



**City Council
February 28, 2022
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. Presentation
 1. Employee of the Quarter
 2. Retirement Resolution - Norma Jean Torres
- V. Public Hearings
 1. Ordinance - CDP Amendment to remove the prohibition of drive-through use on Lot 1 of MCN
 2. Ordinance - Land Development Code (LDC) Update
 3. Ordinance - Amendment to the Official Zoning Map consistent with the LDC Update
- VI. Old Business
- VII. Consent Agenda
 1. Approve the City Council Workshop meeting minutes of February 7, 2022
 2. Approve the City Council meeting minutes of February 14, 2022
 3. Job Order Contracting Master Agreement
 4. Resolution - Amending Certain Application Fees
- VIII. Public Period
- IX. Decisions
 1. Third Amendment - Uptown Maitland Lot 2 Declaration of Restrictions and Agreement
- X. Discussion
- XI. City Manager's Report/City Attorney/Council Reports
- XII. 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
February 28, 2022		Section: Presentation
Department/Office : City Clerk	AGENDA REPORT	Item #: 1.
Subject: Employee of the Quarter		
Requested Action or Motion:		
Summary Explanation & Background:		
Fiscal Impact:		
Exhibits:		
Commission/Board: City Council		
Contact Person: Lori Hollingsworth 407-539-6219		
Reviewed by City Attorney		

MEETING DATE		AGENDA
February 28, 2022		Section: Presentation
Department/Office : Fire/Rescue	AGENDA REPORT	Item #: 2.
Subject: Retirement Resolution - Norma Jean Torres		
Requested Action or Motion:		
Summary Explanation & Background:		
Fiscal Impact:		
Exhibits: 1. Retirement Resolution NJ Torres		
Commission/Board: City Council		
Contact Person: Will Watts 407-644-6345		
Reviewed by City Attorney		

MEETING DATE		AGENDA
February 28, 2022		Section: Public Hearings
Department/Office : Community Development	AGENDA REPORT	Item #: 1.
Subject: Ordinance - CDP Amendment to remove the prohibition of drive-through use on Lot 1 of MCN		
Requested Action or Motion: Move to adopt the proposed ordinance (Petition No. 2021-01 ALU) - Maitland Concourse North Lot 1 Comprehensive Development Plan (CDP) Amendment.		
Summary Explanation & Background: The Maitland Concourse North (MCN) Comprehensive Development Plan (CDP) Amendment was adopted in 2013 via Ordinance 1236, which established a Policy and Standards to guide the MCN mixed use development program on the roughly 96 gross acre site on the north side of Maitland Boulevard. The CDP standards were designed to regulate items such as appearance (residential scale and character); buffering, size (no big box); floor area ratios, height, and uses (including use prohibitions). Among the uses prohibited within the (R-MORC) commercial portion of the site were drive-through establishments of any kind. The R-MORC commercial portion of the site covered Lots 1,2,3,6 and a portion of Lots 4 (stormwater pond) and 7 (developed with 350 multi-family units). The CDP amendment proposes to remove the drive-through use prohibition on the west five hundred feet of Lot 1 only. The remaining lots would maintain the prohibition. Lot 1 is adjacent to the west of Lake Faith Villas and is currently vacant with approval for 75,000 square feet of commercial uses. The amendment was continued at the January 24, 2022 City Council meeting. The application proposes limitations on the number, location and square footage devoted to drive-through uses on Lot 1. The modified text amendment follows: ○ Commercial uses within the R-MORC category shall not include “Big Box” retail, drive-through establishments of any kind “<u>(except that two drive-thru establishments, with a cumulative interior square footage that shall not exceed 10,000 sf, may be allowed on the west five hundred feet of Lot 1)</u>”, gasoline service stations with or without convenience stores, or industrial uses. The applicant has submitted a Planned Development (PD) amendment concurrent with the CDP amendment to enable the development plan to be reviewed as the CDP amendment is processed. A Future Land Use Map amendment accompanies the text change to identify the location of the requested removal of the drive-through prohibition use (Lot 1 only).		
<u>Action to Date</u>		

- October 4, 2021 - City Council held a workshop to discuss the possibility of drive-through uses on the Maitland Concourse North Lot 1 site. This workshop was only to inform and not to provide recommendations.
- January 6, 2022 - The Planning and Zoning Commission (P&Z) voted 4-1 to forward the proposed CDP amendment to Council with a recommendation of denial.
- January 19, 2022 - The Development Review Committee (DRC) voted unanimously to forward the proposed CDP amendment to Council with a recommendation of approval.
- January 24, 2022 - The first reading and introduction of the ordinance to City Council. Concluding the public period and after some discussion, this item was continued.
- February 14, 2022 - City Council introduced the proposed ordinance and set the public hearing and action date for February 28, 2022.

