



Development Review Committee
May 17, 2023
Council Chambers
9:00 AM



- I. Call to Order
- II. Public Period
- III. Minutes Approval
 - 1. DRC Minutes - February 1, 2023
 - 2. DRC Minutes - April 19, 2023
- IV. Decisions
 - 1. Petition No. WAIV(2023)-0001 • Waiver of District Standards - 281 Circle Drive
- 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
February 1, 2023
Council Chambers
2:00 PM**



I. CALL TO ORDER

Chairman Matthys called the meeting to order at 2:00 PM.

Present 3 Dan Matthys, Community Development; Kim Tracy, Public Works Director;
Will Watts, Fire Chief

Absent 0

Staff also in attendance: Sara Blanchard, Chief Planner; Barrett Chaix, Senior Planner; Jacqueline Holt, Planner III

II. PUBLIC PERIOD

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

III. RECOMMENDATIONS

1. PETITION # AZS (2022)- 0001- 473 KELLER ROAD

Chairman Matthys 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 report. The applicant had no questions.

Chairman Matthys asked if DRC had any questions for the applicant. Kim Tracy explained that drainage issues currently have not been met, however the applicant stated at DRC they intend to address all stormwater issues, which may include providing right of way/easement for Keller Road improvements similar to the previous 10' proposed dedication with the approved Planned Development.

Ms. Tracy clarified that the City of Altamonte does not provide sewer. Capacity/Treatment is City of Altamonte, but transmission/collection is City of Maitland.

A motion was made to recommend approval to Council for rezoning of Petition #AZS (2022)-001-473 Keller Road.

RESULT: Approved

MOVER: Kim Tracy, Public Works Director

SECONDER: Will Watts, Fire Chief

AYES: Tracy, Watts, Matthys

NAYS: None

IV. ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 2:19 PM.

Chairman

Date



**Development Review Committee
Minutes
April 19, 2023
Council Chambers
2:00 PM**



I. CALL TO ORDER

Chairman Matthys called the meeting to order at 2:00 PM.

Present: 3 Dan Matthys, Community Development Director; Alyssa Eide-Cadle, City Engineer; Chris Morton, Fire Chief

Absent: 0
nt: -

Staff also in attendance: Sara Blanchard, Chief Planner; Barrett Chaix, Senior Planner; Jacqueline Holt, Planner III.

II. PUBLIC PERIOD

Chairman Matthys 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 - JANUARY 25, 2023

A motion was made to approve the minutes as drafted.

RESULT: Approved

MOVER: Chris Morton, Fire Chief

SECONDER: Alyssa Eide-Cadle, City Engineer

AYES: Morton, Eide-Cadle, Matthys

NAYS: None

2. DRC MINUTES - FEBRUARY 1, 2023

A motion was made to table the minutes to the next meeting for the purpose of making revisions requested by Ms. Eide-Cadle.

RESULT: Tabled

MOVER: Alyssa Eide-Cadle, City Engineer

SECONDER: Chris Morton, Fire Chief

AYES: Eide-Cadle, Morton, Matthys

NAYS: None

IV. RECOMMENDATIONS

1. PETITION NO. 2021-03 (SUB) 241 AND 281 DOMMERICH DRIVE

Chairman Matthys confirmed the applicant was not present.

Chairman Matthys asked if DRC had any questions.

A motion was made to approve Petition No. 2021-03 (SUB) 241 and 281 Dommerich Drive, finding it consistent with the requirements of the land development code.

RESULT:	Approve
MOVER:	Alyssa Eide-Cadle, City Engineer
SECONDER:	Chris Morton, Fire Chief
AYES:	Eide-Cadle, Morton, Matthys
NAYS:	None

2. PETITION NO. 2022-01 (SUB) 0 MONROE AVENUE

Chairman Matthys 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 report. The applicant had no questions.

Chairman Matthys asked if DRC had any questions. Alyssa Eide-Cadle asked that the staff analysis section of the report regarding engineering plans be modified to say "The Option 1 PD approved by Maitland City Council and ordinance #1387, included a preliminary water and sewer level service, and staff finds that standard has been met through adherence to the proposed conditions of this approval."

V. ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 2:08 PM.

Chairman

Date

MEETING DATE		AGENDA
May 17, 2023		Section: Decisions
Department/Office : Community Development	AGENDA REPORT	Item #: 1.
Subject: Petition No. WAIV(2023)-0001 • Waiver of District Standards - 281 Circle Drive		
Requested Action or Motion: See Agenda Report		
Summary Explanation & Background: See Agenda Report		
Fiscal Impact: N/A		
Exhibits: 1. 281 Circle Drive DM Waiver Request DRC DRAFT		
Commission/Board: Other		
Contact Person: Barrett Chaix 407-539-6213		
Reviewed by City Attorney N/A		



**DM WAIVER REQUEST
281 Circle Drive
DEVELOPMENT REVIEW COMMITTEE (DRC)
MAY 17, 2023**

APPLICANT:	Rob Smith, E2; PO Box 3300, Winter Park, FL 32790
OWNER(S):	E2H 281 CIRCLE LLC, PO Box 3300 Winter Park, FL 32790
PETITION:	Waiver requests related to proposed renovation of building.
PROPOSED USE:	Professional Office/ Contractors' Office
DISTRICT:	Downtown Maitland
FUTURE LAND USE:	Main Street
LOCATION:	281 Circle Drive
PARCEL ID(S):	36-21-29-9408-00-190
ACREAGE:	0.17 acres
ACCESS:	Circle Drive

BACKGROUND

The applicant is proposing to redevelop an existing structure at the subject property. The proposed redevelopment would expand/alter the structure by 50% or more of the building's gross floor area, therefore making the development comply with certain Design and Form Standards of the Downtown Maitland District (DM) described in *Sec. 3.3.5 (e)(1)(B) Applicability* of the Land Development Code. The applicant is requesting a Waiver from five Design and Form Standards as outlined in *Section 2.5.4 Relief* of the Land Development Code that establishes a uniform mechanism for waiver from specific standards in the DM district.

ANALYSIS

WAIVER REQUEST 1: Sec. 3.3.5(e)(4) Public Frontage Standards
Footnote [7]: The first floor of all buildings shall be a minimum of 14 feet in height.

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.**

A waiver of Section 3.3.5(e)(4), Public Frontage Standards is allowed by Table 2.5.4(b)(2)(B) and the Development Review Commission is the decision-making body. Staff finds that this standard has been met.

