

MEETING  
INFORMATIONLocation

City Council Chambers  
1st Floor, City Hall  
One City Commons  
400 South Orange Avenue

Time

8:30 a.m.

Members Present

Timothy Baker [8/1]  
Bakari Burns [7/2]  
Jonathan Huels [9/0]  
Morgan Lea [9/0]  
Claudia Ray [8/1]  
Jill Rose [8/1]  
Picton Warlow [8/1]

Members Absent

Karen Anderson,  
Chairperson [7/2]  
Mark Suarez, Vice-  
Chairperson [7/2]  
OCPS Representative (Jamie  
DiLuzio Boerger) – Non-  
Voting [4/5]

## MINUTES

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JUNE 19, 2018

## OPENING SESSION

- ♦ Acting Chairperson Jonathan Huels, 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 May 15, 2018.

**Board member Warlow MOVED approval of the Municipal Planning Board Meeting Minutes of May 15, 2018, as written. Board member Rose SECONDED the motion, which was VOTED upon and PASSED by unanimous voice vote.**

## ANNOUNCEMENTS

- ♦ Reminder to the Municipal Planning Board members that Financial Disclosure Forms are due to be filed by July 1, 2018 with the Supervisor of Elections.

## PUBLIC COMMENTS

- ♦ Speaker requests were received for item #2 on the Consent Agenda (4504 Crimson Ct. Residential Care Facility). This item was moved to the Regular Agenda to allow for public comments and discussion.

## CONFLICT DECLARATIONS

- ♦ Timothy Baker – Item #5 (500 N. Orange Ave. Office and Commercial)
- ♦ Claudia Ray – Item #5

The above mentioned Board members filed the appropriate Conflict Form 8B (Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers) with the MPB Recording Secretary. They abstained from voting on the above mentioned item.

## AGENDA REVIEW

- ♦ Dean Grandin, Executive Secretary, reviewed the Consent Agenda.

## CONSENT AGENDA

### 1. RECOMMENDED APPROVAL, 4340 RIXEY STREET ANNEXATION

Applicant/Owner: Mark Kinchla

Location: 4340 Rixey St., south of Rixey St., west of Jamajo Blvd., north of Hargrave St. and east of Lake Baldwin Ln. (± 0.278 acres)

District: 3

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

**A) ANX2018-10002\*** Annex subject property for the development of two single-family units.

**B) GMP2018-10000\*** Growth Management Plan amendment to Residential Low Intensity (RES-Low).

**C) ZON2018-10000\*\*** Initial zoning of R-2A.

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

### 2. 4504 CRIMSON CT. RESIDENTIAL CARE FACILITY – PULLED TO REGULAR AGENDA

### 3. RECOMMENDED APPROVAL, 2401 E. SOUTH ST. ALCOHOL SALES

Applicant: Rick Kowalczyk III – SNDB LLC

Owner: Albino Teixeira and Virginia Teixeira

Location: 2401 E. South St., on the northeast corner of S. Bumby Ave. and E. South St. (±0.32 acres).

District: 4

Project Planner: Chris DeLoatche (407-246-3624, chris.deloatche@cityoforlando.net)

**CUP2018-10009\*\*** Conditional Use Permit request to allow a new bar within 1,000 feet of a church.

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

### 4. RECOMMENDED APPROVAL, CHAPTER 58 LDC AMENDMENTS – PHASE 2

Applicant: City of Orlando

Owner: N/A

Location: Citywide

District: All

Project Planner: Shannan Stegman (407-246-2861, shannan.stegman@cityoforlando.net)

**LDC2018-10009\*** Amend Chapter 58 of the Land Development Code (Zoning Districts and Uses), simplifying and clarifying regulations and reorganizing allowable use tables to make more user friendly.

Recommended Action: Approval of the request.

## 5. RECOMMENDED APPROVAL, 500 N. ORANGE AVE. OFFICE AND COMMERCIAL

Applicant: Wayne Dunkelberger – Baker Barrios  
Owner: WSSA Orlando LLC  
Location: 500 N. Orange Ave., south of W. Concord St., west of N. Orange Ave., east of N. Garland Ave., and north of W. Amelia St. (±2.26 acres).  
District: 5  
Project Planner: TeNeika Neasman (407-246-4257, teneika.neasman@cityoforlando.net)

**MPL2017-00026\*\*** Master Plan request for the substantial improvement of an existing 116,650 sq. ft. office building, including new retail uses and hardscape with and without the addition of a new 420 space parking garage.

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

## 6. RECOMMENDED APPROVAL, STARWOOD PD AMENDMENT

Applicant: Sarah Maier – Dewberry Engineers, Inc.  
Owner: Carlsbad Orlando LLC  
Location: 13131 Wewahootee Rd., south of SR 528 and east of SR 417 (±2,558.2 acres).  
District: 1  
Project Planner: Michaëlle Petion (407-246-3837, michaelle.petion@cityoforlando.net)

**ZON2018-10002\*\*** Planned Development Amendment to shift the land use categories of the PD, and to address signage and additional development standards.

