



Planning and Zoning Board Minutes

September 19, 2019 at 6:00 p.m.

City Hall, Commission Chambers
Regular Meeting

1. Call to Order:

Chairman Ross Johnston called the meeting to order at 6:00 p.m. in the Commission Chambers of City Hall. Present: Ross Johnston, Ray Waugh, Chuck Bell, Adam Bert, Christian Swann and Owen Beitsch. Absent: Laura Turner and Laura Walda. Also Present: City Attorney Dan Langley. Staff: Planning Director, Bronce Stephenson; Senior Planner Allison McGillis and Planning Technician John Nico.

2. Approval of Minutes:

Motion made by Ross Johnston, seconded by Ray Waugh, to approve the August 6, 2019 meeting minutes. Motion carried unanimously with a 6-0 vote.

3. Public Hearings:

- **SPR #19-11 Request of Cameron and Elaine Weber for: Approval to construct a new, two-story, 8,976 square foot, single-family home located at 117 Genius Drive on Lake Mizell, zoned R-1AAA.**

Senior Planner Allison McGillis presented the staff report explaining that the item was a lakefront site plan request to construct a new, two-story, 8,976 square foot, single-family home located at 117 Genius Drive, which is located on Lake Mizell. She explained that the lot measures just over 40,000 square feet and is currently vacant. The proposed home yields a floor area ratio of 22 percent and will have an impervious lot coverage of 39 percent, both of which are in the maximums permitted by code.

Mrs. McGillis stated that in terms of tree preservation, no significant trees would be removed from the site and the applicant is saving all of the trees along the lakefront. In terms of lake views, Mrs. McGillis stated that it was difficult to determine the average lakefront setbacks as required by code because the lot is a corner lot. Furthermore, the lot to the south is longer in length due to the curvature of the lake, due to this, the south side of the home is proposed entirely at the second floor setbacks to provide less impact of lake views to the home to the south.

Mrs. McGillis noted there is a dense hedge that exists on both sides of the property, which the applicant is planning to maintain and enhance with screening on the north and south sides for the property. She presented elevations of the home showing the hedge and proposed enhancements. In addition, the lot has a significant grade drop from street to the lakefront of over ten feet. A variance request to exceed the deck height limit was requested for 5.8 feet in lieu of the 3 feet maximum. The applicant is planning to terrace the walls so that they are landscaped. Mrs. McGillis summarized by state the overall plans meet the criteria for approval.

Staff recommended approval of the request.

Mrs. McGillis answered questions from the board related to input from the neighbors.

The applicant was present for Board questions. There were no questions for the applicant.

No one from the public wished to speak. The public hearing was closed.

The Board agreed with staff's recommendation.

The Motion made by Ray Waugh, seconded by Chuck Bell, for approval to construct a new, two-story, 8,976 square foot, single-family home located at 117 Genius Drive on Lake Mizell, zoned R-1AAA.

Motion carried unanimously with a 6-0 vote.

- **CU #19-10 Request of Windermere Winter Park Ventures LLC for: Conditional Use approval to develop twelve two-story townhouses and two three-story townhouses along with one single-family house on the combined properties of 472 and 510 West Swoope Avenue and 435 and 511 West Canton Avenue, zoned R-3 and R-1A.**

Planning Director Bronce Stephenson presented the staff report. He explained that the item was a Conditional Use request from Windermere Winter Park Ventures to develop four properties under one ownership into one combined residential project including an existing single-family home and 14 new townhomes. The combined site consists for three properties designated for multifamily, zoned (R-3) and the existing single-family zoned (R1-A). He stated that the single-family portion of the project will remain in the single family (R-1A) area and the multifamily (Townhome) portion will remain in the R-3 zoned.

Mr. Stephenson presented slides showing the location of the property and noted that the project consisted of three components. He stated that the R-3 portions of the project were located directly to the east of the single-family home and two lots located directly to the north of the single-family lot, with existing zoning in place no comp plan changes were necessary. The R-3 properties at 472 and 510 W. Swoope are to be used for ten townhomes with a center driveway feeding two-car garages. Mr. Stephenson presented renderings showing the layout of the driveway in related to the homes as stated in the project.

Mr. Stephenson noted that under the R-3 density of 17 units per acre, the site could be developed with fourteen units, but the applicant is only proposing ten units. He stated that the setbacks comply with the standards of R-3 zoning.