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

The applicant cites Policy 2.1.4 of the Maitland Comprehensive Development Plan 2035 (CDP) that states that the City shall encourage the redevelopment of existing under-utilized commercial parcels. 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.

The purpose of the first floor minimum height is to encourage the construction of buildings in the DM district that are suitable for adaptive reuse for commercial uses. The requested waiver is for the purposes of remodeling an existing 1945 structure with an existing roof height that is not compliant with the standard. 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 applicant cites the Downtown Maitland Master Plan's Southern Corridor description which identifies Circle Drive as an emerging Professional Design District focused around the construction and design industry where smaller office scale uses are encouraged. 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.

The applicant cites the existing structure's first floor height as a site condition that makes compliance with the requirement technically impracticable. Staff finds that this standard has been met.

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 applicant states that the proposed remodeling will enhance the street-facing façade that will add visual interest and allow for optimal solar energy production, all of which is encouraged in the LDC. Staff finds that this standard has been met.

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.

The applicant notes that the adjacent and surrounding properties are all one-story structures of similar age and that the proposed waiver will help retain the existing scale of the street and enhance compatibility with the surrounding properties. The applicant cites the remodeled property at 301 Circle Drive having a similar design aesthetic. Staff finds that this standard has been met.

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

The applicant states that a roof not fully conforming to the 14 feet first floor minimum does not have any material effect on the public health, safety, and welfare. Staff finds that this criteria has been met.

Staff finds that the proposed waiver of DM standard *Sec. 3.3.5(e)(4) Public Frontage Standards* meets the review standards established in *Sec. 2.5.4(b) (4)*.

Waiver Approved X

Waiver Denied

WAIVER 2: Sec. 3.3.5(e)(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.
(B) Consolidated parking areas are encouraged to minimize the amount of pavement. Cross access driveways between development shall be provided, to the maximum extent practicable.

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.

A waiver of Section 3.3.5(e)(7), Parking Lot Location is allowed by Table 2.5.4(b)(2)(B) and the Development Review Commission is the decision-making body. Staff finds that this standard has been met.

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

The applicant cites Policy 2.1.4 of the Maitland Comprehensive Development Plan 2035 (CDP) that states that the City shall encourage the redevelopment of existing under-utilized commercial parcels. 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.

The LDC is intended to provide flexibility for rehabilitation of existing structures and in circumstances of individual and unique characteristics of existing development in the DM zone district. 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 applicant cites the Downtown Maitland Master Plan's Southern Corridor description which identifies Circle Drive as an emerging Professional Design District focused around the construction and design industry where smaller office scale uses are encouraged. 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.

The proposed parking lot location creates conflict between pedestrians and vehicular access. Parking should not have any stalls that back into the right of way. If a handicap accessible parking stall is required, it can become a parallel spot that does not back into the right of way, and would not require a waiver from *Sec. 3.3.5(e)(7) Parking Lot Location*.

The existing width of the drive aisle does not meet minimum engineering standards for two-way traffic. Existing cross access, which is proposed to remain, appears to meet the standard of subsection (B) so a waiver would not be needed.

Staff finds that this standard has not been met.

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

One of the stated purposes of the DM district is to support a form of development that is pedestrian friendly and supportive of multiple modes of mobility. Staff finds this standard has not been met.

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.

See analysis of standard F. Staff finds that this standard has not been met.

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

See analysis of standard F. Staff finds that this standard has not been met.

Staff finds that the proposed waiver of DM standard *Sec. 3.3.5(e)(7) Parking Lot Location* does not meet the review standards established in *Sec. 2.5.4(b) (4)*.

Waiver Approved_____

Waiver Denied____X_____

WAIVER 3: Sec. 3.3.5(e)(8) Parking Lot Landscaping and Screening

5.3.4(c)(6)(C) Parking Lot Perimeter Landscaping:

All parking lots shall be screened from abutting properties, rights-of-way, and exterior building walls with a wall, hedge, or other durable landscape barrier that complies with the following standards: (C) Any fence or wall shall be at least four feet high.

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.

A waiver of *Sec. 3.3.5(e)(8) Parking Lot Landscaping and Screening* is allowed by Table 2.5.4(b)(2)(B) and for screening quantities of less than 25%, the Development Review Commission is the decision-making body. Staff finds that this standard has been met and that the DRC is the appropriate decision-making body for this waiver.

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

The applicant cites Policy 2.1.4 of the Maitland Comprehensive Development Plan 2035 (CDP) that states that the City shall encourage the redevelopment of existing under-utilized commercial parcels. 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.

The applicant states that there is existing compliant screening at the parking at the rear of the property. Waiving the requirement to screen any parking that is accessed directly from Circle Drive would not be inconsistent with the purpose of these standards. 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 applicant cites the Downtown Maitland Master Plan's encouragement of small-scale office uses in the Circle Drive area and the existing lack of screening of parking directly accessed from Circle drive and subsequent requested waiver would not be inconsistent with the Plan. 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.

The applicant cites the impracticability of screening parking spaces which are accessed directly from Circle Drive and consistency with surrounding properties, which are smaller than typically found in the DM district. Staff finds that this standard has been met.

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

Screening the parking area on a lot as small as the subject property (0.17 acres) would not be necessary to achieve the purposes of the DM district or the LDC. Staff finds that this standard has been met.

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.

The applicant cites many of the surrounding and adjacent properties on Circle Drive have unscreened front-of-building parking and states that there would be no new impact on the adjacent and surrounding uses. Staff finds that this standard has been met.

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

The applicant states that surrounding and adjacent properties on Circle Drive have unscreened front-of-building parking and claims that there would be no new effect on the public health, safety, and welfare on the adjacent and surrounding uses. Staff finds that this standard has been met.

Staff finds that the proposed waiver of DM standard *Sec. 3.3.5(e)(8) Parking Lot Landscaping and Screening* meets the review standards established in *Sec. 2.5.4(b) (4)*.

Waiver Approved X

Waiver Denied

WAIVER 4: Sec. 3.3.5(e)(10) Landscaping and Screening
(A) A minimum of one tree shall be planted or preserved for every 5,000 square feet of site area. Trees planted as part of the parking lot or buffer yard landscaping requirements may count toward this requirement. In-lieu of providing the trees on-site, applicants may choose to pay into the City's tree fund.

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.

