



**Planning and Zoning Commission
July 21, 2022
Council Chambers
6:00 PM**



- I. Call to Order
- II. Pledge of Allegiance
- III. Approval of Minutes of Previous Meeting
 1. Approval of May 5, 2022 Meeting Minutes
- IV. Public Period
- V. Public Hearing
 2. Recommendations
 - A. Petition 2021-03 (AZ-PD) Maitland Concourse North Lot 1
- VI. Old Business
- VII. New Business
- VIII. Any Other Business the Board Deems Advisable
- IX. Adjournment

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

Notice: Any person who desires to appeal any decision made at this meeting or hearing will need a record of the proceedings and, for this purpose, may need to ensure that a verbatim record of the proceedings is made which includes testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's office (407-539-6219) 48 hours in advance of the meeting.

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

MEETING DATE		AGENDA
July 21, 2022		Section: Approval of Minutes of Previous Meeting
Department/Office : Community Development	AGENDA REPORT	Item #: 1.
Subject: Approval of May 5, 2022 Meeting Minutes		
Requested Action or Motion: Approve the MInutes of the May 5, 2022 Planning and Zoning Commission Meeting		
Summary Explanation & Background: NA		
Fiscal Impact: NA		
Exhibits: 1. P&Z Minutes May 5, 2022 (Draft)		
Commission/Board: Planning and Zoning Commission		
Contact Person: Barrett Chaix 407-539-6213		
Reviewed by City Attorney No		



**Planning and Zoning
Commission
Minutes
May 5, 2022
Council Chambers
6:00 PM**



I. CALL TO ORDER

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

Present: 5 - Vice Chair Jamie Kay Bennett, Chair Keith Holloway, Commissioners Glen S. Jaffee, Matthew Lamb and Kathleen McIver
Remote: 0 -
Absent: 0 -

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

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES OF PREVIOUS MEETING

Senior Planner Chaix informed the Commission that an error was discovered in the draft minutes from the March 3, 2022, meeting indicating Matt Lamb as Vice Chair instead of Jamie Kay Bennett and that the minutes had been updated to reflect the correct titles. Chairman Holloway asked the Commission if there were any other corrections. Hearing none, a motion was made to approve the corrected minutes.

RESULT: Approve
MOVER: Commissioner Katheen McIver
SECONDER: Vice Chair Jamie Kay Bennett
AYES: Jamie Kay Bennett, Keith Holloway, Glen S. Jaffee, Matthew Lamb, Katheen McIver
NAYS: None

IV. PUBLIC PERIOD

V. PUBLIC HEARINGS**1. Petition No. 2022-01 (ALU) Property Rights Element**

Senior Planner Chaix introduced the item and gave a brief background.

Chairman Holloway opened the public hearing. The following member of the public spoke:

Dale McDonald (108 Tangelo Court) asked about rights of water and if that is why this amendment is required.

There being no one else who wished to be heard, Chairman Holloway closed the public comment period. A motion was made to forward the proposed CDP amendment to Council with a recommendation of approval.

RESULT:	Approve
MOVER:	Commissioner Matthew Lamb
SECONDER:	Vice Chair Jamie Kay Bennett
AYES:	Jamie Kay Bennett, Keith Holloway, Glen S. Jaffee, Matthew Lamb, Katheen McIver
NAYS:	None

2. Petition No. 2022-02 (ALU) Water Plan

Senior Planner Chaix introduced the item and gave a brief background.

Chairman Holloway opened the public hearing. The following member of the public spoke:

- Dale McDonald (108 Tangelo Court) asked if there were any changes to the City's topical (lake) water supply.

There being no one else who wished to be heard, Chairman Holloway closed the public comment period. A motion was made to forward the proposed CDP amendment to Council with a recommendation of approval.

RESULT:	Approve
MOVER:	Vice Chair Jamie Kay Bennett
SECONDER:	Commissioner Glen S. Jaffee
AYES:	Jamie Kay Bennett, Keith Holloway, Glen S. Jaffee, Matthew Lamb, Katheen McIver
NAYS:	None

3. Planning and Zoning Commission Bylaws Update

Senior Planner Chaix introduced the item and gave a brief background.

Chairman Holloway opened the public hearing. The following members of the public spoke:

- Dale McDonald (108 Tangelo Court) spoke about the 2/3 vote required and had a question about why a consent agenda is being proposed.

There being no one else who wished to be heard, Chairman Holloway closed the public comment period. A motion was made to forward the proposed Bylaws to Council with a recommendation of approval.

