

MINUTES

Orange Village Planning & Zoning Commission
Architectural Board of Review
Tuesday, October 16, 2018 – 6:30 pm

Mayor Kathy Mulcahy, Chairperson, called the meeting to order at 6:31 pm.

Members Present: Anthony Lazar, Kathy Moran, Eric Newland, Scott Lewis, Brian Hitt, Mayor Kathy Mulcahy

Members Absent: Jud Kline

Others Present: Steve Byron, Law Director
Robert McLaughlin, Chief Building Official
Karen Morocco, PZ/ABR Secretary

#1 4080 BRAINARD ROAD – GARAGE ADDITION

Present: Sheena & Jason McGee, Homeowners

PZ/ABR Discussion:

The one car attached garage will be a 1000 square feet. All materials will match existing including the cedar siding. The garage doors may be changed and will match if they are changed. The homeowners would like to begin construction as soon as possible.

A Joint Motion to recommend the garage addition at 4080 Brainard Road was made by Mr. Scott Lewis;
Seconded by Mr. Eric Newland.

Ayes: Lazar, Moran, Newland, Lewis, Hitt, Mayor Mulcahy
Abstain: None
No: None

The Joint Motion was approved 6 to 0.

#2

**PINECREST – BUILDING #8 – NEXT DOOR AMERICAN EATERY – FINAL DEVELOPMENT PLAN-
RE: OUTDOOR DINING**

Present: Jason Dolan, Red Architecture, Representative

PZ/ABR Discussion:

The commission feels there should be more green vegetation with a year round variety in large potted planters or possibly vertical trellises with vines. Jason Dolan of Red Architecture will resubmit plans and return to PZ/ABR on November 6th.

No Action Taken

#3

PINECREST – BUILDING #7 – CONDADO – FINAL DEVELOPMENT PLAN- RE: OUTDOOR DINING

Present: Eric Loutitt, Fairmount Properties

PZ/ABR Discussion:

The commission feels there should be more green vegetation with a year round variety in large potted planters possibly inside the fence so it can be seen from both sides. This would off-set the reduced landscaping caused by the elimination of the permanent planter. Plans will be resubmitted and the applicant will reappear at the November 6th PZ/ABR meeting.

No Action Taken

#4

EMERY ROAD – LAKES OF ORANGE – PHASE 7 – LOT CONSOLIDATION

Present: Randy Kertesz, Kertes Enterprises

Comments:

This review is based on the set of drawings by Neff and Associates (5 pages) dated September 21, 2018. The proposal is for preliminary plan approval for Phase 7 of the Lakes of Orange and approve a Consolidation Plat for the Phase 7 property.

Since Phase 7 is in the U-1 Zoning District and the applicant is proposing to apply the U-1 Cluster Development provisions, different standards are being applied than are applicable to Phases 1-6 which are in the S-1 and S-1A Districts. For the purposes of this analysis, the same development standards apply to both the S-1 and S-1A properties.

Key to incorporating Phase 7 into the Lakes of Orange project area is whether the combined land area (113.31 acres) satisfies the density and open spaces requirements for the respective zoning districts. The 113.31 acres is comprised of: Phases 1-6 (89.58 acres), Brainard Road parcel (1.66 acres) and the proposed Phase 7 (22.07 acres). Fundamental to this acreage analysis is:

1. How much land is required by the S-1 regulations for Phases 1-6, compared to how much land is in Phases 1-6;
2. Whether any excess land in Phases 1-6 is sufficient to meet the U-1 requirements for Phase 7; and
3. Recognition that there is no provision in the Code which specifies that the open space for a project is required to be in the same district as the developed portion of the project. Therefore, using the excess S-1 land to meet the density limitations in the U-1 District is permissible.
4. Based on Dave Hartt's estimates and interpretation of the Code, it is his opinion, subject to verification of these estimates by the applicant's engineer (which has been requested) that the Lakes of Orange, with Phase 7, complies with the Zoning regulations. This is based on the following analysis:

Phases 1-6:

The open space requirement for Phases 1-6 (the S-1 zoning) is not related to density, but does require satisfying an open space requirement which, per Code Section 1170.08 (a), specifies that 30% of gross area of the development shall be in open space but further specifies that such open space "...may include required setbacks, patios, private gardens, private yards..." In effect, therefore, the open space is 30% of land area that is actually used (developed). The developed areas include the roads, driveways, parking, garages, building footprint and 400 sq. ft. of private yard (per code). The definition does not limit the open space to only including those common areas outside the sub-lots.

