



**Planning and Zoning Commission
July 29, 2021
Council Chambers
6:00 PM**



- I. Call to Order
- II. Pledge of Allegiance
- III. Approval of Minutes of Previous Meeting
 1. Minutes of July 1, 2021 Planning and Zoning Commission Meeting
- IV. Public Period
- V. Public Hearing
 1. Community Meetings
 2. Recommendations
 3. Decisions
 - A. Petition 2021-03 (SPR) 425 Sybelia Parkway
- VI. Old Business
- VII. New Business
- VIII. Any Other Business the Board Deems Advisable
- IX. Adjournment

More than one member of the City Council may be present and speak at this meeting.

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.

Appeals: Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the Planning and Zoning Commission with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such a person must provide a method for recording the proceedings.

MEETING DATE		AGENDA
July 29, 2021		Section: Approval of Minutes of Previous Meeting
Department/Office : Community Development	AGENDA REPORT	Item #: 1.
Subject: Minutes of July 1, 2021 Planning and Zoning Commission Meeting		
Requested Action or Motion: Approve the Minutes of the July 1, 2021 Planning and Zoning Commission Meeting		
Summary Explanation & Background:		
Fiscal Impact: NA		
Exhibits: 1. PZ July 1 - Minutes Draft		
Commission/Board: Planning and Zoning Commission		
Contact Person: Barrett Chaix, Senior Planner 407-539-6213		
Reviewed by City Attorney No		



**Planning and Zoning
Commission Minutes
July 1, 2021
Council Chambers
6:00 PM**



I. CALL TO ORDER

Chairman Holloway called the meeting to order at 6:04 p.m.

Present: 4 - Chairman Keith Holloway, Vice-Chair Matthew Lamb, Commissioner Glen S. Jaffee, Commissioner Kathleen McIver

Remote: 0 -

Absent: 1 - Commissioner Jamie Kay Bennett

Also present were Dan Matthys, AICP (Community Development Director), Barrett Chaix, AICP (Senior Planner), and Drew Smith (City Attorney).

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES OF PREVIOUS MEETING

1. APPROVAL OF MINUTES OF PREVIOUS MEETING

A motion was made to approve the April 15, 2021 Planning and Zoning Commission Workshop minutes as drafted.

RESULT: APPROVED

MOVER: Vice-Chair Matthew Lamb

SECONDER: Commissioner Kathleen McIver

AYES: Lamb, McIver, Jaffee, and Holloway

NAYS: None

2. APPROVAL OF MINUTES OF PREVIOUS MEETING

A motion was made to approve the May 20, 2021 minutes as drafted.

RESULT: APPROVED

MOVER: Vice-Chair Matthew Lamb

SECONDER: Commissioner Kathleen McIver

AYES: Lamb, McIver, Jaffee, Holloway

NAYS: None

IV. PUBLIC PERIOD

Chairman Holloway opened the Public Period. There being no one who wished to be heard, Chairman Holloway closed the Public Period.

V. PUBLIC HEARING**1. PUBLIC HEARING****A. COMMUNITY MEETINGS****PETITION 2021-01 (SUB) VENTRIS LANE SUBDIVISION**

Chairman Holloway asked if any Commissioner needed to declare and ex-parte communication or conflicts. Commissioner Jaffee declared a conflict of interest and therefore abstained from the case and exited Council chambers.

Barrett Chaix, Senior Planner, introduced the case and gave a presentation outlining the history of the property and the proposed preliminary subdivision. Chairman Holloway asked if there were any questions for staff. Being none at this time, Chairman Holloway asked if the applicant was present and wanted to speak. The applicant, Doved Sexter, and his engineer, Thom Winn (Regional Consultant Engineering) provided an overview of the project and the changes made from the previous application which was withdrawn. Chairman Holloway asked if there were any questions for the applicant. Commissioners Lamb and McIver asked about driveway connections, the drainage system, and water quality treatment.

With no further questions from the Commission, Chairman Holloway opened the public hearing. The following members of the public spoke:

1. Dan Dehart, 465 Piney Croft Lane, spoke in favor of the project but had concerns regarding the condition and width of Ventris Lane, stormwater impacts, traffic, and sound barrier.
2. Guy Neff, 3 Shadow Lane, spoke about drainage and condition of street
3. Sue Gilman, 241 Quayside Circle, spoke about ensuring the City protects the neighborhood and echoed Mr. Dehart. She also asked about the lot sizes.
4. Leslie Devitt, 445 Piney Croft Lane, spoke about same concerns as Mr. Dehart and noise.
5. John Van Werdt, 460 E. Ventris Lane, spoke about drainage, width of road and home orientation.
6. Sharon Alexion, 470 Manor Road, spoke about width of road
7. Karen Estrin, 450 Ventris Lane, spoke about sewer line and easement, sidewalk to nowhere
8. Mark Estrin, 450 Ventris Lane, spoke in opposition to process of 3 minutes to speak and engineering plan is all wrong and road is too small.

There being no further members of the audience wishing to speak, Chairman Holloway closed the public hearing and allowed the applicant to respond to the questions heard by the public. After answering questions, Chairman Holloway brought it back to the Commission for discussion and recommendation. The Commission directed Staff to consider the following items in their review and recommendation:

1. DRC require connection of proposed sidewalk to existing sidewalk west of the proposed Lot 4
2. Providing for a pull off area for cars on narrow road
3. Quality and effectiveness of swale
4. Landscape meeting standards
5. Ensure the proposed drainage system works
6. Fertilizer into lakes
7. Ensure truck turning radius meets code and if cars park on street
8. Concerns with construction and street parking
9. Sound attenuation
10. Any public concerns heard at the public hearing (as noted above in the public comments).
11. Perhaps more stringent stormwater standards

A motion was made to forward the comments outlined above to staff to consider in their review and recommendation prior to coming back to P&Z for recommendation to Council.

RESULT:	APPROVED
MOVER:	Vice-Chair Matthew Lamb
SECONDER:	Commissioner Kathleen McIver
AYES:	Lamb, McIver, Holloway
NAYS:	None
ABSTAIN:	Jaffee

VI. OLD BUSINESS

Staff discussed any old business, which included an update on the status on the Land Development Code.

VII. NEW BUSINESS

Staff discussed any new business including projects in review.

VIII. ANY OTHER BUSINESS THE BOARD DEEMS ADVISABLE

None

IX. ADJOURNMENT

There being no further business to come before Commission Chairman Holloway the adjourned the meeting at 7:43 PM.

Chairperson

Date

Attest

Date

DRAFT

MEETING DATE		AGENDA
July 29, 2021		Section: Decisions
Department/Office : Community Development	AGENDA REPORT	Item #: A.
Subject: Petition 2021-03 (SPR) 425 Sybelia Parkway North		
Requested Action or Motion: Approve the site plan with waivers, subject to a condition that the applicant work with DRC to address the remaining technical details required for final DRC approval of the site plan.		
Summary Explanation & Background: The applicant, Gary Jensen, is requesting approval of a proposed site plan with waivers from certain development standards in the Downtown Maitland zone district for the property located at 425 Sybelia Parkway North. The proposal is for development of a two-story structure approximately 17,600 SF in size and off-street parking and landscaping. This site plan was the subject of a community meeting at the Planning and Zoning Commission Meeting of April 1, 2021. The DRC reviewed the site plan on July 14, 2021, and unanimously voted to table action on the Site Plan and to forward the July 14, 2021 DRC Recommendation Report to the Planning and Zoning Commission for action on the site plan and waivers. The recommendation stated that should the P&Z approve the site plan, it should be subject to a condition that the applicant work with DRC to address the remaining technical details required for final DRC approval of the site plan. The DRC's Recommendation report analysis of the proposed waivers, concludes that the criteria for approval of the waivers have been met. The analysis of the site plan review criteria was not finalized pending further refinement of the site plan construction-level details requested from the applicant. The remaining technical details that DRC is requesting are outlined in the REVISIONS section of the DRC recommendation report. The requested revisions include items such as: ▪ A revised and updated geotechnical report; ▪ Refinements to the outdoor plaza layout; ▪ Minor adjustments to the parking spaces and pathway adjacent to the building; ▪ Landscape plan refinements; ▪ Retaining wall construction details; ▪ Clarification of areas of sidewalk grading and replacement; ▪ Justification of driveway turn radii; and location of water and sewer lines. City Staff believes that there is sufficient certainty around the resolution of these technical details that the Planning and Zoning Commission can approve the proposed site plan and associated waivers, with the condition that the applicant submit revised plans to DRC that address the requested revisions. If the revisions are not adequately addressed to the satisfaction of the DRC, the site plan would not be approved. Additionally, if the revisions cause a substantial deviation to the current plan, DRC will recommend the site plan go back to P&Z for approval or denial. <u>P & Z direction to staff and staff review</u>		

At the April 1, 2021 Community Meeting and public hearing, the Planning and Zoning Commission gave direction to staff to consider during their review. Staff implemented the directives in the following ways:

1. Applicant has done due diligence to justify the waivers and the intent of the code. *Following the community meeting, staff solicited and received a much more detailed justification of the waivers from the applicant. It is included with this agenda packet.*
2. If there is potential for roof-top activities, look at noise impacts. *Staff requested clarification from the applicant about who would be allowed to have rooftop access and what sort of potential roof-top activities would be possible. The applicant replied that in subsequent revision, no roof-top access or activity areas were included in the design.*
3. Clarification on mix of uses for the proposed development. Staff requested clarification from the applicant about the specific mix of uses proposed for the site. *The applicant responded that there would be a fitness center, a café/smoothie bar, and 3,400 square feet of separately leased office space. There are no residential uses proposed, and the enclosed garage area was deleted and replaced with five parking spaces.*
4. Examination of traffic and circulation patterns. *The Fire-Rescue and Public Works department reviewed the traffic and circulation patterns and the provided traffic impact statement. The city engineer has requested some clarification regarding sight triangle and turn radii issues with the proposed layout. This must be addressed or justified in subsequent revised plan sets.*
5. Impact on surrounding properties, such as the Montessori school. *Staff considered visual and noise impacts carefully as part of its waiver analysis and found that the proposed uses and orientation of the structure would not have unreasonable impacts on the surrounding properties, particularly compared to a design oriented towards the intersection of E. George Ave. and Sybelia Parkway N., in particular if a three to five-story structure was developed that maximized the floor area ratio allowed to the property in the Declaration of Covenants and Restrictions in place.*
6. Staff analysis on the justification (pros and cons) of development if located along the street versus near the retention pond. *Staff evaluated the waivers based on the code criteria and the justifications provided by the applicant. These are tabulated in the DRC recommendation report.*
7. Does the request meet the intent of the Downtown Maitland (DM) district. *Staff considered this as part of their analysis of each of the waiver requests. Details can be found in that section of the DRC recommendation report.*
8. Whether the proposal is one with the least waivers. *Staff considered and evaluated the applicant's justification for their waiver requests in the context of the evaluation criteria. While its clear that the property could be developed without the use of waivers, staff concurred with the applicant's evidence that the waivers would not have materially negative impact and the the waiver approvals resulted in a superior design than one without waivers.*
9. Impacts on the City lift station. *The public works department evaluated the potential impacts on the City lift station and did not raise any concerns that could not be addressed through construction-level plan revisions.*
10. Consideration of project of waterfront property and noise. *Staff evaluated the proposed site layout for impacts on surrounding properties. The public plaza and public gather places are mostly oriented towards E. Sybelia Parkway rather than towards the retention pond. It is not anticipated that the outdoor exercise area, which are oriented towards the retention pond, will generate an unreasonable amount of noise compared to normal street traffic. The site plan was revised which eliminated rooftop activity areas.*
11. Table comparing waiver (what is required and what is provided). *The staff analysis of the waiver request was provided in a tabular format in the DRC recommendation report. Each waiver request was examined in*

comparison to the strict application of requirements of section 21-25.1(a)(5), intensity and dimensional standards (excluding density and far maximums) or section 21-25.1(b), design and form standards.

Public Comment

The City received three submittals from members of the public regarding this application for site plan approval. They are included in this agenda packet. They are:

1. Minnehaha Road neighborhood petition
2. Maitland Montessori school letter
3. Howard Schieferdecker letter & petition from Maitland residents

Fiscal Impact:

NA

Exhibits:

1. DRC REPORT_2021-03 (SPR) 425 SYBELIA PARKWAY
2. Maitland Fitness ELEVATIONS
3. Site Plan
4. Landscape Plan
5. Truck Turn Plan
6. Applicant's Waiver Evidence
7. PUBLIC COMMENT 1 -- MINNEHAHA ROAD PETITION
8. PUBLIC COMMENT 2 -- MAITLAND MONTESSORI
9. PUBLIC COMMENT 3 -- SCHIEFERDECKER LETTER & PETITION PACKAGE

Commission/Board: Planning and Zoning Commission

Contact Person: Barrett Chaix, Senior Planner 407-539-6213

Reviewed by City Attorney

No

**PETITION # 2021-03 (SPR) 425 SYBELIA PARKWAY
(MAITLAND FITNESS)
DEVELOPMENT REVIEW COMMITTEE
JULY 14, 2021**

APPLICANT:	Gary Jensen; 3920 Edgewater Dr., Orlando, FL 32804
OWNER(S):	Uptown Maitland LLC/David W. Dalton; 1100 W Montana St. Apt 1, Chicago IL 60614
PETITION:	Site Plan Review with waivers from Downtown Maitland district standards
CURRENT USE:	Undeveloped
DISTRICT:	Downtown Maitland
FUTURE LAND USE:	Main Street
LOCATION:	425 Sybelia Parkway North,
PARCEL ID(S):	25-21-29-8833-02-000
ACREAGE:	1.21 acres
ACCESS:	Sybelia Parkway N and E George Avenue.



