



**City Council
November 23, 2020
Council Chambers
6:30 PM**



WELCOME to our City Council meeting. In the interest of time efficiency, the following will prevail for comments by the public. Each speaker will be permitted up to 3 minutes to state his/her case. Group presentations will be permitted 3 speakers including the spokesperson - each being limited to up to 3 minutes. No speakers will be interrupted. Please silence all electronic devices during the meeting. THANK YOU for participating in your City Government.

- I. Call to Order
- II. Invocation
- III. Pledge of Allegiance
- IV. Presentations
 1. Retirement Resolution James "Jim" Lavender
 2. Employee of the Quarter
- V. Public Hearings
 1. Ordinance: Petition # 2020-01 (AZ-PD) Gem Lake Water District
 2. Ordinance: Establishing Curbside Takeout as an Accessory Use
- VI. Adjourn Council Meeting, Convene CRA Meeting
- VII. Old Business
- VIII. Consent Agenda
 1. Approve City Council Meeting Minutes of November 9, 2020
 2. Quit Claim and Reservation of Easement - S. Lake Sybelia Dr.
 3. Purchase of FY 2021 Fleet Vehicles
 4. Close City Offices - December 31, 2020
- IX. Public Period
- X. Decision
 1. Ordinance - Extending Sunset Date Charter Review Commission
- XI. Discussion
- XII. City Manager's Report/City Attorney/Council Reports
- XIII. Adjournment

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.

Disclaimer: Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

MEETING DATE		AGENDA
November 23, 2020		Section: Presentations
Department/Office : Public Works	AGENDA REPORT	Item #: 1.
Subject: Retirement Resolution James "Jim" Lavender		
Requested Action or Motion:		
Summary Explanation & Background:		
Fiscal Impact: N/A		
Exhibits: None		
Commission/Board: City Council		
Contact Person: Kimberley Tracy, Public Works Director 407-539-216		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
November 23, 2020		Section: Presentations
Department/Office : Administration	AGENDA REPORT	Item #: 2.
Subject: Employee of the Quarter		
Requested Action or Motion: N/A		
Summary Explanation & Background: N/A		
Fiscal Impact: N/A		
Exhibits: None		
Commission/Board: City Council		
Contact Person: Jay Conn, Parks & Recreation Director 407-539-6264		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
November 23, 2020		Section: Public Hearings
Department/Office : Community Development	AGENDA REPORT	Item #: 1.

Subject:

Ordinance: Petition # 2020-01 (AZ-PD) Gem Lake Water District

Requested Action or Motion:

Move to adopt an ordinance to rezone the project known as "The Gem Lake Water District" to Planned Development, Petition 2020-01 (AZ-PD) and associated conceptual development plan.

Summary Explanation & Background:

Request

The applicant, Gem Lake Apartments, LTD, is requesting to rezone the subject property from RG-3, multiple-family residential district and RS-2, single-family residential district to Planned Development (PD) and obtain approval of a conceptual [development plan](#) in conjunction with the PD. The subject property is ~17.8 acres in size, and is generally located west of U.S. 17-92 and north of Monroe Avenue.

As part of the requested Planned Development approval, each phase of development would require site plan approval from the Development Review Committee. Modifications to the [development plan](#) plan that exceed the minor change threshold as outlined in the Land Development Code, would require Council approval for an amendment to the PD and development plan.

Location

The subject property (with the exception of 311 Monroe Ave) is located within the East Lake District, which is an area of special consideration in the Maitland Comprehensive Development Plan 2035 that recognizes a unique area (subset) of the New Neighborhood Future Land Use designation. This area is intended to provide for a mix of multi-family residential with offices and supporting residential-scale retail and personal service uses. The sub-designation allows for up to 25 dwelling units per acre in residential density and a 0.5-floor area ratio of non-residential intensity.

Existing Use

The subject site is currently vacant and previously consisted of 247 multi-family units, which were demolished by the applicant in 2019.