Phases 1-6:

The open space requirement for Phases 1-6 (the S-1 zoning) is not related to density, but does require satisfying an open space requirement which, per Code Section 1170.08 (a), specifies that 30% of gross area of the development shall be in open space but further specifies that such open space “...**may include required setbacks, patios, private gardens, private yards...**” In effect, therefore, the open space is 30% of land area that is actually used (developed). The developed areas include the roads, driveways, parking, garages, building footprint and 400 sq. ft. of private yard (per code). The definition does not limit the open space to only including those common areas outside the sub-lots.

Developed Acres – maximum built area allowances to satisfy the acreage requirements for Phase 7 (To be verified by applicant).	28.91 ac.
Open Space Required (30% of developed)	12.39 ac.
Acres Needed – Phases 1-6	41.30 ac.

Phase 7:

Clustering in the U-1 District is limited to 1.5 acres per unit. Based the 48 units proposed, 72 acres are needed for the project

Developed acres within the 22.07 acres in Phase 7 (To be verified by applicant)	17.00 ac.
Open space remaining within the 22.07 acres (To be verified by applicant)	5.07 ac.
Open space available from “excess” land in Phases 1-6; the difference between the 91.24 acres in Phases 1-6 less the 41.30 acres required	49.94 ac
Acres needed for Phase 7	72.00 ac
Total Acres Required for Phases 1-7	113.30 ac.
Total Acres Available	113.31 ac.

A Motion was made to approve the Emery Road – Lakes of Orange Preliminary Development Plan subject to the lot consolidation, Village Planner’s verification approval and the Village Engineer’s approval was made by Mr. Scott Lewis; Seconded by Mr. Anthony Lazar.

Ayes: Lazar, Lewis, Hitt, Mayor Mulcahy
No: None

The Motion was approved 4 to 0.

#5

EMERY ROAD – LAKES OF ORANGE – PHASE 7 – LOT CONSOLIDATION

Present: Randy Kertesz, Kertes Enterprises

A Motion was made for the Emery Road – Lakes of Orange – Phase 7 lot consolidation was made by Mr. Scott Lewis; Seconded by Mr. Anthony Lazar.

Ayes: Lazar, Lewis, Hitt, Mayor Mulcahy
No: None

The Motion was approved 4 to 0

#6

LAKES OF ORANGE – PHASE 3 - RESUBDIVISION

Present: Randy Kertesz, Kertes Enterprises

PZ Discussion:

The lots will be larger and there will be approximately 140 + lots in total. The vacation has already been approved at a previous Planning and Zoning meeting.

The Motion to approve Lakes of Orange – Phase 3 – Resubdivision, subject to the Village Engineer and County's approval was made by Mr. Brian Hitt; Seconded by Mr. Anthony Lazar.

Ayes: Lazar, Lewis, Hitt, Mayor Mulcahy
No: None

The motion was approved 4 to 0.

#7

CHIEF BUILDING OFFICIALS' REPORT

- The red house on Orange Meadow has been demolished and the yard area is looking good.
- Pinecrest is approximately 80% leased.
- Ron Nied's Pinecrest inspections are slowing somewhat. He is still conducting inspections 2-3 days a week.
- Independence is doing construction on a few 'Whitebox' units in Pinecrest to have partially completed for lease.

#8

ANY OTHER TOPIC FOR DISCUSSION

- At this point, there will be two new houses, variance request and a landscape plan on the November 6th PZ/ABR agenda. November 6th is voting day so the meeting will be held in the Woodell Room.

A Motion to approve the Minutes of the October 16, 2018 meeting was made by Mr. Brian Hitt; Seconded by Mr. Scott Lewis.

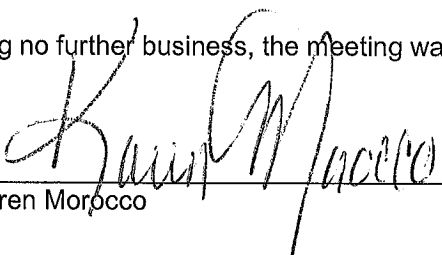
Ayes: Lazar, Moran, Newland, Lewis, Hitt, Mayor Mulcahy

Abstain:

No: None

The Motion was approved 6 to 0.

There being no further business, the meeting was adjourned at 8:02 pm



Karen Morocco



Date