I. FINDINGS & RECOMMENDATIONS

The Development Review Committee hereby approves/denies PETITION # 2021-03 (SPR) 425 SYBELIA PARKWAY (MAITLAND FITNESS) subject to certain findings and conditions, including all supplementary materials listed below, and determines:

- A. That the proposed development is consistent with the Comprehensive Development Plan and is in compliance with applicable ordinances and regulations; and
- B. That satisfactory provision and arrangement has been made concerning the findings established below.

THE FOLLOWING IS INCLUDED IN THE **APPROVAL/DENIAL**:

1. Petition for Site Plan Review and supplemental materials.

II. PETITION ANALYSIS

Background

The subject property, Lot 2 of Uptown Maitland replat, recorded in 2005, is an undeveloped parcel 1.2 acres in size located at 425 Sybelia Parkway North. The applicant, Gary Jensen, is requesting site plan approval to develop a two-story structure of approximately 17,600 square feet inclusive of a fitness facility and office space. The petition includes the request for waivers from Downtown Maitland District development standards including:

- Building placement and orientation;
- Building width in build-to zone minimums
- Parking lot location; and
- Parking lot landscaping and screening.

The property was subject to the Uptown Maitland East Developer's Agreement [Agreement], recorded in 2003. The agreement was part of the city approval of the development of 93 multi-family residential units and nearly 7,000 square feet of retail/office space on Lot 1 of Uptown Maitland. By 2013, the agreement was nearing expiration and no development had yet occurred on Lot 2. Prior to the expiration, the property owner entered into a "Declaration of Restrictions and Agreement" applicable to Lot 2, which held in place many of the requirements of the agreement. The Declaration of Restrictions and Agreement, recorded in December of 2012 and amended in 2015, established the following restrictions on Uptown Maitland East Lot 2:

- A maximum of three (3) multi-family dwelling units;
- A minimum of 9,732 SF of office/retail space and a maximum of 56,732 SF of office/retail space;
- Buildings are to have a height of 3-5 stories, with a maximum height of 55 ft., plus 25 additional feet for architectural treatments.
- No ground floor setbacks are required;
- Parking is 2 spaces per residential unit and 3 per 1,000 SF for retail/office use; and
- Architectural form and elevations are set in an Exhibit E (showing an elevation consistent with the adopted downtown master plan).

On February 22, 2021, at the request of the applicant, city council, in a 5-0 vote, agreed to amend the declaration of restrictions and agreement to:

- Allow a fitness center, gym (medical and retail as ancillary use, i.e. Physical therapy, smoothie bar, etc.) and restaurant dine-in or take out (instead of only office/retail);
- Allow 1-5 stories to be constructed (instead of 3-5 stories);
- Allow for parking for personal services, gym, or restaurant uses at a maximum of 4.5 spaces per 1,000 g.s.f; and
- Replace the existing architectural form and elevations with the elevations provided in this site plan review.

On April 1, 2021, at the Planning and Zoning Commission meeting, a public hearing was held regarding the applicant's petition for site plan review with waivers, from certain Downtown Maitland development standards. Two members of the public spoke in opposition to the project, and presented a neighborhood petition with 16 signatures opposing the waiver request. The Planning and Zoning Commission gave the following direction to Staff to consider during their review:

1. Applicant has done due diligence to justify the waivers and the intent of the code.
2. If there is potential for roof-top activities, look at noise impacts.
3. Clarification on mix of uses for the proposed development.
4. Examination of traffic and circulation patterns.
5. Impact on surrounding properties, such as the Montessori school.
6. Staff analysis on the justification (pros and cons) of development if located along the street versus near the retention pond.
7. Does the request meet the intent of the Downtown Maitland (DM) district.
8. Whether the proposal is one with least waivers.
9. Impacts on the City lift station.
10. Consideration of project of waterfront property and noise.
11. Table comparing waiver (what is required and what is provided).

Staff considered these issues within the context of the Land Development Code and incorporated them in the following analysis.

SITE PLAN REVIEW ANALYSIS:

The Site Plan review process is detailed in Maitland Code of Ordinances, Chapter 7.5 – Land Development Procedures, ARTICLE X. – SITE PLAN AND PERMITTED CONDITIONAL USE REVIEW PROCESS. An approved site plan approved through this process, is required prior to the issuance of any permits.

Section 7.5-83 (II) (b) establishes the review criteria staff uses to evaluate petitions for Site Plan review. They are:

- 1. Is there consistency with the comprehensive development plan?***
- 2. Is there compliance with compliance with the specific rules and specific criteria governing the Downtown Maitland zone district as applicable?***
- 3. Has satisfactory provision and arrangement been made concerning the following:***

REVIEW CRITERIA	STAFF ANALYSIS
1. Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;	This analysis is pending site plans revisions.
2. Off-street parking and loading areas , where required, with particular attention to the items in 1. Above, and the economic, noise, glare or odor effects on adjoining properties and properties generally in the zoning district;	The off-street parking and loading areas are consistent with the DM district.
3. Refuse and service areas , with particular reference to the items in 1. And 2. above;	This analysis is pending site plans revisions.
4. Utilities , with reference to locations, availability and compatibility;	This analysis is pending site plans revisions.
5. Screening and buffering with reference to type, dimensions, and character;	The landscape plan contains a waiver noted in Waiver #4. Additional modifications are necessary .
6. Signs , if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effects, and compatibility and harmony with properties in the district;	The proposed signage is consistent with the DM district regulations.
7. Required yards and other open space ;	The proposed yard and other open space are consistent with the DM district.
8. General compatibility with adjacent properties and other property in the surrounding area;	The proposed uses and layout are consistent with the DM district standards for adjacent uses.
9. Whether there is compliance with the applicable ordinances and regulations for the proposed development;	This analysis is pending site plans revisions.
10. Whether the proposed development will lower the applicable levels of service below the levels adopted in the city's comprehensive development plan and whether the proposed development is phased to be constructed at a time when the adopted service levels are met;	This analysis is pending site plans revisions.
11. Incentives and development bonuses requested if applicable;	N/A
12. Off-site credits requested if applicable.	N/A

13. Mobility strategies , if applicable, for a transportation concurrency exception area.	N/A
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DOWNTOWN MAITLAND WAIVER ANALYSIS

Waivers from the Downtown Maitland district standards are established in the Downtown Maitland zone district standards. They recognize that because of the individual unique characteristics or circumstances of any given development, flexibility in the application of development requirements may be warranted in certain situations. Waivers from specific standards provided in section 21-25.1(a)(5), Intensity and dimensional standards, and Section 21-25.1(b), Design and form standards, may be specifically requested and delineated by the applicant and submitted to the City as part of the pre-application process. Waivers are reviewed and decided by the DRC or the planning and zoning commission in accordance with the thresholds established in Table 21-25.1(e)(2): Waiver Requirements.

A waiver may be granted if the decision-making body finds that the strict application of requirements of Section 21-25.1(a)(5), intensity and dimensional standards (excluding density and far maximums) or Section 21-25.1(b), design and form standards, is not warranted and that granting a waiver will better achieve the purposes of the DM district and the purposes and intent of the Code of Ordinances, the zoning code, and the Downtown Maitland Zone District Regulations. The decision-making body is allowed to impose reasonable conditions of approval (including visual screening) that ensures reasonable compatibility with the surrounding properties.

The criteria for evaluating waivers are:

- A. The requested waiver is consistent with the CDP and generally consistent with the purpose of these regulations and the Downtown Maitland Master Plan.
- b. 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.
- c. The requested waiver will not have a materially negative impact on adjacent uses, or mitigation is proposed that will address any negative impacts created by the waiver.
- d. The requested waiver will not have a materially negative effect on the public health, safety, and welfare.

Waiver request 1: Sec. 21-25.1. – Downtown Maitland Zone District Regulations. (b) Design and Form Standards (2) Building Placement and Orientation A. Buildings pads shall comply with the required setbacks and public frontage requirements to reinforce street edges along all public rights-of-way. B. Buildings shall orient toward the public right-of-way. C. If a site fronts on more than one public right-of-way, such as a corner or double frontage lot, the development shall be designed to comply with the setbacks and frontage requirements on all rights-of-way. If the community development director determines this is not feasible, the development shall front the public right-of-way which is located on the highest-level street type (e.g., the type I street versus the type II street).

Decision-Making Body: Development Review Committee

Waiver request 2: Sec. 21-25.1. – Downtown Maitland Zone District Regulations. (5) Intensity and dimensional standards; Building width in build-to zone, min. (60 % of lot width).

Decision-Making Body: Planning and Zoning Committee

Analysis: The applicant proposes to orient the primary structure along the existing water feature instead of towards Sybelia Parkway and E. George Avenue.

Waiver Criteria	Staff Analysis
A. The requested waiver is consistent with the CDP and generally consistent with the purpose of these regulations and the Downtown Maitland Master Plan.	The subject property is located in the Main Street Future Land Use designation. The purpose of the Main Street Future Land Use designation is to create a cohesive pedestrian-oriented mixed-use environment that is complementary and compatible with surrounding areas. A central goal of the Main Street designation, Downtown Maitland Zone District Regulations, and the Downtown Maitland Master Plan is for the built environment to provide a safe and interesting place to live, walk, and meet others. The applicant is using the shift in building orientation to provide a plaza with an “active outdoor people area.” The proposed public plaza provides the public an opportunity to gather nearby the existing pond, an informal seating area, trees and landscaping, that transitions into an outdoor dining area for the proposed café, which is an accessory use to the primary use of the fitness center and office uses. This plaza serves the purpose of promoting pedestrian movements by constructing an active use area between the building and the roadway (CDP Chap. 2, Policy 1.1.9) Staff finds that this criteria has been met.
b. 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 states that the slope of the subject property would make design to accommodate pedestrian access to the buildings technically impractical. Locating the building on the steepest sloping sections of the site would require approximately 6 ft of fill under the building, making the facades facing the streets inaccessible other than at the corner. They state that visibility and accessibility will be less appealing to engage pedestrians and provide sight lines into the building compared to the design permitted with the proposed waiver. The applicant states that orienting the building where proposed increases the buffer between it and the single-family residential neighborhood and the existing school on E George Avenue.

	The subject property is adjacent to the wet detention pond and wetland along a historical drainage path to Lake Minnehaha.. This facility receives inflow from the 120.8-acre Howell Creek drainage basin, a Lake Minnehaha sub-basin located along the western shore of Lake Minnehaha. The detention pond is amenatized with walking paths along Sybelia Parkway and a fountain, and the applicant proposes significant landscaping in the detention pond. The proposed waivers for buidling orientation and building width in the build-to zone would allow the applicant to orient the building to the water feature (which is unique in Downtown Maitland). Compliance with the DM standards would compel the site to be designed with on-site parking along much of the water front, which would be an inferior design for this particular site and its location. Staff finds that this criteria has been met.
c. The requested waiver will not have a materially negative impact on adjacent uses, or mitigation is proposed that will address any negative impacts created by the waiver.	As discussed in b. above, the building orientation along the water will increase distance from single-family homes and the school, and therefore reduce negaive impacts as compared to the design without waivers. The orientation with waivers will improve the view of the subject property from the perspective of Uptown Maitland Lot 1 and much of the '400 North' multifamily development to the west, which will have views of the public plaza and building frontage instead of off-street parking. Staff finds this criteria has been met.
d. The requested waiver will not have a materially negative effect on the public health, safety, and welfare.	The applicant states that the building orientation permitted by the waiver request will increase accessiblility and safety of the site for pedestrians and persons with disabilities due to the lower slopes on the overall site. There are no impacts on the number of curb cuts proposed for the project and applicant states that sight lines and overall visibility into the project for drivers, bikers and pedestrians are enhanced with the design allowed with the waivers. Staff finds this criteria has been met.

Based upon the standards above, staff finds that the applicant has/has not justified the request for waivers above and approves/denies waiver request number 1 and recommends approval/denial of waiver request 2.

Waiver 3: Sec. 21-25.1. – Downtown Maitland Zone District Regulations. (b) Design and Form Standards (7) Vehicular Surface Area (Parking Lot) location. A.The placement of a new vehicular surface area (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 parking directly off of a road are prohibited.

Decision-Making Body: Development Review Committee

Analysis: The applicant prooses to place the parking lots at the front of the building, and between the primary façade of the building and the street.

Waiver Criteria	Staff Analysis
A. The requested waiver is consistent with the CDP and generally consistent with the purpose of these regulations and the Downtown Maitland Master Plan.	This waiver request is complementary to the waiver request for buidling orientation above. The overall design does include a functional diversity of land uses and provides a safe and interesting place to walk. Staff finds that this criteria has been met.
b. 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 states that in the design allowed by the waiver, the parking lot is better screened from the public view and that accessibility is greatly increased with lower slopes than on the site overall. Staff finds that this criteria has been met.
c. The requested waiver will not have a materially negative impact on adjacent uses, or mitigation is proposed that will address any negative impacts created by the waiver.	The access to the parking lot is very similar to the existing curb cuts on Sybelian Parkway and unchanged on East George Ave. Visual and noise impacts are mostly unchanged. Staff finds that this criteria has been met.
d. The requested waiver will not have a materially negative effect on the public health, safety, and welfare.	The applicant states that the building location allows direct access from the public right of way for pedestrains and bicyclists to the exterior plaza and main entance, avoiding conflicts with cars except at the existing curb cuts. Staff finds this criteria has been met.

