

Date: December 1, 2021

To: Sandy Riffle, Deputy City Clerk

From: Nelson Lerma, CNBM Investments

Re: 5645 Hansel Ave. Response to Comments

Dear Mrs. Riffle,

The comments from the city planner, civil engineer, and landscape architect have been reviewed for the above referenced project. The three attachments show the responses to the comments. The accepted comments are in yellow, and the rejected comments are in red.

Should you have any questions regarding the information provided in this submittal, please let me know.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Nelson Lerma". The signature is written in black ink and is positioned above the printed name.

Nelson Lerma

CNBM Investments

Ellen S. Hardgrove, AICP, Planning Consultant, Inc.

Date: November 18, 2021

To: Brett Solazzo, Administrative Assistant

From: Ellen Hardgrove, City Planning Consultant

XC: Sandy Riffle, Deputy City Clerk

Bea Meeks, City Clerk

Allen Lane, CPH Engineering, City Engineering Consultant

Jim Winter, CPH Engineering, City Landscape Architect Consultant

Re: Review of Mecatos Site Plan Submittal

The comments below reflect a review of the Mecatos site plan and waiver application. They are divided into General Code Requirements and ECD Requirements. Based on the extent of these comments as well as the comments of the City's Engineer and Landscape Architect, it would be beneficial to delay the public hearing until the plans are revised and resubmitted.

A less than optimal, but still available option, is the applicant can present a list of acceptable changes that will be made prior to City Council's hearing; with that list presented to P&Z at the December meeting. If the applicant chooses this option, the deadline for the acceptable changes to be submitted to City Hall is **November 29th at noon.** The applicant's response should address each of staff's comment. For example,

- Sheet C-002 will be submitted by X date.
- Sheet C-100 will be changed to reflect the correct zoning: Edgewood Central District.

The noted deadline will allow time to finalize a report that will be sent to P&Z. Failure to meet that deadline will result in a staff recommendation to table the agenda item until January at the earliest.

GENERAL CODE REQUIREMENTS

Sheet C-000 dated October 25, 2021

This sheet references sheet C-002 (Existing Conditions) in the Index of Sheets. This sheet is not part of the submittal. **Action Needed: Submit Sheet C-002 (Accepted)**

Zoning is incorrectly identified: The zoning is Edgewood Central District. This is not a "Special District," it is the zone. **Action Needed: replace the identified C-1 zoning with Edgewood Central District; and eliminate "Special District." (Accepted)**

Parking is calculated based on a 2309 gross square foot (GSF) building. Sheet C-101 identifies the GSF as "approx." 2309. Approximately is not acceptable. Architectural plan drafts submitted before the formal application identified a 50 x 48.25 dimensioned building, which totals 2412.5 GSF. **Action Needed: Submit the Architectural Floor Plan as part of this application package and provide consistency of building square footage. (Accepted)**

Per ECD, the front setback is a maximum; i.e., it is a build-to line. **Action Needed: Change the sheet to indicate the build to line not minimum front setback and add a note stating that “the 62 feet front setback is allowed per Code Section 134-474(c) Expansion of Existing Buildings.” (Accepted)**

The rear and side setbacks are also identified incorrectly. **Action Needed: Please refer to Code Section 134-468 and provide the correct setbacks. (Accepted)**

ECD has other minimum site design standards that need to be included in the table as listed in Section 134-468: *Minimum lot width (corner lot)*, *floor area ratio*, and *Minimum percentage of lot width occupied by building at the build line*. **Action needed: Include Minimum lot width (corner lot), floor area ratio, and Minimum lot width to building width (front elevation) and that proposed in the table.** This will help to provide the checklist of necessary waivers for this development. **(Accepted)**

The Parcel Acreage identified and the Area Pre-Development Total are not equal: 39,938 square feet = 0.917 acre, not 0.908. **Action Needed: Provide consistency of parcel size. (Accepted)**

Total Impervious Surface is identified as 21,053 square feet (pre) and 19,031 square feet (post). This is the same as that identified for total pavement area, seeming to exclude the building square footage. **Action Needed: revise or clarify what appears to be an error. (Accepted)**

For the total pervious area, identify the percentage used to calculate the pervious area in pavers. It appears to be 93.28%: $17,948 - 13,784 = 4164$; $4164 / 4464 = .9328$. Justification is needed for this percentage and how the permeability of the pavers will be maintained over time. **Action Needed: Provide the requested information and amend Pervious Table if necessary. (Accepted)**

The existing building square footage in the Allowable Expansion Area (1,443) is not the same as listed in the Total Impervious Building “Pre Development” (1,439) **Action Needed: provide consistency. (Accepted)**

The sheet identifies a waiver is being requested for Lot to Building Ratio. Per Code Section 134-474(c), this waiver is not needed. **Action Needed: Add a note to either the current location on the site plan or the table referenced above to identify that “per Code Section 134-474(c) Expansion of Existing Buildings, the minimum lot to building ratio is not required since the building is being expanded toward SR 527.” (Accepted)**

Action Needed: For the Proposed Expansion Area, identify the area of expansion only, e.g., 866 square feet; similarly, the Allowable Expansion Area is 1,000 square feet. (Accepted)

Additional comments that potentially relate to the information provided on the cover are provided under “[Code Section 134-135 Site Plan Review](#)” below.

Sheet C 001-C-001

Action Needed: Change Drainage Note 1 references Orange County add “City standards” since the City will review the construction documents as well as Orange County. (Accepted)

Paving and Grading Note 5 identifies the architect as providing the paving and grading design. This was not provided. **Recommended Action: Provide this information or change note if this is incorrect. (Accepted)**

Standard Sewer and Water Notes 1, 5 and 6 identify Orange County mains. **Action Needed: If OUC is the provider of water to the site, amend these notes.** Note 16 references only Orange County inspectors need to be notified. **Action Needed: Add City of Edgewood, OUC and FDOT. (Accepted)**

Note 24 references connection to Orange County system. **Action Needed: If water is from OUC, reference OUC’s standards/manuals. (Accepted)**

Code Section 134-135 Site Plan Review

Action Needed: 134-135(2) Rename the “Tree Survey” to “Tree, Boundary and Topographic survey.” (Accepted)

134-135(6) A traffic impact analysis of projected trip generation, including methods of circulation for the development, is required to be submitted. **Action Needed: Add to Sheet 000, the trip generation for the use compared to a café/bakery without drive through (the previous use). (Accepted)**

Per Code Section 134-137(4), the site plan must demonstrate safe and convenient ingress to and egress from the property and internal circulation, including access of service and emergency vehicles and design of off-street parking and loading areas.

Analysis has not been submitted related to the two-way traffic driveway on the south and west sides of the building and the potential points of conflict between vehicles entering and exiting the Hoffner and Hansel driveways with vehicles attempting to circumnavigate the building, vehicles entering the drive-through lane, the potential for back up in the drive-through lane, and parking as well as onsite loading/unloading. Safety of pedestrians within the primary parking area for the use is also a significant concern given the potential conflicts described above.

Recommended Action: Eliminate the two-way drive aisles and provide the standard drive-through lane length (see illustration later in the report). (Accepted)

Action Needed: Add a cross walk across the Hansel Avenue driveway. (Accepted, I believe FDOT will do this. We can show it in the drawings)

134-135(7) The location, size and capacity of all existing and proposed utilities, including but not limited to, potable water, sanitary sewer, storm sewer, electric power, natural gas, and existing fire hydrant locations: **Action Needed: Provide this information. In addition, a letter from the fire department is needed to confirm adequate access to a fire hydrant is**

available. There is concern that use of the fire hydrant across three lanes of traffic may be unacceptable for new construction. (Accepted, but not sure what the outcome will be)

134-135(15) Signage is not included in the submittal and will be reviewed under a separate sign permit application.

Note that Code Section 134-138 requires a tree removal application upon building permit application and that the application is required to be reviewed by the planning and zoning board. In an effort of efficiency, the applicant may want to submit this application concurrent with the site plan review application. Note that in addition to the three trees proposed for removal (denoted with “X” on the “Tree Survey” sheet), additional trees may be impacted by grading for the stormwater pond in the NE corner. **Recommended Action: Submit a tree removal application prior to P&Z hearing so it can be included in the submittal package. (Accepted)**

Sheet C-100 –C-100

Code Section Sec. 130-4 prohibits impervious paving within a six-foot radius of the trunk perimeter of any existing tree. Trees four feet or more in diameter as measured three feet above actual grade require additional space. **Action Needed: Review the distances and revise the site plan accordingly, paying particular attention to the parking on the east side of the property, particularly the southernmost space. One solution could be to shorten this space and sign for compact car only. Whereas code does not allow for compact spaces, according to the parking calculation, only 29 spaces are needed and 31 provided; thus, the compact space would be considered an extra space. (Not accepted)**

The Demo Sheet shows the concrete driveway at the Hoffner Avenue right-of-way being removed. **Action Needed: Eliminate “Concrete” from the background of this sheet. (Accepted)**

This sheet shows a 7 feet high fence along the east property line. **Action Needed: Provide consistency between this sheet and the waiver, which is a request for a 6 feet high fence. (Accepted)**

Code Section 134-142 requires vehicular and pedestrian cross access to be provided between adjacent parcels. To the east is residential land. To the north is a nonresidential parcel, however, there is no benefit to connecting that parking area to that on the subject property given the one-way circulation on the subject property. In addition, there is a significant grade difference between the two nonresidential parcels. The City’s engineer has determined it is not practical to require the cross access on the subject property; however, a variance is required to be approved to allow the elimination of the Code requirement.

Variances are allowed where there are practical difficulties or unnecessary hardships in complying with the strict letter of Code. The criteria for approval are met.