RESULT:	Approve
MOVER:	Commissioner Matthew Lamb
SECONDER:	Commissioner Jamie Kay Bennett
AYES:	Jamie Kay Bennett, Keith Holloway, Glen S. Jaffee, Matthew Lamb, Katheen McIver
NAYS:	None

VI. OLD BUSINESS

There was no old business.

VII. NEW BUSINESS

There was no new business.

VIII. ANY OTHER BUSINESS THE BOARD DEEMS ADVISABLE

Mr. Matthys informed the Commission about the upcoming FPZA conference being held from June 1-3, 2022 at the South Seas Island Resort in Captiva Florida and mentioned that if any Commissioner is interested in attending, the City has a small amount budgeted for such purposes.

Mr. Matthys also informed the Commission that on April 24th, we received notice from FPZA that the City of Maitland has been awarded the " Outstanding Study/ Plan" award which will be presented at the State conference and that Dan and Barrett will likely be going to the awards lunch to accept the award on behalf of the City.

Members of the Commission asked a few questions about projects in the City.

IX. ADJOURNMENT

There being no further business to come before the Commission, the meeting adjourned at 6:42 p.m.

Chairperson

Date

Attest

Date

MEETING DATE		AGENDA
July 21, 2022		Section: Public Hearing
Department/Office : Community Development	AGENDA REPORT	Item #: A.

Subject:

Petition 2021-03 (AZ-PD) Maitland Concourse North Lot 1

Requested Action or Motion:

Forward Petition 2021-03 (AZ-PD), MCN Lot 1 to the city council with a recommendation of approval consistent with the DRC findings and recommended conditions of approval.

Summary Explanation & Background:

Background

The Maitland Concourse North (MCN) Planned Development was approved on February 22, 2016, via Ordinance 1303. During the review of the original Planned Development (PD), the City worked with the applicant and the community to carefully review Maitland Concourse North's visual impact on the surrounding area. Research was conducted to assess the existing vegetation, topography, line-of-sight, and other factors to determine tree preservation, adequate buffers, screening type and frequency, landscaping requirements, streetscape requirements and more.

Since the approval of the PD, MCN has constructed internal roadways, stormwater facilities, landscaping and other infrastructure per the approved PD. In addition, a 350 unit apartment complex located on Lot 7 has been completed, as well as a 100 unit/111 bed ACLF and 20 unit/23 bed Memory Care facility on Lot 5. Construction of retail and restaurant uses is underway on Lot 2, consistent with the PD approved in 2016.

Application

An application was filed by Alan Charron, Maitland Synergy, LLC and Corkscrew, LLC, 2345 W. Sand Lake Road, Suite 100, Orlando, Florida 32809 to amend Lot 1 of the Maitland Concourse North Planned Development (PD). The applicant is proposing to develop up to 75,000 sq.ft. of commercial uses and associated infrastructure consistent with the approved Lot 1 entitlements. The proposed re-design consists of five buildings that vary between one (1) and two (2) stories and include retail, office and restaurant spaces, including one (1) drive-thru.

The Maitland Concourse North Development Program was designed to place the highest intensity (FAR and height) towards the center of the project primarily (Lots 1, 2, 3, & 6) designated as Restricted Mixed Office Commercial Land Use category (MORC). Lot 1 was assigned 75,000 square feet of building floor area and the proposed amendment does not modify that allocation. The Floor Area Ratio (FAR) of Lot 1 will remain the same, as will all setbacks, perimeter buffer yards, and the residential scale and character of the buildings will be maintained, as is evident from the proposed building elevations.

Amendment

The applicant is proposing to revise the development plan building orientation that was approved as part of the "Palloni Plan". The proposed conceptual PD plan maintains the 75,000 SF of commercial development between one and two stories in height and breaks up the building and parking lot, while providing additional pedestrian connectivity and open space. The proposed project is parked at a scale of 5 spaces per 1,000 SF.

A community meeting was held on January 6, 2022 at the Planning and Zoning Commission Meeting where the Commission provided direction to City staff to consider in their review, and the applicant's revision of the conceptual development plan. The version of the proposed plan reviewed at the meeting contained three drive-thru uses on the site.

On February 28, 2022, City Council amended the Comprehensive Development Plan (CDP) to allow for one drive-thru establishment, with a maximum interior square footage of 5,000, located on the western portion of Lot 1 and with the condition that the PD concept plan had to be reasonably consistent with the plan shown to City Council at that CDP adoption public hearing.

