that the development was compatible with the City's Growth Management Plan and asked the Board to recommend approval of the requests.

Mr. Tyrone Smith, Orange County Public Schools, addressed the school issues and concerns. In regards to the proposed age restricted residential product, he proposed to add the following condition as a safeguard, in case the property changed ownership in the future:

***"Because the project includes approval for age-restricted, the developer shall include in its conditions, covenants, and/or restrictions (CC&Rs) that restrict occupancy to senior adults and that comply with the requirements of the Housing for Older Persons Act [42 U.S.C. §3607(b).] Such CC&Rs shall be recorded in the public records of Orange County, Florida and shall run with the land. The CC&Rs shall include language that at least one owner/resident shall be at least 55 years of age and in no case shall there be any residents aged 18 years or under. No permanent residency by school-aged children shall be generated as a result of any development on this development. Any proposed future conversion of the senior housing to unrestricted housing or any proposal to add permanent residency by school-aged children shall constitute a substantial change that must be approved by the Municipal Planning Board and the City Commission at a public hearing. If the substantial change is approved, school impact fees in effect at that time shall be paid and the project shall comply with any school capacity and school concurrency regulations in effect at that time."***

**After further discussion, Board member Burns moved APPROVAL of the requests, GMP2015-00036, GMP2015-00037 and ZON2015-00032, subject to the conditions in the staff report, addendum and OCPS' added condition (as stated above). Board member Tobin SECONDED the MOTION, which was VOTED upon and PASSED by a 5 to 2 vote (Ray and Suarez voted nay).**

### 13. RECOMMENDED APPROVAL, THE YARD @ CROSSMAN SITE

- |                           |   |
|---------------------------|---|
| Applicant:                | Meghan Dietz, Associate – Baker Barrios   |
| Purchaser:                | Chance Gordy, Jr., Ivanhoe Place LLC (representing existing owners Brookhaven/511 LLC, Brookhaven/Virginia LLC and Virginia Dr./520 LLC)  |
| Location:                 | 514 Virginia Dr., southeast corner of Virginia Dr. and Alden Rd., between Virginia Dr. and Brookhaven Dr., generally west of Baltimore Ave. (+2.9 acres).   |
| District:                 | 3   |
| Project Planner (A & B):  | Colandra Jones (407-246-3415, colandra.jones@cityoforlando.net)   |
| Project Planner (C & D):  | Jim Burnett (407-246-3609, james.burnett@cityoforlando.net)   |
| <b>A) GMP2015-00049*</b>  | GMP amendment to change the future land use designation from Industrial to Mixed-Use Corridor-Medium Intensity;   |
| <b>B) ZON2015-00048*</b>  | Request to rezone from I-G/T to MU-1/T;   |
| <b>C) MPL2015-00033**</b> | Master Plan request for a mixed-use development comprised of 174 multi-family units, 63,000 sq. ft. of commercial (retail, restaurant and office) and an interior parking garage. The applicant is requesting a full density bonus that would increase the allowable density from 30 dwelling units per acre (du/ac) to 60 du/ac; and |
| <b>D) CUP2015-00014**</b> | Conditional Use Permit to allow buildings to be taller than 35 ft. for a new 6-story mixed-use project and to allow two (2) high-rise signs on the proposed building.   |

**Recommended Action:** Approval of the requests, subject to the conditions in the respective staff reports.

This item was presented by Jim Burnett, Project Planner III, Land Development Studio, City Planning Division. Using PowerPoint, Mr. Burnett presented the proposed project, staffs' conditions and recommendation, and responded to Board's questions.

The applicant was represented by Tim Baker from Baker Barrios, and Rebecca Wilson from Lowndes, Drosdick, Doster, Kantor & Reed. Mr. Barrios stated that this was a true mixed use development and that the office parking available at night would alleviate parking issues for the residents. Ms. Wilson noted that they had prepared a PowerPoint presentation, but would skip it because it was already late.

Vice-Chairperson Anderson opened the hearing to the public.  
The following speaker requests were received:

- 1) Gordon Spears, 1626 Baltimore Ave., Orlando, FL 32803. Mr. Spears left prior to being able to address the Board. His form stated "For Information." Mr. Burnett noted that a letter was received from Mr. Spears and was provided to the Board members.