1. There are special conditions and circumstances which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
2. The special conditions and circumstances do not result from the actions of the applicant.
3. That approval of the variance requested will not confer on the applicant any special privilege that would be denied to other lands, buildings or structures in the same situation.
4. The literal interpretation of the provisions contained in this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.
5. The variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure.
6. The approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Sheet C-400

The regular parking space should be 9 x 20 not 9 x 18.5. **Action Needed: Correct and make the corrections where necessary on sheet C-100. (Accepted)**

Demo Sheet

A sign is located in the southwest corner of the site. It should be noted that only one ground sign per frontage is allowed. Retaining this sign will count toward the maximum copy area provided onsite as well as the allowable ground signs.

Sheet C-100 shows the creation of an 8.5 feet wide buffer along Hoffner, an expansion of ± 3.5 feet, however, demolition is not shown to accommodate this expansion. **Action Needed: Modify the demo sheet to match the site plan. (Accepted)**

ECD REQUIREMENTS

Wall where adjacent to residential

Per Code Section 134-468 (g)(1) a, where EC District is adjacent to property with a low density residential future land use designation, a seven-foot high opaque brick wall, of colors normally found in manufactured fired brick, is required to be constructed on the property line adjacent to the residential designation. The property to east has a County future land use designation of Low Density Residential.

A waiver is being requested for the brick wall. In lieu of the brick wall, a beige six (or seven) foot vinyl fence is proposed to be used. The rationale that was included in the request does not prove the provision of a wall is illogical, impossible, impractical or unreasonable. The objective of the requirement is for aesthetics for not only the ECD, but also for the adjacent property owner; and minimizes the maintenance for both the ECD property owner and the adjacent property owner.

Staff can only support the allowance of a fence for the two sides of the area east of the jog, which is currently not possible due to the history of ownership of that small area.



If P&Z and Council support this waiver, a second waiver needs to be approved: Waiver of the Sec. 134-470(c)(3) Other Design Standards-Fences, which limits height of fences anywhere in the district to a maximum of 48 inches.

Waiver of Code Section 134-470(c)(3) to allow a 7 feet high fence along a portion of the east property line as shown on the site plan. (Accepted)

Waiver of Code Section 134-468 (g)(1)a, to allow a fence in lieu of the wall along the east property line. (Accepted)

People Space Along Hansel Avenue

Code Section 134-468(h) requires the People Space, which includes the 8 feet wide public sidewalk and the minimum six (6) feet of pervious area adjacent to the curb, along Hansel Avenue. This design will be accomplished with FDOT's sidewalk improvements as is illustrated on Sheet C-100-C101. **Action Needed: Provide a letter from FDOT confirming this improvement and the schedule for implementation. (Accepted)**

Additional comments related to the Hansel Avenue People Space are provided by the City's Landscape Architect.

People Space Along Hoffner Avenue

The applicant is asking for waivers from Code Sections 134-471(1)a and 134-471(2)i. to eliminate the Road View requirements on the Hoffner Avenue side of the building: a six feet wide impervious area adjacent to the road curb, then an eight feet wide sidewalk, then a 25 feet wide landscaped area extending to the build to line. Conformance with the ECD requirements would eliminate all the parking on the south side of the building.

Staff supports all these waivers finding that,

- granting of the proposed waivers will not have the effect of nullifying the intent and purpose of the standard that is the subject of the requested waiver;
- granting of the proposed waivers will be detrimental to the health, safety and welfare of the city;
- that proposed reasonably eliminates the impractical result caused the applicable standard.

In addition to the elimination of parking rationale, allowing the waiver would not defeat the purpose of the ECD People Space requirement. The intent of the Road View/People Space application along Hoffner was primarily intended for the segment between Orange and Hansel Avenues since the ECD will not extend east of this parcel.

Screening Parking along Hoffner Avenue

With the elimination of the Road View requirement along Hoffner, parking would be allowed between the building and the road, as is proposed. The applicant is requesting a waiver of Code Section 134.471(2)e which requires a street wall to screen the parking spaces. The applicant is requesting to substitute landscaping for the wall, using Code Section 114-4(1)a as the standard: minimum 7 feet wide buffer width, one shade tree for each 40 linear feet, or fraction thereof and a continuous hedge at least 30 inches high at planting of a species capable of growing to at least 36 inches in height within 18 months, with the height of the hedge measured at grade of the adjacent parking lot. Demonstration of the approval criteria has not been provided; this would be a policy change to not require the street walls along all non SR 527 frontages.

To be noted, the proposed design is an improvement of the existing condition. The site plan shows an expansion of the existing five feet wide landscape buffer between the sidewalk and vehicular use area to 8.5 feet and adding a parking island in the adjacent row of parking, which is not required. The additional parking island creates the need for a waiver to Code Section 134- 471(2)h, which requires the island width to be a minimum of fifteen (15) feet in width. The middle island and the end of row island (east side) are 14 feet wide.

If the waivers are approved, the proposed location of the hedge adjacent to the sidewalk should be changed. There is a significant grade difference between the parking lot and sidewalk. Placing the hedge adjacent to the parking spaces instead of the sidewalk would provide a better screening

of the cars and would eliminate a very tall hedge along the sidewalk as the three feet height the hedge is required to be maintained at is measured from the parking lot grade. **Recommended Action: On the Landscape Plan, show the hedge along Hoffner adjacent to the parking spaces and not the sidewalk. (Accepted)**

Parking Forward of the Front Building Elevation

The applicant is requesting a waiver from Code Section 134-474(c)(4)(a), which relates specifically to expansions of existing buildings requiring conformance with the standard ECD prohibition of parking in front of the building.

As shown on the site plan, four parking spaces are in front of the imaginary line extended from the front façade of the building. The rationale provided by the applicant is that these four spaces will be on existing pavement. Currently the area is used as a drive aisle with parking on the northside of the drive aisle. The proposed parking layout was proposed to meet the minimum required for the proposed expansion. To retain this area as a drive aisle would result in the same condition; pavement adjacent to the front landscaped area. The drive aisle is allowed by this Code section if there is no practical alternative for onsite vehicular circulation, which is the case for the subject property/site plan. In both options, the street wall will screen the pavement from Hansel Avenue. Furthermore, replacing this parking, which is needed to meet the minimum parking required, is impossible in other areas of the site.

Staff supports this waiver and makes a finding that,

- granting of the proposed waiver will not have the effect of nullifying the intent and purpose of the standard that is the subject of the requested waiver;
- granting of the proposed waiver will serve the health, safety and welfare of the city;
- allowing four spaces in the proposed location is the minimum waiver that will reasonably eliminate or reduce the illogical, impossible, impractical, or unreasonable result caused the applicable standard.

Hansel Avenue Street Wall

The proposed street wall, as shown on the Architectural Elevations, does not meet the minimum height required (3 feet). **Action Needed: Revise and resubmit the street wall design according to code requirements. (I believe the wall is 3 feet tall)**

The location of the proposed street wall in the Hansel Avenue landscape buffer of the People Space is contrary to Code Section 134-474(c)(4)a, which states, the wall is required to be placed two feet from the drive aisle, including the width of a vertical curb, on the building side of the People Space, but not within the required buffer width, thus retaining the full width of the landscape buffer; which for the subject property would be 27 feet, plus the width of the wall.

The street wall is also not located per Code. It is required to be at the build line (25 feet from the front property line). It is proposed to be located at 21 feet from the property line south of the sidewalk and 8 feet from the front property line north of the sidewalk. A waiver for the width could be requested; however, the applicant must demonstrate that the reduction in width is illogical, impossible, impractical or unreasonable. Staff is recommending the drive aisles be changed to one-way, which eliminates the need for a 24 feet drive aisle width and provides the necessary width to meet the ECD standard (25 feet + 2 feet + width of wall).

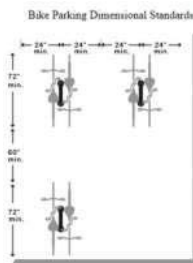
Whereas it is reasonable to put the bicycle parking behind the street wall, the wall should then return to the required location. An alternative would be to move the bicycle parking to another location (see a potential site on the next page).

