



# MUNICIPAL PLANNING BOARD

AGENDA □ November 17, 2009

## MEETING INFORMATION

### *Location*

#### **City Council Chambers**

2nd Floor, City Hall  
One City Commons  
400 South Orange Avenue

### *Time*

8:30 A.M.

### *Board Members*

David Bass, Chairman

Maureen Damiani, Vice  
Chairman

Dean Asher

Barbara Alderman

Mickey Barkett

Corina Castillo-Johnson

Christopher Gardner

Gregory D. Lee

Scott Martin

Billy Newton

Myra Monreal

Andrew DeCandis (Non-  
voting)

### **WELCOME!**

We are glad you have joined us for today's meeting. The Municipal Planning Board (MPB) is an advisory board to City Council comprised of citizen members who voluntarily and without compensation devote their time and talents to a variety of zoning and land development issues in the community. All MPB recommendations are subject to final action by City Council. We anticipate the minutes of today's meeting will be presented at the City Council meeting on **MONDAY, DECEMBER 14, 2009** for approval of recommended actions. Any person desiring to appeal a recommended action of the Board should observe the notice regarding appeals below. CAUTION: Untimely filing by any appellant shall result in an automatic denial of the appeal.

### **GENERAL RULES OF ORDER**

The Board is pleased to hear all non-repetitive comments. However, since a general time limit of five (5) minutes is allotted to the proponents/opponents of an issue, large groups are asked to name a spokesperson. If you wish to appear before the Board, please fill out an Appearance Request/Lobbyist Registration Form and give it to the Recording Secretary. When the Chairman recognizes you, state your name and address and speak directly into the microphone. ROBERT'S RULES OF ORDER govern the conduct of the meeting. Persons with disabilities needing assistance to participate in any of these proceedings should contact the MPB Recording Secretary at (407) 246-3365 at least 24 hours in advance of the meeting.

### **LOCAL PLANNING AGENCY**

When acting on items identified with the letters "GMP," the Board is acting in its capacity as the local planning agency, pursuant to and in accordance with Section 163.3174, Florida Statutes.

### **APPEALS**

Items identified with "\*" are Legislative matters (policy setting actions) and are to be conducted according to standard public hearing procedures. Appeals of \* items must be filed with the City Clerk's office before 5:00 P.M., **MONDAY, NOVEMBER 23, 2009** to schedule an appearance before City Council on **DECEMBER 14, 2009** in Accordance with Chapter 2, Article XXIV, of the City Code.

Items identified with "\*\*\*" are quasi-judicial matters (implementing actions) and are to be conducted subject to the Florida Supreme Court ruling in Board of County Commissioners of Brevard County v. Snyder. The Board's decision must be supported by "competent substantial evidence." Persons dissatisfied with a board recommendation in such matters may be entitled to a de novo (new) hearing before an independent Hearing Officer in accordance with the provisions of Chapter 2, Article XXXII, of the City Code. A request for a new hearing (appeal) with respect to a "\*\*\*" item must be filed with the Municipal Planning Board Recording Secretary by 5:00 P.M., **TUESDAY, NOVEMBER 24, 2009**. There is a \$250 fee for this appeal. The MPB Recording Secretary is located in the City Planning Division on the sixth floor of City Hall.

Any person who desires to appeal any decision at this meeting will need a record of the proceedings and for this purpose may need to ensure that a verbatim record of the proceedings is made that includes the testimony and evidence upon which the appeal is made. Thank you for participating in your government and making Orlando truly "The City Beautiful."

## OPENING SESSION

- Determination of a Quorum
- Call to Order
- Pledge of Allegiance
- Consideration of October 20, 2009 Minutes

## NEW BUSINESS

## CONSENT AGENDA

### 1. SAFETY COUNCIL DRIVING SCHOOL

|                  |   |
|------------------|---|
| Applicant:       | Walter Carpenter, Trace Investment Co., for United Safety Council, 824 Highland Ave., Orlando, FL 32803 |
| Owner:           | Charles Evans, Evans Groves, Inc. & West of Eden, LLP, 824 Highland Ave., Orlando, FL 32803             |
| Location:        | 1505 E. Colonial Dr. (north side of E. Colonial Dr., west of N. Fern Creek Ave.) (1.51 acres)           |
| District:        | 4   |
| Project Planner: | Jim Burnett (407-246-3609, James.Burnett@cityoforlando.net)   |

**CUP2009-00016\*\*** Conditional Use Permit to establish a driving school under an existing PD/T zoning district.

*Recommended Action: Approval of the Conditional Use Permit subject to the conditions listed in the staff report.*

### 2. MILLENNIA ELEMENTARY SCHOOL

|                  |  |
|------------------|--|
| Applicant:       | Tyrone Smith, Orange County Public Schools, 445 W. Amelia Street, Orlando, Florida (32801)   |
| Owner:           | The School Board of Orange County, 445 W. Amelia Street, Orlando, Florida (32801)  |
| Location:        | The property is generally located north-west of Vineland Road, west of Radebaugh Way and east of Cypress Creek Boulevard. It is addressed as 5301 Cypress Creek Blvd (±12.30 acres). |
| District:        | 4  |
| Project Planner: | Mary-Stewart Droege (407-246-3276, Mary.Droege@cityoforlando.net)  |

**GMP2009-00030\*** A. GMP amendment to change the future land use designation from Residential Low Intensity to Public, Recreational, & Institutional; and

**ZON2009-00020\*\***

B. Rezone from H and R-3B to P for an existing public school.

*Recommended Action: Approval of the GMP amendment and rezoning subject to conditions contained in the staff report.*

**3. EDGEWATER HIGH SCHOOL**

Applicant: Tyrone Smith, Orange County Public Schools, 445 W. Amelia Street, Orlando, Florida (32801)

Owner: The School Board of Orange County, 445 W. Amelia Street, Orlando, Florida (32801)

District: 3

Project Planner: Colandra Jones (407-246-3415, Colandra.Jones@cityoforlando.net)

**GMP2009-00031\***

GMP amendment to change the future land use designation from Residential Low Intensity, Residential Medium Intensity, and community Activity Center to Public/Recreational/Institutional.

*Recommended Action: Deferred by staff to December 15, 2009 MPB meeting.*

**REGULAR AGENDA**

**4. 1000 LEGION PLACE (GATEWAY CENTER)**

Applicant: Michael J. Grindstaff, Shutts & Bowen LLP, 300 S. Orange Ave., Suite 1000, Orlando, FL 32801

Owner: PKY FUND ORLANDO I LLC, 188 E. Capitol St., Suite 1000, Jackson, MS 39201

District: 3

Project Planner: Mark Cechman

**LDC2009-00167\*\***

Appeal of the Planning Official's Determination in response to a Letter of Determination dated August 27, 2009 regarding proposed high-rise signs for Gateway Center.

*Recommended Action: Support the Planning Official's Determination*

**OTHER BUSINESS**

**ANNOUNCEMENTS**

**ADJOURNMENT**