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

## 7. RECOMMENDED APPROVAL, FERN CREEK STARBUCKS

Applicant: Brooks Stickler, P.E. – Kimley-Horn  
Owner: James D. Chute  
Location: 1526 E. Colonial Dr. and 634 N. Fern Creek, south of E. Colonial Dr., west of N. Fern Creek Ave., north of Hillcrest St., and east of Shine Ave. (±0.61 acres).  
District: 4  
Project Planner: Katy Magruder (407-246-3355, kathleen.magruder@cityoforlando.net)

**ZON2018-10008\*\*** Request to rezone the subject property to Planned Development to allow for the construction of a new Starbucks with a drive-through.

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

**Board member Burns moved APPROVAL of the CONSENT AGENDA, subject to the conditions in the staff reports and addendum. Board member Warlow SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote (Baker and Ray abstained on Item #5).**

## REGULAR AGENDA

### 2. RECOMMENDED APPROVAL, 4504 CRIMSON CT. RESIDENTIAL CARE FACILITY

Applicant/Owner: Marie M. Polydor and Arioste Polydor

Location: 4504 Crimson Ct., south of Crimson Ct., west of South Lake Orlando Pkwy., and east of Rose of Sharon Dr. (±0.32 acres).

District: 3

Project Planner: TeNeika Neasman (407-246-4257, teneika.neasman@cityoforlando.net)

**CUP2018-10008\*\*** Conditional Use Permit request for a residential care facility (RCF) for 6 persons within 1,000 ft. of an established residential care facility.

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

*Secretary Note for the Record: Four (4) letters of opposition were received for the above case and distributed to all Board members.*

This item was presented by TeNeika Neasman, Planner II, Land Development Studio, City Planning Division. Using PowerPoint, Ms. Neasman presented the proposed project, with staffs' conditions and recommendation.

Acting Chairperson Huels opened the hearing to the public.

The following speakers appeared before the Board in opposition of the request:

- 1) Edith Shivers, 4548 S. Lake Orlando Pkwy., Orlando. Ms. Shivers read into the record a petition letter in opposition of the request, signed by 68 neighbors. (The petition was filed with the Board Secretary). Their main concerns were:
  - a. Want the neighborhood to remain residential only.
  - b. Depreciation of their property values and it might be difficult to sell their homes.
  - c. Parking issues.
  - d. Possible trash overflow.
  - e. Will jeopardize the safety of the children playing on the street.
  - f. Lake Orlando Home Owners' Association was not contacted by the applicant regarding this request.
- 2) Cynthia Enax, 3732 Rose of Sharon Dr., Orlando. Ms. Enax's main concerns were:
  - a. Parking issues.
  - b. Depreciation of property values.
  - c. Trash overflow.
  - d. Police is called often to a nearby RCF. Fears they will have the same issues.

Applicant Marie Polydor addressed the speakers' concerns and responded to Board questions, noting the following:

- a. The house has 4 bedrooms, 2 baths, 2 car garage. It would be no different than if her family were living with her.
- b. The residence has a long driveway for parking.
- c. The care facility will only be for homebound patients which would stay for a month or two.
- d. Care facility will be regulated and inspected by the State.
- e. Medical waste will be disposed of following State guidelines and regulations.

Acting Chairperson Huels closed the public hearing and opened it up for Board discussion and/or a motion.

Discussion ensued among the Board members and staff regarding imposing an age limitation to the care facility and an expiration date for the CUP. Many Board members expressed their opposition in establishing an expiration date for the CUP, but all were in favor of adding an age limitation condition.

**Board member Burns moved APPROVAL of the request, CUP2018-10008, subject to the conditions in the staff report, and the added condition that the RCF will operate as a senior care facility requiring an age limitation of 55 years of age and older. Board member Lea SECONDED the MOTION, which was VOTED upon and PASSED by unanimous voice vote.**

## 8. RECOMMENDED APPROVAL, 612 SHERIDAN BLVD. REVERT TO PLAT

Applicant: Andy Katzman – Rare Builders

Owner: Mary O. Taylor; Karl Hittinger, Broker – Transact Realty

Location: 612 Sheridan Blvd., on the south side of Sheridan Blvd., between Eastin Ave. and Latta Ln. in College Park (±0.34 acres).

District: 3

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

**SUB2018-10027** Revert to Plat request to replace an existing 1,500 sq. ft. house on two platted/conjoined lots with two new homes, each to be on a 50 ft. wide by 150 ft. deep lot in the R-1/T zoning district (where the minimum lot requirements are 55 ft. width by 110 ft. depth, minimum 6,000 sq. ft. in area).

**Recommended Action:** Denial of the applicant's request and approval of the staff-preferred option, per the conditions in the staff report.

*Secretary Note for the Record: Three (3) letters of "no objection" were received for the above case and distributed to all Board members.*

This item was presented by Jim Burnett, AICP, Planner III, Land Development Studio, City Planning Division. Using PowerPoint, Mr. Burnett presented the proposed project, staffs' conditions and recommendation, and responded to Board questions. He emphasized that the house proposed to be demolished was significant to the Lake Ivanhoe National Register Historic District. Mr. Burnett also presented alternate conditions in the event the Board sided with the applicant.

