

Agenda Memorandum

To: Honorable Mayor and City Council Members
Prepared By: Florence Simpson, Planner II
From: Bryan Cobb, City Manager
Date: July 17, 2023
Subject: **Resolution No. 4347-23**, Architectural Design Order No. 070-23 for Ace Hardware Oviedo

Procedure: Consent Agenda

Introduction: This is a request for the City Council to approve Architectural Design Order (ADO) No. 070-23 for Ace Hardware Oviedo. The property owner is Sanford Ace Hardware, Inc. The applicant is Robert G. Parsell. The Architect of Record is Joel Setzer.

Discussion: Per LDC Section 2.5 (A) (18), the City Council shall have final approval authority to issue Architectural Design Orders associated with a Site Development Order, or Building Permit application associated with a Mixed-Use Development, Multi-Family Development, Townhome Development, Office Development, and Commercial Development in all zoning districts.

The subject property is approximately 2.48 acres property located along east side of Central Avenue (SR 434) and north side of Franklin Street. The subject property has a future land use designation of Downtown Transition (DT), and zoning district of Office Commercial (O-C). This subject property is proposed to be developed into 9,971 square feet (SF) of commercial retail business.

Staff reviewed the proposed architectural design according to the standards of the Land Development Code (LDC) and the Comprehensive Plan. The project consists of a commercial retail building with brick form liner, stucco and canopies. Color elevations of the proposed building are provided in Attachment 3. The applicant requests the following deviations to the City's architectural design standards:

West Elevation

- **LDC Section 8.7(C)(4)(ii), Fenestration:** A 138 SF deviation to a minimum requirement of 30% of area for fenestration on a primary façade to allow 240 SF of fenestration on the west elevation instead of the minimum required 378 SF, resulting in a **37% deviation**.
- **LDC Section 8.7(C)(3)(d)(ii), Articulation:** Two (2) articulation deviation from the minimum requirement of three (3) articulations on a primary façade to allow one (1) articulation on the west elevation, resulting in a **67% deviation**.

North & South Elevation:

- **LDC Section 8.7(C)(4)(ii), Fenestration:** A 304 SF deviation to a minimum requirement of 30% of area for fenestration on a primary façade to allow 476 SF of fenestration on the north & south elevations instead of the minimum required 780, resulting in a **39% deviation**.
- **LDC Section 8.7(C)(3)(d)(ii), Articulation:** One (1) articulation deviation from the minimum required three (3) articulations on a primary façade to allow two (2) articulations on the north & south elevation, resulting in a **33% deviation**.

East Elevation

- **LDC Section 8.7(C)(3)(d)(ii), Articulation:** One (1) articulation deviation from the minimum required one (1) articulation on a rear façade to allow zero (0) articulations on the east elevation, resulting in a **100% deviation**.

MITIGATION TECHNIQUES: Per the LDC, deviation to the minimum LDC requirements shall be accompanied by mitigative techniques. Per LDC Section 8.3(C), the number of mitigation techniques are determined by the amount of deviations requested. Deviations up to twenty (20) percent shall require one (1) mitigation technique. Deviations between twenty percent (20%) and up to fifty percent (50%) shall require two (2) mitigation techniques. Deviations above fifty (50) percent shall require three (3) mitigation techniques. The highest deviation by the applicant is 100%, therefore three (3) mitigation techniques are required. The applicant proposes the following mitigation techniques.

1. **(12) Other Mitigation:** Brick wrap around the building
2. **(11) Public Art Contribution:** \$1,500 donation
3. **(11) Public Art Contribution:** \$1,500 donation

Staff supports the deviations being requested and the proposed mitigative techniques.

Budget Impact: There is no impact to the budget associated with ADO No. 070-23.

Strategic Impact: The proposed development is consistent with the goals and objectives of the Economic and Vitality strategic focus area.

Recommendation: It is recommended that City Council adopt Resolution No. 4347-23.

Attachment(s):

1. Location Map
2. Proposed Site Plan
3. Color Facade Elevations
4. Justification Letter