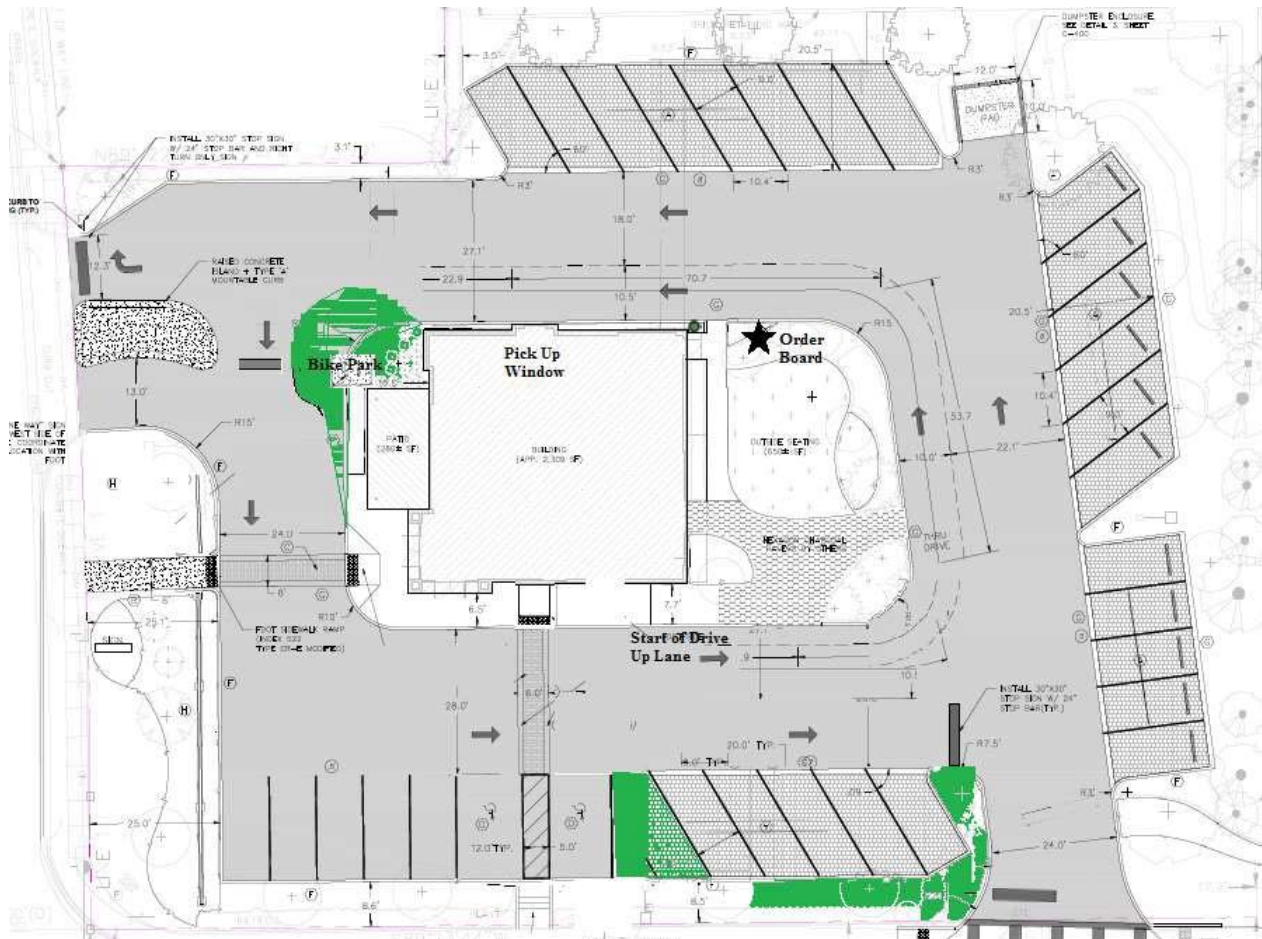
Action Needed: Redesign the buffer width and street wall location or request a waiver. (I will submit waiver for street wall location(25 feet + 2 feet + width of wall)).

Recommended Action: relocate the bicycle parking and provide envisioned ECD design.

The minimum wall landscaping is not provided. The street wall is to have least one row of shrubs planted parallel to the wall (on the street side). The shrubs are to be at least 24 inches high at planting of a species capable of growing to 36 inches in height within 18 months and spaced to achieve a continuous hedge at maturity. In addition to the hedge requirement, small/understory trees are required to be planted at a rate of one tree/20 feet, or portion thereof, of the wall. An alternative design for a continuous mass planting parallel to the wall that combines a mix of required trees and understory trees, shrubs, accent plants and groundcover may be approved by City Council upon recommendation by the City's Landscape Architect, however, the landscape plan shows no shrubs except north of the bike parking. Liriope is considered a grass, not a shrub. Note, the hedge is required to be on the street side of the wall. See Landscape Architect's comments.

Whereas the minimum number of bicycle parking spaces is provided, they are not spaced correctly on sheet C-100 and sheet C-400. **Action Needed: Revise the spacing to have 48 inches between the two racks. Also submit details of the type of racks to be used: Minimum tube diameter: 1.9 inches, Maximum rack height: 36 inches. Powder-coated, or other weather-proof surface (Accepted)**





In addition, an increase in queue length is recommended by moving the order/menu board five feet east of the sidewalk from the outdoor patio to the north parking area. Staff recommends provision of a cross walk and adding pavement striping to delineate the drive through lane staff recommends approval. This will help to serve the health, safety and welfare of the city.

Action Needed: Increase queue length, move the order/menu board five feet east of the sidewalk from the outdoor patio to the north parking area, provision of a cross walk, and adding pavement striping to delineate the drive through lane (Will increase drive thru queue to meet the 120 feet requirement by changing the property to a one way)

Sheet C-400

Code Section 134-470(b) requires the dumpster enclosure to be finished with materials and colors which are similar to the materials and colors utilized in the principal building on site. While compliance is stated on this sheet, no details on how the dumpster enclosure “will match the principal structure.” There is no exposed masonry block on the principal structure.

Action Needed: Provide dumpster details to demonstrate the match to the principal structure.(Accepted)

Landscape Plan

The applicant is requesting a waiver from Code Section 134-468(h)(2) to substitute other trees for the required Highrise Oaks and to allow the planting of 3" caliper trees in lieu of 5" caliper as required. See the Landscape Architect's comments.

Action Needed: identify the plants adjacent to the northwest corner of the building. (Accepted)

Architecture Plans

Code Section 134-469(1)b requires at least 60 percent of the width of the ground floor road frontage façade to contain clear (transparent) or spectrally selective glazings (minimum VLT of 60 percent) considered as "non-reflective" glass. This requirement includes doors and windows affording views into the interior areas. Opaque, translucent or reflective glass cannot be counted towards the transparency ratio. **Action Needed: Include a statement on the Architectural Plans that the glass will be a minimum VLT of 60 percent. (Accepted)**

Code Section 134-469(1)g. requires blank walls facing a street that are ten feet in length or greater to incorporate one or more of the specified design treatments so as to eliminate blank walls more than ten feet in length. The proposal is to incorporate Design Treatment 4, which is wall signage of at least six feet in length and four feet in height. A condition of approval will be that the Certificate of Occupancy will not be approved until the sign is approved and installed. Note the maximum square footage of a sign on this side of the building is 50 square feet.

Code Section 134.469(1)f. requires a three-dimensional cornice, at least 2.5 feet in height or as needed to conceal mechanical equipment (whichever is taller), shall be used along all flat (less than 3:12 pitch) or parapet roof portions. The cornice is not proposed. The conclusion of an architect consultation is support of the proposed waiver.

Granting of the proposed waiver from Code Section 134.469(1)f. to not require the 2.5 feet high cornice in the building design will,

- not have the effect of nullifying the intent and purpose of the standard that is the subject of the requested waiver;
- the size and current parapet design is sufficient to meet the design objective of the ECD;
- granting of the proposed waiver will not be detrimental to the health, safety and welfare of the city;
- Requiring the addition of a 2.5 feet in height cornice to the design is illogical, impractical, and unreasonable.

Another requested waiver is to Code Section 134.469 (1)c.4 allowing the required vertical change to not be hung between 13-15 feet above the grade. A building height more than 20 feet requires a vertical change in 75% of the front façade between 13 to 15 feet above the adjacent sidewalk grade to ensure a human scale. This can include a step back or step forward of the building, a material change, or awnings/canopies. For the subject building, this is accomplished

with the use of a covered patio, the windows change to stucco, and the glass to wood at the entrance. Technically, the covered patio does not meet code as it is 12 feet above the grade; it does, however, meet the intent and staff supports the waiver.

- The waiver will not have the effect of nullifying the intent and purpose of the standard;
- granting of the proposed waiver will not be detrimental to the health, safety and welfare of the city;
- Requiring the patio canopy to be 13 feet above the adjacent sidewalk grade is unreasonable if the ECD design objective is met.

Lighting and Photometric Lighting Plan

The applicant is requesting several waivers from the ECD lighting standards required by Code Section 134-470(f). First, Code Section 134-470(f)(1)a. requires a minimum foot candle of 2.0 where pedestrians will be present. In general, 2.0 foot candles is the recommended lighting for parking lots. This compares to 20-35 for recreational tennis courts and 80-150 for televised college football stadiums. Other jurisdictions in the area allow design to 1 to 1.5. Consultation with Chief Freeburg agreed 1.0 provides reasonable lighting coverage.

Staff supports this waiver and makes a finding that,

- granting of the proposed waiver will not have the effect of nullifying the intent and purpose of the standard that is the subject of the requested waiver;
- granting of the proposed waiver will serve the health, safety and welfare of the city;
- the waiver is the minimum that will reasonably eliminate or reduce the illogical, impossible, impractical, or unreasonable result caused the applicable standard.

Second, Code Section 134-470(f)(2) requires decorative lighting and Code Section 134-470(f)(3) limits the lighting fixture height to 16 feet. As well, per Code Section 134-470(f)(1)b, except for bollard type lights, light poles must be set a minimum distance of 17.5 feet from trees. The applicant is requesting waivers from fixture height and decorative requirements claiming it is unreasonable to not allow continuation of the existing three 30-foot high light poles on the property.

The first one is along Hansel Avenue as shown on the next page. This type of lighting is contrary to the character envisioned along the main road of the ECD.



- Granting a waiver to allow this light fixture to remain will have the effect of nullifying the intent and purpose of the lighting standards;
- Granting a waiver to allow this light fixture to remain will negatively impact the health, safety and welfare of the city; and
- Provision of the required lighting is reasonable, logical, and possible.

The second existing light fixture is along Hoffner Avenue as shown below.



It may be unreasonable to require jack and bore under the road to provide electricity to fixtures on this side of the property; however, with other lighting being required to provide the minimum foot candle throughout the parking lot, electricity from a different direction is likely to be available making elimination of this light pole possible. Elimination would also provide consistency with ECD Section which calls for elimination of overhead utilities. Additional information is necessary to determine if elimination of this fixture is unreasonable.

The illustration of the third existing light pole, which is in the rear/eastern portion of the property, shows the rationale for maintaining the lighting fixture height. The light fixture is totally within the tree canopy. Whereas staff does not oppose maintaining this fixture if demolition is unreasonable, the additional lighting to meet the minimum footcandle along the east side of the parking area should meet the ECD height and decorative standards.