Based upon the standards above, staff finds that the applicant has/has not justified the request for waivers above and approves/denies waiver request number 3.

Waiver 4: Sec. 21-25.1. – Downtown Maitland Zone District Regulations. (b) Design and Form Standards (8) Vehicular Surface Area (Parking Lot) Perimeter Screening. (c)The street wall shall be a minimum of three (3) feet and a maximum of five (5) feet in height. A street wall greater than three (3) feet in height above grade shall consist of no more than fifty (50) percent solid materials. 2. Landscaping. Ground cover, hedges, or shrubs shall be installed on both sides of the wall. On the inside of the wall, trees shall be planted as outlined in section 21-25.1(b)(8)A, Landscape strips between parking aisles, above.

Decision-Making Body: Planning and Zoning Commission.

Analysis: The applicant proposes to place a 44" wall along the street side of the parking lot. Landcaping on the inside of the wall facing the parking lot will have plantings, but the exterior of the wall is proposed for creeping fig on the wall instead of "ground cover, hedges or shrubs".

Waiver Criteria	Staff Analysis
A. The requested waiver is consistent with the CDP and generally consistent with the purpose of these regulations and the Downtown Maitland Master Plan.	The waiver requested is not incompatible with walkability or good urban design and does not conflict with Downtown plans, regulations, or the CDP. Staff finds that this criteria has been met.
b. 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 states that the proposed wall covering is superior in design than on surrounding development and achieves better screening of the parking lot than a lower 3 ft wall. Staff finds this criteria has been met.
c. The requested waiver will not have a materially negative impact on adjacent uses, or mitigation is proposed that will address any negative impacts created by the waiver.	The utilization of a solid wall and greenery on the wall rather than in front of it will not have a materiall negative impact on adjacent uses. Staff finds this criteria has been met.
d. The requested waiver will not have a materially negative effect on the public health, safety, and welfare.	The utilization of a solid wall and greenery on the wall rather than in front of it will not have a materiall negative impact on on the public health, safety, and welfare. Staff finds this criteria has been met.

Based upon the standards above, staff finds that the applicant has/has not justified the request for waivers above and recommends **approval/denial** of waiver request 4.

The items below shall be addressed as follows:

- Condition of Approval
- Revision requested prior to DRC Site Plan recommendation.

CONDITIONS OF APPROVAL

1. All plant material proposed on City property shall be included in a maintenance agreement approved by the City.

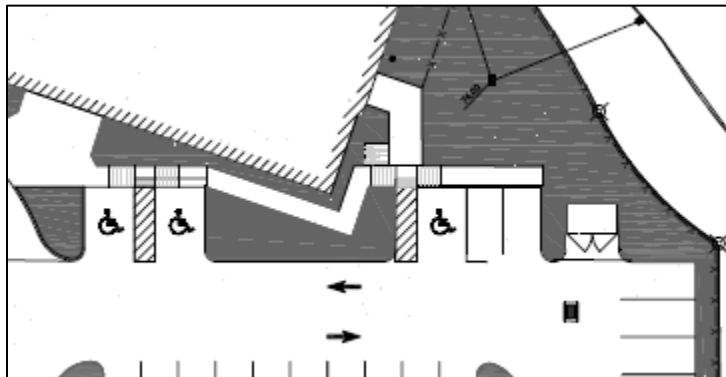
REVISIONS

Planning: (Contact: Barrett Chaix, 407-539-6213)

1. At time of next plan set revision, revise outdoor plaza to match this design:



2. At time of next plan set revision, revise parking lot and sidewalk to match this design:



3. Please provide pole and fixture design proposed for parking lot. Please confirm that the full-cut off lighting is dark-sky compliant. Submit a signed and sealed copy of the photometric plan. **Comment addressed. When submitting the photometric plan, please utilize final site configuration and the plan must be signed and sealed. Please acknowledge the comment. 7/09/21.**

4. Please revise Landscape Plan (Sheet LS-01) to affirm compliance with 21-25.1 (11) Landscaping and Screening A through H.

- Landscape plans must reflect the final site configuration.
- Please list the number of trees and shrubs proposed by type, on the plant legend,
- Please list the number of shrubs per 100 linear feet along the east side of the site.
- As a general statement, please verify that all landscape islands are consistent with Sec 21-25.1 (b)(8) B.

Examples: The middle island, at the south end of the property, has two oaks trees shown. One of the oaks is up against the sidewalk and abutting the street wall. Please address the tree in the context of the island depicted and verify that the island can support the trees consistent with Code requirements.

The island at the western entrance should have 3 palms, but has shifted one of the three palms into the right-of-way. Please address the three palms in relation to the interior island, to verify that the island can support the trees consistent with Code requirements.

- Please verify the width of the planter strip on the east side of the site and that the width is consistent with the code required minimum of 5 feet. Also verify that the proposed trees can be supported in the planter strip provided. If additional area is needed, the City may consider additional planting on the lift station site.
- Please ensure safe sight distances for trees and landscaping at street intersections and driveway ingress/egress locations. (Reference Sec.. 8-9 of the City Code.)

CITY ENGINEER: (Contact: Alyssa Eide 407-875-3693, aeide@itsmymaitland.com)

Cover Sheet

1. Sheet names and order do not match the Plan Set Index. For instance sheet LS-00 is titled "Landscape Notes" on the sheet and "Landscape Plan" in the index; LS-02 is titled "Landscape Details" on the sheet and "Landscape Plan" in the index; and TTP-1 is located before the landscape plans in the index and after those sheets in the plans. Please review all sheets and revise. **Sheet names have not been revised for consistency. Comment Not Addressed. 7.2.21**

Survey Sheet 1 of 1

2. Survey has incorrect names for street names. This is on other sheets as well where the layers are brought over. Correct throughout planset. **Street name has not been corrected on the Photometric plan. Comment Not Addressed. 7.2.21**

C-3

3. Inspection note 2 must be revised. It indicates that inspections are to occur at least once, it should be at least once a week. It also indicates inspections are to occur after a 0.25" rainfall, it should be after a 0.5" rainfall. Please revise. **Note revised, but spelling error. Revise "EVEN" to "EVENT". Comment Not Addressed. 7.2.21**

4. Provide trees that are to remain and trees that are to be removed on this sheet. Provide tree protection detail. **Trees to be saved are not noted on the plan. Tree protection fence was added to LS-00 Sheet. Please label the trees to be saved, show tree protection around tree and note where protection detail can be found in set. Comment Not Addressed. 7.2.21**
5. Provide and delineate existing curbing, on-street parking, ROW detail on this plan set. Include what is being demo'd within the ROW with LF as applicable. **Curbing being demolished has been delineated. In reviewing plan it seems there will be a net reduction on on-street parking. This should be noted on the plan. Noes have been added about sidewalk removal, but the sidewalk to be removed is not clearly identified. A hatch pattern or similar indicator should be used to clearly depict extense of removal. Comment Not Addressed. 7.2.21**

C-4

6. A wall is called out north of the proposed building. No information about the wall is provided. Considering the proximity of the wall and the building a structural analysis of the wall will be required to demonstrate that the wall design considers the loading from the building. **Wall system proposed would have a geogrid material extending below foundation of building and could interact with footer of building. Previous comment regarding structural analysis of wall remains. Note on wall has a typo and should read "Diamond". Comment not addressed. 7.2.21**
7. The parking spaces along the southern and western property lines are directly adjacent to a proposed wall. Provide a dimension from the face of curb to the wall. If less than 2 feet of separation is proposed consider the use of wheel stops. **Dimensions were not shown on plan, so it is not clear if this was addressed. Wheel stops were added to parking spaces along the southern property line but not along the western property line. Please indicate dimension from face of curb to wall. Comment not addressed. 7.2.21**
8. The intent of the note indicating "Existing Street Scape Grey" is not clear. If the sidewalk is existing why is a color being called out? If this is a new sidewalk then the demolition plan should note the removal of the existing sidewalk. Revise note to clarify intent. Clearly call out and show new/replacement sidewalks, include existing locations of decorative stamps and proposed. **It is still not clear what sidewalk is being removed and what is to remain nor is there an explanation of what is meant by "grey" in the streetscape note. Please clarify intent. Comment not addressed. 7.2.21**
9. The survey show existing street lights along the western property line that are not present on the site plan. If these lights are being removed the demolition plan should note the removal. Also, loss of any existing poles will need to be coordinated to ensure street lighting levels are maintained. **Comment Response letter states lights are to remain. There is one street light located between the sidewalk and the proposed wall on Sybelia Parkway. It is not clear if there is room for the light in this area. A note should be used to call out the light and ensure it is either protected or relocated. Comment Not Addressed. 7.2.21**
10. Provide sight triangles in accordance with FDOT green book, in addition clearly call out either on this sheet or a separate detail how many on street parking spaces are removed. **Sight triangles have been provided, but there is no indication how many on-street parking spaces are being removed. Comment not addressed. 7.2.21**

11. Provide minimum 25' right turn radii at proposed access points. Comment response letter is not aligned with what was discussed with staff. Existing driveway not being touched may remain. Proposed driveway must provide minimum right turn radii of 25' or provide a signed and sealed letter from the Engineer of Record providing why the smaller radii is acceptable and what standards were used for design. Comment not addressed. 7.2.21
12. Provide crosswalks in accordance with FDOT index, provide callout in accordance with such. This shall be Special Emphasis. Comment not addressed. 7.2.21
13. Call out new/replacement curbing and type of new/replacement curbing. Not all curbing seems to be identified. For example, the demolition plan calls out removal of a landscape island north of the proposed access on Sybelia and the site plan shows new curb in this area, but the type is not identified. Review plan and ensure all new curbing is identified. Comment not addressed. 7.2.21
14. The relocation of the driveway along Sybelia Parkway will require existing "F" curb to be removed and replaced with dropped "F" curb. Call out and show on the plan the locations of new/replacement curb. The drop curb has been identified, but as indicated above not all new curb has been identified. Comment not addressed. 7.2.21

C-5

15. Review sidewalk grading at driveways. It is likely that ramps will be required. No new information has been provided. The ROW is showing what appears to be raised curb yet there is no ramp identified. Review sidewalk connections at driveway and provide ramps and grading spots as needed to show grading intent. In addition the grading on the north side of the Sybelia entrance indicates a change in grade of 0.9 feet across the sidewalk. This does not meet ADA requirements. Comment not addressed 7.2.21
16. The sidewalk along the south side of the building is shown as having a ramp at the ADA space yet appears to be flush with pavement everywhere else. Provide additional grading information to show grading intent in this area. The site and grading plan do not provide enough information to understand what is proposed. Add notes to call out type of curbs. Add spot shots that depict any change in grade at a curb. As shown, the entire sidewalk appears flush with the driveway. Comment not addressed. 7.2.21
17. How will the roof of the building be drained? Because of proposed wall, the drainage in this area needs to be clearly shown. Response indicates that downspouts will be collected and routed to the storm system. This needs to be identified on the plan. Comment not addressed 7.2.21
18. The wall along the western and southern property line is directly adjacent to the existing sidewalk. It is not clear if the sidewalk is intended to be removed and reconstructed, but this will be required in the vicinity of the wall. Please revise and clarify. Based on the change in grade from the sidewalk to the parking lot seems like a retaining wall would be required in these areas. If a retaining wall is not proposed provide a cross section to show how the

improvements will fit within this area. If a retaining wall is required it is likely that the existing sidewalk will be impacted and need to be rebuilt. Comment not addressed. 7.2.21

19. The wall mentioned in the comment above appears to not only be a retaining wall but also a screen wall based on the note on Sheet C-4. Please provide a detail of this wall and a cross section through this area. **As noted above a cross section and a detail of the wall needs to be provided. Comment not addressed. 7.2.21**
20. Provide additional grading information at the SW corner of the building where it is adjacent to the sidewalk. It seems that a stem wall may be needed, but it is not clear without additional spot elevations. **No additional information was provided. The sidewalk in this area seems to be at least 1.2 feet below the finish floor elevation. Additional information is needed to understand how the transition in grade will be handled in the limited area available. Comment not addressed. 7.2.21**

C-6

21. There is a proposed water tee on the west side of the property. Can you please verify if there is an existing valve that can isolate this area and callout/label this. **An isolation valve is shown on the revised sheet C-6, but it is not clear if this is an existing valve or proposed. Please clarify. Comment not addressed 7.2.21**
22. The sanitary line seems to conflict with the storm line. Provide crossing information on the plan to show lines can cross without conflict and with adequate separation. **Crossing information not provided. Comment not addressed. 7.2.21**
23. Notes indicate that a fire hydrant is required but a hydrant is not shown on the plan. Revise plan to show required hydrant. **Fire Flow will need to be confirmed and that locations all meet distance requirements. EOR will need to provide confirmation of this at next stage. Informational Comment Only 7.2.21**
24. Verify location of sanitary stub out and depth of stub out. If stub out is not verified, coordination and details to connect to the existing manhole will need to be provided. **Comment has not been addressed and plan has removed note about connection to stub out. Revise plan to address comment. Comment not addressed. 7.2.21**