Mr. Stephenson then explained that the property at 435 W. Canton Avenue, zoned R-3, is to be used for two duplexes that would be on the east side of the single-family home. The property is 12,500 square feet in size and under R-3 density of 17 units per acre; the site could be used for four units, which is what the applicant has proposed. He stated that the setbacks comply with standards of R-3 zoning.

Mr. Stephenson stated that the single family home, zoned R-1A was an existing structure built in 2013 on a 37,500 square foot lot. The home, including the garage, is 14,250 square feet in size and was built to the maximum floor area ration of 38 percent.

Mr. Stephenson presented additional renderings showing the entire layout of the project as proposed. He noted that the applicant is requesting a variance for the building coverage. He stated the maximum building allowed is 40 percent and the proposed project requires 43.2 percent. He noted that the surrounding area has a mix of single-family homes and multifamily projects. The Canton Avenue portion of the project is adjacent to a vacant R-3 parcel that can be developed with up to nine multi-family units. He remarked that the project with 14 units is less than the 18 total units that could be requested under the applicable R-3 zoning and the proposed project is at 90% floor area ratio, which is less than the 110% that could be allowed.

Lastly, Mr. Stephenson reiterated that the units proposed to be two-stories to the east of the existing family home and the eight units on the north side of the property are proposed to be

two-stories. The only three-story elements are the units directly north to the existing single-family home at the center of the site, which would be furthest away from the neighbors.

Staff recommended approval of the request.

Staff answered questions from the Board in relation to the zoning map and site plan, parking space requirements, landscape plans and land usage.

Architect, Mark Nasrallah represented the applicant. Mr. Nasrallah answered questions from the Board regarding trash receptacle location, building coverage variance request, landscaping and emergency vehicle access. The Board asked Mr. Nasrallah to explain the single-family addition to the project. Mr. Nasrallah explained that including the single-family property as part of the replatting process allowed for the easement through this property for the emergency access lane, as well as a joint driveway to this home and the proposed townhomes in the eastern portion.

The Board expressed concerns to the applicant and Staff regarding the removal of the three live oak trees on the property. Further discussion ensued regarding the landscape plan and site plan renderings for the project.

No one from the public wished to speak. The public hearing was closed.

Motion made by Chuck Bell, seconded by Ray Waugh, for Conditional Use approval to develop twelve two-story townhouses and two three-story townhouses along with one single-family house on the combined properties of 472 and 510 West Swoope Avenue and 435 and 511 West Canton Avenue, zoned R-3 and R-1A. With the following conditions:

- 1. The applicant provide a full comprehensive landscape plan including material callouts, fencing, etc.**
- 2. The applicant provide detailed building elevations around the perimeter east, west, south and north faces with material callouts and dimensions**

The motion carried unanimously with a 6-0 vote.

- FLU #19-02 Request of Morney Partnership LTD to: Amend the "Comprehensive Plan" Future Land Use map to change from Medium Density Residential to a Central Business District Future Land Use designation on the property at 226 Hannibal Square, East.**
- RZ #19-02 Request of Morney Partnership LTD to: Amend the Official Zoning Map to change from Medium Density Multiple-Family Residential (R-3) district zoning to Commercial (C-2) district zoning on the property at 226 Hannibal Square, East.**

Senior Planner Allison McGillis presented the staff report explaining that the item was a two-part request for a rezoning and future land use amendment for 226 Hannibal Square East. The property is located in Hannibal Square behind blank restaurant. It currently has a land use of blank residential and zoning of R-3. She noted that in 2016, the property was rezoned to R-3 and received a Conditional Use approval including setback variances for a three-story building that is currently under construction. During the 2016 request, the applicant requested C-2 zoning versus R-3 zoning, however, at that time the Planning & Zoning Board and City Commission did not find that C-2 zoning was appropriate for the area since most of the properties were used for parking lots and did not have the same future land use as it does present day. At that time, the Board and City Commission did not want to rezone the property until they had more predictability and understanding of how this area was going to transition in the future. Since that time, the applicant has successfully rezoned the properties to the west on the opposite side of Hannibal Square East to C-2 zoning.