On July 6, 2022, the Development Review Committee (DRC) unanimously recommended approval of the proposed zoning amendment for Planned Development. The DRC recommendation report is consistent with the parameters established in the CDP amendment. The DRC staff report is attached to the draft City Ordinance included in this agenda packet.

Staff Recommendation

Forward Petition 2021-03 (AZ-PD), MCN Lot 1 to the city council with a recommendation of approval consistent with the DRC findings and recommended conditions of approval.

Fiscal Impact:

NA

Exhibits:

1. Maitland Concourse North Lot 1 P & Z w_ Appendix

Commission/Board: Planning and Zoning Commission

Contact Person: Barrett Chaix 407-539-6213

Reviewed by City Attorney

No

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF MAITLAND, FLORIDA, AMENDING THE OFFICIAL ZONING MAP, A PART OF ARTICLE 1 OF THE MAITLAND LAND DEVELOPMENT CODE (AS AMENDED BY ORDINANCE 1396, PREVIOUSLY CHAPTER 21), BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY GENERALLY LOCATED NORTH OF MAITLAND BOULEVARD AND WEST OF MAITLAND AVENUE, FURTHER DESCRIBED HEREIN, FROM PLANNED DEVELOPMENT TO PLANNED DEVELOPMENT; APPROVING A CONCEPTUAL DEVELOPMENT PLAN FOR LOT 1 OF MAITLAND CONCOURSE NORTH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Alan Charron/Maitland Synergy LLC and Corkscrew LLC, located at 2345 W. Sand Lake Road, Suite 100, Orlando Florida 32809, have requested an amendment to Lot 1 of the existing Planned Development known as Maitland Concourse North PD.

WHEREAS, the Development Review Committee (DRC), at their regularly scheduled meeting of July 6, 2022 recommended approval of Petition No. 2021-03 (AZ-PD) Maitland Concourse North Lot 1, subject to the conditions in the DRC report; and

WHEREAS, the Planning and Zoning Commission (P&Z), which also sits as the Local Planning Agency and the Land Development Regulation Commission, duly scheduled, advertised and on January 6, 2022, held a public hearing to consider said request; and

WHEREAS having heard all persons who desired to speak for and against said rezoning; at their meeting of July 21, 2022, provided a recommendation of XXXX for Petition No. 2021-03 (AZ-PD) Maitland Concourse North Lot 1; and

WHEREAS, the zoning amendment was found to be in compliance with the Comprehensive Development Plan 2035 (2035 CDP) of the City of Maitland; and

WHEREAS, the City Council has duly considered the recommendations of the P&Z and DRC and reviewed all comments, both written and verbal, regarding this requested rezoning; and

WHEREAS, the City Council duly advertised and held a public hearing on X to consider the zoning amendment and revised development plan; and

WHEREAS, the City Council having heard all persons who desired to speak for and against said rezoning, found that the zoning amendment and development plan will be in the best interest of the residents of the City of Maitland, Florida, and found them in compliance with the 2035 CDP; and

NOW THEREFORE BE IT ENACTED by the City Council of the City of Maitland, Florida, that:

SECTION 1. The Official Zoning Map, a part of Article 1 of the Maitland Land Development Code, City of Maitland, Florida, is hereby amended to change the zoning district classification of the following properties from PD (Planned Development) to PD (Planned Development) for the property legally described as:

Legal Description (s):

LOT 1 OF MAITLAND CONCOURSE NORTH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 92, PAGES 113 THROUGH 119, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

SECTION 2. The application and supplementary materials specified in the DRC Recommendation Report for 2021-03 (AZ-PD) Maitland Concourse North Lot 1, and findings stated therein, are approved and incorporated herein by reference, including exhibits provided in Appendix A and all development and uses shall be consistent with the conditions of approval included therein.

SECTION 3. The Community Development Director shall make the necessary entries to reflect the change as prescribed in Sec 1.7.3 of the Maitland Land Development Code.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. This ordinance shall become effective immediately upon its adoption.

ADOPTED by the City Council of the City of Maitland, Florida this ____ day of _____, 2022.