C-7

25. Clearing and Erosion Control Note 13 suggests using straw or mulch at construction entrances. This is not an acceptable BMP for a construction entrance. A construction entrance detail should be provided within the plan set. **Note has been revised to reference detail but still indicates that straw or mulch can be used at the construction entrance. Please revise to remove reference to straw or mulch at entrance. Comment not addressed. 7.2.21**
26. Paving and Grading Note 8 is no longer accurate and should reference FDOT Standard Plans for Road and Bridge Construction. **Note has been revised but now includes a typo. "PLASN" should be "PLANS" comment not addressed 7.2.21**

C-8

27. The Asphalt Pavement Section detail indicates 8" of subbase are required. The geotechnical report calls for 12" of subbase. Revise detail to meet geotechnical report requirements.
Response indicates that a revised geotechnical report is to be provided, but one has not been provided. Detail needs to be revised or a new geotechnical recommendation provided.
Comment not addressed. 7.2.21
28. The Concrete Pavement Section detail indicates 12" of subbase are required. The geotechnical report calls for 18" of subbase. Revise detail to meet geotechnical report requirements.
Response indicates that a revised geotechnical report is to be provided, but one has not been provided. Detail needs to be revised or a new geotechnical recommendation provided.
Comment not addressed. 7.2.21
29. The geotechnical report recommends a heavy duty pavement section for driveways. Driveway pavement section should be revised. Response indicates that a revised geotechnical report is to be provided, but one has not been provided. Detail needs to be revised or a new geotechnical recommendation provided. Comment not addressed. 7.2.21

C-10

30. The Valve Box Pad detail indicates that O.C.U. should be included on the Identification Disk. Detail should be revised as these will not be OCU owned. Detail was removed altogether. That was not the comment. Revise Valve Box Pad detail to reference City of Maitland. Comment not addressed. 7.2.21
31. The OCU general notes need to be revised to remove references to OCU. OCU is referenced in notes. OCU is to be replaced with City of Maitland. Comment not addressed. 7.2.21

LS-01

32. Provide sight triangle in accordance with FDOT green book, including at driveway access points and the intersection of George and Sybelia. Sight triangle not called out per FDOT Greenbook. Comment not addressed. 7.2.21

Level of Service Calculations

33. Orange County water and sewer generation rates should be used for the residential units. An ERC (water) should be 350 GPD and an ERU (sewer) should be 300 GPD. Response is indicated as noted, but revised calculations were not provided. Comment not addressed. 7.2.21

Traffic Impact Statement

Additional Comments

34. Plans do not rev cloud any changes throughout the plan set. Comment response letter did not provide proper responses to provide where edited changes occurred and specifics as to what was done. Resubmittal was not sufficient for full review. 7.2.21
35. Sheet LS-00 – Tree protection detail shall include information on how the area will be signed to prohibit storage and harmful activity within the tree barrier.
36. Sheet LS-00 – Landscape Notes number 11 states, "ALL TREES SHALL HAVE SIX FEET (6') CLEAR TRUNK UNLESS OTHERWISE SPECIFIED". Sheet LS-01 show a Magnolia proposed in the sight

triangle at the exit onto George Avenue. This tree will need to meet FDOT requirements for visibility and have a clear trunk 8.5' above both pavements.

Police: (Contact: Louis Grindle, 407-875-2810)

37. Please explain if the development contains multiple or various residential/business suites that any main entrance/exit points have a key pad entry system (not a FOB key access), allowing entry into facility in event of emergency without use of keys. **Noted by applicant in comment response letter.**

Building Department: (Contact: Andrew Frame, 407-539-6151)

38. The contractor will be required to apply for and obtain any and all permits required for the proposed work.



Maitland Fitness

425 Sybelia Parkway Maitland Florida

R. Miller *R. Miller*
ARCHITECTURE, INC.

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LEASE SPACE

ELEV.

ROOF
TOP

STAIR

MAITLAND
FITNESS
OFFICES

STAIR

Maitland Fitness
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17-92

400 NORTH

SYBELIA PARKWAY

PARK

PLAZA

17,000 SF
2 STORY BUILDING

STORMWATER POND BUFFER

SINGLE FAMILY RESIDENTIAL

PUBLIX

MONTESSORI SCHOOL

LIFT STATION

N

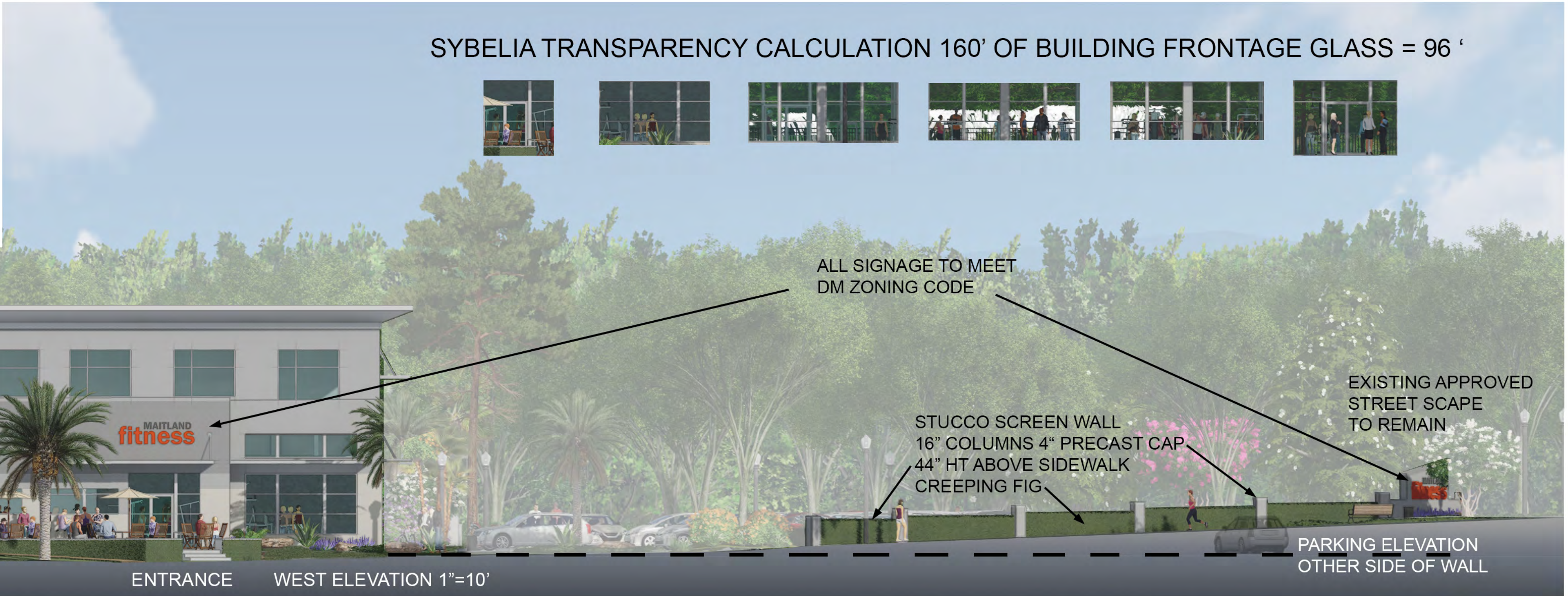
SITE 1"=30'

© 2021 R. Miller Architecture Inc.	PROJECT:
	DATE: 6-7-21
	DRAWN BY: DWM
	CHECKED BY: RDM
	TITLE :
SCALE:AS NOTED	
SHEET:	
SITE	
CONCEPT	

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Maitland Fitness
425 Sybelia Pkwy
Maitland, FL 32751

REV	DATE	REVISION



MASONRY BUILDINGS WITH STUCCO FINISH, GLAZING LOW E INSULATED STOREFRONT SYSTEM & SUNSCREEN CANOPY ALUMINUM

SYBELIA PKWY AND GEORGE AVE PARKING SCREEN WALL TYP.

REV	DATE	REVISION

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RMillerArchitecture.com

Maitland Fitness

425 Sybelia Pkwy
Maitland, FL 32751

PROJECT:	DATE: 6-7-2021
DRAWN BY: DWM	CHECKED BY: RDM
TITLE:	ELEVATIONS
SCALE: AS NOTED	SIGNAGE
SHEET:	A-1.0



* PROVIDED TURBIDITY BARRIER LOCATED IN WATER WHEN THE PLANTING OF THE SLOPE TO THE WATERS EDGE IS OCCURRING

* BEWARE OF BURIED POWER LINES IN THIS AREA RUN FROM THE LIFT STATION TO THE AERATION SYSTEM ON THE WATERS EDGE OF THE RETENTION POND

Contractor to contact Sunshine 811 (1-800-432-4770) at least 2 full days before beginning any excavation or demolition to allow all utilities to mark their facilities and respond to the Positive Response System. Contractors are required to comply with FS 556, the Underground Facility Damage Prevention and Safety Act. Notifying gas and oil pipeline companies was removed from the Florida Statutes in 2005 and has been wrapped into FS 556.



SCALE: 1" = 20'-0"