Mrs. McGillis remarked that now that there is more predictability and understanding of how the area will develop; the applicant is again requesting to rezone the 226 Hannibal Square East property to C-2. She stated that in terms of compatibility, this request is consistent with the C-2 zoning in the area and is consistent with the Comprehensive Plan policy that allows the applicant to request C-2 zoning on the property. In terms of proposed use, the property is to remain in the same use with storage units on the bottom and residential units on the top two floors with parking in the rear.

Mrs. McGillis presented a site plan outlining the proposed use. She stated with rezoning the property to C-2, the applicant would be able to rent the bottom floor storage to restaurants in the area, which would allow the back-of-house items that are necessary for restaurants to be stored in an area hidden from the public, cleaning up the area around the back of the restaurants.

Mrs. McGillis summarized by stating that the overall staff recommendation was for approval for the two-part rezoning and Future Land Use request.

The Board had no questions for staff.

Dan Bellows applicant representing Morney Properties said that the Comp Plan calls out Hannibal Square as a street to be considered for C-2 zoning. He provided background of his continued development in the community in the Hannibal Square Area. He showed maps and site plan show the areas of Hannibal Square that are currently zoned C-2. He stated that he is currently developing two buildings in Hannibal Square and briefly discussed architectural design. He explained the importance of the rezoning and how the storage units would help the restaurants with keeping the area behind the restaurants kept up. He showed renderings and elevations of the building.

No one from the public wished to speak. The public hearing was closed.

The Board commented that the project was a “value ad” to the area and agreed with staff’s recommendation.

Motion made by Ray Waugh, seconded by Adam Bert, to amend the “Comprehensive Plan” Future Land Use map to change from Medium Density Residential to a Central Business District Future Land Use designation on the property at 226 Hannibal Square, East.

The motion carried unanimously with a 6-0 vote.

Motion made by Ray Waugh, seconded by Chuck Bell, to amend the Official Zoning Map to change from Medium Density Multiple-Family Residential (R-3) district zoning to Commercial (C-2) district zoning on the property at 226 Hannibal Square, East.

The motion carried unanimously with a 6-0 vote.

- **FLU #19-01 Request of Sydgan Corporation for: An Ordinance amending Chapter 58 “Land Development Code” Article I, “Comprehensive Plan” and the Future Land Use map so as to change the Commercial Future Land Use designation to an Orange County Planned Development Future Land Use designation on the property located at 1501 Lee Road.**
- **RZ #19-03 Request of Sydgan Corporation for: An Ordinance amending Chapter 58 of the “Land Development Code” Article III, “Zoning” and the Official Zoning Map so as to change Commercial (C-3) district zoning to Orange County Planned Development (OCPD) district zoning on the property located at 1501 Lee Road.**

Senior Planner Allison McGillis presented the staff report explaining that the item was a two-part request for a rezoning and future land use amendment for 1501 Lee Road. She presented a map showing the location of the property. She stated that as part of the amendment, the property would be added to the Ravaudage Plan Development boundary (a map of the development property was presented outlined in red) and will be bordered by the Ravaudage Plan Development. The property currently has a Future Land Use designation of Commercial and is zoned C-3. Lastly, Mrs. McGillis reiterated that the applicant, who is the Master Developer of the Ravaudage, recently purchased the property and has submitted the request to change the property to an Orange County Future Land Use designation and to change the zoning to Orange County Planned Development zoning district, which is consistent with the rest of Ravaudage surrounding the property. Staff recommendation was for approval.

There were no questions for staff.

The applicant was present for Board questions. There were no questions for the applicant.

No one from the public wished to speak. The public hearing was closed.

The Board agreed with staff's recommendation.

Motion made by Chris Swann, seconded by Adam Bert, for an Ordinance amending Chapter 58 "Land Development Code" Article I, "Comprehensive Plan" and the Future Land Use map so as to change the Commercial Future Land Use designation to an Orange County Planned Development Future Land Use designation on the property located at 1501 Lee Road.

The motion carried unanimously with a 6-0 vote

Motion made by Christian Swann, seconded by Chuck Bell, for an Ordinance amending Chapter 58 of the "Land Development Code" Article III, "Zoning" and the Official Zoning Map so as to change Commercial (C-3) district zoning to Orange County Planned Development (OCPD) district zoning on the property located at 1501 Lee Road.

The motion carried unanimously with a 6-0 vote

4. New Business: None

5. Planning Director's Report: None

6. Board Update & Comments: None

Meeting adjourned at 7:02 p.m.

Respectfully,

Kim Breland, Recording Secretary