CITY OF MAITLAND, FLORIDA

By: _____
John P. Lowndes, Mayor

Attest: _____
Lori Hollingsworth, City Clerk, CMC

APPENDIX A



DEVELOPMENT REVIEW COMMITTEE

July 6, 2022

Maitland Concourse North Lot 1 (2021-03 AZ-PD) Zoning Amendment for Planned Development

APPLICANT: Alan Charron/ Maitland Synergy LLC and Corkscrew LLC; 2345 W. Sand Lake Road, Suite 100 , Orlando, Florida 32809

AGENT: Jonathan A. Martin, P.E./Kimley-Horn and Associates, Inc.; 189 S. Orange Ave., Suite 1000, Orlando, Florida 32801

OWNER(S): Maitland Synergy LLC and Corkscrew LLC

PETITION: 2021-03 (AZ-PD) Maitland Concourse North Lot 1

PROPOSED USE: Commercial and Retail

CURRENT USE Undeveloped

LOCATION: Lot 1, Maitland Concourse North

PID(S): 25-21-92-5475-01-000

ACREAGE: 7.50

ACCESS: Trelago Way, Lake Faith Drive

DATE OF APPLICATION November 29, 2021

AREA MAP



I. FINDINGS & RECOMMENDATIONS

Consistent with Section 7.5, Article VII. Planned Development, of the Maitland City Code, the Development Review Committee forwards Petition No. 2021-03 AZ-PD (Maitland Concourse North Lot 1) to the Planning and Zoning Commission with a recommendation of approval, and notes conditions listed below, and determines;

- A. That there is substantial compliance with the purpose and intent of the Planned Development district and the preliminary development plan;
- B. That the proposed phase of development can exist as an independent unit capable of creating an environment of substantial desirability and stability;
- C. That the existing or proposed utility services and transportation systems will be adequate for the proposed development; that all adopted levels of service have been adequately met; and
- D. That the site plan is consistent with the Comprehensive Development Plan.

The findings include a determination that the intent of the PD has been met as outlined in Section 21-21. Planned Development District of the Maitland City Code.

II. PETITION ANALYSIS

THE FOLLOWING ARE INCLUDED IN THE RECOMMENDATION FOR APPROVAL:

Petition for Planned Development Option-1 and supplemental materials.

BACKGROUND

The subject property is designated as Lot 1 of the Maitland Concourse North Planned Development final development plan, which was initially approved in February 2016 by Maitland City Council Ordinance number 1303. The current zoning is Planned Development and the Future Land Use Designation is Corridor District; Maitland Concourse North Area of Special Consideration. Lot 1 was designated for retail uses, and building elevations and a site plan were approved. Criteria for "Residential Scale and Character" were approved as part of the Conditions of Approval of the final development plan that subsequent PD plans and permits would need to adhere, along with a prohibition on drive-thru uses among numerous other conditions, which were also adopted into the *Maitland Comprehensive Development Plan 2035* (CDP).

On February 28, 2022, the CDP was amended by City Council via Ordinance number 1395 to allow one drive-thru establishment with a maximum interior square footage not to exceed 5,000 square feet on the west 300 feet of the subject property. The exception for a drive through would sunset and revert back to a prohibited use if a PD amendment reasonably consistent with the plan presented to City Council at the public hearing was not approved by March 1, 2024, unless an extension is approved.

PROPOSAL

The applicant is proposing a Planned Development zoning amendment to amend the approved PD Plan for Lot 1 to a different building layout. Both the existing PD plan and amendment propose to develop 75,000 square feet of commercial uses and associated infrastructure. The total square feet is proposed to be divided between 5 buildings [EXHIBIT A]. The buildings are proposed to vary between one and two stories in height with a maximum height of 45 feet and are to include retail, office, and restaurant uses. A single drive-thru use of 2,562 SF is proposed for the western portion of the site closest to Trelago Way. Parking is provided at an approximate ratio of five spaces per 1000 SF of building area, with the applicant is proposing a total of 378 spaces.

DIRECTION TO CITY STAFF:

A community meeting was held on January 6, 2022 before the Planning and Zoning Commission. At that time the applicant had submitted as site plan showing three drive-thru uses. Five members of the public spoke in opposition to the proposed amendment, citing concerns about traffic impacts, safety, and proposed drive-thru uses, road access, billboards and outdoor noise.

After hearing public comment, the Planning and Zoning Commission provided the following direction to the Development Review Committee (DRC) to consider in their review, to return the petition to the Planning and Zoning Commission for a final recommendation to City Council. The applicant provided response to these comments in a resubmittal following the meeting [EXHIBIT B]