Action Needed: Revise the site plan adding the decorative lighting where necessary to achieve the minimum foot candle. Revise the demolition plan to include the demolition of the 30-foot light pole along Hansel Avenue. (Accepted)

Waiver and Variance Summary

- Waiver of Code Section 134-468 (g)(1) a to allow a seven-foot high opaque vinyl fence in lieu of the seven-foot high opaque brick wall where property is adjacent to Low Density Residential designated property.
- Waiver of Code Section 134-468(h)(2) which requires Highrise Oaks with 5” caliper.
- Waiver of Code Section 134.469 (1)c.4 to allow the required vertical change to not be hung between 13-15 feet above the grade.
- Waiver of Code Section 134.469(1)f, which requires a three-dimensional cornice, at least 2.5 feet in height along all flat or parapet roof portions.
- Waiver of Code Section 134-470(c)(3), which limits height of fences anywhere in the district to a maximum of 48 inches.
- Waivers of Code Section 134-470(f) which requires a minimum foot candle of 2.0 where pedestrians will be present.
- Waiver of Code Section 134-470(f) which requires decorative lighting, at a maximum fixture height of 16 feet, and located at least 17.5 feet from trees.
- Waiver of Code Sections 134-471(1)a and 134-471(2)i. to eliminate the Road View requirements on the Hoffner side of the building.
- Waiver of Code Section 134.471(2)e which requires a street wall to screen the parking spaces (Hoffner).
- Waiver of Code Section 134-471(2)e., which requires the street wall to be located at the build line (Hansel).
- Waiver of Code Section 134-471(2)h, which requires the width of landscape islands in parking lots to be a minimum of fifteen (15) feet in width.
- Waiver of Code Section 134-472(b), which requires drive-up windows to on the rear of the building.
- Waiver of Code Section 134-472(b, which requires a drive up lane of a minimum of 120 feet in length as measured at the first stopping point. **(No longer require this waiver)**
- Waiver of Code Section 134-474(c)(4)(a) which requires parking to be behind the imaginary line extended from the front building façade.
- Waiver of Code Section 134-474(c)(4)a. which requires the street wall to be placed two feet from the drive aisle and not within the required buffer width.
- Variance in Code Section 134-142 to eliminate the requirement for a cross access easement.

ESH



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November 18, 2021

Ms. Sandy Riffle, CMC
Deputy City Clerk
City of Edgewood
405 Bagshaw Way
Edgewood, FL 32809-3406

RE: 5645 Hansel Ave – Mecatos Bakery and Cafe – construction plan review
CPH project number E7601

Dear Ms. Riffle;

We are in receipt of the construction plan for the above listed project. The application and preliminary site plan were previously submitted for review. We have reviewed the plans to verify the necessary information has been provided. We have also coordinated with the City Planner for review comments. The CPH comments are to be included with the City Planner comments. Below are our comments and observations:

1. Sheet C-000. - Update the reference to contact Sunshine One Call for utility locates. Need to add the Sunshine logo to the plans reference to call at least two full business days in advance for locates. This notification will be on the Sunshine logo and is downloadable from their website. (Accepted)
Action Taken: complied see sheet C-000.
2. Sheet C-000. - The total impervious area does not include the building area for both pre-development and post-development. (Accepted)
Action Taken: complied see sheet C-000.
3. Sheet C-002. was not provided. (Accepted)
Action Taken: complied see sheet C-002.
4. Sheet C-001. – General Note 5 references “any existing utility services shall be properly disconnected, plugged, removed or abandoned.” This note indicates all the water and sewer services are to be removed from the site. How will water be provided to the site? (Accepted)
Action Taken: complied see sheet C-001.
5. Sheet C-001. - In addition, the Demo Plan references to protect BFP and/or piping to building. The only item on the demo plan is the location of the BFP. The existing water line needs to be shown on the demo plan and the Site Utility plan. The existing water line and BPD also need to be shown on the landscape plans to verify no conflicts with plantings. (Accepted)
Action Taken: location of meter is shown on c-300. we understand that the route of water main is from meter directly to the building but we have not independently verify. we have added note to C-300 alerting the contractor to find lateral prior to digging.
6. Sheet C-001. – site and drainage to be designed to SJRWMD criteria. Revise Drainage note 1 accordingly. (Understood. We will revise.)
Action Taken: complied see sheet C-001.
7. Sheet C-001. – Drainage Note 8 references to set the proposed storm structures to the existing pavement grade. This should reference the proposed grades. (Understood. We will revise.)
Action Taken: complied see sheet C-001.
8. Sheet C-001. – Paving note 6 referencing testing for any roadway shown on the plans. Shouldn't this note reference any new pavement?
Action Taken: complied see sheet C-001.

9. Sheet C-001. – Sewer and Water notes – add OUC (water provider) to note 1. (Accepted)
Action Taken: complied see sheet C-001.

10. Sheet C-001. – Note 4 references concrete encasing the sewer main if separation cannot be met. Based on the plans, the only gravity sewer is the portion from the north side of the building and extending NE to the lift station. If there is a conflict with the water main, we recommend adjusting the water main to avoid the conflict. Concrete encasement is not a recommended option. (Water main is existing and shall be identified. HCE will make adjustments where needed once water main is surveyed. Note 4 is a standard general note.)
Action Taken: complied see sheet C-001.



11. Sheet C-001. – OUC is the water provider. Revise note to include OUC. Also, the plans do not show a water main. Show the water service to the site and how it ties to the backflow prevention device. (Accepted)
Action Taken: complied see sheet C-001.

12. Sheet C-001. – Water and Sewer notes - Do the water notes apply for this project? Reviseto be specific to this project with respect to installation, testing, clearance. Will an FDEP water permit be required/submitted for this project? (Accepted)
Action Taken: plans are in process of being updated but are not complete as of december 1st, 2021 (date of this response).

13. Sheet C-001. – Water and Sewer notes 24. Include OUC in the notes (for connection to the OUC system). (Accepted)
Action Taken: complied see sheet C-001.

14. Sheet C-003. – There is some demolition work taking place in the Hoffner Avenue ROW. Verify that an Orange County ROW permit will not be required. Provide documentation to the City. (Accepted)
Action Taken: complied see sheet C-003.

15. Sheet C-100. – Code Section 134-142 requires vehicular and pedestrian cross access to be provided between adjacent parcels consistent with sound and generally accepted engineering practices and principles. The City's engineer has determined it is not practical to require the cross access on the subject property. To the east is residential land. To the north is a nonresidential parcel, however, there is no benefit to connecting that parking area to that on the subject property given the one-way circulation on the subject property.

16. Sheet C-100. – Missing dimension for the paver parking on the SE portion of the site. (Accepted)
Action Taken: complied see sheet C-100.

17. Sheet C-100. - The plans show two-way traffic on the south and west side of the site. The same plan only shows room for two cars in the drive through lane. The circulation needs to be one-way, counterclockwise through the site. See note 7 below. (Accepted)
Action Taken: complied see sheet C-100.
18. Sheet C-100. – the drive through lane appears short. There is only room for two vehicles. If 3 or more vehicles queue up, where will the balance of the cars wait? We expect they will be queued up along the south side of the drive lane blocking the parking spaces on the south side of the site. Consider extending the drive through lane around the south side of the drive lane, with striping to denote drive thru versus pass through traffic. (Accepted)
Action Taken: plans are in process of being updated but are not complete as of December 1st, 2021 (date of this response).
19. Sheet C-100. – the lane line separating the drive through from the circulating traffic should be one single solid white line. (Accepted)
Action Taken: complied see sheet C-100.
20. Sheet C-100. – the width of the exit lane to Hansel Avenue is 12.3' feet wide. Please verify with Orange County Fire Rescue. Their minimum width is typically 20 feet. (Recommend removing mountable curve and striping)
Action Taken: plans are in process of being updated but are not complete as of December 1st, 2021 (date of this response).
21. Sheet C-100. – will the raised concrete island have the mountable curbing painted yellow (recommended)? (Will white striping on the floor serve the same purpose after removing mountable curve)
Action Taken: complied see sheet C-100.
22. Sheet C-101 – The plan sheet shows the turning movements for vehicles traveling on Hoffner Avenue and Hansel Avenue. Show how delivery trucks will circulate through the proposed site. Show how the Orange County Fire Rescue trucks will circulate through the site (this may also be a comment from OCFR). (One way flow should alleviate the flow of delivery trucks through the site) (HCE to provide AutoTurn analysis?)
Action Taken: plans are in process of being updated but are not complete as of December 1st, 2021 (date of this response).
23. Sheet C-200: The stormwater structures are not called out. Please provide the structure inlet types, grate elevations, storm pipe inverts with direction (E, W, N, S?), and sizes for the pipes. (Accepted)
Action Taken: complied see sheet C-200.
24. Sheet C-200 – for the “clean-outs” in the open spaces, revise to show either yard inlets or typical concrete storm inlets. (Accepted) The cleanouts shown on the drainage plans are not meant to take in surface drainage.

25. Sheet C-200 – there appear to be numerous conflicts with either existing or proposed trees and the proposed under drain system. Show on the grading plan or the landscape plan the location of both the proposed piping and the existing/proposed trees. The



the tree roots will grow to and into the pipes (water source for roots). How will this be addressed? (We can remove the trees from this areas)

Action Taken: complied see sheet C-200.

26. Sheet C-200: The mitered end sections in the stormwater pond should be at the bottom of the pond to prevent erosion. Call out the MES inverts. Consider adding energy dissipaters at the end of the pipes for erosion protection in the pond. (Understood. We will revise.)

Action Taken: complied see sheet C-200.

27. Sheet C-200 – recommend including the existing topo and existing spot elevations on the plan to verify the proposed site grading and tie-in to existing grades (on-site and off-site). (Understood. We will revise.)

Action Taken: complied see sheet C-200.