Proposal

The project will be phased, with the first phase focused on common elements/infrastructure/access road, bike paths and a 247-unit multi-family development. Below is the overall proposed Development Program for the Project:

Land Use Category	Sq. footage	Units	Beds
Residential		424	
Institutional (ALF)			110
Non-Residential*	363,028		

*Nonresidential consists of Office, Institutional, Commercial and public/quasi-public. The maximum percentage of supporting residential-scale retail and personal service uses are 40% of the overall non-residential entitlements.

A bicycle/pedestrian path, connecting to the existing path to the north (Adeline site) is proposed as part of Phase I. If the acquisition of an easement from FDOT for extension of the bike bath to cross U.S. 17-92 has not occurred at the time of submittal and review of Phase II of this project, the applicant shall construct the remaining bike/pedestrian path on the Gem Lake PD site (at the same width) and finish the connection to Monroe Avenue. The applicant is proposing an additional bike path along the western boundary of the site.

All development on the site will be required to be built to residential scale and character, as defined in the Land Development Code. The maximum height for the PD district is proposed in three tiers that transition from five stories maximum along the eastern portion of the property to three stories for portions adjacent to Lake Gem and Park Lake.

Access to the proposed Gem Lake Water District PD development program can be accessed by clicking on the development plan.

Action to Date

Planning & Zoning Commission: On February 13, 2020 a public hearing on this petition was held during the Planning and Zoning Commission meeting. At that meeting, the Planning and Zoning Commission heard comments from the public and the applicant, and passed a motion to forward the proposed Planned Development with direction to staff and requested that staff continue to work with the applicant until such time that the DRC determines the proposal is consistent with all applicable regulations and the item is ready to be placed on the next practical Planning & Zoning Commission agenda.

Development Review Committee: On September 30, 2020, the Development Review Committee unanimously recommended approval of the Planned Development Amendment Petition # 2020-01 (AZ-PD) Gem Lake Water District subject to thirty (30) conditions outlined in the September 30, 2020 DRC report.

Planning & Zoning Commission: On October 15, 2020 the Planning & Zoning Commission unanimously recommended approval of Planned Development Amendment, Petition # 2020-01 (AZ-PD) Gem Lake Water District, certifying consistency with the Comprehensive Development Plan, and that satisfactory provision and arrangement has been made concerning the factors itemized for review by the Development Review Committee in Section 7.5-53 of the Land Development Code.

The P&Z Recommendation addressed the Recommendation Factors outlined in Chapter 7.5. -53., for approving the PD, (pages 4-8); provides a table for Planned Development Modification Requests which

includes Staff's Response, (pages 8-14) and stipulates Conditions of Approval that bind the PD and project, which begin on Page 15.

The Planning & Zoning Commission's recommendation for approval included the following modifications:

New Modification of Sec 8-16 to allow for an enclosed dumpster location with a minimum width of 8'.
New Waiver of Sec 8-14 (e) to allow for a sand beach, not to exceed 25' in length, subject to state and regional permits.

Addition of 'Commercial Outdoor Recreation Facility – limited to a Swimming/Diving Pool Center or Tennis Facility to list of allowed uses.

Revise COA 21 to allow an exception for commercial outdoor recreation facility lighting, which will be shut off by 9:30 pm.

Revise modification of Sec. 8-14 (G) to include low-level vegetation at the lake-side of any boardwalk or terrace instead of along the shoreline of the boardwalk or terrace.

The proposed Ordinance incorporates all recommendations added by the Planning and Zoning Commission.

City Council: On November 9, 2020, the Council unanimously voted (5-0) to introduce the ordinance for "The Gem Lake Water District" Planned Development and set the public hearing date for adoption of the ordinance on November 23, 2020. Council asked staff to work with the applicant on potential additional conditions and report back to them at the Nov. 23rd meeting. Since the introduction meeting, Staff met with the applicant and a Park Lake resident to address specific concerns expressed at the Council meeting, which resulted in additional conditions of approval added to the proposed Ordinance. These additional restrictions cover the following:

- Limitations on size, number and type of watercraft (both motorized and non-motorized)
- Limitations on hours of amplified noise from restaurants and other similar non-residential uses
- Limitations on the use of the boat ramp (private vs. public)

Staff Recommendation

Staff recommends Council adopt the ordinance to rezone the development known as "The Gem Lake Water District" to Planned Development, Petition 2020-01 (AZ-PD) and associated development plan.

