ORDINANCE NO. 1303

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 NORTH OF MAITLAND BOULEVARD AND WEST OF MAITLAND AVENUE, FROM PD, PLANNED DEVELOPMENT TO PD, PLANNED DEVELOPMENT, FOR PROPERTY DESCRIBED HEREIN; PERMITTING A 10.32 ACRE PARKS AND RECREATION (PASSIVE PARK AREA) IN THE PARKS & RECREATION LAND USE CATEGORY ON LOT 8; LOT 4 IS AN FDOT JOINT USE POND; AND A TOTAL OF 350 MULTI-FAMILY RESIDENTIAL DWELLING UNITS (375,000 SQ. FT.) ON LOT 7. THESE MULTI-FAMILY RESIDENTIAL UNITS ARE FURTHER DESCRIBED AS 96 RESIDENTIAL UNITS AT A MAXIMUM OF 2-STORIES AT 35 FEET IN HEIGHT IN THE LOW-MEDIUM DENSITY RESIDENTIAL (LMDR) FUTURE LAND USE CATEGORY AND 254 UNITS AT A MAXIMUM OF 3 STORIES AT 50 FEET IN HEIGHT, IN THE RESTRICTED-MIXED OFFICE/RESIDENTIAL/COMMERCIAL, R-MORC FUTURE LAND USE CATEGORY; AND UP TO 150,000 SQUARE FEET OF COMMERCIAL OR A COMBINATION OF COMMERCIAL, AND NOT MORE THAN 30,000 SQUARE FEET OF OFFICE SPACE WITHIN THE R-MORC LAND USE CATEGORY FOR LOTS 1 AND 2, WITH A BUILDING HEIGHT MAXIMUM OF 2 STORIES AT 45 FEET IN HEIGHT FOR THIS RETAIL/OFFICE COMPONENT ON LOTS 1 AND 2. THE DEVELOPMENT PLAN CONSISTS OF LOTS 1, 2, 7, AND 8, WITH THE FDOT POND MODIFICATIONS TAKING PLACE ON THE PROPOSED LOT 4; WITH TRACTS 1, 2, AND 3 (PROPOSED AS ROADWAYS), AND TRACT 6 WHICH MAY CONTAIN TWO OBSERVATION DECKS. LOTS 3, 5 AND 6 ARE NOT PROPOSED FOR BUILDING DEVELOPMENT WITH THIS CURRENT PD APPLICATION; AND PROVIDING APPROVALS FOR THE PLANNED DEVELOPMENT DISTRICT CLASSIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE .

WHEREAS, Related Development, LLC (Contact: Max Cruz), 315 S. Biscayne Boulevard, Miami, Florida 33131, has requested to rezone property described herein, in accordance with Section 21-21, Chapter 21 of the Maitland Code of Ordinances; and

WHEREAS, the Maitland Planning and Zoning Commission (P&Z), which also sits as the Local Planning Agency and Land Development Regulation Commission, duly scheduled, advertised and held a public hearing August 6, 2015 for this proposal to implement the proposed zoning amendment as herein described; and

WHEREAS, the Development Review Committee (DRC) held a public meeting to provide a recommendation regarding the proposed application, which occurred on October 1, 2015 and which was continued to October 5, 2015; and

WHEREAS, that the application and supplementary materials, noted in the DRC Recommendation Report for Petition No. 2015-04 (AZ)(PD) 511 W. Maitland Boulevard, be approved subject to the conditions of approval within the same report; and

WHEREAS, at the October 1, 2015 DRC meeting, public comment was taken in regard to the proposed application; and

WHEREAS, the P&Z held an additional public meeting on October 15, 2015, wherein public comment was received; and

WHEREAS, The P&Z has heard all persons who desired to speak for and against said zoning amendment and development plan, as well as comments received in writing, at their regularly scheduled meeting of November 5, 2015, and made a recommendation to the City Council to deny the request for a

change in zoning classification due to inconsistency with the 2030 City of Maitland Comprehensive Development Plan; and

WHEREAS, at the City Council meeting of November 23, 2015, the City Council introduced the ordinance on first reading to effect the zoning amendment and approve the development plan; and

WHEREAS, at the City Council meeting of January 25, 2016 the City Council introduced the ordinance on second reading to effect the zoning amendment and approve the development plan; and