Staff Recommendation

Staff recommends Council approve the proposed ordinance (Petition No. 2021-01 ALU) - Maitland Concourse North Lot 1 Comprehensive Development Plan (CDP) Amendment.

Fiscal Impact:

Exhibits:

1. Ordinance MCN Lot 1 (final)
2. DRC report 2021-01(ALU) MCN lot 1 (2)
3. CDP-Narrative Revised 1-27-28
4. MCN Parcels
5. Lot 1 Survey

Commission/Board: City Council

Contact Person: Dan Matthys 407-539-6211

Reviewed by City Attorney

MEETING DATE		AGENDA
February 28, 2022		Section: Public Hearings
Department/Office : Community Development	AGENDA REPORT	Item #: 2.

Subject:

Ordinance - Land Development Code (LDC) Update

Requested Action or Motion:

Move to adopt the proposed ordinance amending the Code of Ordinances.

Summary Explanation & Background:

The City of Maitland is comprehensively reorganizing and updating the Land Development portions of the Code of Ordinances, to be codified separately in a ten-article document that will be adopted as the Land Development Code (LDC) of the City of Maitland. The City's development goals were set forth in the Comprehensive Development Plan 2035, adopted in March, 2019. These included a focus on creating a vibrant mix of uses in Downtown Maitland and on the City's west side, while respecting and maintaining the City's many high-quality single-family neighborhoods.

In the spring of 2019, the City issued a national Request for Qualifications to select a consultant team to assist the City in its update to the LDC. A team led by Clarion Associates was selected from several interested firms. The Project was initiated in the summer of 2019, when the consultants reviewed the existing long term plans and interviewed many local stakeholders, including City Staff and elected and appointed officials. Next, they evaluated the existing City Code and produced an annotated outline for the proposed LDC document and a Code Assessment Document that described detailed goals and objectives for the LDC update. These goals and objectives were discussed with the Planning and Zoning Commission in a workshop on November 21 and with City Council in a workshop on November 22, 2019.

Based on these discussions, City Council directed staff and the consultant team to implement an update of the Downtown Maitland (DM) zone district as its first priority. This DM district update was completed in March of 2020, and was adopted by City Council after a recommendation by city staff and the Planning and Zoning Commission, along with an accompanying Zoning Map amendment.

The remainder of the draft Land Development Code update was written, edited, and refined in a collaborative effort between the consultant team, city staff (including Community Development, Public Works, and Administration), and the Planning and Zoning Commission. The LDC was drafted out of sequence in four portions (referred to as 'modules') which were first reviewed separately as they were available, and then in total as a "joint workshop draft" which was reviewed and discussed at a joint workshop by City Council and the Planning and Zoning Commission on December 6, 2021.

Some refinements were proposed and implemented from input received at the joint workshop, and those edits are reflected in the proposed 'Adoption Draft' of the LDC, which is available for download here: <https://cityof.files.com/f/b2eb60dc0d6fe01b>

Action to Date

January 20, 2022 - Planning and Zoning Commission (P&Z) held a public hearing and voted unanimously to forward the proposed ordinance to City Council with a recommendation of approval, certifying consistency with the Comprehensive Development Plan.

January 26, 2022 - Development Review Committee (DRC) voted unanimously to forward the proposed ordinance to City Council with a recommendation of approval.

February 14, 2022 - City Council voted unanimously to introduce the proposed ordinance and set the public hearing and action date for February 28, 2022.

Staff Recommendation

Staff recommends Council adopt the proposed ordinance amending the Code of Ordinances.

Fiscal Impact:

NA

Exhibits:

