



**Development Review Committee
August 3, 2022
Council Chambers
9:00 AM**



- I. Call to Order
- II. Public Period
- III. Minutes Approval
 1. DRC Minutes - July 6, 2022
- IV. Decisions
 1. Downtown Maitland Waiver Request - 111 N. Orlando Avenue
- V. Adjournment

Notice: Any person who desires to appeal any decision made at this meeting or hearing will need a record of the proceedings and, for this purpose, may need to ensure that a verbatim record of the proceedings is made which includes testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's office (407-539-6219) 48 hours in advance of the meeting.



**Development Review Committee
Minutes
July 6, 2022
Council Chambers
9:00 AM**



I. CALL TO ORDER

Mr. Barrett Chaix called the meeting to order at 9:00 AM.

Present: 3 - Barrett Chaix, Senior Planner; Alyssa Eide-Cadle, City Engineer; Will Watts, Fire Chief

Absent: 0 -

Staff present was Jacqueline Holt, Planner III.

II. PUBLIC PERIOD

Mr. Chaix opened the Public Period for non-agenda items. There being no one who wished to speak, the Public Period was closed.

III. MINUTES APPROVAL

1. DRC MINUTES - JUNE 1, 2022

A motion was made to approve the minutes as drafted.

RESULT: Approved

MOVER: Will Watts, Fire Chief

SECONDER: Alyssa Eide-Cadle, City Engineer

AYES: Watts, Eide-Cadle, Chaix

NAYS: None

IV. DECISION

1. DOWNTOWN MAITLAND WAIVER REQUEST - 142 S. SWOOPE AVENUE

Mr. Chaix asked if the applicant had received a copy of the Staff Recommendation report and if they had any questions. The applicant confirmed receipt of the Staff Recommendation report. The applicant had no questions.

Mr. Chaix opened the public hearing. There being no one who wished to be heard, Mr. Chaix closed the public comment period.

Mr. Chaix asked if DRC had any questions for the applicant. There were none.

A motion was made to approve the Downtown Maitland Waiver Request at 142 S. Swoope Avenue.

RESULT:	Approved
MOVER:	Alyssa Eide-Cadle, City Engineer
SECONDER:	Will Watts, Fire Chief
AYES:	Eide-Cadle, Watts, Chaix
NAYS:	None

V. RECOMMENDATION

1. PETITION NO. 2021-03 (AZ-PD) MAITLAND CONCOURSE NORTH, LOT 1

Mr. Chaix introduced the item and gave a brief background.

Mr. Chaix opened the public hearing. There being no one who wished to be heard, Mr. Chaix closed the public comment period.

Mr. Chaix asked if DRC had any questions for the applicant. Alyssa Eide-Cadle requested clarification on items concerning the remaining traffic studies, which will be addressed at the next stage of the site plan.

A motion was made to forward Petition No. 2021-03 (AZ-PD) Maitland Concourse North, Lot 1 to Council with the recommendation of approval subject to the conditions listed in the drafted staff report.

RESULT:	Approved
MOVER:	Alyssa Eide-Cadle, City Engineer
SECONDER:	Will Watts, Fire Chief
AYES:	Eide-Cadle, Watts, Chaix
NAYS:	None

VI. ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 9:05 AM.

Chairman

Date

MEETING DATE		AGENDA
August 3, 2022		Section: Decisions
Department/Office : Community Development	AGENDA REPORT	Item #: 1.
Subject: Downtown Maitland Waiver Request - 111 N. Orlando Avenue		
Requested Action or Motion: See Agenda Report		
Summary Explanation & Background: See Agenda Report.		
Fiscal Impact: N/A		
Exhibits: 1. 111 N. Orlando Avenue DM Waiver Clean		
Commission/Board: Other		
Contact Person: Barrett Chaix 407-539-6213		
Reviewed by City Attorney N/A		



**DOWNTOWN MAITLAND (DM) WAIVER REQUEST
111 N. ORLANDO AVENUE
DEVELOPMENT REVIEW COMMITTEE
DECISION-AUGUST 3, 2022**

APPLICANT:	Sleeth Enterprises, LLC and RLP Holdings, LLC, 317 Valera Ct., Winter Park, FL 32789
OWNER(S):	CMMS Inc., P.O. Box 940846, Maitland, FL 32794-0846
PETITION:	The applicant requests a waiver of Design and Form Standards of subsection 3.3.5(e)(7)(A) of the Maitland Land Development Code ("LDC"): (7) Parking Lot Location (A) The placement of a new parking lot should avoid conflicts between vehicular and pedestrian activities. Parking lots shall be located at the side or rear of the building, and behind the build-to zone. Parking located between the primary façade of the building and the street and pull-off or parallel parking directly off a road except in properly designated public parking spaces are prohibited.
PROPOSED USE:	Retail
DISTRICT:	Downtown Maitland (DM)
FUTURE LAND USE:	Main Street
LOCATION:	111 N. Orlando Avenue
PARCEL ID(S):	25-21-29-5472-01-140
ACREAGE:	0.277 acres
ACCESS:	E. Horatio Avenue & N Orlando Ave/US HWY 17-92

BACKGROUND:

The applicants are proposing a redevelopment of the subject property, 111 N. Orlando Avenue, for use as a barbershop. The proposed redevelopment is intended to alter the existing structure less than 50% of its gross floor area. Subsection 3.3.5(e)(1)(B)(2) of the LDC states that alterations involving less than 50% of the building's gross floor area is only required to comply with certain subsections of the Downtown Maitland Design and Form standards. The applicant is seeking a waiver from subsection 3.3.5(e)(7)(A) which states that "Parking lots shall be located at the side or rear of the building, and behind the build-to zone. Parking located between the primary façade of the building and the street and pull-off or parallel parking directly off a road except in properly designated public parking spaces are prohibited."