28. Sheet C-200 – the grades for the paver parking on the SE corner of the site depict the slope from the asphalt drive lane across the parking and into the grass area to the east. How is the runoff from this area collected and drained to the storm water pond? Based on the existing survey, the area appears to drain either east or south, away from the proposed pond. (The pavers are previous to allow drainage through and collected in the below underdrain pipe. We will revise the plans to show existing spot grades.)

Action Taken: complied see sheet C-200.

29. Sheet C-200 – one of the pond contours next to the dumpster does not appear to cross through the designated contour elevation (number). The contour appears to be too close to the back of cur and dumpster enclosure. (Understood. We will revise.)

Action Taken: complied see sheet C-200.

30. Sheet C-200 – the proposed pond is in conflict with the existing and proposed trees. Please clarify how the grading will take place around the trees to remain. We anticipate there will be more trees that will need to be removed based on the design. (Understood. We will look at revising or removing trees.)

Action Taken: grading has been revised to show minimal to no grade changes see sheet C-200.

31. Sheet C-200 – north parking area – why is there a portion of the under drain pipe under the pervious parking call out as PVC? Shouldn't this all be perforated pipe? Also, designs do not usually include a change in direction in pipe without an inlet or clean out. (Understood. We will revise.)

Action Taken: complied see sheet C-200.

32. Sheet C-200 – all underdrain pipes on the north and east side are at the same elevation as the pond bottom. (Understood. We will revise.)

Action Taken: complied see sheet C-200.

33. Sheet C-300 - The plans are missing the water service to the site. At a minimum, the plans should show the location of the existing water service to the site, the water meter location and the service to the building. The plans should also show the location of the gravity sewer from the building to the connection point at the property line, if any. (Accepted)

Action Taken: plans are in process of being updated but are not complete as of december 1st, 2021 (date of this response).

34. Sheet C-402 – how was the head and GPM calculated for the lift station? Provide lift station and sewer flow calculations for review. (Understood. We will provide.)

Action Taken: see lift station calculations and letter from orange county. Lift station report is in process of being completed

35. Sheet C-402 – the General notes references the pumps will be 3 Phase. The same notes states the Contractor to field verify available voltage prior to procurement of pumps. How was the phase determined if the voltage has not been determined? (Understood. We will revise.)

Action Taken: complied see sheet C-402.

Storm calculation review:

36. Half the site drains to the east, to the FDOT ROW. An FDOT permit will be required. (?)

Action Taken: coordination with fdot is ongoing.

37. Appendix A – east basin pervious/impervious post development table does not include the building. The post development map shows 100% of the building is included on the west basin. Will there be roof drains routing the runoff to the west ow will a portion of the building drain to the east? (Understood. We will coordinate with the Architect.)

Action Taken: site is graded with building flowing east. roof down-spouts discharge to surface see sheet C-200.

38. Based on the plans and storm calcs, the pond is sized for the required volume. This will impact the trees on the east side of the site at the pond location. Update the landscape plan accordingly. (Understood. We will revise as necessary.)

Action Taken: complied see sheet C-200.



39. The Pervious/Impervious table areas for Basin 1 and 2 add up to 0.917 acres. The cover sheet lists the site as 0.906 acres. Please verify the total site area. (Understood. We will revise.)

Action Taken: complied see sheet C-000.

40. The storm calculations did not include any additional storm events such as the 10 year or the 25 year. How will the pond stage react to a larger storm event and what will be the post versus pre development runoff from the site. Be reminded, the site cannot create more runoff from the post development storms than from the predevelopment.

(The 25-year event was provided. We will provide the ICPR4 results.)

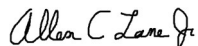
Action Taken: this project has a net loss of impervious surface and a net gain of pervious areas, and a net gain of water attenuation volume. Therefor the water run-off from the site will be less in the post condition as compared to the pre-condition. See stormwater report.

41. Also, to which direction will the discharge from the pond drain based on the 10 year or 25 year storm. We cannot have a point discharge onto adjacent properties or more runoff from the post storms. Please identify and provide additional information. **(Understood. We will provide additional calculations.)**

Please have the applicant revise and resubmit the necessary plans addressing the comments noted above. All changes need to be clouded and a revision note added to the plans. A response to all comments needs to be provided.

Please be reminded, approval of this application by the City of Edgewood does not grant authority to alter other portions of this property, nor does it waive any permits that may be required by Federal, State, or County agencies which may have jurisdiction.

Sincerely,
CPH, Inc.



Allen C. Lane, Jr., P.E.
Project Engineer

CC: Ellen Hardgrove, City Planner
file

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Ellen S. Hardgrove, AICP, Planning Consultant, Inc.

Date: November 18, 2021

To: Brett Solazzo, Administrative Assistant

From: Ellen Hardgrove, City Planning Consultant

XC: Sandy Riffle, Deputy City Clerk

Bea Meeks, City Clerk

Allen Lane, CPH Engineering, City Engineering Consultant

Jim Winter, CPH Engineering, City Landscape Architect Consultant

Re: Review of Mecatos Site Plan Submittal

The comments below reflect a review of the Mecatos site plan and waiver application. They are divided into General Code Requirements and ECD Requirements. Based on the extent of these comments as well as the comments of the City's Engineer and Landscape Architect, it would be beneficial to delay the public hearing until the plans are revised and resubmitted.

A less than optimal, but still available option, is the applicant can present a list of acceptable changes that will be made prior to City Council's hearing; with that list presented to P&Z at the December meeting. If the applicant chooses this option, the deadline for the acceptable changes to be submitted to City Hall is **November 29th at noon.** The applicant's response should address each of staff's comment. For example,

- Sheet C-002 will be submitted by X date.
- Sheet C-100 will be changed to reflect the correct zoning: Edgewood Central District.

The noted deadline will allow time to finalize a report that will be sent to P&Z. Failure to meet that deadline will result in a staff recommendation to table the agenda item until January at the earliest.

GENERAL CODE REQUIREMENTS

Sheet C-000 dated October 25, 2021

This sheet references sheet C-002 (Existing Conditions) in the Index of Sheets. This sheet is not part of the submittal. **Action Needed: Submit Sheet C-002 (Accepted)**

Zoning is incorrectly identified: The zoning is Edgewood Central District. This is not a "Special District," it is the zone. **Action Needed: replace the identified C-1 zoning with Edgewood Central District; and eliminate "Special District." (Accepted)**

Parking is calculated based on a 2309 gross square foot (GSF) building. Sheet C-101 identifies the GSF as "approx." 2309. Approximately is not acceptable. Architectural plan drafts submitted before the formal application identified a 50 x 48.25 dimensioned building, which totals 2412.5 GSF. **Action Needed: Submit the Architectural Floor Plan as part of this application package and provide consistency of building square footage. (Accepted)**

Per ECD, the front setback is a maximum; i.e., it is a build-to line. **Action Needed: Change the sheet to indicate the build to line not minimum front setback and add a note stating that “the 62 feet front setback is allowed per Code Section 134-474(c) Expansion of Existing Buildings.” (Accepted)**

The rear and side setbacks are also identified incorrectly. **Action Needed: Please refer to Code Section 134-468 and provide the correct setbacks. (Accepted)**

ECD has other minimum site design standards that need to be included in the table as listed in Section 134-468: *Minimum lot width (corner lot), floor area ratio, and Minimum percentage of lot width occupied by building at the build line.* **Action needed: Include Minimum lot width (corner lot), floor area ratio, and Minimum lot width to building width (front elevation) and that proposed in the table.** This will help to provide the checklist of necessary waivers for this development. **(Accepted)**

The Parcel Acreage identified and the Area Pre-Development Total are not equal: 39,938 square feet = 0.917 acre, not 0.908. **Action Needed: Provide consistency of parcel size. (Accepted)**

Total Impervious Surface is identified as 21,053 square feet (pre) and 19,031 square feet (post). This is the same as that identified for total pavement area, seeming to exclude the building square footage. **Action Needed: revise or clarify what appears to be an error. (Accepted)**

For the total pervious area, identify the percentage used to calculate the pervious area in pavers. It appears to be 93.28%: $17,948 - 13,784 = 4164$; $4164 / 4464 = .9328$. Justification is needed for this percentage and how the permeability of the pavers will be maintained over time. **Action Needed: Provide the requested information and amend Pervious Table if necessary. (Accepted)**

The existing building square footage in the Allowable Expansion Area (1,443) is not the same as listed in the Total Impervious Building “Pre Development” (1,439) **Action Needed: provide consistency. (Accepted)**

The sheet identifies a waiver is being requested for Lot to Building Ratio. Per Code Section 134-474(c), this waiver is not needed. **Action Needed: Add a note to either the current location on the site plan or the table referenced above to identify that “per Code Section 134-474(c) Expansion of Existing Buildings, the minimum lot to building ratio is not required since the building is being expanded toward SR 527.” (Accepted)**

Action Needed: For the Proposed Expansion Area, identify the area of expansion only, e.g., 866 square feet; similarly, the Allowable Expansion Area is 1,000 square feet. (Accepted)

Additional comments that potentially relate to the information provided on the cover are provided under “[Code Section 134-135 Site Plan Review](#)” below.

