City Council Minutes
November 9, 2020
Council Chambers
6:30 PM

I. CALL TO ORDER

Present:	5 -	Mayor Dale McDonald, Vice-Mayor Michael Wilde, Councilmember Michael Thomas, Councilmember Vance Guthrie, Councilmember Lindsay Hall Harrison

Mayor McDonald called the meeting to order at 6:32 PM. Also present were City Manager Anselmo, City Attorney Shepard (remotely), and City Clerk Waldrop.

II. INVOCATION

Mayor McDonald requested a moment of silence.

III. PLEDGE OF ALLEGIANCE

Mayor McDonald led the Pledge of Allegiance.

IV. PRESENTATIONS

1. SPECIAL RECOGNITION - COUNCILWOMAN BEV REPONEN

Mayor McDonald, on behalf of City Council, presented a framed Resolution of Appreciation and an engraved glass tower, to Councilwoman Bev Reponen, in recognition of her devoted public service and valuable contribution to the City of Maitland while serving as Vice Mayor and Councilwoman. Councilwoman acknowledged and thanked those that supported her throughout her tenure.

2. SPECIAL RECOGNITION - VICE MAYOR JOHN LOWNDES

Mayor McDonald, on behalf of City Council, presented a framed Resolution of Appreciation and an engraved glass tower, to Vice Mayor John Lowndes, in recognition of his devoted public service and valuable contribution to the City of Maitland while serving as Vice Mayor and Councilman. Vice Mayor Lowndes acknowledged and thanked those that supported him throughout his tenure.

3. DESIGNATION OF SOLSMART SILVER

Mayor McDonald presented the SolSmart Silver plaque to Barrett Chaix, Senior Planner, who accepted on behalf of the City of Maitland. This designation recognizes the community for taking bold steps to make it faster, easier, and more affordable to go solar.

V. PUBLIC HEARING - NONE

There were no Public Hearings scheduled.

VI. OLD BUSINESS

There was no Old Business to report.

VII. CONSENT AGENDA

Mayor McDonald asked if anyone from the public would like to speak on items #2-4. There being no one who wished to be heard, Mayor McDonald closed the public comment period.

A motion was made to approve the consent agenda as presented.

RESULT:	**Approve**
MOVER:	**Councilmember Lindsay Hall Harrison**
SECONDER:	**Councilmember Michael Thomas**
AYES:	**Dale McDonald, Michael Wilde, Michael Thomas, Vance Guthrie, Lindsay Hall Harrison**
NAYS:	**None**

1. APPROVE CITY COUNCIL MEETING MINUTES OF OCTOBER 26, 2020

Approve the City Council meeting minutes of October 26, 2020.

2. ORANGE COUNTY EMS GRANT FY20

Approve the submittal of a $19,969.74 Orange County EMS Awards Program Grant and authorize the City Manager to sign all related documents as necessary. This grant does not require any funding match from the City.

3. APPROVE CARRYFORWARD FUNDS FROM FY 2020

Approve the recommended Carry Forward listing and to amend the FY 2021 General Fund budget by $2,082,140 expenditures and $92,021 revenues; Stormwater Fund budget by $689,400; CRA Budget $59,703; Mobility $634,400; and Utilities Fund budget by $8,664,115.

4. NEGOTIATED PROCUREMENT - CAMERA, FIRE AND SECURITY SYSTEMS

Authorize the City Manager to approve DynaFire, Inc. as the preferred vendor for camera, fire, security, and access control systems under the City's purchasing policy for negotiated procurement.

VIII. PUBLIC PERIOD

Mayor McDonald opened the Public Period.

Mr. Michael Dabby, 605 Waverly Lane, addressed the 500-foot notification zone.

Mr. Carlos Reyna, 1200 Willowbrook Trail, stated he was disappointed in the response from Council to answer his questions from the previous meeting and expressed his concerns regarding Maitland's Code.

Ms. Barbara Nelen, 612 Grove Court, stated that she was concerned about the noise and the distance that it carries with this development.

Ms. Margaret Hall, 421 Monroe Avenue, addressed her interactions with the City.

There being no one else who wished to be heard, Mayor McDonald closed the Public Period.

IX. DECISIONS

1. ORDINANCE: PETITION # 2020-01 (AZ-PD) GEM LAKE WATER DISTRICT

The City Attorney stated that the testimony is to decide a quasi-judicial matter and any testimony provided is considered to be under oath. He administered the Oath to all wishing to speak and asked the Council if they would like to disclose any communications that they have had with the applicants regarding the project.