Acting Chairperson Huels opened the hearing to the public.

Melissa Taylor, 601 Lake Shore Dr., Orlando, spoke on behalf of her mother, Mary Taylor, who is the current owner of the subject property. She noted that the property in question was in total disrepair due to excessive electrical and plumbing issues.

Applicant Andy Katzman presented pictures of the existing residence showing its current conditions and the reason why he was proposing to demolish and rebuild. Mr. Katzman did not agree with Staff's recommendations of

preserving the existing residence and building a traditional residence on the vacant lot, nor did he agree with the conditions to limit the FAR (Floor Area Ratio) to 0.35, or that the homes be 1.5 stories. Mr. Katzman requested the Board approve his request to demolish the existing home and build two new 2-story contemporary homes with a maximum 0.45 FAR. He also noted that he would be willing to build a traditional home to replace the house that would be demolished, and build a contemporary home on the vacant lot. Mr. Katzman directed the Board to a Zoning Official Determination Letter for Revert to Plats and Plat with Modification of Standards, and noted that there was no mention of the Historic District issues in the Determination Letter.

Jason Burton, Chief Planner, Community Planning Studio, City Planning Division, spoke about the Historic District Registry and noted that they were looking at the exterior of the structure and not the interior. He stated that the 1.5 story requirement was to maintain compatibility with the neighborhood and consistent with previous recommendations of the MPB. Mr. Burton also noted that the suggestion to replicate the architectural style was to maintain compatibility with the block face, which would be part of a typical appearance review in this area.

After further discussion, Acting Chairperson Huels closed the public hearing and opened it up for Board discussion and/or a motion.

Discussion ensued among the Board members regarding the Historic District, the maximum FAR, maximum allowed height, and architecture. While some Board members expressed concerns about diminishing the Historic District by demolishing the residence, others agreed with the applicant.

**Board member Warlow moved APPROVAL of the request, SUB2018-10027, subject to the alternate conditions presented by Staff in the PowerPoint presentation, and amended as follows (deleting the crossed-out verbiage and adding the verbiage in red):**

1. **FAR of 0.35 ~~0.45~~ (2,625 ~~3,375~~-sq. ft. of living area)**
2. **Both homes ~~to be 1.5 stories~~ not to exceed 2 stories in height.**
3. **Garages to be either attached and recessed at least 5 ft. from main façade, or detached and located in rear yard.**
4. **New home styles to be consistent with Sheridan block face.**
5. **Appearance Review required (plus 8 other conditions in the staff report).**

**Board member Burns SECONDED the MOTION, which was VOTED upon and PASSED by a 4 to 3 vote (Baker, Lea and Ray voted Nay).**

## OLD BUSINESS

- ♦ None

## NEW BUSINESS

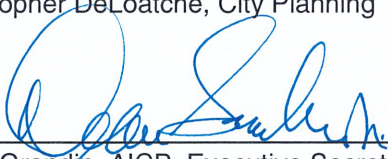
- ♦ None

## ADJOURNMENT

Having no other matters to bring before the Board, Acting Chairperson Huels adjourned the meeting at 10:16 a.m.

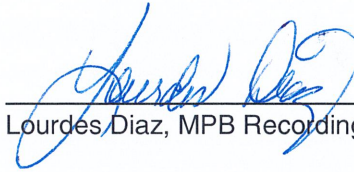
## STAFF PRESENT

Dean Grandin, AICP, City Planning  
Paul Lewis, FAICP, City Planning  
Karl Wielecki, AICP, City Planning  
Elisabeth Dang, AICP, City Planning  
Shannan Stegman, AICP, City Planning  
Jim Burnett, AICP, City Planning  
Colandra Jones, AICP, City Planning  
Michaëlle Petion, AICP, City Planning  
Michelle Beamon Robinson, AICP, City Planning  
TeNeika Neasman, City Planning  
Kathleen Magruder, City Planning  
Jacques Coulon, City Planning  
Wes Shaffer, City Planning  
Terrence Miller, City Planning  
Christopher DeLoatche, City Planning



Dean Grandin, AICP, Executive Secretary

Jason Burton, AICP, City Planning  
Lourdes Diaz, City Planning  
Manuel Ospina, City Planning  
Melissa Clarke, City Attorney's Office  
Audra Rigby, Orlando Police Department  
Keith Grayson, Permitting Services  
Yameli Herschelman, Permitting Services  
John Groenendaal, Permitting Services  
John Rhoades, Transportation Planning  
Nancy Ottini, Transportation Planning  
Jessica Frye, Housing & Community Dev.  
Ken Pelham, Families, Parks & Recreation  
Laura Carroll, Real Estate  
Caylah Hall, Business Development  
Jamilah Aminah Felix, Communications



Lourdes Diaz, MPB Recording Secretary