1200 HILLCREST ST., STE 305 ■ ORLANDO, FL ■ 32803
WWW.INNOVATIONS-DESIGN.COM ■ 407-440-3574

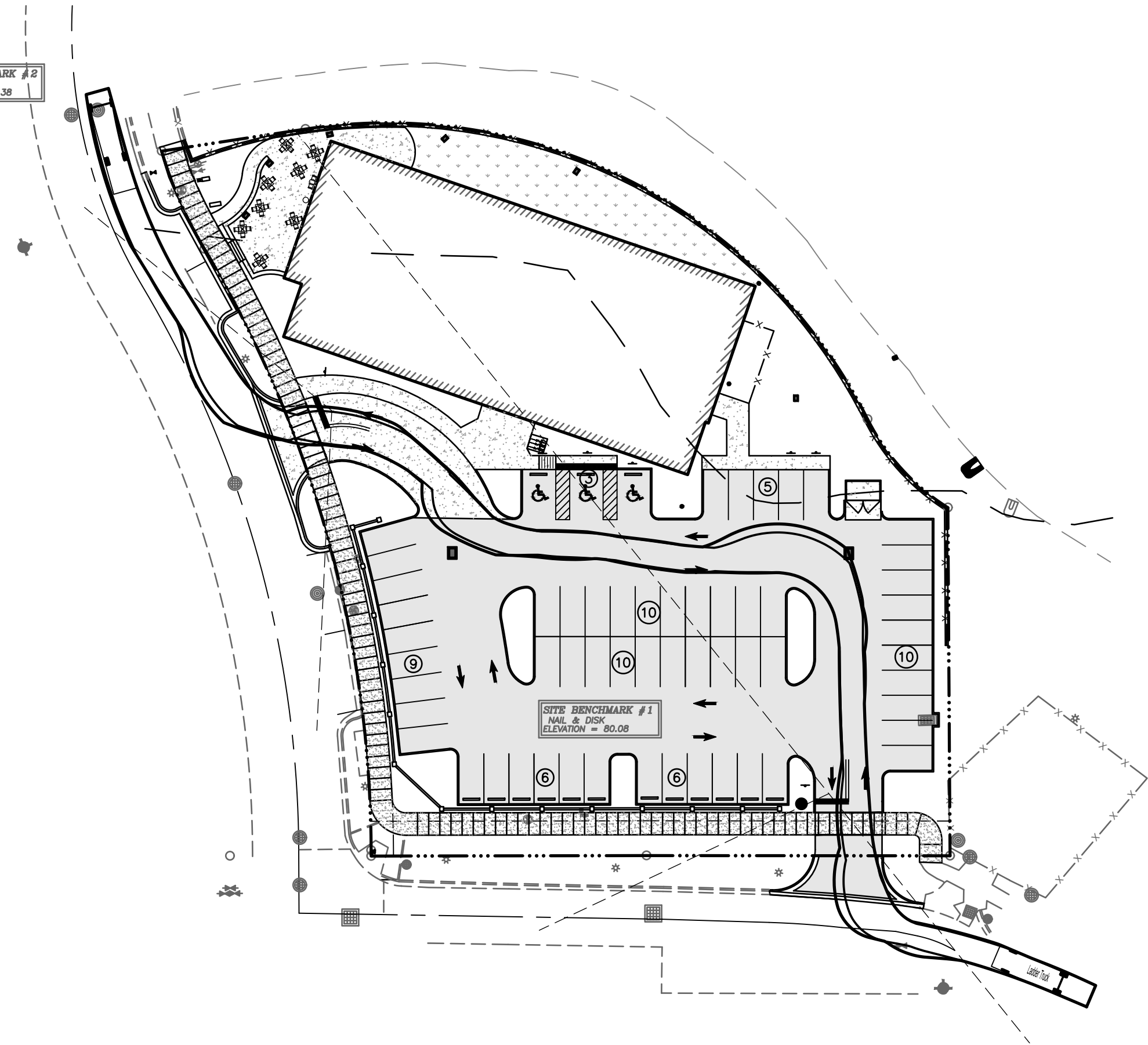
Maitland, FLORIDA

PERMIT LANDSCAPE PLAN

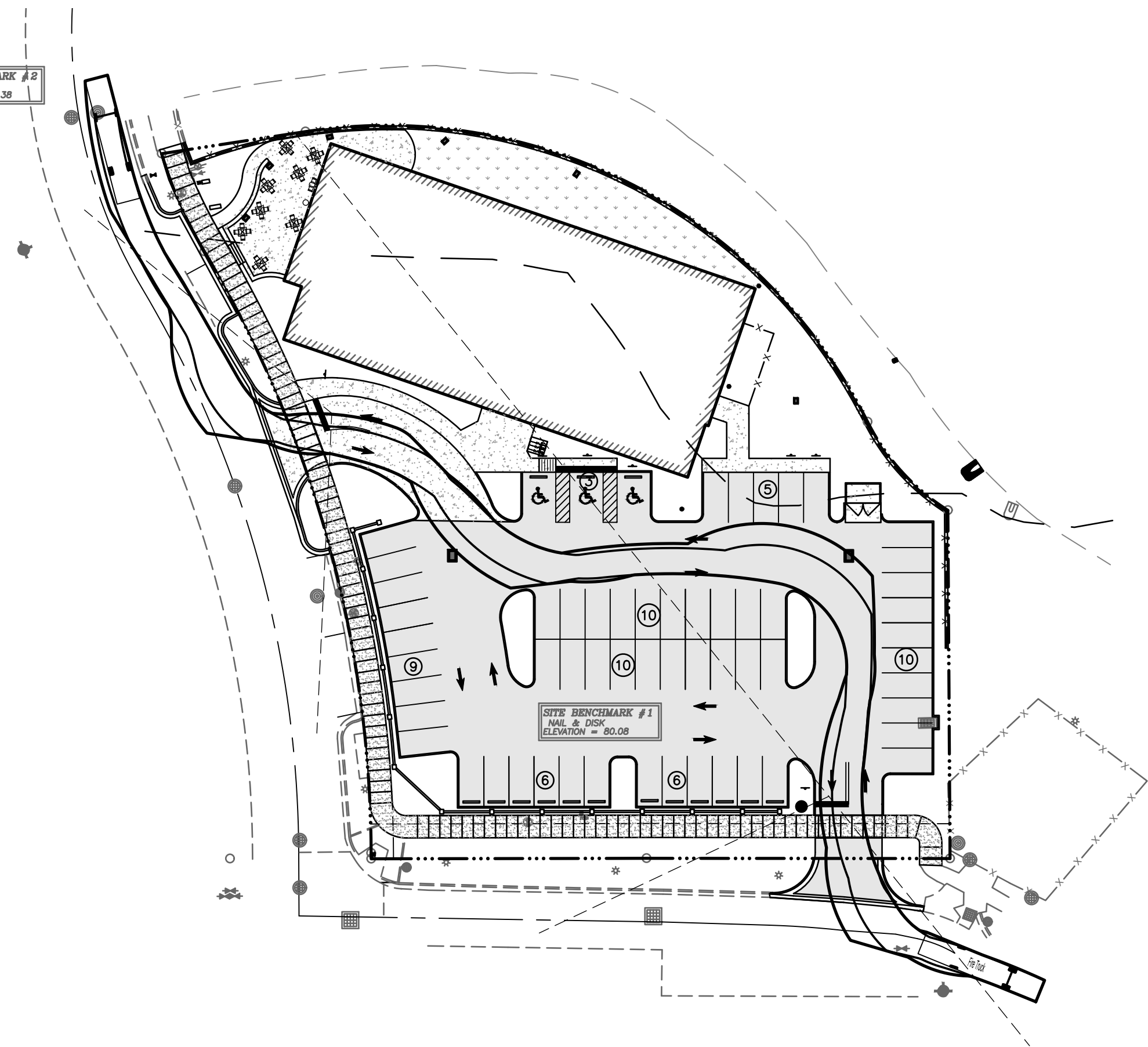
Date: 03/02/2021	Scale: SEE PLAN
Drawn By: RR	Designed By: RR
Approved By: MM	Project No: 21017
©Innovations Design Group, Inc.	

LS-01

SITE BENCHMARK #2
NAIL & DISC
ELEVATION = 74.38

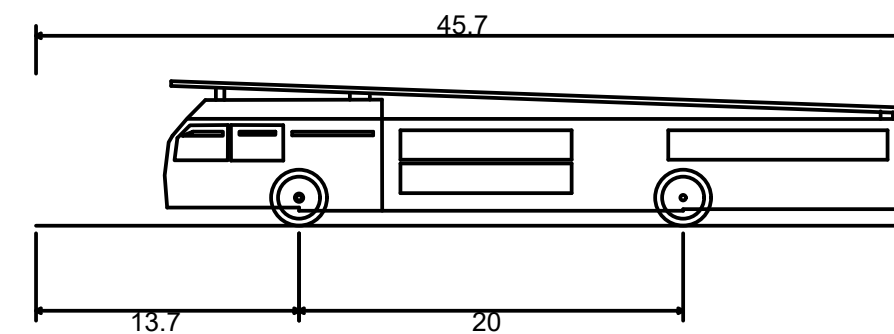
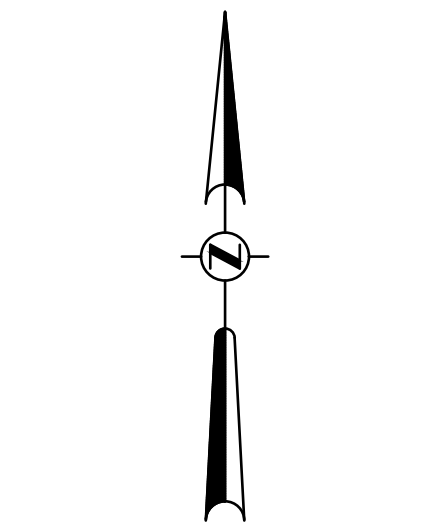


SITE BENCHMARK #2
NAIL & DISC
ELEVATION = 74.38



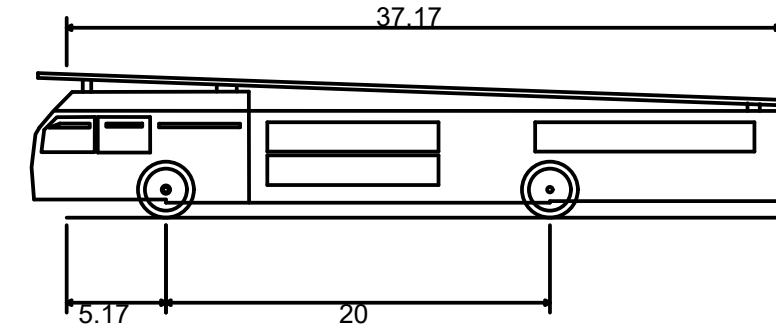
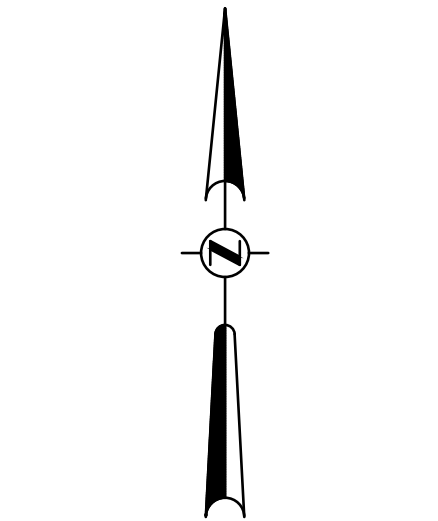
SITE BENCHMARK #1
NAIL & DISC
ELEVATION = 80.08

0' 40' 80'
SCALE: 1" = 40'



Fire Truck
Overall Length 45.700ft
Overall Width 8.330ft
Overall Body Height 7.529ft
Min Body Ground Clearance 0.779ft
Track Width 8.330ft
Lock-to-lock time 6.00s
Wall to Wall Turning Radius 40.000ft

0' 40' 80'
SCALE: 1" = 40'



Ladder Truck
Overall Length 37.170ft
Overall Width 8.330ft
Overall Body Height 7.529ft
Min Body Ground Clearance 0.779ft
Track Width 8.330ft
Lock-to-lock time 6.00s
Curb to Curb Turning Radius 25.000ft

PROJECT
NAME

MAITLAND FITNESS
425 SYBELIA PKWY, MAITLAND, FL

SHEET
NAME

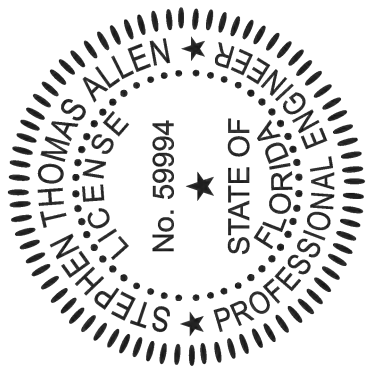
TRUCK TURN PLAN

SHEET NO.
TTP-1

J5 PROPERTIES 8650, LLC

CivilCorp Engineering, Inc.
630 N Wymore Rd, Ste 310
Maitland, FL 32751
Phone 407-516-0437
Certificate of Authorization No. 29390

CivilCorp
Engineering, Inc.



Stephen Allen, PE # 59994
Engineer FL Reg No

Revisions		Project No.		Scale	
#	Date	Description	Drawn By	Date	
1	06/07/21	REVISED PER CITY COMMENTS	EG	066-005	1"=40'
2					
3					
4					

Project No.		Scale	
066-005	1"=40'	02/02/2021	

Waiver Request: Granting the proposed waivers better achieves the purposes of the DM District and the purposes and intent of this LDC

WAIVERS 1, 2, 3: (2) Building Placement and Orientation

A. Building pads shall comply with the required setbacks and public frontage requirements to reinforce street edges along all public rights-of-way.

B. Buildings shall orient toward the public rights-of-way.

C. If a site fronts on more than one public right-of-way, such as a corner or double frontage lot, the development shall be designed to comply with the setbacks and frontage requirements on all rights-of-way. If the Community Development Director determines this is not feasible, the development shall front the public right-of-way which is located on the highest-level street type (e.g. the Type I street vs. the Type II street).

Justification: Not Feasible to comply with code but the waivers achieve the purpose and intent, (See DM Zoning plan and elevation study). The views from driving and walking along Sybelia parkway will be of the building and active outdoor people areas instead of surface parking lots, walls, or a parking structure. This building location allows direct access from the public right of way for pedestrians and bicyclists to the exterior plaza and main entrance. Accessibility from an ADA (Americans with Disabilities Act) perspective of the site is greatly increased with lower slopes on the overall site.

The block length minimum per code is 300 feet. This length is not met along either street but is significantly less along George Ave (230' length with 8' dedicated easement to city for sidewalk along Sybelia and 15' sidewalk, landscape and utility easement provided along George Ave). The intersection of Sybelia and George is a highpoint of the site with the steepest slopes along this area of the roads. Both streets have significant fall away from the intersection (buildings finish floor will be significantly above grade as you travel north on Sybelia Parkway (6.0' above grade) and West on George Ave. (4.0' above grade) with limited pedestrian access to opposite sides of the building. Visibility and accessibility will be less appealing to engage pedestrians and provide sight lines into the facility. George Ave is not a desirable frontage even though it is designated as a type II road. Fronting George Ave would face the development on a dead-end low traffic section of the street. Montessori School has requested the building not be located directly across the street from their playground and parking lot. The property is also irregular in shape which would cause the building to be built in a non-conventional alignment between building frontages. This section of building would also cause building to be brought closer to the single-family residential neighborhood. Locating along Sybelia

Parkway is preferred since it qualified as a type II street also 2-Lane City Collector also a sidewalk /Trail and Bicycle Facilities see attached comp plan documents. The site has an address of 425 Sybelia Parkway.

WAIVER 4: (3) Buildings shall comply with the building width within the build-to zone requirements. [Building width in build-to zone min. (% of lot width): 60%]

Justification: Locating the building on the steepest sloping sections of the site will require approximately 6' of fill under the building. There is no ability to manipulate the grade with a set of existing streets that have been constructed consistent with the Downtown Maitland Master Plan and previous Developers Agreement. The facades facing Sybelia Parkway and George Ave will be non-accessible other than at the corner of George and Sybelia, opposite of the facility parking lot, which is much less desirable than the preferred Waiver Plan. The façade facing the regional pond is a primary view of the facility from the public right of way and consistent with the original Uptown Maitland East design.

WAIVER 5: (7) Vehicular Surface Area (Parking Lot) Location

A. The placement of a new vehicular surface area (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...are prohibited.

Justification: In the Waiver Plan parking is better screened from the public view and the residential neighborhood to the east. The parking is consistent with the surrounding development at 400 North and Publix (as seen in the attached plan). Parking is located to the side of the building and not in front of the building. The unique site topography allows the vehicles to be recessed below the grade of the surrounding streets and public ways to better screen the vehicles (see Waiver Plan Elevation). The views from driving and walking along Sybelia parkway will be of the building and active outdoor people areas instead of surface parking lots, walls, or a parking structure. This building location allows direct access from the public right of way for pedestrians and bicyclists to the exterior plaza and main entrance. Accessibility from an ADA (Americans with Disabilities Act) perspective the site accessibility is greatly increased with lower slopes on the overall site.

WAIVER 6: (8) Vehicular Surface Area (Parking Lot) Landscaping and Screening

C. Vehicular Surface Area (Parking Lot) Perimeter Screening

2. Landscaping. Ground cover, hedges, or shrubs shall be installed on both sides of the wall. On the inside of the wall, trees shall be planted as outlined in Sec. 21-25.1(B)(8)A, Landscape Strips Between Parking Aisles, above.

Justification: In the Waiver Plan parking is better screened from the public view and the residential neighborhood to the east. The parking screen wall is consistent with the surrounding development at 400 North and Publix (as seen in the attached plan). Maitland Fitness proposed parking screen wall has the advantage of the grade in the sloped portion of the site being recessed screening the entire height of a typical vehicle. Parking screen wall is 44" along the street side which acts as a guard rail for the parking lot side wall height of approximately 6 feet. See elevation study on Waiver Plan. Plantings along interior of walls are consistent with code and the exterior is 1' greenspace for the establishment of creeping fig on the masonry wall (surrounding development at 400 north and Publix has no planting on street side). See attached picture.