1. Consider eliminating all or some of the drive-thru uses;
2. Consider 'curbside takeout' style digital ordering (specifically on Building 4, which seems well suited for it);
3. Enhance landscaping on the eastern property boundary as a buffer for residences;
4. Develop a sidewalk on Lake Faith Drive/relocate NE corner sidewalk to along the perimeter (Lake Faith Drive);
5. Review the potential impacts of trucks and buses on Lake Faith Drive;
6. Accommodate the existing OPCS bus stop;
7. Develop pedestrian access north of Building 5;
8. Consolidate or relocate refuse areas;
9. Utilize fully enclose dumpsters;
10. Study patterns of existing and likely pedestrian circulation and match with proposed pathways;
11. Consider if pathways accommodate bikes or other non-motorized transit as well as pedestrians;
12. Analyze the percentage of area dedicated to drive-through uses, consider the percentage of frontage on Maitland Blvd dedicated to drive-thru uses;
13. Review additional trip generation of drive-thru uses, including consideration of proximity to Interstate 4;
14. Consider the noise impacts of outdoor dining; and
15. Examine whether NE access point is too close to the existing E-W drive.

A. Land Development Code (LDC) Chapter 7.5

As this petition was submitted in November of 2021, the review standards of the Maitland Land Development Code (LDC) of that time are applied to the review of the petition. This was Article VII Planned Development of the LDC, which is applicable to all zoning amendment requests for the planned development district. Per Sec. 7.5-53 Planned development application procedures, after the public hearing by the Planning and Zoning Commission, the Development Review Committee (DRC) reviewed the petition and the public comments and provided reasonable assistance to the applicant to bring the project in compliance with the LDC and all other applicable regulations and agreements such as Ordinance number 1303. The DRC conducted its review and formulated its recommendation based on the following factors:

1. *Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety, connectivity and convenience, traffic flow and control, and access in case of fire or catastrophe;*

A pedestrian access way, 8 feet in width, has been provided along Maitland Boulevard with three points of connectivity to the internal pedestrian network, which has a minimum width of 6 feet. There are six points of pedestrian access from the multifamily development to the north. Access from the multifamily development to the east is provided by the easternmost of these access points. During technical review, additional internal pedestrian sidewalks were added to the site.

Vehicular access is primarily provided from two access points on Trelago Way from the west, two vehicular access points to the north and one access point from Lake Faith Drive. Fire access is deemed to be adequate. The drive-thru use is situated as to minimize impacts on automotive and pedestrian safety and traffic flow and exceeds the stacking requirements of the Land Development Code.

2. *Off-street parking and loading areas, where required, with particular attention to the items in (a) above;*

Reduced parking massing and residential scale and character criteria are required in the Maitland Concourse North PD development plan. Larger islands and internal walkways have been supplied as required. Satisfactory parking spaces and loading areas are provided as well. The revised site plan breaks up the parking areas around the commercial building in comparison to the approved 2016 site plan [Exhibit C].

3. *The economic, noise, glare or odor effects of the proposed development on the city as a whole and on the surrounding properties;*

The mix and scale of proposed office, commercial and retail uses and structures on Lot 1 is consistent with what was contemplated, expected and approved in Ordinance 1303 and the R-MORC portion of the Maitland Concourse North PD plan. It is expected that the proposed development will have a positive economic impact on the city as a whole and the surrounding properties as it will provide for daily shopping and service needs of the community. Noise, glare and odor is expected to be mitigated by adherence to the standards of the Land Development Code at the Site Plan Review process.

4. *Refuse and service areas, with particular reference to the items in (a) and (b) above;*

The proposed site plan has provided several joint-use refuse and service areas that comply with city code, including fully enclosed dumpster areas. Screening is required and will be provided as noted in this report. The applicant will be required to provide adequate space and adequate receptacle for recycling. A detailed solid waste and recycling plan will be required.

5. *Screening and buffering with reference to type, dimensions, and character;*

Standards for screening and buffering were analyzed and established in Ordinance 1303 in the overall PD plan. Consistent with this, a 70-foot building setback and 10 foot minimum landscape buffer is shown on the site plan between commercial uses and the multifamily use to the east. The proposed building locations and outdoor dining areas are beyond this required setback. A Condition of Approval has been established that will require drive-thru windows and service areas to be designed to avoid off-site visibility to the maximum extent practicable. These areas are required to

be adequately screened for aesthetic purposes, inclusive of a decorative wall and enhanced landscaping, which will serve as a noise buffer.

6. *Signs, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effects, and compatibility and harmony with properties in the area;*

Standards for signs and exterior lighting were considered during the evaluation and approval of the Maitland Concourse North planned development in Ordinance 1303. The signage will be required to be consistent with the standards in the approved PD ordinance. Drive-thru menu board signage is limited to two and must be no larger than 28 square feet in copy area and 6 feet in height.