1. DRC Report
2. LDC Ordinance 2022 FINAL (clean) (1)

Commission/Board: City Council

Contact Person: Dan Matthys 407-539-6211

Reviewed by City Attorney

Yes

MEETING DATE		AGENDA
February 28, 2022		Section: Public Hearings
Department/Office : Community Development	AGENDA REPORT	Item #: 3.
Subject: Ordinance - Amendment to the Official Zoning Map consistent with the LDC Update		
Requested Action or Motion: Move to adopt the Ordinance amending the Official Zoning Map		
Summary Explanation & Background: The City of Maitland is comprehensively reorganizing and updating the Land Development portions of the Code of Ordinances, to be codified separately as the Land Development Code (LDC) of the City of Maitland. This map amendment is necessary to reflect the consolidation of the existing twenty-four (24) zone districts and three (3) temporary zone districts on the map for land annexed with Orange County zoning into twelve(12) base zone districts and one overlay district codified in the updated Land Development Code. The Planning and Zoning Commission reviewed this map while applying a quasi-judicial (competent substantial evidence) standard of review rather than the legislative standard (fairly debatable) applicable to mass re-zonings. Although not required, the quasi-judicial standard is more exacting. Based upon this standard, the Commission still recommended adoption of the map. However, the Council will be reviewing both the LDC amendments and the map amendment under the legislative standard, which means the Council is making a policy decision rather than interpreting existing code provisions as applicable to a specific parcel. So long as the Council finds the new amendments and map to be fairly debatable, they may be adopted. <u>Action to Date</u> January 20, 2022 - Planning and Zoning Commission (P&Z) held a public hearing and voted unanimously to forward the proposed ordinance to City Council with a recommendation of approval, 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. January 26, 2022 - Development Review Committee (DRC) voted unanimously to forward the proposed ordinance to City Council with a recommendation of approval. February 14, 2022 - City Council introduced the proposed Ordinance amending the Official Zoning Map and set the Public Hearing and action date of February 28, 2022. <u>Staff Recommendation</u> Staff recommends that Council adopt the Ordinance amending the Official Zoning Map.		
Fiscal Impact: NA		

Exhibits:

1. DRC Report
2. Ordinance
3. Exhibit A - Official Zone District Map

Commission/Board: City Council**Contact Person:** Dan Matthys 407-539-6211Reviewed by City Attorney
Yes

MEETING DATE		AGENDA
February 28, 2022		Section: Consent Agenda
Department/Office : Administration	AGENDA REPORT	Item #: 1.
Subject: Approve the City Council Workshop meeting minutes of February 7, 2022		
Requested Action or Motion:		
Summary Explanation & Background:		
Fiscal Impact:		
Exhibits: 1. Workshop 02072022		
Commission/Board: City Council		
Contact Person:		
Reviewed by City Attorney		

MEETING DATE		AGENDA
February 28, 2022		Section: Consent Agenda
Department/Office : City Clerk	AGENDA REPORT	Item #: 2.
Subject: Approve the City Council meeting minutes of February 14, 2022		
Requested Action or Motion:		
Summary Explanation & Background:		
Fiscal Impact: N/A		
Exhibits: 1. CC Minutes 02142022		
Commission/Board: City Council		
Contact Person: Kathy Sotero 407-539-2307		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
February 28, 2022		Section: Consent Agenda
Department/Office : Public Works	AGENDA REPORT	Item #: 3.
Subject: Job Order Contracting Master Agreement		
Requested Action or Motion: Move to authorize the City Manager to "piggyback" the Sourcewell contract FL-R5-GC07-111821-JLC with Johnson-Laugh Construction, LLC for Job Order Contracting (JOC) on multiple City projects.		
Summary Explanation & Background: The Public Works Department has multiple projects across all divisions that require the services of a contractor. Last year, Public Works utilized Job Order Contracting (JOC) services with Johnson-Laugh Construction, LLC to facilitate some of these projects. JOC allows the City to order work from the Construction Task Catalog (CTC) established by Sourcewell. The CTC is a comprehensive list of construction services with a pre-established rate schedule adjusted on an annual basis. All tasks assigned in the project scope must be performed per the CTC and the established cost reflected in the project proposal. Sourcewell, through a formal selection process, awarded a professional service agreement, contract FL-R5-GC07-111821-JLC, to Johnson-Laugh Construction, LLC as a contractor in their Indefinite Quantity Construction Contracting (IQCC) program. IQCC is a Job Order Contracting (JOC) service provided by Sourcewell using their publicly bid and selected construction management service provider Gordian Group through contract NO. 091620-GGI. Staff recommends City Council authorize the City Manager to execute an updated piggyback contract on contract FL-R5-GC07-111821-JLC with Johnson-Laugh Construction, LLC for Job Order Contracting (JOC) on multiple City projects covering the period December 28, 2021 - December 22, 2022. Funds to cover these services are budgeted annually within the Public Works Division Budgets.		
Fiscal Impact: Funds budgeted within the Public Works Division Budgets		
Exhibits:		
Commission/Board: City Council		
Contact Person: Christopher Kennedy (407) 539-6217		
Reviewed by City Attorney N/A		

MEETING DATE		AGENDA
February 28, 2022		Section: Consent Agenda
Department/Office : Community Development	AGENDA REPORT	Item #: 4.

Subject:

Resolution - Amending Certain Application Fees

Requested Action or Motion:

After receiving public input, move to adopt a resolution amending certain application fees.