WAIVER 8: Floor Area Ratio (FAR) from the DM zoning minimum of .4 (21,083 sf minimum structure size)

Justification: Applicant is requesting to lower the minimum FAR consistent with the terms of the Declaration of Restrictions and lower the intensity of the project as a transition between Downtown Maitland Zoning and the residential neighborhood to the east.

Maitland Comprehensive Plan Quotes:

The 2035 CDP results in a framework that places a greater emphasis on active lifestyles, cultural resources, and access to urban amenities (even if residents do not actually live in the downtown).

Quality of Life – a recognition that an enhanced quality of life is essential to attract visitors and residents to the City. To that end, Council supports programs, services and activities that enhance recreation facilities and amenities that allow Maitland to “Come Together”.

The purpose of the Main Street land use designation on the Future Land Use Map is to create a cohesive pedestrian-oriented mixed-use environment that is complementary and compatible

with surrounding neighborhoods. The City shall encourage a concentrated mix of uses including cultural, government, office, commercial, and multifamily residential activities to create a gathering place for the community and focal point for the City. The City shall include heightened design requirements in the LDC to ensure the designation provides a functional diversity of land uses and provides a safe and interesting place to live, walk, and meet others. The Main Street designation shall remain sensitive to the needs of adjacent neighborhoods. By requiring developments to step down in density and intensity as they approach surrounding land use designations to promote compatibility and in accordance with a code update.

POLICY 1.1.9: The City will promote pedestrian movements within the Main Street land use designation by encouraging the design, construction and connectivity of active use areas between buildings and the roadways.

STANDARD 1.1.9.1: Provide active use areas including but not limited to pedestrian plazas, courtyards, sidewalk gathering and seating areas, public art or similar.

STANDARD 1.1.9.2: Provide a range and diversity of features, oriented to the pedestrian, interconnecting key features of building entrances, and sidewalks/multimodal connections.

STANDARD 1.1.9.3: Provide specific emphasis in the LDC on the pedestrian experience within the core downtown area

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Link Downtown to the Community
Make Pedestrians a Priority
Connect Public Spaces and Cultural Amenities
Create a Park Once Environment

POLICY 1.1.12: Within the LDC, the City shall promote ground floor non-residential uses which are comprised primarily of retail and service uses to promote this area as the mixed-use center for the City, and direct the development and redevelopment away from strip development.

OBJECTIVE 1.4: The City's preferred development strategy provides a framework which leads to investments, maximizes economic development, encourages walkable centers, and protects existing neighborhoods.

POLICY 1.4.1: The City shall ensure that new development and redevelopment is particularly sensitive to established neighborhoods and their residents.

POLICY 1.4.6: The City will encourage infill development and redevelopment on vacant land and underutilized properties.

OBJECTIVE 1.1. The City shall continue to address mobility throughout the City through a multi-modal transportation system that includes walking, bicycling, transit (bus and rail), and roadways.

POLICY 1.3.3: Encourage bicycle travel by ensuring that adequate bicycle parking facilities and related amenities are in place at various “activity centers” and in other newly developing areas throughout the MPA.

STANDARD 1.3.3.1: Once the review of development regulations is complete, City staff shall ensure that all proposed developments in the MPA adequately consider pedestrians and bicyclists and that plans for the development include ties into the bicycle path system and transit facilities.

OBJECTIVE 1.6: Provide or require the provision of adequate parking and traffic flow design to mitigate over-flow parking problems for public and private facilities while not requiring an oversupply of parking.

POLICY 1.6.1: Adequate parking and traffic flow design must be provided by new development within the City.

WAIVER REQUEST

SYBELIA PARKWAY ELEVATION

Waiver Plan

Pros

- Plaza on Sybelia Parkway engages the street
- Development is inviting to pedestrians and cyclists
- Attractive waterfront patio amenity
- Building on level portion of site
- Ideal ADA access
- Cars hidden from street view, the pond, residential and R.O.W.
- Parking provides interior circulation loop
- Efficient use of an irregular urban site
- Excellent public view to building interior
- Benefits alternate approved uses ie. Restaurant

Cons

- Must move curb cut on Sybelia

VIEW OF INTERIOR AND EXTERIOR ACTIVITY ZONES

VEHICULAR ACCESS AT FRONT DOOR

CONSISTENT WITH SURROUNDING DEVELOPMENT

MONTESSORI SCHOOL
IN FAVOR OF BUILDING PLACEMENT

SITE 1"=30'

PROJECT NAME	SHEET NAME	SHEET NO. C-1	J5 PROPERTIES 8650, LLC		CivilCorp Engineering, Inc. 600 N Wymore Rd, Ste 310 Maitland, FL 32751 Phone 407-516-0437 Certificate of Authorization No. 20390	
			No. 59994		Stephen Allen, PE # 59994 Engineer	
			FL Reg No		FL Reg No	
Maitland Fitness 425 Sybelia Pkwy, Maitland, FL			Waiver Site Plan			

RE: LOT 2, UPTOWN MAITLAND- Site Plan variance request

I, the undersigned, am a resident of Maitland and my home is located on Minnehaha Road, immediately adjacent to the above project. I have reviewed the site plan and variances/waivers requested for (1) building placement and orientation, (2) building along frontage, (3) vehicular surface area (parking lot location) and (4) vehicular surface area landscaping and screening.

The current Maitland Downtown District zoning requirements promote thoughtful urban planning and development while respecting compatibility, uses, and design, as well as preserving the security and property values of the adjacent residential development; they are the standards and protections on which we relied on when we chose to live in Maitland and on our street.

All adjacent development to this project is consistent with the Maitland Downtown District zoning requirements- the Publix, Publix outparcel building, Montessori school and Uptown Maitland. To allow this project to proceed in an alternate form of development due to self-induced conditions is not justified. Accordingly, I object to the variances/waivers requested and ask the City Council to deny the variances/waivers and require the project be built in accordance with the Maitland Downtown District zoning requirements, with the placement of the building along Sybelia Parkway, parking lot in the rear behind the building and the appropriate landscaping and screening.

Name Michelle Kemeret Address 541 Minnehaha Rd Signature [Signature]

Name Ori Nagai Address 521 Minnehaha Signature [Signature]

Name Barbara Meyers Address 540 Minnehaha Rd Signature [Signature]

* Name Lauren Webber Address 331 Minnehaha Rd. Signature [Signature]

Name SILVIA KURAJA Address 401 Minnehaha Rd. Signature [Signature]

* Name ANDREW SMITH Address 341 Minnehaha Rd Signature [Signature]

Name BNO PRZECZE Address 370 Minnehaha Signature [Signature]

* Name Suzanne Bryskin Address 334 Minnehaha Signature [Signature]
W. Gromag 419 Minnehaha Rd. W. Gromag

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Name Dale Buonauro Address 520 Minnehaha Rd Signature DALE BUONAURO

Name Kris Buonauro Address 520 Minnehaha Rd Signature Kris

Name Dianna Bate Address 330 Minnehaha Rd Signature Dianna Bate

Name Wayne Baten Address 330 MINNEHA RD Signature Wayne Baten

Name Heidi Address 600 Minnehaha Rd Signature CHLaney

Name Ellen Jacobs Address 608 Minnehaha Ln Signature Ellen Jacobs

Name David Jacobs Address 608 Minnehaha Ln Signature David Jacobs

Name _____ Address _____ Signature _____

Maitland Preschool/Kindergarten
Maitland Elementary/Middle

Dear City of Maitland Planning and Zoning Department,

This letter is in support of the proposed development on the corner of Sybelia Parkway and George Ave. The Maitland Fitness Center proposed by Gary Jensen.

Although the current regulation of the city requires that new construction be built closer to the road, we are in favor of the adjustment to that rule for this location. We feel that the proposed design takes advantage of the sloping topography, positioning the building at a lower elevation and closer to the retention pond that runs along Sybelia Parkway. With the elevation drop, the parking lot will be less visible from the road. Using the existing approved street scape and landscaping along George will give the illusion of a more open space.

The intersection of George Ave. and Sybelia Parkway is visibly congested with Publix and the new apartment building and setting the new construction further back will help in not compounding that issue. We also feel that the school's, and hopefully the fitness center's being placed near the lake, will act as a lower rise transition to the residential area to the east of the retention pond. The proposed installation of trees and additional landscaping will help to decrease the new fitness center's visibility.

This method, or at least a variation of it, was used successfully at another location in Maitland. We are referencing the corner of Lake Lily and 17/92, The Moorings on Lake Maitland. The landscaping and the position of the buildings, helps disguise the fact that there are 2 six story buildings and another 4 story building on property. None of which can really be seen from the road.

As the small business most impacted by this development, we appreciate the opportunity to give our opinion. In conclusion, we support the application for the building to be placed near the lake and the parking to be closer to the intersection.

If you have any questions, please let us know.

Thank you,



Muriel Owens
Co-Owner / Director



Adele Fondo
Co-Owner / Director

Maitland Planning and Zoning Commission (P&Z) 7/29/21
1800 Independence Lane
Maitland, FL 32751

Re: 425 Sybelia Parkway Proposed Development

Dear P&Z Members:

Below is a list of the reasons why I support the development of the above referenced project:

1. This is a water front property and the proposed design of the project reflects that, maximizing the view with the building facing the picturesque pond and fountains creating the best building orientation for the site. The parking layout is designed in relation to the building orientation and functions well with easy access to and from Sybelia Parkway and George Street. If vehicle parking was oriented towards the pond, it would not be buffered by the building and would create more noise across the water. Additionally, parking is proposed below the existing grade at George Street and Sybelia Parkway and is partially screened at street level from view by landscaped privacy retaining walls.
2. The building is only two stories (32 feet) in height. This is significantly less than the maximum height allowed by the City of Maitland code for this site which is up to 5 stories. It is also less than the maximum height of 35 feet that is allowed by the City of Maitland code for the adjacent single-family homes to the east.
3. There is existing thick vegetation to the east of the site creating a natural privacy and noise buffer for all but two of the 35 single family residents in that neighborhood which includes my home.
4. The project is located in a separate neighborhood from the single family residents to the east with access only by bicyclists or pedestrians maintaining privacy with no increase in noise from vehicular traffic.
5. There are approximately 1,200 regular and senior apartment units along 17-92 as well as 35 single family homes to the east that are all within walking distance of this property. Based on a study done back in 2015, one of the top priorities for our Maitland residents was walkability of our city which this project promotes. This would positively impact the property values of the surrounding residences.
6. Developing good projects like this increases our city's tax base helping to keep property taxes down for our Maitland residents. This proposed project is in the downtown CRA which generates additional tax revenue for the city from Orange County when the property is developed.

As outlined above, with the site being so unique to the downtown area along with other positive factors, waivers for building orientation and placement, parking, landscaping and screening are appropriate to allow the developer to create the best possible project for the site. This new proposed project would be a real asset to downtown Maitland. Please vote to approve this project.

Thank you for your consideration,

Howard Schieferdecker
606 Minnehaha Lane
Maitland, Florida 32751

Maitland Preschool /Kindergarten
Maitland Elementary/Middle

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If you have any questions, please let us know.

Thank you,



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Co-Owner / Director



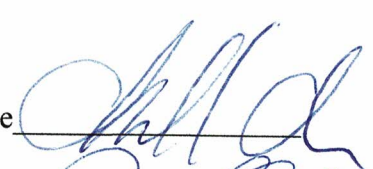
Adele Fondo
Co-Owner / Director

Planning and Zoning Hearing: Lot 2 Uptown Maitland

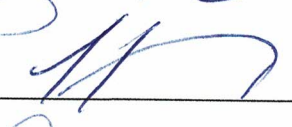
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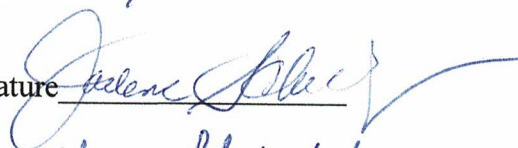
I, the undersigned, am a property owner and resident of Maitland. I have reviewed the site plan and four waivers requested by the developer. I believe that this site is unique to the downtown Maitland area and presents special opportunities that enhance the potential of this project and needs to be treated as such.

The site fronts on a pond with fountains and does not face or is seen from 17-92 which most of the other sites in the Maitland Downtown Zoning District do. It affords a number of benefits to the city as outlined in a letter by Howard Schieferdecker, a property owner and resident of Maitland. He resides to the immediate east of this project at 606 Minnehaha Lane. I have reviewed his letter a copy of which has been given to you. Accordingly, I am in full support of granting these four requested waivers by the developer and ask the Maitland Planning and Zoning Commission to approve this project.