7. *Required yards and other open space;*

Standards for required yards and other open space were evaluated in the context of the Maitland Concourse North PD in Ordinance 1303. This amendment does not propose any changes to what was previously approved. During staff review, the proposed gazebo was relocated to create a larger functional open area within the parking lot and a shared outdoor seating courtyard was added to provide more of a sense of place and create a more pedestrian-friendly and functional feature for the site.

8. *General compatibility with adjacent properties and other property in the surrounding area;*

The retail uses and overall land use mix were considered for compatibility with the surrounding areas during the evaluation of the original PD development plan. The proposed amendment is consistent with the Maitland Concourse North development plan, where commercial and retail uses were oriented towards Maitland Boulevard and away from Lakes Hope and Lake Charity. Commercial buildings are required to present a residential scale and character and are intended to provide for the daily shopping and service needs of the surrounding community. The architectural style proposed is consistent with the overall Maitland Concourse North architectural theme [EXHIBIT D] The proposed layout is consistent with a walkable pedestrian-friendly atmosphere in a horizontal mixed-use environment as contemplated in the PD plan and Maitland Concourse North Area of special consideration in the CDP.

9. *Whether there is compliance with the applicable ordinances and regulations for the proposed development; where compliance is not achieved, whether the development adversely impacts adjacent and surrounding properties and unduly burdens city operations and facilities;*

The submitted PD site plan is not inconsistent with applicable portions of the Land Development Code and the approved development plan of the Maitland Concourse North PD.

10. *Whether the proposed development will lower the applicable levels of service below the levels adopted in the city's comprehensive development plan, and whether the proposed development is phased to be constructed at a time when the adopted service levels are met;*

The proposed impact on levels of service were evaluated during the original PD approval for Maitland Concourse North. Compliance will be evaluated during Site Plan Review.

11. *Whether the time frames proposed for development are consistent with requirements of the comprehensive plan and other applicable regulations;*

There are no time frames proposed for development, although there is a sunset clause contained in the CDP amendment approved with Ordinance 1395 that requires this PD plan to be approved before March 1, 2024 or the allowance of a single-drive through will lapse, unless extended by City Council. Per Sec. 7.5-57, if construction of the buildings has not begun within five years after the approval of a final development plan, or the building permit for construction has become void after the five-year period has expired, the approval of the final development plan would lapse. The phasing of the project must comply with this requirement of the LDC.

12. *Whether the phase of development in question can exist as an independent unit capable of creating an environment of substantial desirability and stability;*

The Maitland Concourse North PD in its entirety was designed and contemplated to be completed in phases, as independent units capable of creating an environment of substantial desirability and stability. This conforms to the Maitland Concourse North Area of special consideration outlined in the CDP.

13. *Whether there is substantial compliance with the purpose and intent of the planned development district;*

The proposed PD amendment does have substantial compliance with the purpose and intent of the planned development district, within the context of the overall Maitland Concourse North Planned Development, including by encouraging the development of land as planned communities and developments providing a variety of complementary and compatible residential, commercial, and [...]combination of uses.

14. *If the applicant is applying for increased density and/or site FAR under the DICE Program within the Main Street Future Land Use designation, whether the applicant's proposed plan to offset the impacts of those increases is consistent with and complies with the requirements of section 23-2.7.2 and Policy 1.1.16 of 2035 Comprehensive Development Plan.*

Not applicable to this application.

15. *Whether off-site credits (incentives) proposed (if any) have been satisfactorily addressed, if applicable;*

Not applicable to this application.

16. *Whether mobility strategies for a transportation concurrency exception area (TCEA) are required and have been satisfactorily addressed, if applicable;*

Not applicable to this application.

17. *Whether the existing or proposed utility services and transportation systems are adequate for the proposed development; whether all adopted levels of service have been or will be adequately met; and*

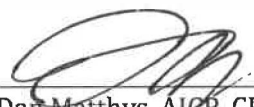
The proposed transportation services are being evaluated in terms of trip generation and must be revised to include the drive-thru use and potential impacts on vehicle stacking at the signal of Maitland Boulevard and Trelago Way. Detailed calculations will be required to demonstrate that the proposed site configuration are adequate for the proposed development. A master stormwater drainage plan for the overall Maitland Concourse North PD was incorporated into the Planned Development regulations contained in Ordinance 1303.

18. Whether the proposed development plan is consistent with the comprehensive development plan.

The Maitland Concourse North development, including the subject property are subject to the Policies and Standards of the Future Land Use element of the Maitland Comprehensive Development Plan 2035. The Maitland Concourse North Area of Special Consideration noted 26 policies and standards that specifically apply to the development in its entirety. The proposed PD plan is consistent with these policies and standards of the CDP.