Sheet C 001-C-001

Action Needed: Change Drainage Note 1 references Orange County add “City standards” since the City will review the construction documents as well as Orange County. (Accepted)

Paving and Grading Note 5 identifies the architect as providing the paving and grading design. This was not provided. **Recommended Action: Provide this information or change note if this is incorrect. (Accepted)**

Standard Sewer and Water Notes 1, 5 and 6 identify Orange County mains. **Action Needed: If OUC is the provider of water to the site, amend these notes.** Note 16 references only Orange County inspectors need to be notified. **Action Needed: Add City of Edgewood, OUC and FDOT. (Accepted)**

Note 24 references connection to Orange County system. **Action Needed: If water is from OUC, reference OUC’s standards/manuals. (Accepted)**

Code Section 134-135 Site Plan Review

Action Needed: 134-135(2) Rename the “Tree Survey” to “Tree, Boundary and Topographic survey.” (Accepted)

134-135(6) A traffic impact analysis of projected trip generation, including methods of circulation for the development, is required to be submitted. **Action Needed: Add to Sheet 000, the trip generation for the use compared to a café/bakery without drive through (the previous use). (Accepted)**

Per Code Section 134-137(4), the site plan must demonstrate safe and convenient ingress to and egress from the property and internal circulation, including access of service and emergency vehicles and design of off-street parking and loading areas.

Analysis has not been submitted related to the two-way traffic driveway on the south and west sides of the building and the potential points of conflict between vehicles entering and exiting the Hoffner and Hansel driveways with vehicles attempting to circumnavigate the building, vehicles entering the drive-through lane, the potential for back up in the drive-through lane, and parking as well as onsite loading/unloading. Safety of pedestrians within the primary parking area for the use is also a significant concern given the potential conflicts described above.

Recommended Action: Eliminate the two-way drive aisles and provide the standard drive-through lane length (see illustration later in the report). (Accepted)

Action Needed: Add a cross walk across the Hansel Avenue driveway. (Accepted, I believe FDOT will do this. We can show it in the drawings)

134-135(7) The location, size and capacity of all existing and proposed utilities, including but not limited to, potable water, sanitary sewer, storm sewer, electric power, natural gas, and existing fire hydrant locations: **Action Needed: Provide this information. In addition, a letter from the fire department is needed to confirm adequate access to a fire hydrant is**

available. There is concern that use of the fire hydrant across three lanes of traffic may be unacceptable to for new construction. (Accepted, but not sure what the outcome will be)

134-135(15) Signage is not included in the submittal and will be reviewed under a separate sign permit application.

Note that Code Section 134-138 requires a tree removal application upon building permit application and that the application is required to be reviewed by the planning and zoning board. In an effort of efficiency, the applicant may want to submit this application concurrent with the site plan review application. Note that in addition to the three trees proposed for removal (denoted with “X” on the “Tree Survey” sheet), additional trees may be impacted by grading for the stormwater pond in the NE corner. **Recommended Action: Submit a tree removal application prior to P&Z hearing so it can be included in the submittal package. (Accepted)**

Sheet C-100 –C-100

Code Section Sec. 130-4 prohibits impervious paving within a six-foot radius of the trunk perimeter of any existing tree. Trees four feet or more in diameter as measured three feet above actual grade require additional space. **Action Needed: Review the distances and revise the site plan accordingly, paying particular attention to the parking on the east side of the property, particularly the southernmost space. One solution could be to shorten this space and sign for compact car only. Whereas code does not allow for compact spaces, according to the parking calculation, only 29 spaces are needed and 31 provided; thus, the compact space would be considered an extra space. (Not accepted)**

The Demo Sheet shows the concrete driveway at the Hoffner Avenue right-of-way being removed. **Action Needed: Eliminate “Concrete” from the background of this sheet. (Accepted)**

This sheet shows a 7 feet high fence along the east property line. **Action Needed: Provide consistency between this sheet and the waiver, which is a request for a 6 feet high fence. (Accepted)**

Code Section 134-142 requires vehicular and pedestrian cross access to be provided between adjacent parcels. To the east is residential land. To the north is a nonresidential parcel, however, there is no benefit to connecting that parking area to that on the subject property given the one-way circulation on the subject property. In addition, there is a significant grade difference between the two nonresidential parcels. The City’s engineer has determined it is not practical to require the cross access on the subject property; however, a variance is required to be approved to allow the elimination of the Code requirement.

Variances are allowed where there are practical difficulties or unnecessary hardships in complying with the strict letter of Code. The criteria for approval are met.

1. There are special conditions and circumstances which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
2. The special conditions and circumstances do not result from the actions of the applicant.
3. That approval of the variance requested will not confer on the applicant any special privilege that would be denied to other lands, buildings or structures in the same situation.
4. The literal interpretation of the provisions contained in this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.
5. The variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure.
6. The approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Sheet C-400

The regular parking space should be 9 x 20 not 9 x 18.5. **Action Needed: Correct and make the corrections where necessary on sheet C-100. (Accepted)**

Demo Sheet

A sign is located in the southwest corner of the site. It should be noted that only one ground sign per frontage is allowed. Retaining this sign will count toward the maximum copy area provided onsite as well as the allowable ground signs.

Sheet C-100 shows the creation of an 8.5 feet wide buffer along Hoffner, an expansion of ± 3.5 feet, however, demolition is not shown to accommodate this expansion. **Action Needed: Modify the demo sheet to match the site plan. (Accepted)**

ECD REQUIREMENTS

Wall where adjacent to residential

Per Code Section 134-468 (g)(1) a, where EC District is adjacent to property with a low density residential future land use designation, a seven-foot high opaque brick wall, of colors normally found in manufactured fired brick, is required to be constructed on the property line adjacent to the residential designation. The property to east has a County future land use designation of Low Density Residential.

A waiver is being requested for the brick wall. In lieu of the brick wall, a beige six (or seven) foot vinyl fence is proposed to be used. The rationale that was included in the request does not prove the provision of a wall is illogical, impossible, impractical or unreasonable. The objective of the requirement is for aesthetics for not only the ECD, but also for the adjacent property owner; and minimizes the maintenance for both the ECD property owner and the adjacent property owner.

Staff can only support the allowance of a fence for the two sides of the area east of the jog, which is currently not possible due to the history of ownership of that small area.



If P&Z and Council support this waiver, a second waiver needs to be approved: Waiver of the Sec. 134-470(c)(3) Other Design Standards-Fences, which limits height of fences anywhere in the district to a maximum of 48 inches.

Waiver of Code Section 134-470(c)(3) to allow a 7 feet high fence along a portion of the east property line as shown on the site plan. (Accepted)

Waiver of Code Section 134-468 (g)(1)a, to allow a fence in lieu of the wall along the east property line. (Accepted)

People Space Along Hansel Avenue

Code Section 134-468(h) requires the People Space, which includes the 8 feet wide public sidewalk and the minimum six (6) feet of pervious area adjacent to the curb, along Hansel Avenue. This design will be accomplished with FDOT's sidewalk improvements as is illustrated on Sheet C-100-C101. **Action Needed: Provide a letter from FDOT confirming this improvement and the schedule for implementation. (Accepted)**

Additional comments related to the Hansel Avenue People Space are provided by the City's Landscape Architect.

People Space Along Hoffner Avenue

The applicant is asking for waivers from Code Sections 134-471(1)a and 134-471(2)i. to eliminate the Road View requirements on the Hoffner Avenue side of the building: a six feet wide impervious area adjacent to the road curb, then an eight feet wide sidewalk, then a 25 feet wide landscaped area extending to the build to line. Conformance with the ECD requirements would eliminate all the parking on the south side of the building.

Staff supports all these waivers finding that,

- granting of the proposed waivers will not have the effect of nullifying the intent and purpose of the standard that is the subject of the requested waiver;
- granting of the proposed waivers will be detrimental to the health, safety and welfare of the city;
- that proposed reasonably eliminates the impractical result caused the applicable standard.

In addition to the elimination of parking rationale, allowing the waiver would not defeat the purpose of the ECD People Space requirement. The intent of the Road View/People Space application along Hoffner was primarily intended for the segment between Orange and Hansel Avenues since the ECD will not extend east of this parcel.

Screening Parking along Hoffner Avenue

With the elimination of the Road View requirement along Hoffner, parking would be allowed between the building and the road, as is proposed. The applicant is requesting a waiver of Code Section 134.471(2)e which requires a street wall to screen the parking spaces. The applicant is requesting to substitute landscaping for the wall, using Code Section 114-4(1)a as the standard: minimum 7 feet wide buffer width, one shade tree for each 40 linear feet, or fraction thereof and a continuous hedge at least 30 inches high at planting of a species capable of growing to at least 36 inches in height within 18 months, with the height of the hedge measured at grade of the adjacent parking lot. Demonstration of the approval criteria has not been provided; this would be a policy change to not require the street walls along all non SR 527 frontages.

To be noted, the proposed design is an improvement of the existing condition. The site plan shows an expansion of the existing five feet wide landscape buffer between the sidewalk and vehicular use area to 8.5 feet and adding a parking island in the adjacent row of parking, which is not required. The additional parking island creates the need for a waiver to Code Section 134- 471(2)h, which requires the island width to be a minimum of fifteen (15) feet in width. The middle island and the end of row island (east side) are 14 feet wide.

If the waivers are approved, the proposed location of the hedge adjacent to the sidewalk should be changed. There is a significant grade difference between the parking lot and sidewalk. Placing the hedge adjacent to the parking spaces instead of the sidewalk would provide a better screening

of the cars and would eliminate a very tall hedge along the sidewalk as the three feet height the hedge is required to be maintained at is measured from the parking lot grade. **Recommended Action: On the Landscape Plan, show the hedge along Hoffner adjacent to the parking spaces and not the sidewalk. (Accepted)**

Parking Forward of the Front Building Elevation

The applicant is requesting a waiver from Code Section 134-474(c)(4)(a), which relates specifically to expansions of existing buildings requiring conformance with the standard ECD prohibition of parking in front of the building.

As shown on the site plan, four parking spaces are in front of the imaginary line extended from the front façade of the building. The rationale provided by the applicant is that these four spaces will be on existing pavement. Currently the area is used as a drive aisle with parking on the northside of the drive aisle. The proposed parking layout was proposed to meet the minimum required for the proposed expansion. To retain this area as a drive aisle would result in the same condition; pavement adjacent to the front landscaped area. The drive aisle is allowed by this Code section if there is no practical alternative for onsite vehicular circulation, which is the case for the subject property/site plan. In both options, the street wall will screen the pavement from Hansel Avenue. Furthermore, replacing this parking, which is needed to meet the minimum parking required, is impossible in other areas of the site.