A waiver of *Sec. 3.3.5(e)(10) Landscaping and Screening* is not allowed by Table 2.5.4(b)(2)(B). The standard also includes a mechanism to providing required trees on site by contributing to the City's tree

fund. Staff finds that this standard has not been met.

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

Not applicable, see analysis of Standard A.

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

Not applicable, see analysis of Standard A.

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

Not applicable, see analysis of Standard A.

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.

Not applicable, see analysis of Standard A.

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

Not applicable, see analysis of Standard A.

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.

Not applicable, see analysis of Standard A.

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

Not applicable, see analysis of Standard A.

Staff finds that the proposed waiver of DM standard *Sec. 3.3.5(e)(10) Landscaping and Screening* does not meet the review standards established in *Sec. 2.5.4(b) (4)*.

Waiver Approved _____

Waiver Denied ____X____

WAIVER 5: Sec. 3.3.5(e)(21) Stormwater Design
(A) The preferred method of accommodating stormwater impacts is through use of regional stormwater facilities in-lieu of accommodating stormwater on site. All stormwater management areas should be incorporated into the project's overall design.

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.

A waiver of Sec. 3.3.5(e)(21) Stormwater Design is not allowed by Table 2.5.4(b)(2)(B). All stormwater must be accounted for either on site or by easement agreements. Stormwater design/existing vs proposed must be supplied to the City during permitting. Staff finds that this standard has not been met.

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

Not applicable, see analysis of Standard A.

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

Not applicable, see analysis of Standard A.

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

Not applicable, see analysis of Standard A.

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.

Not applicable, see analysis of Standard A.

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

Not applicable, see analysis of Standard A.

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.

Not applicable, see analysis of Standard A.

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

Not applicable, see analysis of Standard A.

Staff finds that the proposed waiver of DM standard : *Sec. 3.3.5(e)(21) Stormwater Design* does not meet the review standards established in Sec. 2.5.4(b) (4).

Application Approved_____

Application Denied____X____

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.

Dan Matthys, AICP, CPM
Development Review Committee

Date

APPENDIX A

Table 2.5.4(b)(2)(B): Allowable DM Zone District Waivers		
Standard	Decision-Making Body	
	DRC	P&Z
Sec. 3.3.5(c), Intensity and Dimensional Standards	Less than 25%	25% or more
Sec. 3.3.5(e)(2), Building Placement and Orientation	Yes	
Sec. 3.3.5(e)(3), Building Along Frontage	Less than 25%	25% or more
Sec. 3.3.5(e)(4), Public Frontage Standards	Yes	
Sec. 3.3.5(e)(5), Site Access and Circulation [1]	Less than 25%	25% or more
Sec. 3.3.5(e)(6), Pedestrian and Bicycle Circulation and Access		Yes
Sec. 3.3.5(e)(7), Parking Lot Location	Yes	
Sec. 3.3.5(e)(8), Parking Lot Landscaping and Screening [2]	Less than 25%	25% or more
Sec. 3.3.5(e)(9)(B), Maximum Height	Less than 25%	25% or more
Sec. 3.3.5(e)(16), Building Windows	Less than 25%	25% or more
Sec. 3.3.5(e)(19)(B)4, Signs Erected on Buildings (Dimensions only) [3]	Less than 25%	25% or more
Sec. 3.3.5(e)(21), Stormwater Design (Amenities/Landscaping only)	Less than 25%	25% or more
Sec. 5.2.5, Off-Street Vehicular Parking Standards [4]	Less than 25%	25% or more

NOTES:

- [1] P&Z shall decide on waivers requested in accordance with Sec. 3.3.5(e)(5)(H) relating to site vehicular access.
- [2] DRC may only authorize waivers to the dimensional requirements of Sec. 3.3.5(e)(8), Parking Lot Landscaping and Screening. P&Z is also authorized to grant waivers to the planting requirements.
- [3] Only waivers of dimensional standards are allowed.
- [4] The provision of off-street vehicular parking spaces in excess of the maximum allowed is subject to the requirements of Sec. 5.2.5(b), Maximum Number of Off-Street Vehicular Parking Spaces.

APPENDIX B



March 8, 2023

To whom it may concern,

We are ready to proceed with the previously introduced renovations to the front building at 281 Circle Drive. Our hope is to turn it into an attractive and usable building that complements the other properties on Circle Drive. This submission includes updated renovation plans, references to the updated municode / Ordinance 1396 (including those specific to the DM zone), and our notes on where waivers may be needed.

We look forward to previewing this submittal with you at your earliest convenience to ensure success at the upcoming formal reviews.

Thank you,

A handwritten signature in black ink that reads 'RK Smith'.