CONDITIONS OF APPROVAL

1. Conditions of approval for Ordinance No. 1303 remain unless listed as an amendment to the PD and approved via ordinance.
2. Drive-through uses shall be limited to a maximum of one. Consistent with Ordinance 1395, the interior square footage of the drive-through use shall not exceed 5,000 square feet and the drive through shall be located on the west 300 feet of Lot 1 of MCN.
3. Drive through windows and service areas shall be designed to avoid off-site visibility to the greatest extent practicable. All drive-thru windows and service areas (i.e. menu board, speaker boxes, etc.) shall be adequately screened for aesthetic purposes, inclusive of a decorative wall/and or enhanced landscaping, which will also serve as a noise buffer.
4. Drive through menu board signage shall be limited to two per facility and shall not be greater than 28 square feet copy area and 6 feet in height.



Dan Matthys, AICP, CPM
Development Review Committee

7/8/22
Date

[Excerpted from response letter to City of Maitland, from Jonathan Martin, PE dated March 3, 2022]

P & Z Direction to Staff for Petition No. 2021-03 (AZ-PD) MCN Lot 1 – January 6, 2022

1. Consider eliminating all or several drive-through uses;

Response: The drive-thru was removed from Buildings 1 and 4.

2. Consider 'curbside takeout' style digital ordering (specifically on Building 4, which seems well suited for it);

Response: The drive thru was removed from Building 4.

3. Enhance landscaping on eastern property boundary as buffer to residences;

Response: The proposed site plan allows for more landscape buffering than the previously approved LUP.

4. Develop a sidewalk on Lake Faith Drive/relocate NE corner sidewalk to along perimeter (Lake Faith Drive);

Response: A sidewalk has been added on the west side of Lake Faith Drive providing additional pedestrian connectivity to Maitland Boulevard.

5. Review potential impacts of trucks and buses on Lake Faith Drive;

Response: The proposed project has been designed to be an integrated development and all access points meet design standards.

6. Accommodate the existing OCPS bus stop;

Response: The residential uses within the PD and Lake Faith Villas needs to coordinate bus stop locations/accommodations with Orange County Public Schools.

7. Develop pedestrian access north of Building 5;

Response: A pedestrian access is provided.

8. Consolidate or relocate refuse areas;

Response: The refuse areas have been consolidated where practical.

9. Utilize fully enclose dumpsters;

Response: All trash areas are shown fully enclosed with walls and gates.

10. Study patterns of existing and likely pedestrian circulation and match with proposed pathways;

Response: The proposed pedestrian pathways provide excellent connectivity across the site and are a result of careful consideration.

11. Consider if pathways accommodate bikes or other non-motorized transit as well as pedestrians;

Response: All pathways are a minimum of six feet (6') wide as requested by City staff.

12. Analyze percentage of area dedicated to drive-through uses, consider the percentage of frontage on Maitland Blvd dedicated to drive-through uses;

Response: Only one drive-thru is proposed at this time.

13. Review additional trip generation of drive-through uses, including consideration of proximity to interstate highway;

Response: Alternative variables were reviewed for trip generation for drive-through uses. There are no variables or adjustment factors related to proximity to interstates or highways. Since the setting/location for these uses are General Urban/Suburban, it is highly likely that many of the sites are located near interstates. However, there are no data to differentiate which sites are near an interstate and which sites are not near an interstate. The trip distribution for the site assumed the roadway network which includes I-4 and Maitland Boulevard. It is noted that pass-by and diverted link analyses are often limited to 10% of the adjacent street traffic. While this number is arbitrary and not supported by data, the pass-by assumed for the drive through uses represent approximately 2.5% percent of the traffic on Maitland Boulevard, so there is no need to consider diverted trips from I-4 above and beyond the trips using I-4 as their typical route. For long-range trips on the interstate that might be thirsty for coffee, there are options for Starbucks that are significantly closer than Maitland Concourse, for example, two options on SR 434, one on SR 436, and one on Lee Road.

14. Consider noise impacts of outdoor dining; and

Response: The project will meet the approved PD noise requirements.

15. Examine whether NE access point is too close to existing E-W drive.

Response: The proposed access points provide adequate spacing.