Mr. Burnett also noted that an email received from Aaron Powell was provided to the Board as well.

- 2) Myrna Pearce, 621 Osceola Ave., Winter Park, FL 32789. Ms. Pearce owns a commercial property at 542 Virginia Dr., adjacent to the proposed project. She stated that she was not in opposition of the project, but wanted to voice her concerns in regards to not understanding what exactly was being proposed and how it would affect her property and her tenants. She was also concerned of potential damage to her property during the construction phase. Ms. Pearce noted that she currently has limited parking.

Ms. Wilson addressed Ms. Pearce's concerns and pointed out that they were not asking for any relief on parking. This development would actually create on-street parking at Virginia Dr. and Brookhaven Dr. She also stated that they would be happy to work with Ms. Pearce during the development.

**After further discussion, Board member Suarez moved APPROVAL of the requests, GMP2015-00049, ZON2015-00048, MPL2015-00033, and CUP2015-00014, subject to the conditions in the staff reports. Board member Martin SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote.**

#### 14. RECOMMENDED APPROVAL, 3675 MIDIRON DR. REVERT TO PLAT

Applicant:	Michael Kara – Exclusive Collection Fine Homes
Owner:	Jerome Jennings Estate
Location:	3675 Midiron Dr., east side of Midiron Dr., between Minnesota Ave. and Eagle Dr., in the north Dubsdread/College Park neighborhood (±0.34 acres).
District:	3
Project Planner:	Jim Burnett (407-246-3609, james.burnett@cityoforlando.net)
<b>SUB2015-00068**</b>	Request to demolish an existing single-family home on the property and construct two (2) new homes, one each on the two (2) previously platted 50 ft. wide X 150 ft. deep lots. Each new home will be 1-1.5 stories, 2,500 sq. ft. in livable area (with FARs of 0.33 or less), and each home with a recessed attached or detached garage.

**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 presented the proposed project, staffs' conditions and recommendation, and responded to Board's questions. Mr. Burnett pointed out that although Staff was recommending denial, the Staff Report included additional conditions in case the Board decided to recommend approval of the request. He also noted that the development would not have a negative impact to the community.

The applicant was represented by Michael Kara, 1302 Lake Shore Dr., Orlando, FL 32803, from Exclusive Collection Fine Homes LLC located at 2630 Edgewater Dr., Orlando, FL 32804. Mr. Kara discussed development details and noted that he had received over 15 signatures from the neighbors in support of the project.

No other speaker requests were received for this item.

After further discussion, Board member Suarez moved APPROVAL of the request, SUB2015-00068, subject to the additional conditions in the staff report. Board member Buchanan 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, Vice-Chairperson Anderson adjourned the meeting at 1:25 p.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  
Ken Pelham, RLA, City Planning  
Jim Burnett, AICP, City Planning  
Colandra Jones, AICP, City Planning  
Michaëlle Petion, City Planning  
Michelle Beamon, AICP, City Planning  
Kathleen Magruder, City Planning  
Wes Shaffer, City Planning  
Jacques Coulon, City Planning  
Terrence Miller, City Planning  
Brian Ford, City Planning  
Doug Metzger, AICP, City Planning

  
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Dean Grandin, AICP, Executive Secretary

Jason Burton, AICP, City Planning  
Lourdes Diaz, City Planning  
Kyle Shephard, City Attorneys' Office  
David Bass, City Attorneys' Office  
Melissa Clarke, City Attorneys' Office  
Audra Nordaby, Orlando Police Department  
Keith Grayson, Permitting Services  
John Rhoades, Transportation Planning  
Nancy Ottini, Transportation Planning  
Matthew Wiesenfeld, Transportation Planning  
Richard Howard, Public Works  
James Hunt, Public Works  
Denise Riccio, Parks & Special Facilities  
Ian Jurgesen, Green Works  
Commissioner Jim Gray  
Commissioner Regina Hill

  
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Lourdes Diaz, MPB Recording Secretary