Rob Smith, Owner

E2 – 407-913-3246



- LOT SIZE: 7,323 SF
- REAR BUILDING: 800 SF
- FRONT BUILDING: 998 SF
- EXISTING TOTAL: 1,798 SF



P.O. BOX 3300, WINTER
PARK, FL 32790
P: (407)9133246

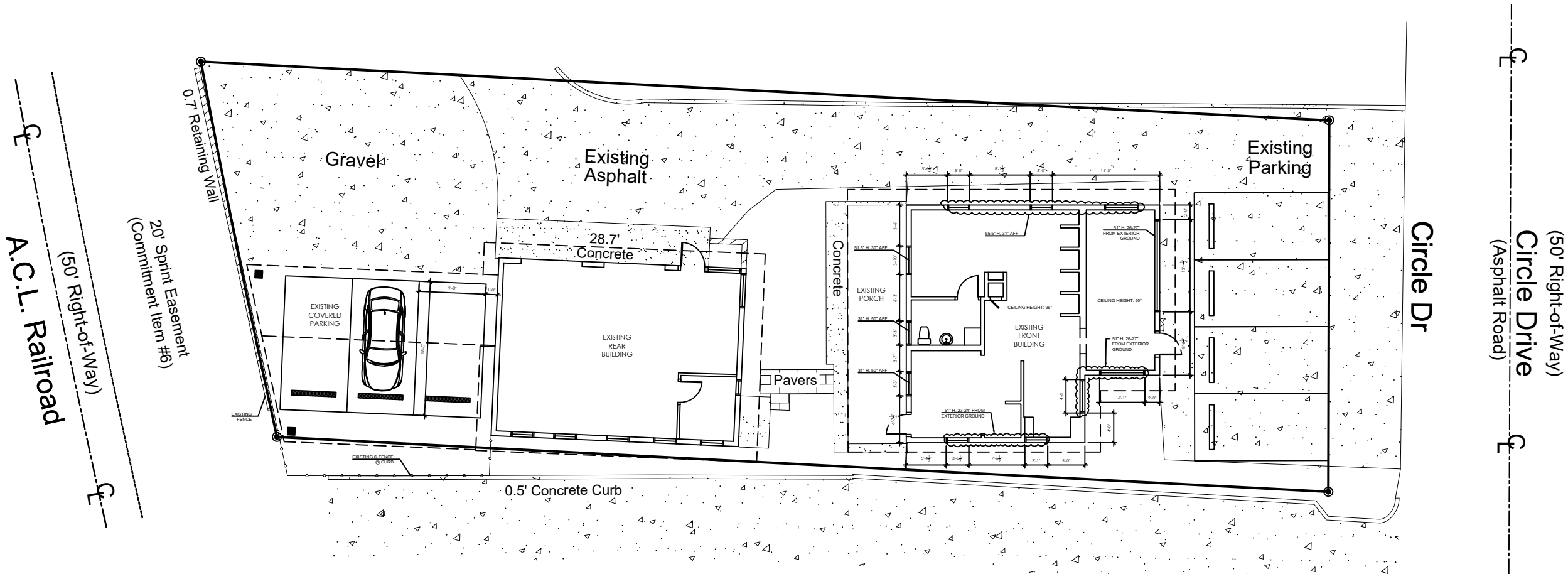
EXISTING SITE

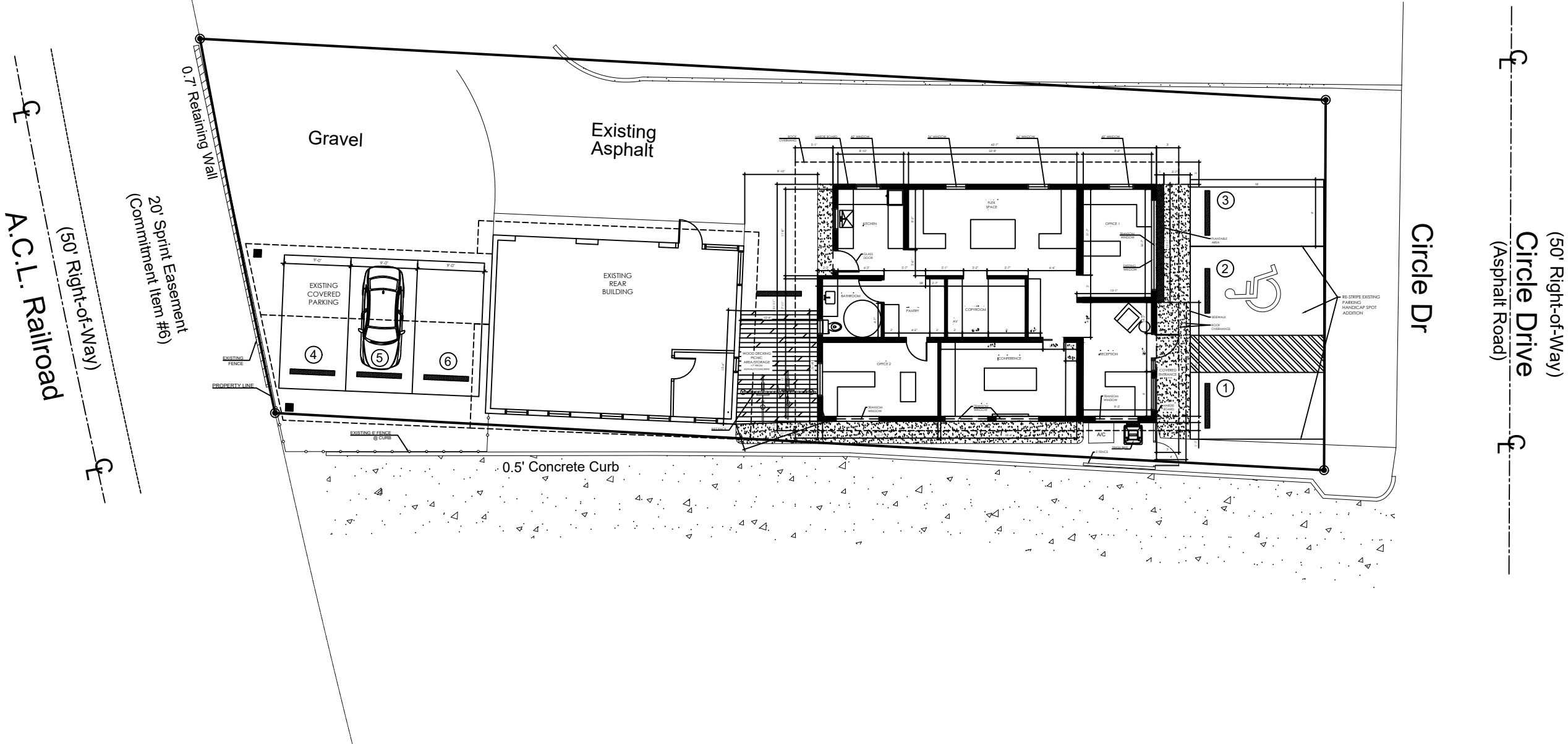
E2H 281 CIRCLE DR

DATE:
09/01/2021

SCALE:
1/16"

SHEET:
1/4





- LOT SIZE: 7,323 SF
- EXISTING TOTAL: 1,798 SF
- PROPOSED TOTAL: 2,238 SF
- INCREASE: 440SF (24%)

PARKING:
- 1,438 SF OFFICE, 1/250: 6 SPOTS
(50% in the DM = 3 SPOTS)
- 800 SF WAREHOUSING/STORAGE:
3 SPOTS (50% in the DM = 2 SPOTS)
- 5 SPOTS REQUIRED
- 6 SPOTS PROVIDED

 P.O. BOX 3300, WINTER PARK, FL 32790 P: (407)9133246	
PROPOSED SITE	
E2H 281 CIRCLE DR	
DATE: 09/01/2021	
SCALE: 1/16"	SHEET: 2/4