Staff supports this waiver and makes a finding that,

- granting of the proposed waiver will not have the effect of nullifying the intent and purpose of the standard that is the subject of the requested waiver;
- granting of the proposed waiver will serve the health, safety and welfare of the city;
- allowing four spaces in the proposed location is the minimum waiver that will reasonably eliminate or reduce the illogical, impossible, impractical, or unreasonable result caused the applicable standard.

Hansel Avenue Street Wall

The proposed street wall, as shown on the Architectural Elevations, does not meet the minimum height required (3 feet). **Action Needed: Revise and resubmit the street wall design according to code requirements. (I believe the wall is 3 feet tall)**

The location of the proposed street wall in the Hansel Avenue landscape buffer of the People Space is contrary to Code Section 134-474(c)(4)a, which states, the wall is required to be placed two feet from the drive aisle, including the width of a vertical curb, on the building side of the People Space, but not within the required buffer width, thus retaining the full width of the landscape buffer; which for the subject property would be 27 feet, plus the width of the wall.

The street wall is also not located per Code. It is required to be at the build line (25 feet from the front property line). It is proposed to be located at 21 feet from the property line south of the sidewalk and 8 feet from the front property line north of the sidewalk. A waiver for the width could be requested; however, the applicant must demonstrate that the reduction in width is illogical, impossible, impractical or unreasonable. Staff is recommending the drive aisles be changed to one-way, which eliminates the need for a 24 feet drive aisle width and provides the necessary width to meet the ECD standard (25 feet + 2 feet + width of wall).

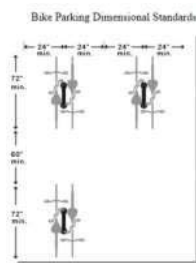
Whereas it is reasonable to put the bicycle parking behind the street wall, the wall should then return to the required location. An alternative would be to move the bicycle parking to another location (see a potential site on the next page).

Action Needed: Redesign the buffer width and street wall location or request a waiver. (I will submit waiver for street wall location(25 feet + 2 feet + width of wall)).

Recommended Action: relocate the bicycle parking and provide envisioned ECD design.

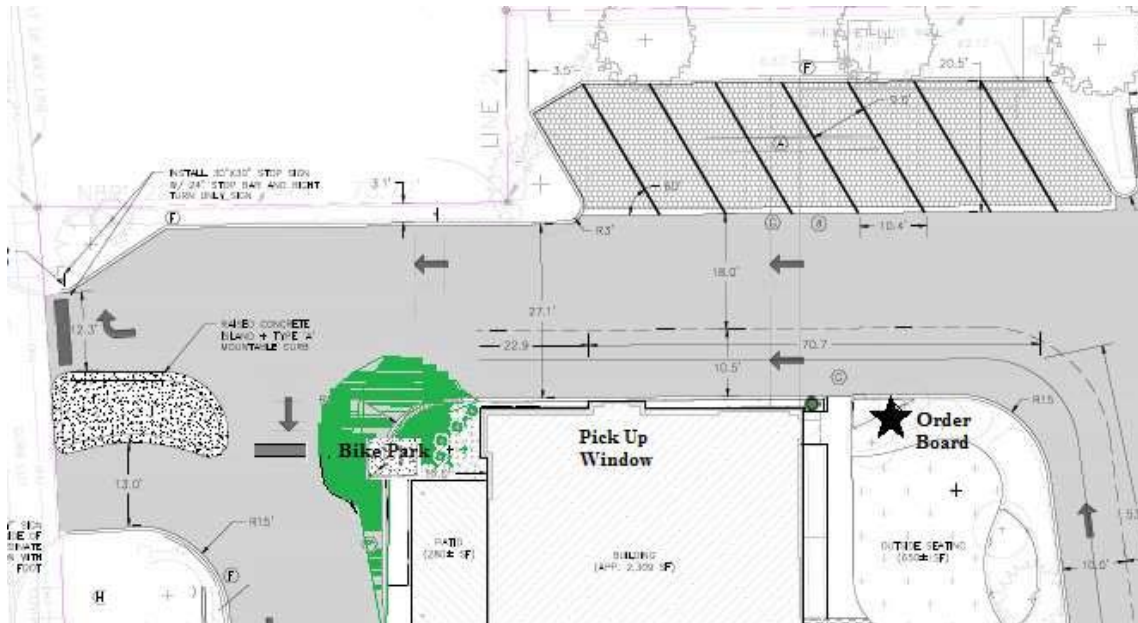
The minimum wall landscaping is not provided. The street wall is to have least one row of shrubs planted parallel to the wall (on the street side). The shrubs are to be at least 24 inches high at planting of a species capable of growing to 36 inches in height within 18 months and spaced to achieve a continuous hedge at maturity. In addition to the hedge requirement, small/understory trees are required to be planted at a rate of one tree/20 feet, or portion thereof, of the wall. An alternative design for a continuous mass planting parallel to the wall that combines a mix of required trees and understory trees, shrubs, accent plants and groundcover may be approved by City Council upon recommendation by the City's Landscape Architect, however, the landscape plan shows no shrubs except north of the bike parking. Liriope is considered a grass, not a shrub. Note, the hedge is required to be on the street side of the wall. See Landscape Architect's comments.

Whereas the minimum number of bicycle parking spaces is provided, they are not spaced correctly on sheet C-100 and sheet C-400. **Action Needed: Revise the spacing to have 48 inches between the two racks. Also submit details of the type of racks to be used: Minimum tube diameter: 1.9 inches, Maximum rack height: 36 inches. Powder-coated, or other weather-proof surface (Accepted)**



Drive-up Window Location and Queue Lane

The applicant is requesting a waiver from Code Section 134-472(b), which requires drive-up windows to be designed on the rear of the building and to incorporate a drive up lane of a minimum of 120 feet in length as measured from the first stopping point; e.g., the order board. Due to using an existing building, the most practical location for a pick up window from the internal bakery floor plan perspective is on the north side. It would be impractical to locate the window in the rear. Staff can support this location with a condition for redesign of the front elevation with a faux wall or landscaping to “hide” the window from Hansel Avenue (see illustration).

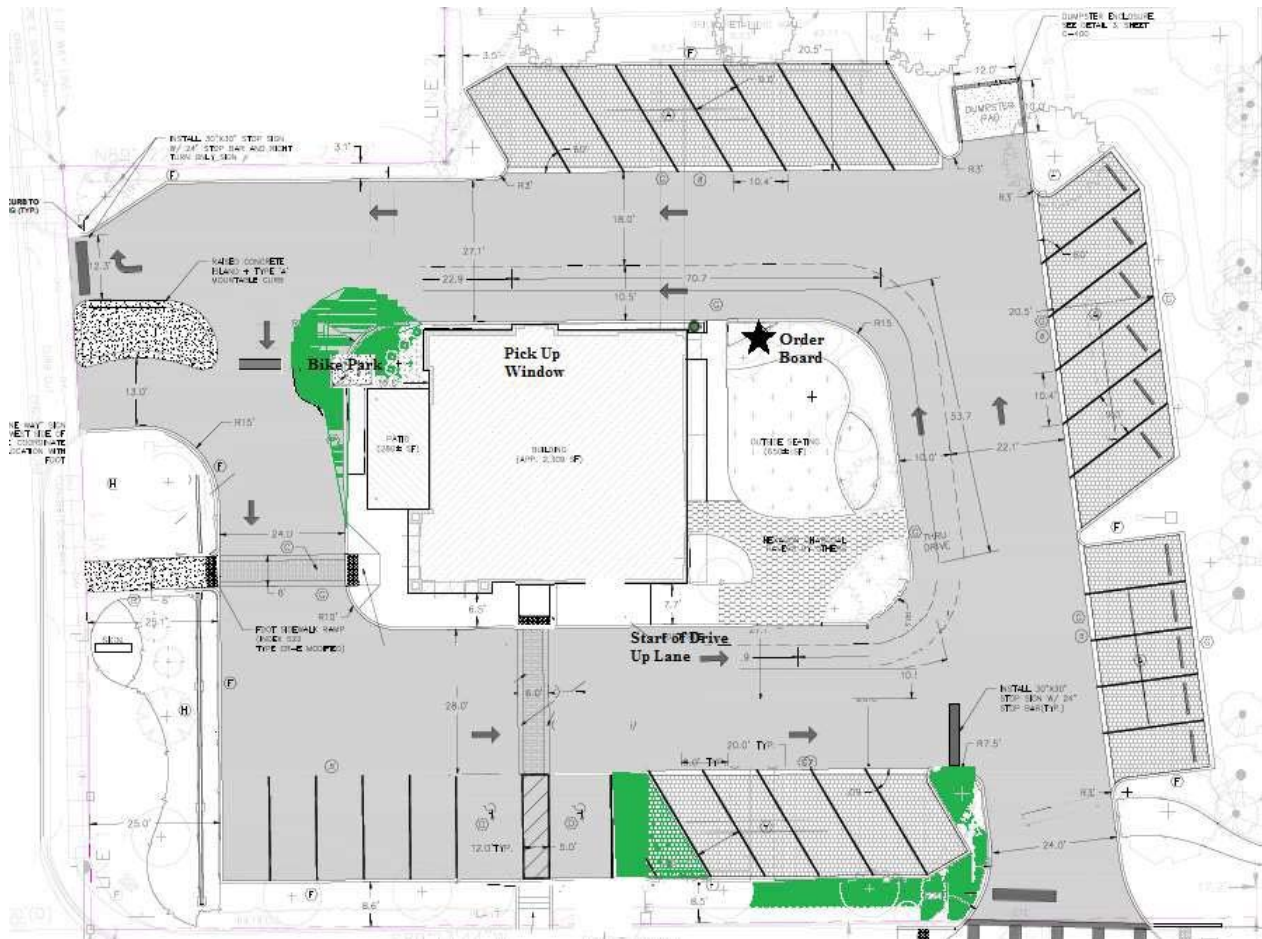


Staff supports approval with the condition of screening the drive through lane/window from Hansel Avenue. The condition will help to,

- preserve the intent and purpose of the standard that is the subject of the requested waiver;
- serve the health, safety and welfare of the city; and,
- would reasonably mitigate the impractical application of the standard.