Name BUTCH CHARLAN Address 201 W. HORATIO AVE Signature 

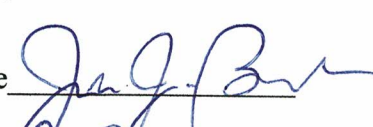
Name REDEE STEIN ~~CHARLAN~~ Address 201 W. HORATIO Signature 
CHARLAN
HOWARD

Name SCHIEFERDECKER Address 606 MINNEHAHA LANE Signature 

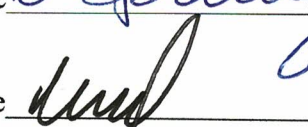
Name Joelene Schieferdecker Address 606 Minnehaha Lane Signature 

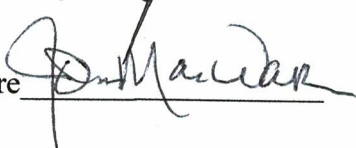
Name Howe Schieferdecker Address 606 Minnehaha Lane Signature 

Name J Denille Browne Address 1951 Mohican Trail Signature 

Name James J. Brown Address 1951 Mohican Trl Signature 

Name DARLAS SPRUNG Address 650 Manor Rd. Signature 

Name DAVID KOURA Address 2091 GERMANTHAIL Signature 

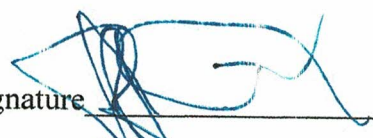
Name Tonnie Mae WARREN Address 160 W. TROTTERS DR Signature 

Planning and Zoning Hearing: Lot 2 Uptown Maitland

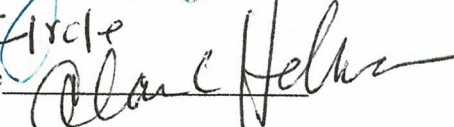
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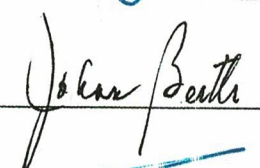
Name Jeff Flowers Address 117 Whitecaps Cir Signature 

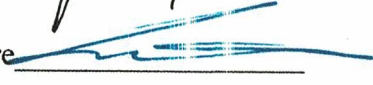
Name June Flowers Address 117 Whitecaps Cir Signature 

Name Alan C. Helman Address 816 Brightwater Circle Signature 

Name Lew Earle, DTS Address 630 S. LK. SYBELIA Signature Lew Earle DTS

Name DAVID EARLE Address 170 S. LK. SYBELIA Signature 

Name Jo Ann Bentti Address 1771 Chinook Signature 

Name GUS BOBES JR Address 621 DOMMERICH DRIVE Signature 

Name Kim Bobes Address 601 Dommerich Drive Signature Kim Bobes

Name Ed Hampden Address 604 S. LK. SYBELIA Signature Ed Hampden

Name Barbara Hampden Address 604 S. Lake Sybelia Signature B. C. Hampden

Planning and Zoning Hearing: Lot 2 Uptown Maitland

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Name Mary Johnson Address 931 Camelot Rd Signature Mary Johnson

Name Dore Johnson Address 931 Camelot Rd Signature E. Johnson

Name Megan Cooper Address 1031 McHawk Tr Signature Megan Cooper

Name Whitney Lorch Address 2012 Mohican Trl Signature W. Lorch

Name Stephen Lorch Address 2012 Mohican Trl Signature Stephen Lorch

Name Will Bussey Address 2006 Adicant Tr Signature Will Bussey

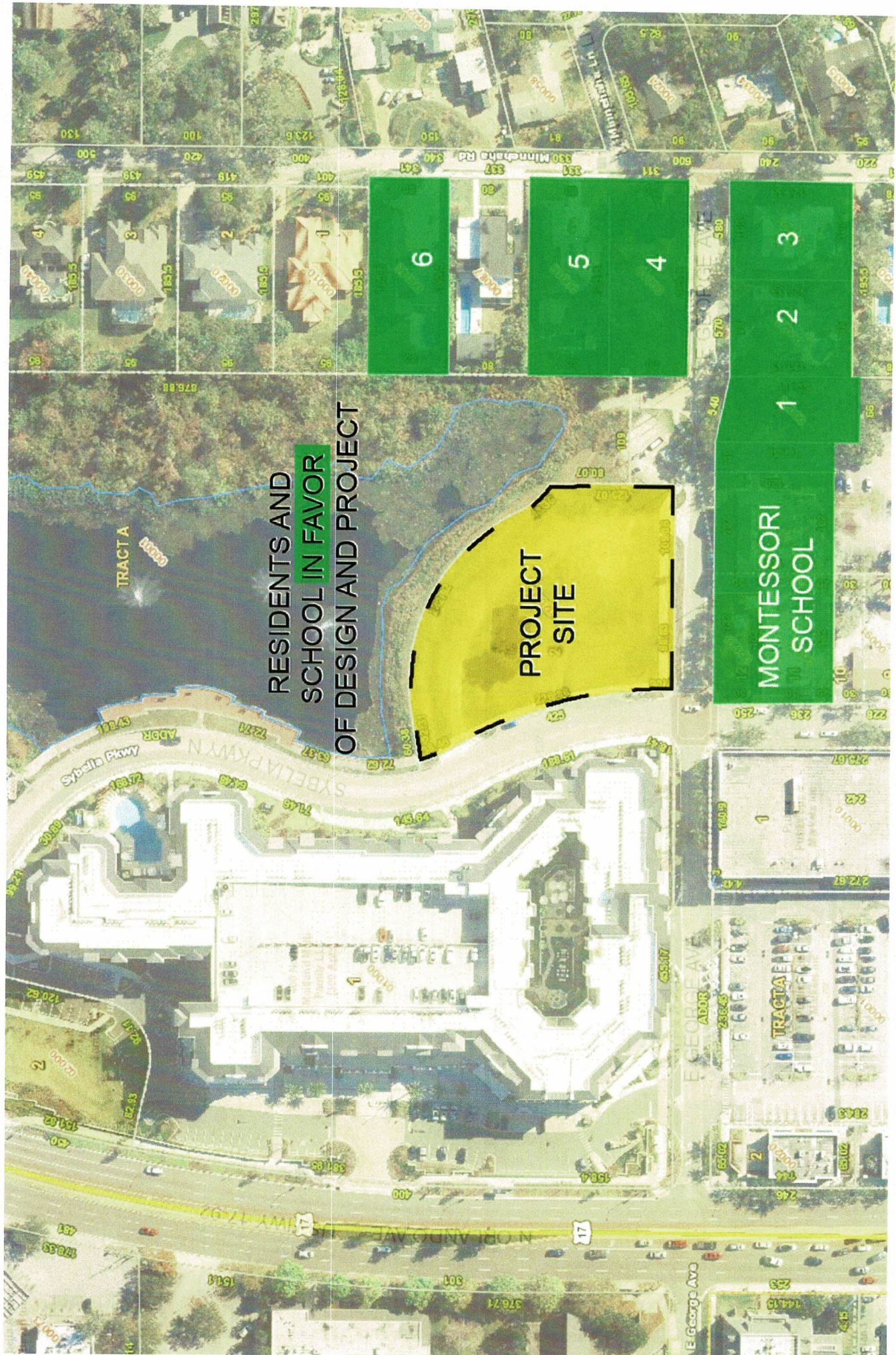
Name Jim Panico Address 725 W Lake Sybelia Signature James Panico

Name Lex Schmidt Address 211 Te/mo/du/lu Signature Lex Schmidt

Name IVAN VALDES Address 1240 TRUST Ln Signature Ivan Valdes
Maitland FL 32751

Name Kimberly Valdes Address 1240 TRUST Ln Signature Kimberly Valdes
Maitland FL 32751
1121 Charming St.

Name Ashley N. Valdes Address Maitland FL 32751 Signature Ashley Valdes



RESIDENTS AND
SCHOOL IN FAVOR
OF DESIGN AND PROJECT



OUR PHILOSOPHY IS BASED AROUND THE 4 PILLARS OF FITNESS AND HEALTH: TRAINING, NUTRITION, RECOVERY AND ACCOUNTABILITY.

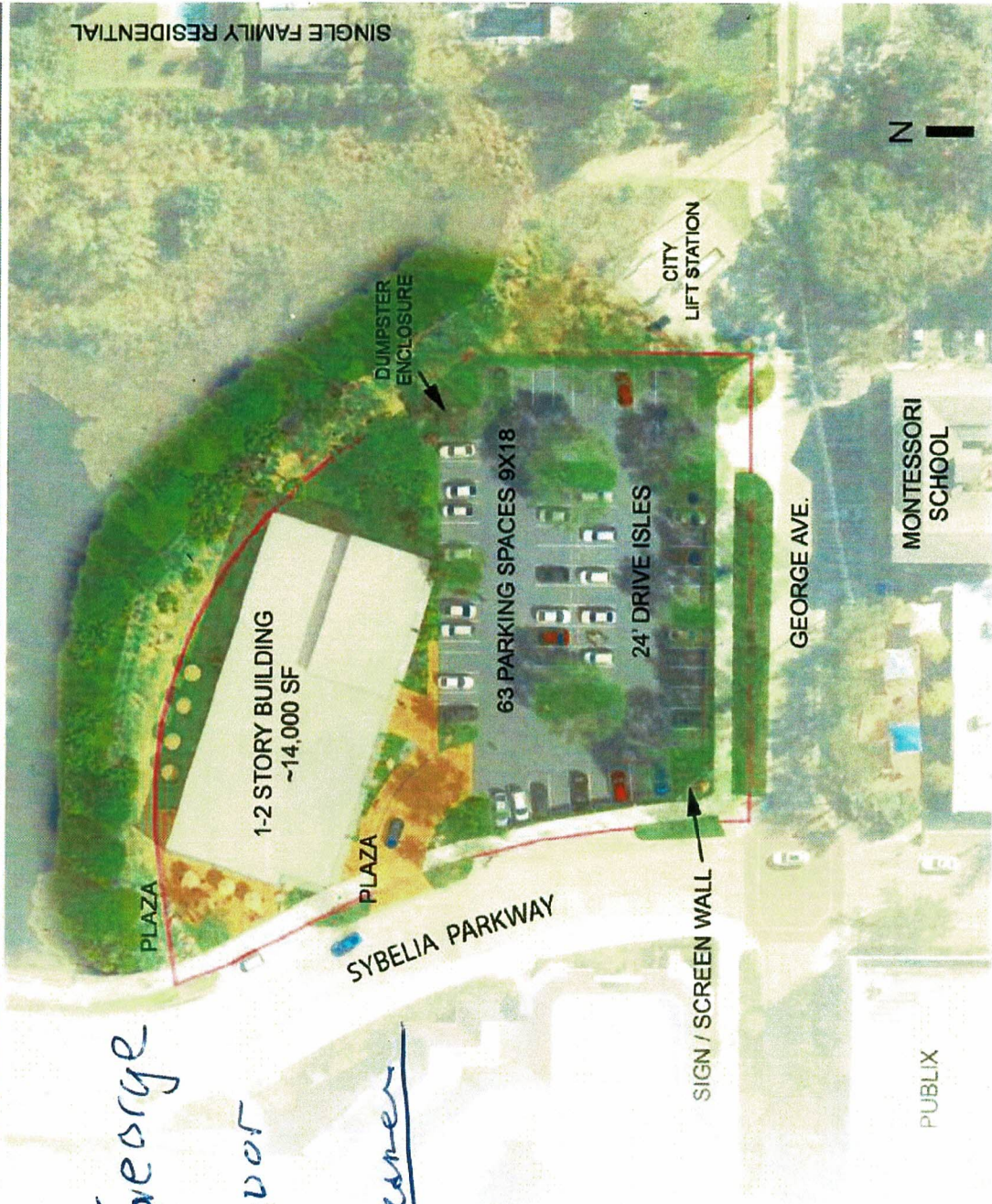
TRAINING: WE PROVIDE SMALL GROUPS SEMI-PRIVATE TRAINING AND COVER ALL ASPECTS OF TRAINING BY OFFERING OUR 3 MAIN CLASSES: STRENGTH, CONDITIONING, AND DURABILITY.

NUTRITION: ALL MEMBERS GET A BASIC NUTRITIONAL PLAN, WITH THE INTENT TO EDUCATE YOU TO CHOOSE HEALTHIER FOOD, PORTION SIZE, MEAL PREP GUIDE, AND RECIPES. WE ALSO PROVIDE NUTRITIONAL CONSULTATION WITH OUR ON-SITE NUTRITIONIST.

RECOVERY: ALL MEMBERS HAVE UNLIMITED ACCESS TO OUR RECOVERY TOOLS SUCH AS THE INFRARED SAUNA, COLD AND HOT PLUNGE, AND COMPRESSION BOOTS. WE ALSO OFFER ACCESS TO OUR ON-SITE PHYSICAL THERAPIST, CHIROPRACTOR, MASSAGE THERAPIST, AND STRETCH THERAPIST.

ACCOUNTABILITY: FINALLY WE OFFER MEMBERS ACCOUNTABILITY WITH MONTHLY 1-ON-1 MEETINGS WITH YOUR ASSIGNED COACH. THESE MEETINGS ARE CRUCIAL TO KEEP YOU ON TRACK TOWARDS YOUR GOALS AND WILL DETERMINE YOUR SUCCESS.