P.O. BOX 3300, WINTER
PARK, FL 32790
P: (407)9133246

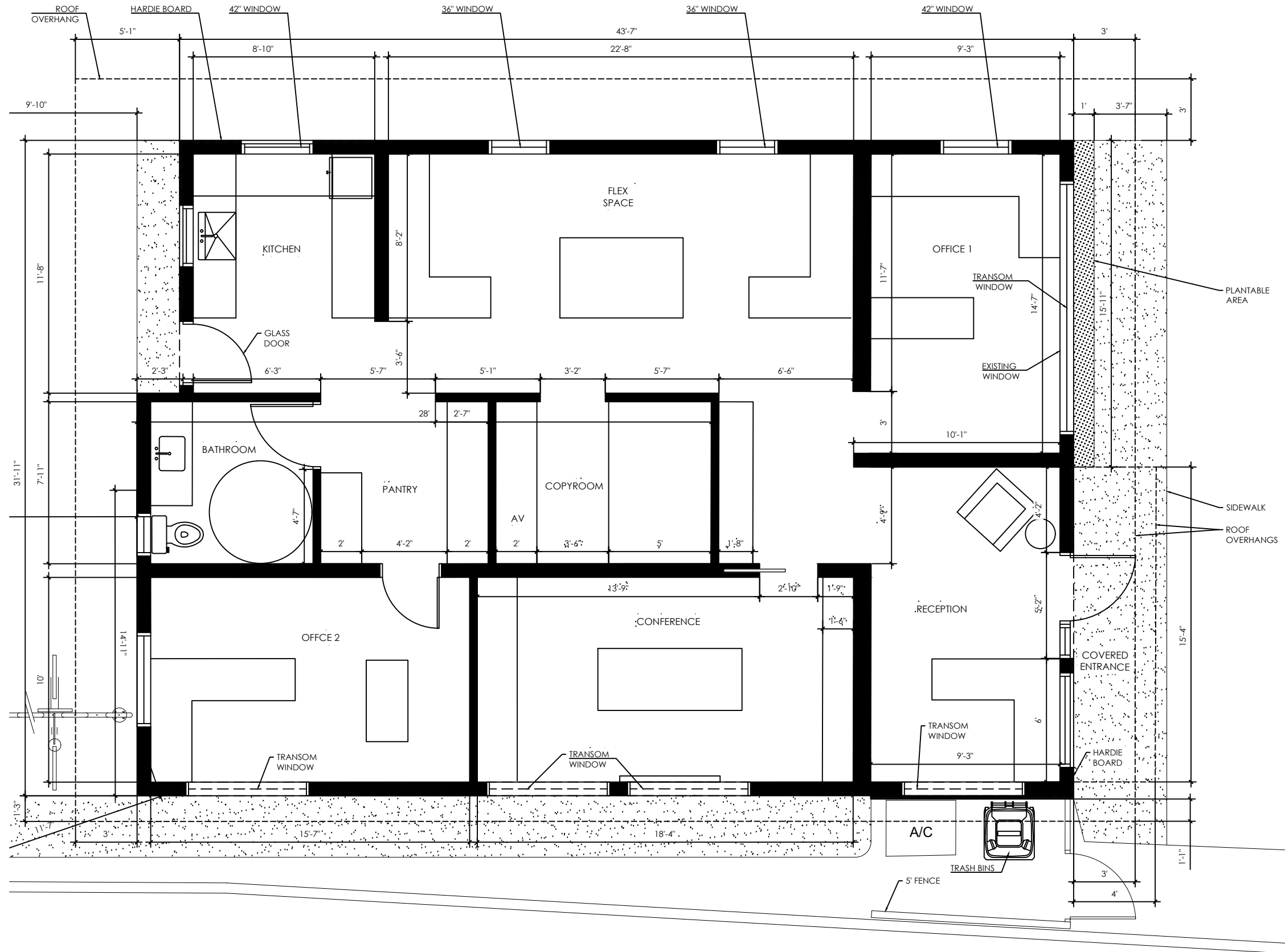
PROPOSED FLOORPLAN

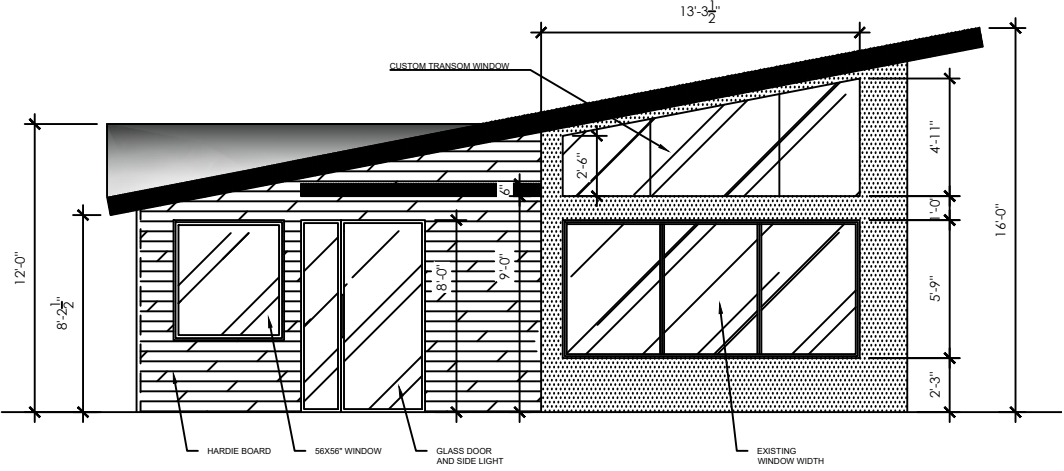
E2H 281 CIRCLE DR

DATE:
05/10/2022

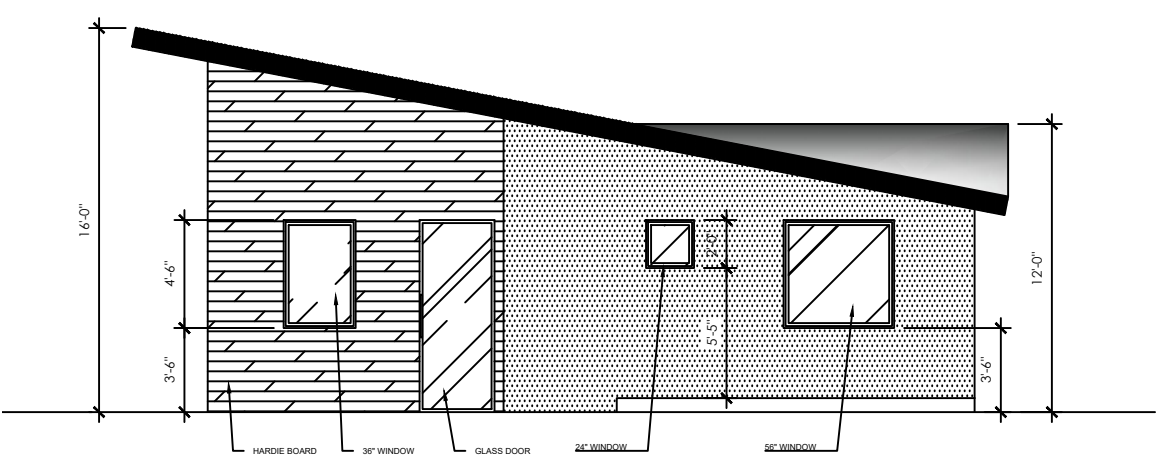
SCALE:
3/16"