Fiscal Impact:

N/A

Exhibits:

1. Final Petition 2020-01 (AZ-PD) Gem Lake Water District P&Z Recommendation updated 10-21 (final) (4) (6) (1) (1)
2. Gem Lake Water District updated 11-4 (Council Adoption)

Commission/Board: City Council

Contact Person: Sara Blanchard, Chief Planner 407-539-6214

Reviewed by City Attorney
Yes

MEETING DATE		AGENDA
November 23, 2020		Section: Public Hearings
Department/Office : Community Development	AGENDA REPORT	Item #: 2.

Subject:

Ordinance: Establishing Curbside Takeout as an Accessory Use

Requested Action or Motion:

Move to table an ordinance to establish curbside takeout as an accessory use for 6 months.

Summary Explanation & Background:

Prior to the onset of the COVID-19 pandemic, dining trends in the restaurant industry were shifting towards food delivery and carry-out dining. The pandemic has accelerated those trends, and a consensus among industry analysts that developments in mobile internet-based technologies will lead to this trend to continue even after the disruption from the current pandemic has receded. In Maitland, where new drive-through lanes are not allowed in many districts, staff has noted a demand for accommodations to allow restaurants to fulfill this growing need for delivery and carry-out while still protecting the aesthetics of the City and mitigating potential impacts on pedestrian safety and moving traffic.

Proposed Ordinance

This ordinance would modify *Chapter 21 -- Zoning* of the Land Development Code to allow certain modifications to the form and function of restaurants in the City to offer improved service for off-premises dining. It would allow one (1) pick-up bay for a customer or delivery service to receive a pre-paid order directly from restaurant staff inside the establishment. The pick-up bay would not be visible from any public street, where practicable. This pick-up area would be integrated into the on-site circulation pattern and parking lot, and designed with pedestrian safety as a top priority by minimizing or eliminating 'stacking' of cars in line waiting to access the pick-up bay.

Action to Date

Staff discussed the concept of curbside takeout with the Planning and Zoning Commission at a workshop on September 3, 2020. After listening to the comments from Commissioners, Staff incorporated many of the ideas and issues discussed at that workshop into the draft ordinance.

Planning and Zoning Commission Public Hearing and Recommendation

On October 15, 2020, the Planning and Zoning Commission held a public hearing and recommended approval of the ordinance to City Council with a few modifications.

Development Review Committee Recommendation

On October 28, 2020, the Development Review Committee (DRC) recommended approval of the curbside takeout ordinance as proposed, which incorporates the modifications and recommendations of the Planning and Zoning Commission.

City Council Introduction:

On November 9, 2020, the City Council unanimously (5-0) voted to introduce the ordinance to establish curbside takeout as an accessory use and scheduled the public hearing date for adoption of the ordinance as November 23, 2020. However, it was the guidance of the City Council to table the item for 6 months to allow time to gauge the need for a use of this nature and revisit it later.

Staff Recommendations

Staff recommends that City Council adopt an ordinance to establish curbside takeout as an accessory use. Should the Council desire to table or continue this item, Staff recommends that Council table the proposed Ordinance until such time as the new Land Development Code update is brought to Council for action (anticipated May, 2021).