Summary Explanation & Background:

The adoption of the updated Land Development Code (LDC) necessitates amending the schedule of fees for planning and zoning applications, as the update introduced several new processes and combines others. The fee schedule for planning and zoning applications was last holistically revised in 2001 in Resolution 12-2001. Since that time, changes in technology and development patterns have occurred that affect the amount of staff time expended on certain procedural reviews. While introducing fees for the new processes in the LDC update, staff reviewed and is proposing adjustments to the fees of certain other planning applications to bring them more closely aligned to the City's time in processing these applications while remaining comparable with surrounding jurisdictions' application fees. In other cases, we are simplifying the calculation of fees, where the size of the subject property does not impact the length or complexity of review, making the fees more equitable for applicants.

The proposed changes to the fee schedule for planning and zoning applications are detailed in this table. All other fees not outlined below remain unchanged:

Application Type	Current Fee	New Fee
Comprehensive Development Plan Amendment	\$500	\$750
Land Development Code Text Amendment	None	\$250
Planned Development	\$750 + \$10/dwelling unit & \$50/acre commercial	\$1500
Site Plan Review	\$250 per administrative/\$800 per board review/\$150 for review of multiple satellite dishes	\$750 + \$200/resubmittal after the second staff review; \$100 for Minor Change to approved Site Plan
Preliminary Subdivision Plan	\$500 + \$10/lot of residential & \$50/acre commercial	\$750
Final Subdivision Plat	\$300 + \$10/lot of residential & \$50/acre commercial	\$500
Lot Split	\$100 + 10/lot of residential & \$50/acre commercial	\$200
Floodplain Development Permit	None	\$250

Zoning Variance	\$100 residential/\$300 non-residential	\$750
Administrative Adjustment	None	\$250
Waiver of District Requirements (Downtown Maitland & West Side)	None	\$250 per administrative review; \$750 per board review
Zoning Verification Letter	\$100	\$200
Right-of-way permits -- Sidewalks/driveways	\$15	\$100
Staff conducted a review of the proposed new fees to surrounding jurisdictions and found them to be largely consistent with what these cities charged for their equivalent application fees.		
Fiscal Impact: Staff anticipates the proposed resolution will result in a 5-10% increase in application fee revenue to the general fund.		
Exhibits: 1. Planning and Zoning Fees		
Commission/Board: City Council		
Contact Person: Dan Matthys 407-539-6211		
Reviewed by City Attorney Yes		

MEETING DATE		AGENDA
February 28, 2022		Section: Decisions
Department/Office : Community Development	AGENDA REPORT	Item #: 1.
Subject: Third Amendment - Uptown Maitland Lot 2 Declaration of Restrictions and Agreement		
Requested Action or Motion: Move to approve the third amendment to the Declaration of Restrictions and Agreement for Uptown Maitland Lot 2.		
Summary Explanation & Background: At a meeting on February 22, 2021, City Council approved a second amendment to the Declaration of Restrictions and Agreement for Uptown Maitland Lot 2 for the purpose of developing the property, located at 425 Sybelia Parkway as a mixed use fitness center and cafe development called Maitland Fitness. This amendment allowed a fitness center, gym, and restaurant as allowed uses, lowered the minimum required height of the structure, set parking ratios for these new uses, and replaced the existing architectural form and elevations with a new elevation depicting the proposed building. Since that time, the project has preceded through the site plan review process and the applicant has completed the purchase of the property. Due to conditions discovered through a detailed geotechnical evaluation during the site plan review, the design of the building required some changes. The building was redesigned to add a third floor and raise the building on pilings to reduce the load on the soil while adding a ground floor parking level. The garage entry is on the east side of the building, facing into the property. The ground floor commercial space of approximately 1,500 square feet is unchanged and remains at ground level on the west end of the building fronting Sybelia Parkway. In addition, the size of the gym (approximately 15,500 square feet) is unchanged and will now occupy the second and third floors. Due to the change in building design and appearance, the applicant is requesting a third amendment to the Declaration of Restrictions and Agreement to replace the elevation and architectural form approved in February 2021, with an elevation depicting the revised design. Amending the Declaration of Restrictions and Agreement requires an affirmative vote of the City Council. Should Council approve the amendment, the applicant would continue with site plan approval through the Development Review Committee. Staff does not oppose the proposed amendment.		
Fiscal Impact: NA		
Exhibits:		

- | |
|---|
| 1. Proposed Third Amendment to Declaration_FINAL
2. Approved Elevation (2021) from Second Amendment to Uptown Maitland Lot 2 Declaration |
| Commission/Board: City Council |
| Contact Person: Dan Matthys 407-539-6211 |
| Reviewed by City Attorney
Yes |