SHEET:
3/4

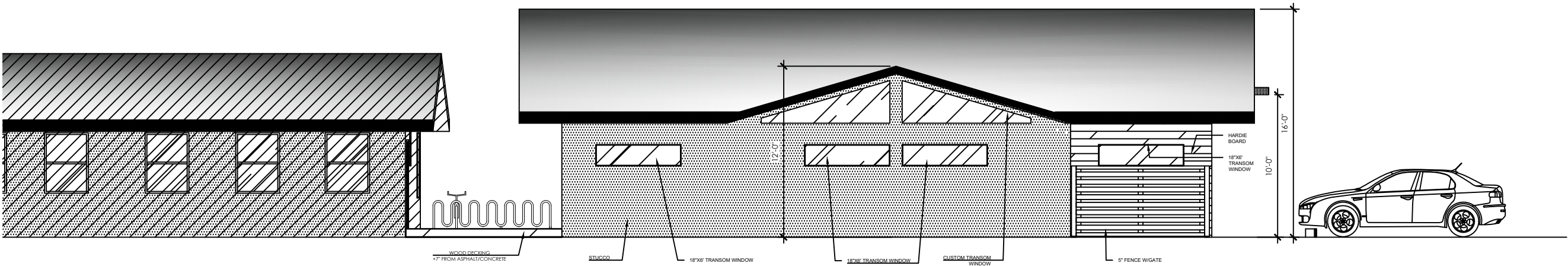




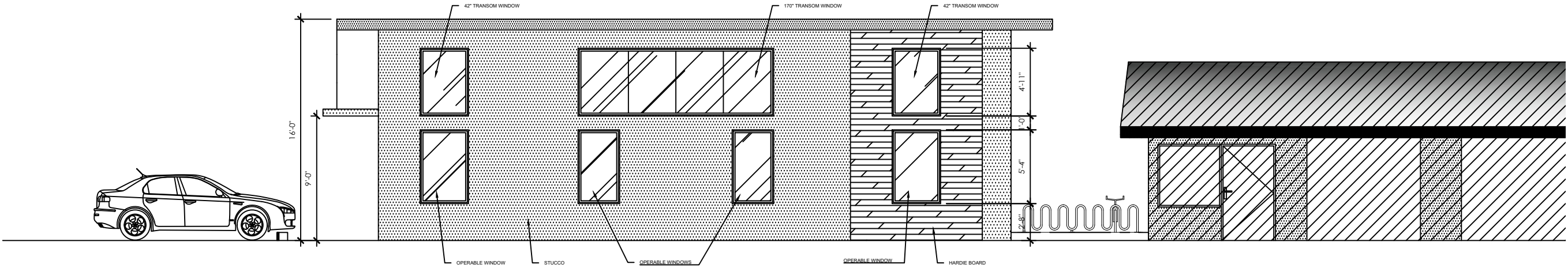
FRONT



REAR



SOUTH SIDE



NORTH SIDE

E2 Commercial LLC, Waiver Request

Granting the proposed waivers will enable beautification and modernization of another property within the Downtown Maitland district. The proposed project will add to the quality of the Maitland small business footprint and focusing remodeling investments where they add the most value for the district and for the commercial tenants. In addition to the subject property enhancements, it should also be noted that none of the waivers requested will introduce materially negative impacts to adjacent properties, surrounding uses, public health, safety, or welfare. This claim will be further elaborated on a waiver-by-waiver basis.

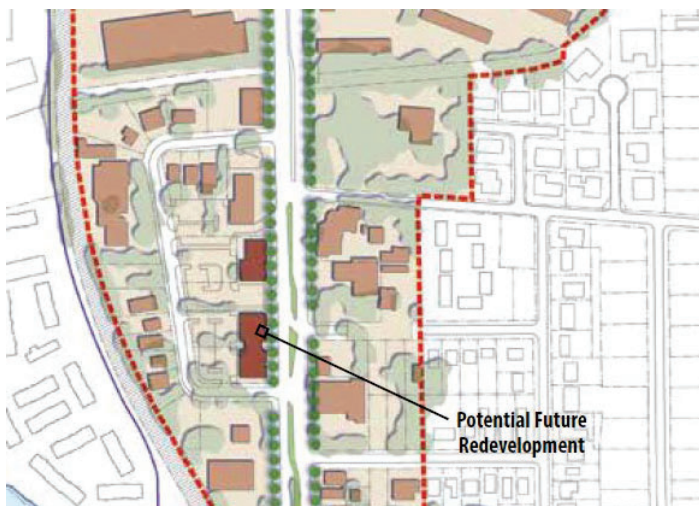
While this small commercial building remodeling project will not be able to meet all of the current Downtown Maitland District guidelines and objectives, it does make practicable effort to do so and it goes above and beyond in other areas such as sustainability and occupant wellbeing. Planned features for the subject property include solar energy production, energy conservation through high R-value insulation strategies, long life roofing and siding selections, passive lighting, and allergen-free air quality systems.

We trust that the waivers requested herein will be seen as 'reasonable', given that the proposal is for a modest remodeling project – not a tear-down project. The following excerpts from the Maitland Comprehensive Development Plan were inspirational in developing this waiver request submittal.

In the Maitland CDP, page 13, the Future Land Use goals provide clear support for focusing on redevelopment and for providing innovative thinking and planning practices that are flexible based on changing market conditions. We believe that this project is well aligned with these stated intentions and current market conditions.

In addition, POLICY 2.1.4 states that the City shall encourage the redevelopment of existing under-utilized commercial parcels. This parcel has been unoccupied for several years and the DM District will certainly be enhanced by the proposed redevelopment efforts. Beyond the greatly improved aesthetics, these enhancements should drive increased tenancy, property values, and property taxes for decades.