Action Needed: Redesign to screen the drive through lane/window from Hansel Avenue. (Not accepted.)

The second waiver related to the drive-up window is the queue length. The menu board/order location is not identified on the site plan, however is identified on the landscape plan. The proposed queue at the order board is 57 feet, only accommodating the ordering vehicle and one waiting. Code requires 120 feet, accommodating one at the order board and five waiting. The queue length can be increased by moving the order board to the west and using the northern 10.5 feet of part of the east/west drive aisle (after conversion to one-way) as illustrated on the next page. No parking spaces are lost in this alternative design.



In addition, an increase in queue length is recommended by moving the order/menu board five feet east of the sidewalk from the outdoor patio to the north parking area. Staff recommends provision of a cross walk and adding pavement striping to delineate the drive through lane staff recommends approval. This will help to serve the health, safety and welfare of the city.

Action Needed: Increase queue length, move the order/menu board five feet east of the sidewalk from the outdoor patio to the north parking area, provision of a cross walk, and adding pavement striping to delineate the drive through lane (Will increase drive thru queue to meet the 120 feet requirement by changing the property to a one way)

Sheet C-400

Code Section 134-470(b) requires the dumpster enclosure to be finished with materials and colors which are similar to the materials and colors utilized in the principal building on site. While compliance is stated on this sheet, no details on how the dumpster enclosure “will match the principal structure.” There is no exposed masonry block on the principal structure.

Action Needed: Provide dumpster details to demonstrate the match to the principal structure.(Accepted)

Landscape Plan

The applicant is requesting a waiver from Code Section 134-468(h)(2) to substitute other trees for the required Highrise Oaks and to allow the planting of 3" caliper trees in lieu of 5" caliper as required. See the Landscape Architect's comments.

Action Needed: identify the plants adjacent to the northwest corner of the building. (Accepted)

Architecture Plans

Code Section 134-469(1)b requires at least 60 percent of the width of the ground floor road frontage façade to contain clear (transparent) or spectrally selective glazings (minimum VLT of 60 percent) considered as "non-reflective" glass. This requirement includes doors and windows affording views into the interior areas. Opaque, translucent or reflective glass cannot be counted towards the transparency ratio. **Action Needed: Include a statement on the Architectural Plans that the glass will be a minimum VLT of 60 percent. (Accepted)**

Code Section 134-469(1)g. requires blank walls facing a street that are ten feet in length or greater to incorporate one or more of the specified design treatments so as to eliminate blank walls more than ten feet in length. The proposal is to incorporate Design Treatment 4, which is wall signage of at least six feet in length and four feet in height. A condition of approval will be that the Certificate of Occupancy will not be approved until the sign is approved and installed. Note the maximum square footage of a sign on this side of the building is 50 square feet.

Code Section 134.469(1)f. requires a three-dimensional cornice, at least 2.5 feet in height or as needed to conceal mechanical equipment (whichever is taller), shall be used along all flat (less than 3:12 pitch) or parapet roof portions. The cornice is not proposed. The conclusion of an architect consultation is support of the proposed waiver.

Granting of the proposed waiver from Code Section 134.469(1)f. to not require the 2.5 feet high cornice in the building design will,

- not have the effect of nullifying the intent and purpose of the standard that is the subject of the requested waiver;
- the size and current parapet design is sufficient to meet the design objective of the ECD;
- granting of the proposed waiver will not be detrimental to the health, safety and welfare of the city;
- Requiring the addition of a 2.5 feet in height cornice to the design is illogical, impractical, and unreasonable.

Another requested waiver is to Code Section 134.469 (1)c.4 allowing the required vertical change to not be hung between 13-15 feet above the grade. A building height more than 20 feet requires a vertical change in 75% of the front façade between 13 to 15 feet above the adjacent sidewalk grade to ensure a human scale. This can include a step back or step forward of the building, a material change, or awnings/canopies. For the subject building, this is accomplished

with the use of a covered patio, the windows change to stucco, and the glass to wood at the entrance. Technically, the covered patio does not meet code as it is 12 feet above the grade; it does, however, meet the intent and staff supports the waiver.

- The waiver will not have the effect of nullifying the intent and purpose of the standard;
- granting of the proposed waiver will not be detrimental to the health, safety and welfare of the city;
- Requiring the patio canopy to be 13 feet above the adjacent sidewalk grade is unreasonable if the ECD design objective is met.

Lighting and Photometric Lighting Plan

The applicant is requesting several waivers from the ECD lighting standards required by Code Section 134-470(f). First, Code Section 134-470(f)(1)a. requires a minimum foot candle of 2.0 where pedestrians will be present. In general, 2.0 foot candles is the recommended lighting for parking lots. This compares to 20-35 for recreational tennis courts and 80-150 for televised college football stadiums. Other jurisdictions in the area allow design to 1 to 1.5. Consultation with Chief Freeburg agreed 1.0 provides reasonable lighting coverage.

Staff supports this waiver and makes a finding that,

- granting of the proposed waiver will not have the effect of nullifying the intent and purpose of the standard that is the subject of the requested waiver;
- granting of the proposed waiver will serve the health, safety and welfare of the city;
- the waiver is the minimum that will reasonably eliminate or reduce the illogical, impossible, impractical, or unreasonable result caused the applicable standard.

Second, Code Section 134-470(f)(2) requires decorative lighting and Code Section 134-470(f)(3) limits the lighting fixture height to 16 feet. As well, per Code Section 134-470(f)(1)b, except for bollard type lights, light poles must be set a minimum distance of 17.5 feet from trees. The applicant is requesting waivers from fixture height and decorative requirements claiming it is unreasonable to not allow continuation of the existing three 30-foot high light poles on the property.

The first one is along Hansel Avenue as shown on the next page. This type of lighting is contrary to the character envisioned along the main road of the ECD.



- Granting a waiver to allow this light fixture to remain will have the effect of nullifying the intent and purpose of the lighting standards;
- Granting a waiver to allow this light fixture to remain will negatively impact the health, safety and welfare of the city; and
- Provision of the required lighting is reasonable, logical, and possible.

The second existing light fixture is along Hoffner Avenue as shown below.



It may be unreasonable to require jack and bore under the road to provide electricity to fixtures on this side of the property; however, with other lighting being required to provide the minimum foot candle throughout the parking lot, electricity from a different direction is likely to be available making elimination of this light pole possible. Elimination would also provide consistency with ECD Section which calls for elimination of overhead utilities. Additional information is necessary to determine if elimination of this fixture is unreasonable.

The illustration of the third existing light pole, which is in the rear/eastern portion of the property, shows the rationale for maintaining the lighting fixture height. The light fixture is totally within the tree canopy. Whereas staff does not oppose maintaining this fixture if demolition is unreasonable, the additional lighting to meet the minimum footcandle along the east side of the parking area should meet the ECD height and decorative standards.



Action Needed: Revise the site plan adding the decorative lighting where necessary to achieve the minimum foot candle. Revise the demolition plan to include the demolition of the 30-foot light pole along Hansel Avenue. (Accepted)

Waiver and Variance Summary

- Waiver of Code Section 134-468 (g)(1) a to allow a seven-foot high opaque vinyl fence in lieu of the seven-foot high opaque brick wall where property is adjacent to Low Density Residential designated property.
- Waiver of Code Section 134-468(h)(2) which requires Highrise Oaks with 5” caliper.
- Waiver of Code Section 134.469 (1)c.4 to allow the required vertical change to not be hung between 13-15 feet above the grade.
- Waiver of Code Section 134.469(1)f, which requires a three-dimensional cornice, at least 2.5 feet in height along all flat or parapet roof portions.
- Waiver of Code Section 134-470(c)(3), which limits height of fences anywhere in the district to a maximum of 48 inches.
- Waivers of Code Section 134-470(f) which requires a minimum foot candle of 2.0 where pedestrians will be present.
- Waiver of Code Section 134-470(f) which requires decorative lighting, at a maximum fixture height of 16 feet, and located at least 17.5 feet from trees.
- Waiver of Code Sections 134-471(1)a and 134-471(2)i. to eliminate the Road View requirements on the Hoffner side of the building.
- Waiver of Code Section 134.471(2)e which requires a street wall to screen the parking spaces (Hoffner).
- Waiver of Code Section 134-471(2)e., which requires the street wall to be located at the build line (Hansel).
- Waiver of Code Section 134-471(2)h, which requires the width of landscape islands in parking lots to be a minimum of fifteen (15) feet in width.
- Waiver of Code Section 134-472(b), which requires drive-up windows to on the rear of the building.
- Waiver of Code Section 134-472(b, which requires a drive up lane of a minimum of 120 feet in length as measured at the first stopping point. **(No longer require this waiver)**
- Waiver of Code Section 134-474(c)(4)(a) which requires parking to be behind the imaginary line extended from the front building façade.
- Waiver of Code Section 134-474(c)(4)a. which requires the street wall to be placed two feet from the drive aisle and not within the required buffer width.
- Variance in Code Section 134-142 to eliminate the requirement for a cross access easement.

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