Staff Report to the Municipal Planning Board October 18, 2016

LDC2016-00308
ITEM #6

CREATIVE VILLAGE DEVELOPMENT REVIEW COMMITTEE CODE AMENDMENT

SUMMARY

Owner N/A **Applicant** City of Orlando **Project Planner** Jason Burton, AICP **Updated:** October 6, 2016	**Description of the Request:** Request to amend Chapter 65 of the Land Development Code to add Creative Village Development Review Committee to consolidate development reviews for Appearance Review and Municipal Planning Boards. **Staff's Recommendation:** Approval of the request.	**Public Comment** Staff posted this item on the City's website, and place a classified ad in the Orlando Sentinel. No public comments have been received as of the date of the Staff Report.

ANALYSIS

Overview.
The City has created Town Design Review Committees for major projects that require close coordination between various departments for large, specialized projects. In the past, this has included both the Southeast Sector Plan and the Baldwin Park/Orlando Naval Training Center redevelopment. These boards serve as a one-stop, consolidated review for various land development actions when a pre-set master plan and guidelines are used to review and approve projects. The new Creative Village forming in the northwest part of Downtown Orlando is one of these types of projects that could benefit from a consolidated and expedited review process.

The Creative Village has a set development program that has already been established through a customized Planned Development (PD) adopted by City Council. The PD contains detailed instructions for public improvements (streetscape guidelines), and predetermined appearance review requirements. The PD also calls for various height transitions, programmed open spaces, and restoration of the urban street grid. The final adjustments to amend the Planned Development in anticipation of the first vertical construction of buildings are tentatively scheduled for Municipal Planning Board review in December 2016.

Town Design Philosophy.
The original Charter of the New Urbanism (1999) includes guidance for desirable, urban infill projects. Such projects are recommended to be "self-regulating" in order to expedite the development review process, with specified design standards in advance. The concept is that local governments should make it easier to implement good urban infill projects in order to rejuvenate our city centers. Often, urban infill projects can unintentionally have additional challenges in the development process to overcome: multiple project hearings, inattention by departments during critical stages of the review process, and the need to meet tight timing deadlines for finance and the construction process. When many of the details are already determined in advance with a fairly detailed master plan, such as the Creative Village, it is beneficial to create a process that is more predictable.

Analysis.
It is proposed that the development review of projects and minor Planned Development amendments for the Creative Village be expedited through a newly formed Creative Village Development Review Committee in lieu of:

- Major Reviews that would typically be reviewed by the Appearance Review Board (for projects within the DDB/CRA).
- Municipal Planning Board for Specific Parcel Master Plans and minor changes to Planned Developments.
- Other public sphere improvements, including parks, streetscapes, open space and other such public improvements.

The new committee will create a "one-stop shop" for reviews, as opposed to a process that could go to multiple boards, with differing opinions on how to finalize their designs. Additionally, decisions which follow the various requirements of the Creative Village vision, the Planned Development, and associated guidelines are a less discretionary decisions, and more ministerial in nature. As such, the Creative Village Development Review Committee would consider the individual master plans for development sites and other actions that execute the overall vision expressed in the Planned Development. Thus, an expedited process is warranted.

The membership of the Creative Village DRC is proposed to include the following:

- A CRA/DDB Representative (which could be an Appearance Review Board member).
- Transportation Director
- Public Works Director
- City Planning Director (who typically chairs the meeting).

In the other existing Town Design Review Committees, the master developer team also actively attends and participates in the hearings to coordinate both during the staff review and hearings for individual projects. Appeals of the decisions of the Creative Village Development Review Committee could be processed if an applicant disagrees with the requirements placed on development by the CVDRC. These appeals would go to the corresponding board (ARB, MPB), and then forwarded to the City Council for final action.

The support staff to the Creative Village Development Review Committee will include the following existing staff positions (associated staff in these current positions are noted in parenthesis):

- DDB/CRA Project Manager (Kelly Moody)
- ARB Coordinator (Doug Metzger)
- Project Planner (TeNeika Neasmon)
- Assistant CityAttorney assigned to ARB (Melissa Clarke)
- Board Secretary to ARB (Chris Deloatche).

Substantial Amendments

Substantial amendments to the Planned Development will continue to be considered by the Municipal Planning Board. The experience of the Southeast Town Design Review Committee provides guidance to better define what is considered to be substantial, and is proposed for the Creative Village DRC as well:

1. Projects that are inconsistent with the Creative Village Vision Plan or the Growth Management Plan, and related sub-area policies, and any of the following require Municipal Planning Board review:
    - Inconsistent with GMP Future Land Use Policy, and associated goals, objectives and polices contained within the Growth Management Plan for the Creative Village sub-area.
    - A change that would include a new principal land use not previously permitted under the PD Ordinance or applicant Growth Management Plan policies.
    - A change that would alter a land use type adjacent to a property boundary, except for a reduction in density or intensity.
    - Expansion of the Creative Village activity center, incorporating new properties outside of the current Creative Village area.
    - A proposed change that increases the land use intensity or density, without a corresponding decrease in some other portion of the project, which results in greater off-site impacts or potential significant and adverse impacts on adjacent land uses or the surrounding road network.
    - Any changes to the principles of the goals, objectives and policies contained within the Growth Management Plan for the Creative Village project.
2. Amendments to the Planned Development may be presumed to be minor, non-substantial amendments if they do not conflict with any of the above items. However, following a review of a proposed minor Planned Development Amendment, the CVDRC may determine to forward the item to the Municipal Planning Board (and subsequently, the City Council) for consideration. The following may also be reviewed as implementing actions and be presumed to be non-substantial, minor amendments:
    - Changes to a development standard contained within the Planned Development, or development guidelines (finalized streetscape plans, etc), which are consistent with the Creative Village vision.
    - Alterations to more accurately reflect the specific location of open spaces, right-of-ways, and any other public amenities.
    - Changes that are proposed for inclusion as a "presumed non-substantial" item.

3. Modifications of development standards may be made on a site by site basis administratively by the Planning Official to vary up to 20% of any numeric development standard, provided such changes are compatible with surrounding development. Variances greater than 20% may be considered by the Board of Zoning Adjustment.

Implementing Regulations.
In formulating decisions by the Creative Village Development Review Committee, the following regulations and actions may be considered regarding any particular action: (1) Relevant GMP policies, (2) the Land Development Code, (3) the Creative Village Planned Development, (4) Design and Streetscape Guidelines applicable to the Creative Village (as well as ARB Guidelines), (5) Temporary and Interim uses, (6) Phased development and improvements, (7) Public realm improvements, and (8) Implementation of a special public art plan.

A draft code amendment will be created considering the above concepts, subject to final review and approval by the City Attorney's Office.

Findings.
In review of the proposed LDC amendment, it is found that:
1. The proposed Land Development Code amendment is consistent with the State Comprehensive Plan (Chapter 187, Florida Statutes).
2. The proposed Land Development Code amendment is consistent with the East Central Florida Strategic Regional Policy Plan.
3. The proposed Land Development Code amendment is consistent with the provisions of Chapter 163, Part II, Florida Statutes.
4. The proposed Land Development Code amendment is consistent with the objectives and policies of the City's adopted Growth Management Plan (GMP).

Recommendation.
Staff recommends approval of the proposed amendment to the Orlando Land Development Code.