Finally, the Downtown Master Plan identifies Circle Drive as part of the Community Redevelopment Area. More specifically, it is identified as an emerging Professional Design District focused around the construction and design industry where smaller scale office uses are encouraged. E2 has played a central role in this developing this trend and fully intends to continue to contribute Maitland's bright future.



Southern Corridor

South of the Downtown Core, the Orlando Avenue corridor is envisioned as a multi-use district of commercial, office, workplace, civic and entertainment, and higher density residential uses. New development in this district should focus on addressing Orlando Avenue and completing the streetscape edge. Where parcel depths allow, access from streets other than Orlando Avenue is encouraged. Circle Drive is identified as an emerging Professional Design District focused around the construction and design industry where smaller scale office uses are encouraged.

WAIVER 1: Sec. 3.3.5(e)(4) Public Frontage Standards

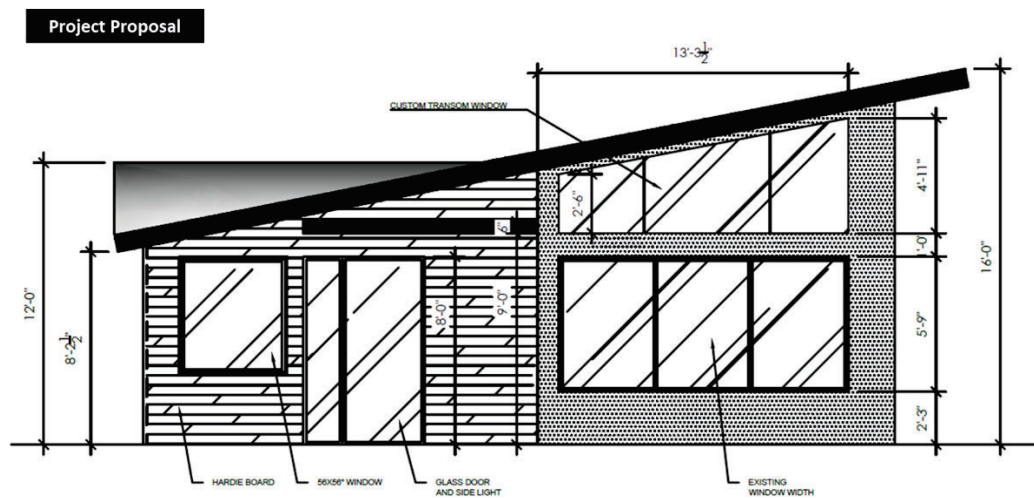
Footnote [7]: The first floor of all buildings shall be a minimum of 14 feet in height.

[Article 3. Zone Districts. Section 3.3. Mixed-Use Districts, Ordinance No. 1396 page 3-42]

Justification: It is not feasible to fully comply with this standard in a modest remodeling project, however, our waiver request aims to partially achieve the standard (see the elevation drawing of the remodel shown below). The right side of the building reaches a 14 feet ceiling height and a roof height of 16 feet. The street view while moving along Circle Drive will be of a modernized office building façade and the pitched metal roof - instead of the dated 1945 residential structure that greets you today (shown further below). The remodeled design creates a volume roofline over a portion of the building which adds visual interest from the street and smartly prepares the building for optimal solar energy production (net zero energy goal). In addition, this remodel contributes to a modern and attractive design aesthetic for Circle Drive which began with earlier E2 developments at 301 Circle Drive and 323 Circle Drive.

The adjacent and surrounding buildings are all one-story structures of similar age. The proposed project helps to retain the scale of the street, while still modernizing. In fact, making the structure fully compliant to the 14 ft ceiling height requirement could make the property feel out of scale on this street. It is also noted that 301 Circle Drive was permitted and remodeled with a similar design aesthetic, just a few years ago. This project produces no negative effects on health, safety, and welfare of the public, but does improve all three for the building occupants.

Based on these justifications, the Project Proposal (shown below) is submitted for waiver approval.



WAIVER 2: Sec. 3.3.5(e)(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.

[Article 3. Zone Districts. Section 3.3.5. DM: Downtown Maitland District, Ordinance No. 1396 page 3-60]

(B) Consolidated parking areas are encouraged to minimize the amount of pavement. Cross access driveways between development shall be provided, to the maximum extent practicable.

[Article 3. Zone Districts. Section 3.3.5. DM: Downtown Maitland District, Ordinance No. 1396 page 3-60]

Justification: For subsections A and B, the same waiver justification applies – this project intends only to restripe the existing front parking area with the goal of increasing code compliance. The location of the parking areas are existing and not planned for removal and replacement. Restriping the front parking area will enhance the subject property by achieving code compliance related to the number of handicap accessible parking spaces required. The subject property's front-of-building parking scheme is currently in use at multiple neighboring properties on Circle Drive, therefore, retaining it here will not have a negative impact on the adjacent property uses or on public safety.

In addition, for subsection A, it is noted that Circle Drive is a low traffic, Type III street and it may therefore offer code-compliant 'pull off or parallel parking directly off a road' as noted in (A) above. If the subject property is not currently a 'properly designated public parking' area as noted in (A) above, then the project requests this designation to be granted for 281 Circle Drive as well as neighboring properties with similar parking areas.

In addition, for subsection B, it is noted that the existing parking areas do include a single cross access driveway between them. While this is not a project related development, it is an existing feature which is code compliant.

Based on these justifications, the Proposed Restriping (shown below) is submitted for waiver approval.



WAIVER 3: Sec. 3.3.5(e)(8) Parking Lot Landscaping and Screening

Sub-reference: section 5.3.4(c)(6)(C) Parking Lot Perimeter Landscaping:

All parking lots shall be screened from abutting properties, rights-of-way, and exterior building walls with a wall, hedge, or other durable landscape barrier that complies with the following standards: (C) Any fence or wall shall be at least four feet high.

[Article 3. Zone Districts. Section 3.3.5. DM: Downtown Maitland District, Ordinance No. 1396 page 3-60]

[Article 5. Development Standards. Section 5.3.4. Landscape Standards, Ordinance No. 1396 page 5-47]

Justification:

Note: Circle Drive is a Type III street with constrained right of way.

Note: The complete parking layout for the Subject Property is adequately illustrated in Waiver 2, above.

Compliant screening is in place at the rear-of-building parking. To the south, screening is accomplished through the combination of an enclosed garage and a six feet tall opaque fence. To the west, the elevated SunRail embankment provides a compliant visual screen. To the north, the abutting property has an adjoining parking lot with no physical demarcation or boundaries separating it from the subject property. There is no need or benefit to screen these contiguous parking areas from one other.