Fiscal Impact:

N/A

Exhibits:

1. Curbside Takeout Window (Council Adoption)

Commission/Board: City Council

Contact Person: Sara Blanchard, Chief Planner 407-539-6214

Reviewed by City Attorney

Yes

MEETING DATE		AGENDA
November 23, 2020		Section: Consent Agenda
Department/Office : Administration	AGENDA REPORT	Item #: 1.
Subject: Approve City Council Meeting Minutes of November 9, 2020		
Requested Action or Motion: Approve City Council Meeting Minutes of November 9, 2020		
Summary Explanation & Background:		
Fiscal Impact: N/A		
Exhibits: 1. City Council Meeting Minutes o 11092020		
Commission/Board: City Council		
Contact Person: Kathy Sotero, Deputy City Clerk 407-539-2307		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
November 23, 2020		Section: Consent Agenda
Department/Office : Administration	AGENDA REPORT	Item #: 2.
Subject: Quit Claim and Reservation of Easement - S. Lake Sybelia Dr.		
Requested Action or Motion: Move to authorize the City Manager to execute a quit claim deed and reservation of rights of easement for 800 S. Lake Sybelia Drive.		
Summary Explanation & Background: In 2005, the City started a sidewalk project to complete the sidewalk connection on South and North Lake Sybelia Drive. On South Lake Sybelia Drive, there is a missing section of sidewalk between Boynton Road and 1120 S. Lake Sybelia Drive. Unfortunately, during the implementation of the project, it was determined that the City does not have right of way on 9 of the 17 parcels. The City approached the property owners to obtain ROW, and Dr. Jerry and Mrs. Irene Stoffer, who were very much in favor of the sidewalk for safety reasons, provided the requested ROW in 2006 (see attached original deed). None of the other 8 property owners were willing to provide ROW and the project was placed on hold. Dr. Stoffer has contacted the City over the years, expressing his support for the sidewalk project, which is now in the capital improvements program for FY 2022. Although the City has not abandoned the project, moving forward the City has determined it might be more acceptable to residents (who fear the City could widen the road if they provided ROW) to provide easements for the sidewalk and utilities. Because the Stoffer's were the only residents to provide a ROW deed, and it is not contiguous to rest of the ROW, it appears on the property appraiser parcel map that the City owns part of his lot (see attached parcel map). The Stoffers are concerned this deed will impact their property value and have asked the City to quit claim the property back. To ensure the project moves forward if the City is able to obtain the necessary easements from the surrounding property owners, they are willing to provide an easement for the sidewalk and utilities simultaneously. The Bicycle and Pedestrian Master Plan calls out this project as SW-21 and the page from the master plan is attached. Staff is recommending that Council authorize the City Manager to execute the quit claim deed and reservation of rights of easement for 800 South Lake Sybelia Drive.		
Fiscal Impact: None.		
Exhibits: - Quit Claim and Easement Stoffer 800 SLS Original Deed - S Lake Sybelia Lots - Bike Ped Master Plan SLSD SW21		
Commission/Board: City Council		

Contact Person: Sharon Anselmo, City Manager 407-539-6221
Reviewed by City Attorney Document prepared by City Attorney.

MEETING DATE		AGENDA
November 23, 2020		Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 3.
Subject: Purchase of FY 2021 Fleet Vehicles		
Requested Action or Motion: Move to approve the purchase of FY 21 fleet vehicles through Alan Jay Fleet Sales utilizing Sourcewell contract # 2021-120716 NAF awarded to National Auto Fleet Group.		
Summary Explanation & Background: Each year the City evaluates its fleet and as part of the budget process replaces or purchases new vehicles and equipment to meet the needs of the city. In FY 21 the city is recommending purchasing the following budgeted vehicles: · 2021 Chevy Silverado Extended Cab Pick Up Truck: Grounds Maintenance - \$39,503 · 2x 2021 Chevy 2500 Service Truck w/ utility bed truck: Utility Fund water division - \$45,685 x 2 (\$91,370). The funds budgeted in the FY 21 Budget for these three vehicles total \$135,000 (\$41,000 from the General Fund and \$94,000 from the Utility Fund) and the total cost for all three vehicles is \$130,873. These vehicles can be purchased through Alan Jay Fleet Sales, which is the authorized dealer for National Auto Fleet Group in Central Florida. In consideration of our City's sustainability program, the Public Works Department has evaluated the availability of electric or hybrid electric vehicles for consideration for City vehicle purposes. Given the nature and duty of the vehicles to be used by Public Works, there are currently no alternative vehicles available in the needed applications. Staff recommends approval of the purchase of these three vehicles with Alan Jay Fleet Sales utilizing Sourcewell contract # 2021-120716 NAF.		
Fiscal Impact: \$131K from the FY 2021 General and Utilities Fund's adopted vehicle replacement budgets.		
Exhibits: 1. NJPA-MAITLAND, CITY OF-CC30943 1WT_28224-2_Quote 2. NJPA-MAITLAND, CITY OF-CC20953_28155-1_Quote		
Commission/Board: City Council		