Mayor McDonald disclosed that he has spoken to the following individuals: Beth Buchanan, Dan Bellows, Michael Dabby, Kathleen McIver, and Denna Mica. Councilmember Guthrie disclosed that he met with Dan Matthys and Dan Bellows together; and, also spoke with Michael Dabby, Lee Hale, and Kathleen McIver. Councilmember Thomas disclosed that he met with Dan Matthys and Dan Bellows together. Vice Mayor Wilde disclosed that he spoke with Kathleen McIver, and met with Dan Matthys and Dan Bellows together. Councilmember Hall Harrison stated that no one contacted her regarding the project.

The City Clerk read, by title, an ordinance of the City of Maitland, Florida, amending the official zoning map, a part of Chapter 21 of the Maitland Code of Ordinances, by changing the zoning classification of property generally located west of U.S. 17-92 and north of Monroe Avenue further described herein, from RG-3, Multiple-Family Residential District and RS-2, Single Family Residential District, to (PD) Planned Development Zoning District, and designating PD zoning for Stormwater/Drainage Parcel, and approving a development plan in conjunction with the PD zoning district to include: up to 363,028 sq. ft. of Non-Residential inclusive of office, institutional (110 ACC Beds), commercial and public semi-public uses; with a maximum percentage of supporting residential-scale retail and personal service uses of overall non-residential entitlements; and up to 424 multi-family residential dwelling units; maximum building heights or five stories and 65 feet and transitioning to three stories and forthy-two feet and allowing additional height for decorative roof elemements, stairwells and elevators; provding for setbacks, buffers, landscaping, project phasing, a subdivision plat and including conditions of approval in conjunction with a development plan for the project; and providing for an effective date.

Mr. Dan Matthys, Community Development Director, stated that 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 (DRC). Modifications to the development 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. 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. The subject site is currently vacant and previously consisted of 247 multi-family units, which were demolished by the applicant in 2019. 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. 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. On February 13, 2020, the Planning and Zoning Commission (P&Z) held a public hearing and 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 agenda.

On September 30, 2020, the DRC 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. On October 15, 2020, the P&Z 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 DRC in Section 7.5-53 of the Land Development Code. The P&Z approved with modifications. Mr. Matthys answered questions posed by Council.

Mayor McDonald requested public comment.

The following residents spoke on the project: Mr. Michael Dabby, 605 Waverly Lane; Ms. Barbara Nelen, 612 Grove Court; Mrs. Carleen Haydu, 1614 Goldview Drive; Ms. Susan Lewis, 808 Town Circle, Unit 157; Ms. Margaret Hall, 421 Monroe Avenue; and, Ms. Emily Hamilton, 836 Park Lake Circle, Unit 19. There being no one else who wished to be heard, Mayor McDonald closed the public comment period.

Mr. Dan Bellows, Gem Lake Apartments, LTD provided information on the project and answered questions that were posed during the public comment period.

After discussion, a motion was made to introduce an ordinance to rezone the project knows as "The Gem Lake Water District" to Planned Development, Petition 2020-01 (AZ-PD) and associated conceptual development plan; and, set the Public Hearing date for November 23, 2020.

RESULT:	**Introduce**
MOVER:	**Vice-Mayor Michael Wilde**
SECONDER:	**Councilmember Michael Thomas**
AYES:	**Dale McDonald, Michael Wilde, Michael Thomas, Vance Guthrie, Lindsay Hall Harrison**
NAYS:	**None**

2. ORDINANCE - ESTABLISHING CURBSIDE TAKEOUT AS AN ACCESSORY USE

The City Clerk read, by title, an ordinance of the City of Maitland, Florida, amending Land Development Code Chapter 21 Zoning, Section 21.5, Article

XVI; establishing the regulation of food and beverage pick up through a door, window or identified parking space; providing for codification, conflicts, and effective date.

Mr. Dan Matthys, Community Development Director, stated that 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. The proposed 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. Staff discussed the concept of curbside takeout with the Planning and Zoning Commission (P&Z) 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. On October 15, 2020, the P&Z held a public hearing and recommended approval of the ordinance to City Council with a few modifications. 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 P&Z. Mr. Matthys answered questions posed by Council.

Mayor McDonald requested public comment. There being no one who wished to be heard, Mayor McDonald closed the public comment period.

After discussion, a motion was made to introduce the proposed ordinance establishing curbside takeout as an accessory use; and, set the Public Hearing date for November 23, 2020.

RESULT:	**Introduce**

MOVER:	**Vice-Mayor Michael Wilde**
SECONDER:	**Councilmember Michael Thomas**
AYES:	**Dale McDonald, Michael Wilde, Michael Thomas, Vance Guthrie, Lindsay Hall Harrison**
NAYS:	**None**

X. DISCUSSION

There were no Discussion items.

XI. CITY MANAGER'S REPORT/CITY ATTORNEY/COUNCIL REPORTS

There were no Reports.

XII. ADJOURNMENT

There being no further business to come before Council the meeting adjourned at 10:15 PM.

CITY OF MAITLAND

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Signature

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Title

ATTEST:

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Signature

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Title