The existing parking lot, of the subject property (a corner lot), is located between the primary façade of the building and N. Orlando Ave./US HWY 17-92, and is proposed to remain after the

redevelopment. Parking also exists between the other street frontage along Horatio Avenue and the existing building. If this waiver is granted, as part of the redevelopment involving less than 50% of the building's gross floor area, the project will be required to adhere to the following subsections of Section 3.3.5(e): Subsection (8), Parking Lot Landscaping and Screening, to the maximum extent practicable; Subsection (9), Exterior Lighting; Subsection (10), Landscaping and Screening, to the maximum extent practicable; and Subsection (19), Signs.

ANALYSIS

Pursuant to the City of Maitland Land Development Code Article 2, Section 2.5.4 (b)(4) an application for waiver of WS or DM zone district requirements shall be approved only if there is competent substantial evidence in the record that all of the following standards are met:

A. The requested waiver is allowed by Table 2.5.4(b)(2)(A): Allowable WS Zone District Waivers, or Table 2.5.4(b)(2)(B): Allowable DM Zone District Waivers, as applicable.

Sec. 3.3.5(e)(7), Parking Lot Location is allowed by Table 2.5.4(b)(2)(B): Allowable DM Zone District Waivers. Staff finds that this standard has been met.

B. The requested waiver is consistent with the comprehensive development plan.

Maitland Comprehensive Development Plan 2035 does not specifically regulate parking lot location. The applicant states that the proposed use of a barbershop contributes to a cohesive pedestrian oriented mixed-use environment. Staff finds that this standard has been met.

C. The requested waiver is generally consistent with the purpose of this LDC and the standards of the applicable zone district.

Allowing for reuse of structures that were developed prior to the contemporary Downtown Maitland standards is consistent with the general purpose of the LDC as specified in Section 1.3, specifically establish standards that respect the rights of landowners and consider the interests of the City's citizens, and to support and encourage redevelopment that is compatible with its context and has a high quality of design. Staff finds that this standard has been met.

D. For proposals in the DM zone district, the requested waiver is generally consistent with the Downtown Maitland Master Plan.

The Downtown Maitland Master Plan (2017) calls for properties in the Downtown District to "hide parking" (pg. 5). While it is not practicable to relocate the existing building short of a complete site redevelopment, enhanced screening of the parking is possible to achieve this policy more so than is currently achieved. The applicant states that the proposed use as a barber shop will offer recurring personal services that will add to the variety of uses in the downtown core, helping create vibrancy and activity throughout the day. Staff finds that this standard has been met.

E. For proposals in the WS zone district, the requested waiver is generally consistent with the West Side Redevelopment Plan.

Not applicable.

F. Compliance with the requirement from which the waiver is requested is technically impractical or undesirable based on site conditions, or approval of the waiver will result in superior design.

Applicant states that due to the location of the existing structure on the site, it would be technically impractical to locate the parking lot in a different location than where it is currently located. Staff finds that this standard will be met though adherence to Subsection. 2.2.5(e)(8)(C) Parking Lot Perimeter Screening which will be required at the time of Site Construction Permit.

G. The grant of a waiver will better achieve the purposes of the applicable zone district and the purposes and intent of this LDC.

The purpose of the DM zone district is to provide land that accommodate mixed-use development, in a form that is pedestrian friendly...and protective of the character of adjacent residential lands. By applying enhanced screening to the site, this purpose can be achieved. Staff finds that this standard will be met though adherence to Subsection. 2.2.5(e)(8)(C) Parking Lot Perimeter Screening which will be required at the time of Site Construction Permit.

H. The requested waiver will not have a materially negative impact on adjacent and surrounding uses, or mitigation is proposed that will address any negative impacts created by the waiver.

Mitigation as proposed by the applicant will be required by conditions of approval. The applicant proposes landscaping along the perimeter of the property, and will be required to adequately screen the parking lot and provide a barrier between it and pedestrians. This screening must not obstruct the sight triangle. Staff finds that this standard will be met though adherence to Subsection. 2.2.5(e)(8)(C) Parking Lot Perimeter Screening which will be required at the time of Site Construction Permit.

I. The requested waiver will not have a materially negative effect on the public health, safety, and welfare.

The applicant states that the proposed use will not have a materially negative impact, as it will generate pedestrian and bicycle traffic that will contribute to the overall downtown vibrancy and safety. The proposed landscaping will create a buffer that can contribute to greater pedestrian safety nearby the property. Staff finds that this standard will be met though adherence to Subsection. 2.2.5(e)(8)(C) Parking Lot Perimeter Screening which will be required at the time of Site Construction Permit.

DETERMINATION:

Staff finds that the proposed Staff finds that the proposed application for waiver of DM standard meets/does not meet the review standards established in Sec. 2.5.4(b) (4).

Application Approved_____

Application Denied_____

Note: Any decision rendered by the Development Review Committee may be appealed to the City Council within thirty (30) days of the date that the decision is rendered. An approved waiver and any conditions of approval shall be included on the face of or attached to the development order or permit and development plan. The approval of this waiver does not confer approval into any other concepts or materials provided in the application for Waiver.

Dan Matthys, AICP, CPM
Development Review Committee

Date