EXHIBIT C

PD plan for Lot 1 approved in 2016 Maitland Concourse North rezoning (Ordinance no. 1303)

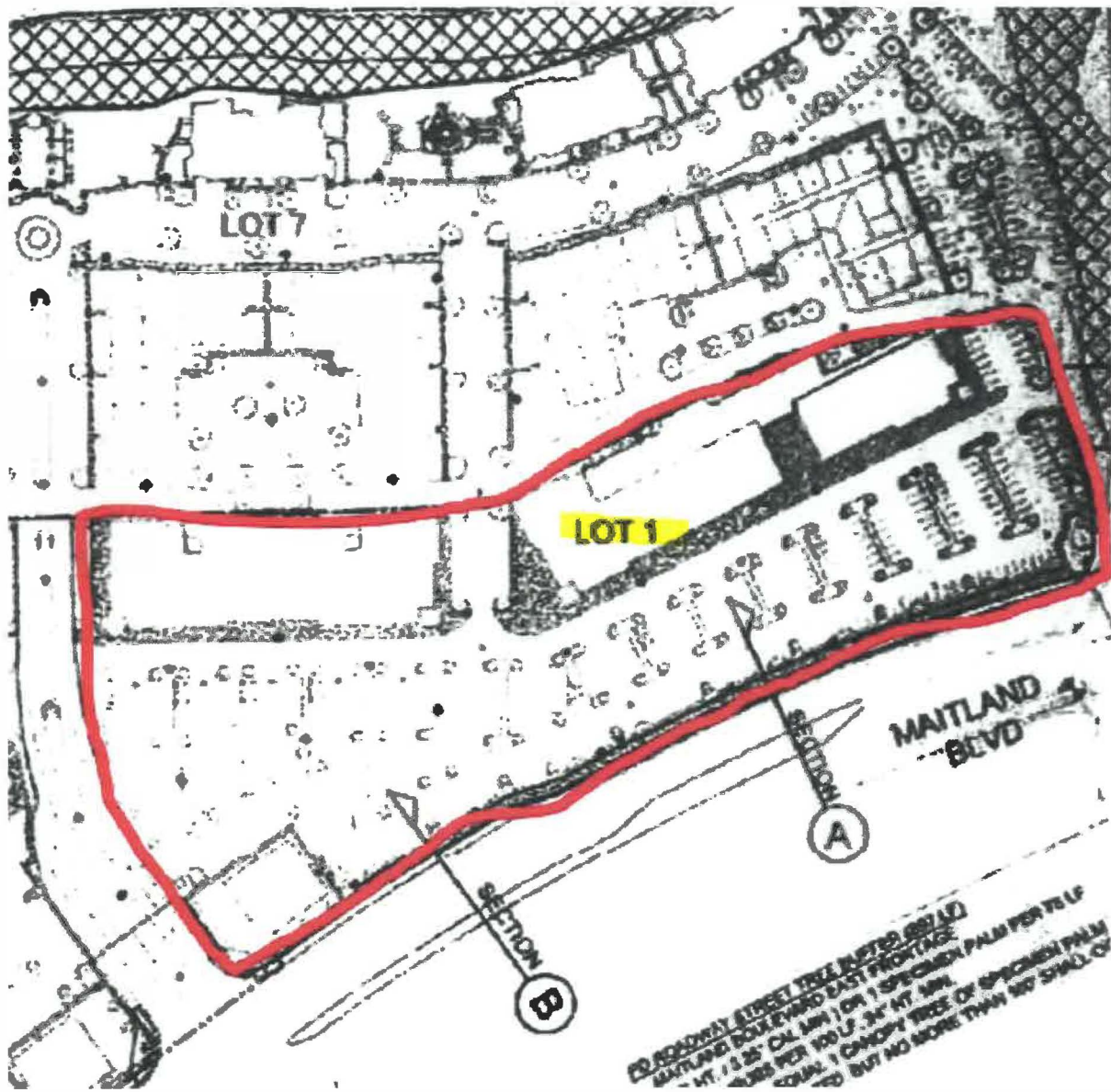


EXHIBIT D

[Proposed Front Building Elevation for Building 5]



All measurements are subject to change. Not for construction.

2180MFTL - TRELAGO RETAIL - Building 5

No copies, transmissions, reproductions, or electronic revisions of any portions of these drawings in whole or in part be made without the express written permission of Zyscovich Architects. All designs indicated in these drawings are property of Zyscovich Architects. All copyrights reserved © 2022.

South Elevation

1/32" = 1'-0"

04.22.2022

ZYSCOVICH
ARCHITECTS

250 S Park Ave. Ste. 510
Winter Park, FL 32789
t 407.874.1958

e info@zyscovich.com
w www.zyscovich.com

10