It is not practicable to screen the existing front-of-building parking spaces from Circle Drive because that screening would prohibit access to the front-of-building parking area which is required to achieved compliance to the Minimum Number of Off Street Vehicular Parking Spaces required per Table 5.2.5(a), Ordinance No. 1396 page 5-17. In addition, the Subject Property's existing unscreened front-of-building parking is consistent with many of the neighboring properties existing unscreened front-of-building parking, and therefore will not have any new impact on adjacent or surrounding uses, public health, safety, or welfare.

Based on these justifications, the Project Proposal (shown below) is submitted for waiver approval.



WAIVER 4: Sec. 3.3.5(e)(10) Landscaping and Screening

(A) A minimum of one tree shall be planted or preserved for every 5,000 square feet of site area. Trees planted as part of the parking lot or buffer yard landscaping requirements may count toward this requirement. In-lieu of providing the trees on-site, applicants may choose to pay into the City's tree fund.

[Article 3. Zone Districts. Section 3.3.5. DM: Downtown Maitland District, Ordinance No. 1396 Page 3-65]

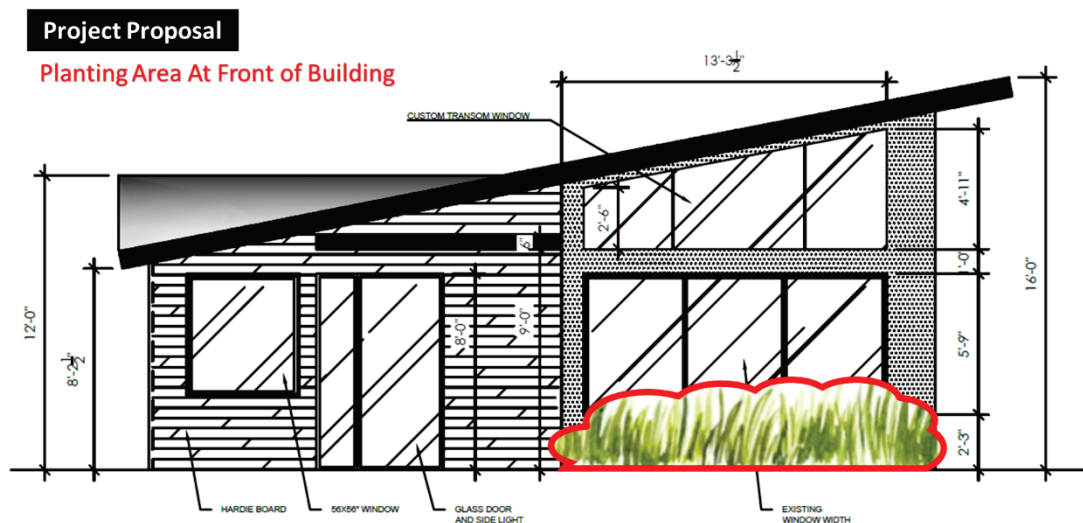
Justification: The subject property is currently non-conforming to tree requirements (it should be noted that neighboring properties meet or exceed the tree requirements, suggesting compliance at the street level). The existing building layout, parking areas, train rail buffer, and perimeter screening features do not support the addition of new trees without reducing compliance in other areas. It may be possible to consider adding one tree at the southwest corner of the subject property (left side of street frontage). However, the addition of one tree would not achieve compliance (as two new trees would be required based on lot size) and that tree could conflict with the project's plan for achieving net-zero energy status through rooftop solar power production for the building - a continuing trend for Circle Drive projects developed by E2.

The project proposes to introduce a new planting area along the front of the remodeled building (illustrated below). This planting area will 'green' the street view and will not restrict the achievement of parking compliance. In addition, the southwest corner of the subject property is planned to be 'greened' with district appropriate plantings, consistent with the property boundary between 301 Circle Drive and 291 Circle Drive (illustrated below).

The requested waiver will not have a materially negative impact on adjacent surrounding uses, and the above mitigations intend to address any negative impacts created by the waiver. It is the project's intention to green the two spaces and therefore to make a positive contribution to the local air quality's effect on public health.

The Maitland CDP, page 35, OBJECTIVE 2.1 promotes energy conservation and encourages green design practices in redevelopment to foster sustainable and energy-effective land use. This objective supports the requested waiver.

Based on these justifications, the Existing Subject Property (shown below) is submitted for waiver approval.



(continued on next page)

(Continued) WAIVER 4: Sec. 3.3.5(e)(10) Landscaping and Screening



WAIVER 5: Sec. 3.3.5(e)(21) Stormwater Design

(A) The preferred method of accommodating stormwater impacts is through use of regional stormwater facilities in-lieu of accommodating stormwater on site. All stormwater management areas should be incorporated into the project's overall design.

[Article 3. Zone Districts. Section 3.3.5. DM: Downtown Maitland District, Ordinance No. 1396 page 3-77]

Justification: While the subject ©1945 property has never had regional stormwater facilities of its own, it does share such features with the adjoining property to the north (271 Circle Drive). This shared feature, common to several properties on Circle Drive, benefits the SJWMD and the DM district with fewer stormwater nodes to maintain and manage. Retaining the existing shared stormwater node has no negative impact on adjacent uses.

In addition, an existing pervious gravel parking area is incorporated at the southwest portion of the property to reduce runoff, surface pooling, and the volume of stormwater sent into the SJWMD utility. Finally, the proposed project does not materially change the total impervious area of the subject property and is code compliant.

The Maitland CDP, page 71, Goal 3 – Stormwater aims to ensure that every street in the City has safe and adequate stormwater drainage to minimize the hazardous and adverse effects of surface water and flooding while maintaining the physical and environmental integrity of the City. This goal is met with the properly graded subject property and locally shared stormwater basin located at 271 Circle Drive.

The Maitland CDP, page 83, Goal 1 – Conservation, POLICY 1.1.2 requires that all development proposals minimize impervious surfaces to further reduce sinkhole potential. Impervious surfaces are not materially changed as a result of the proposed project.

The Maitland CDP, page 88, STANDARD 1.6.5.6 aims to promote recharge capabilities for nonresidential proposals. The existing gravel area located within the subject property supports recharge capabilities for the site.

Based on these justifications, the existing and properly functioning stormwater solution (shown below) is submitted for waiver approval.