Contact Person: Jerry Gray, Finance Director 407-539-6201
Reviewed by City Attorney N/A

MEETING DATE		AGENDA
November 23, 2020		Section: Consent Agenda
Department/Office : Administration	AGENDA REPORT	Item #: 4.
Subject: Close City Offices - December 31, 2020		
Requested Action or Motion: Authorize the closure of City Offices on December 31, 2020.		
Summary Explanation & Background: In March of 2020, Mayor McDonald signed a proclamation following Honorable Ron DeSantis, Governor of the State of Florida, declaring a state of emergency for every Florida County due to the severity and magnitude of COVID-19. On March 23, 2020 in an effort to ensure that our employees were staying safe and taking all necessary precaution to keep themselves and families healthy during this COVID-19 pandemic, the City provided the ability for Department Heads to work with their employees to offer alternative work schedules, to include teleworking. The majority of City positions are not conducive to teleworking and although City offices' were closed to the public, accommodations were made to allow citizens and businesses to still conduct business with staff while under the declared state of local emergency. Maitland employees continued to work diligently to ensure that all essential services were provided to Maitland residents and businesses while most of Florida offered limited services and worked from home. As a result of the ongoing pandemic and in following CDC guidelines, the City will not be sponsoring the annual holiday luncheon and awards banquet. In exploring ways to reward employees for their ongoing efforts and dedication to public service during the pandemic, the City staff determined that providing a day off as a thank you to City employees for keeping the City operating in a professional and courteous manner during this extraordinary time would be a boost to morale during the holiday season. The City Manager is recommending closing City Offices on the last day of 2020, December 31, 2020 to thank employees for their service. Public Safety employees will receive an amount of time off equivalent to their regular shift to use before December 31, 2021.		
Fiscal Impact: N/A		
Exhibits: None		
Commission/Board: City Council		
Contact Person: Sharon Anselmo, City Manager 407-539-6221		

Reviewed by City Attorney
N/A

MEETING DATE		AGENDA
November 23, 2020		Section: Decision
Department/Office : Administration	AGENDA REPORT	Item #: 1.
Subject: Ordinance - Extending Sunset Date Charter Review Commission		
Requested Action or Motion: Move to introduce an ordinance extending the sunset provision date for the Charter Review Commission from December 31, 2020 to December 31, 2021 and set the public hearing date for December 14, 2020.		
Summary Explanation & Background: On June 8, 2020, City Council adopted ordinance 1371 which created a Charter Review Commission. The ordinance contained a provision for the Commission to sunset by December 31, 2020 or acceptance of the final majority report with the intention that any charter amendments would be placed on the March 2021 election. Due to COVID-19, the first meeting of the Commission was in September (all non-essential boards and committee meetings were postponed). At that meeting, the Commission determined that the timeline between September and the December Supervisor of Election's deadline for ballot language would not permit for a detailed review and meaningful public input. In addition, at the conclusion of the Commission's report, time would still be needed for Council review, public input and drafting of ballot language. Staff is recommending introduction of an ordinance to amend Section 6, the sunset provision, to extend the date from December 31, 2020, to December 31, 2021.		
Fiscal Impact: n/a		
Exhibits: 1. Charter Review 2020 Amend Sunset 2. Ordinance 1371 CRC 2020		
Commission/Board: City Council		
Contact Person: Sharon Anselmo, City Manager 407-539-6221		
Reviewed by City Attorney n/a		