540 George
In Favor
M Turner





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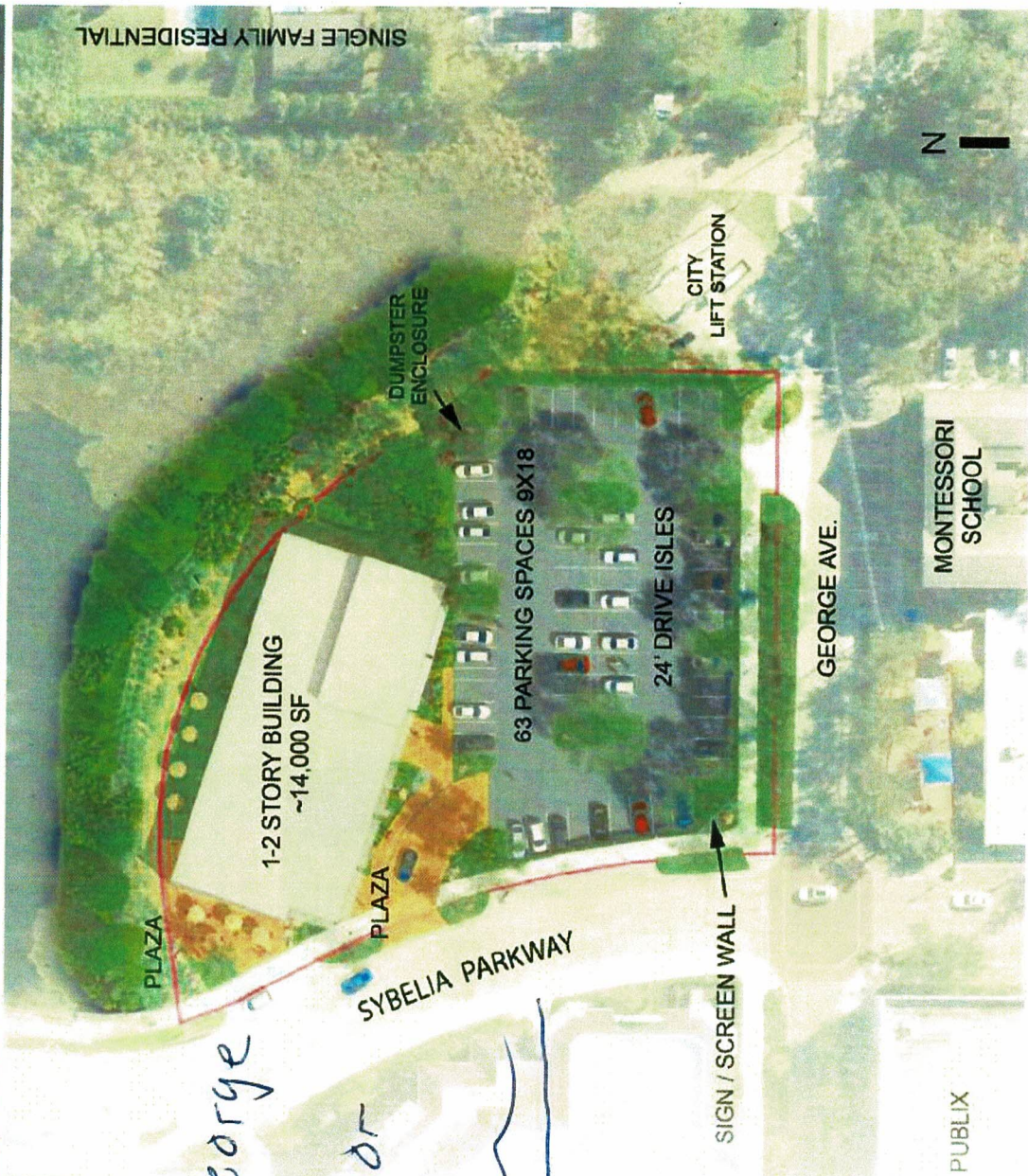
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570 George

In Favor

[Signature]





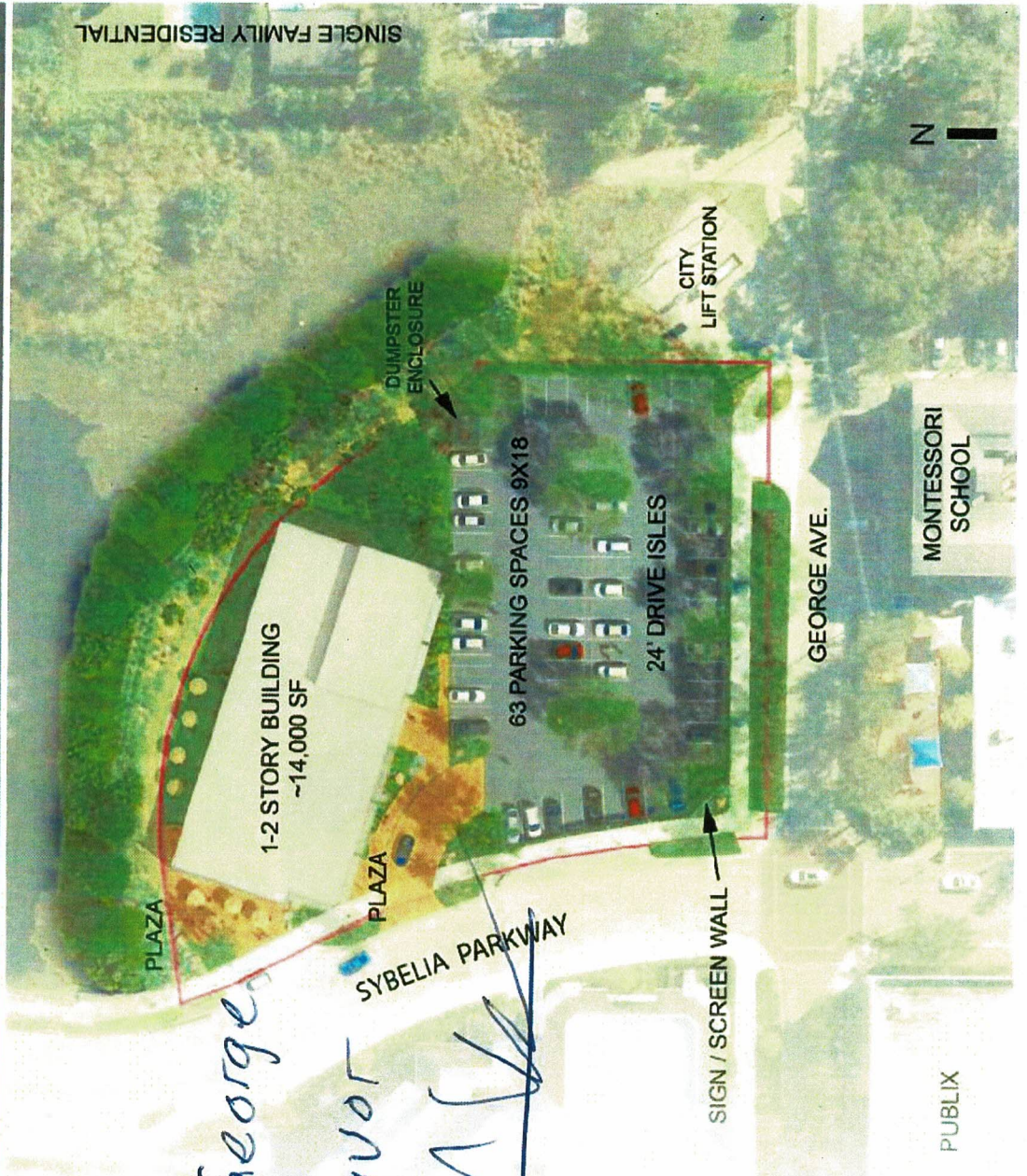
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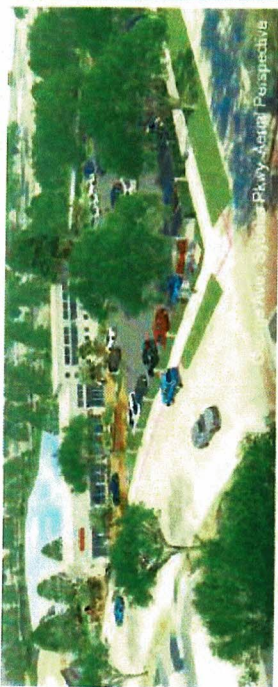
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580 George

In Favor

X DM



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SINGLE FAMILY RESIDENTIAL



Aerial, Scenic, Play, Design Perspective



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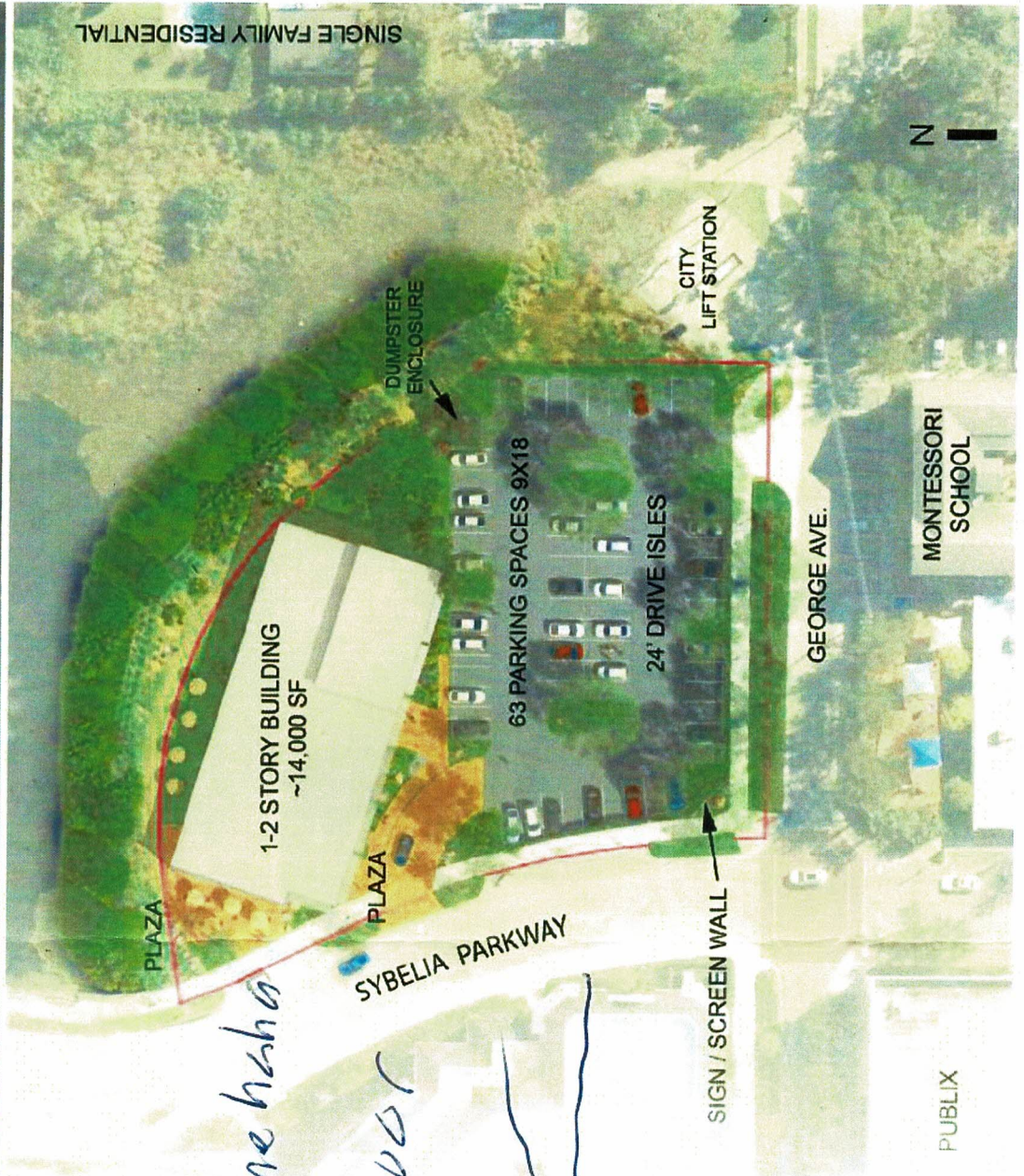
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331 Minnesota

In Favor



PUBLIX

MONTESSORI SCHOOL

GEORGE AVE.

SIGN / SCREEN WALL

24' DRIVE ISLES

63 PARKING SPACES 9X18

SYBELIA PARKWAY

PLAZA

1-2 STORY BUILDING
~14,000 SF

PLAZA

DUMPSTER ENCLOSURE

CITY LIFT STATION

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OUR PHILOSOPHY IS BASED AROUND THE 4 PILLARS OF FITNESS AND HEALTH: TRAINING, NUTRITION, RECOVERY AND ACCOUNTABILITY.

TRAINING: WE PROVIDE SMALL GROUPS SEMI-PRIVATE TRAINING AND COVER ALL ASPECTS OF TRAINING BY OFFERING OUR 3 MAIN CLASSES: STRENGTH, CONDITIONING, AND DURABILITY.

NUTRITION: ALL MEMBERS GET A BASIC NUTRITIONAL PLAN, WITH THE INTENT TO EDUCATE YOU TO CHOOSE HEALTHIER FOOD, PORTION SIZE, MEAL PREP GUIDE, AND RECIPES. WE ALSO PROVIDE NUTRITIONAL CONSULTATION WITH OUR ON-SITE NUTRITIONIST.

RECOVERY: ALL MEMBERS HAVE UNLIMITED ACCESS TO OUR RECOVERY TOOLS SUCH AS THE INFRARED SAUNA, COLD AND HOT PLUNGE, AND COMPRESSION BOOTS. WE ALSO OFFER ACCESS TO OUR ON-SITE PHYSICAL THERAPIST, CHIROPRACTOR, MASSAGE THERAPIST, AND STRETCH THERAPIST.

ACCOUNTABILITY: FINALLY WE OFFER MEMBERS ACCOUNTABILITY WITH MONTHLY 1-ON-1 MEETINGS WITH YOUR ASSIGNED COACH. THESE MEETINGS ARE CRUCIAL TO KEEP YOU ON TRACK TOWARDS YOUR GOALS AND WILL DETERMINE YOUR SUCCESS.