WHEREAS, at the same meeting, public comment was received by the City Council; 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 amendment and development plan approval; and

WHEREAS, the City Council, considers that said rezoning will be in the best interest of the residents of the City of Maitland, Florida, and that said zoning amendment and development plan are in compliance with the 2030 Comprehensive Development Plan of the City of Maitland, Florida;

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

SECTION 1. The Official Zoning Map, a part of Chapter 21 of the Maitland Code of Ordinances, City of Maitland, Florida, is hereby amended to change the zoning district classification of the following described property from PD, Planned Development to PD, Planned Development District, legally described as follows:

LEGAL DESCRIPTION

PARCEL 1

THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 21 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, LYING NORTHERLY OF MAITLAND BOULEVARD (STATE ROAD NO. 426 A);

AND:

THAT PORTION OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 25, LYING NORTHERLY OF MAITLAND BOULEVARD, LESS THE EAST 331.32 FEET; AND LESS THAT PARCEL OF LAND DESCRIBED IN PART C OF THE FINAL JUDGMENT RECORDED IN OFFICIAL RECORD BOOK 2709, PAGE 343 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE WEST LINE OF SAID SOUTHWEST 1/4 OF SECTION 25 AND THE CENTERLINE OF SAID MAITLAND BOULEVARD (120.00 FEET RIGHT OF WAY); THENCE NORTHERLY ALONG SAID CENTERLINE AND ARC OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 909.86 FEET AND A CENTRAL ANGLE OF 19°31' 53" FOR 651.05 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID CENTERLINE NORTH 54°36' 57" EAST FOR 672.35 FEET; THENCE NORTH 35°23' 03" WEST FOR 120.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 54°36' 57" EAST FOR 95.00 FEET; THENCE NORTH 35°23' 03" WEST FOR 250.00 FEET; THENCE SOUTH 54°36' 57" WEST FOR 295.00 FEET; THENCE SOUTH 35°23' 03" EAST FOR 250.00 FEET; THENCE NORTH 54°36' 57" EAST FOR 200.00 FEET TO THE POINT OF BEGINNING.

AND:

THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 25, LESS THE NORTH 1025.00 FEET, AND LESS THE WEST 185.00 FEET;

AND:

THAT PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 25 DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID NORTHEAST 1/4 OF THE NORTHWEST 1/4; THENCE NORTH 00°09' 46" EAST ALONG THE WEST LINE THEREOF FOR 660.00 FEET; THENCE EAST 987.78 FEET TO THE WEST LINE OF THE EAST 331.32 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 25; THENCE SOUTH ALONG SAID WEST LINE FOR 508.79 FEET TO THE SOUTH LINE OF SAID NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 25; THENCE SOUTH 89°33' 26" WEST ALONG SAID SOUTH LINE FOR 989.69 FEET TO THE POINT OF BEGINNING.

LESS THAT PART OF PARCEL 1 CONVEYED IN OFFICIAL RECORDS BOOK 4949, PAGE 2643, WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 21 SOUTH, RANGE 29 EAST, RUN S 00°34' 45" E, ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 A DISTANCE OF 432.39 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF MAITLAND BOULEVARD INTERSTATE 4 INTERCHANGE (SECTION 75280 2438); THENCE S 89°13' 44" E ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 30.01 FEET; THENCE S 00°34' 45" E, A DISTANCE OF 80.92 FEET; THENCE S 49°14' 10" E, A DISTANCE OF 18.98 FEET FOR A POINT OF BEGINNING, SAID POINT BEING ON A CURVE CONCAVE NORTHWESTERLY, HAVING A CENTRAL ANGLE OF 09°49' 19" AND A RADIUS OF 1,844.86 FEET; THENCE DEPARTING SAID RIGHT OF WAY LINE FROM A TANGENT BEARING OF N 71 °38' 15" E, RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 316.26 FEET; THENCE DEPARTING SAID CURVE, RUN S 28°11' 05" E, A DISTANCE OF 5.00 FEET TO A POINT ON SAID NORTHERLY RIGHT OF WAY, SAID POINT BEING ON A CURVE, CONCAVE NORTHWESTERLY, HAVING A CENTRAL ANGLE OF 09°43' 46" AND A RADIUS OF 1849.86 FEET; THENCE FROM A TANGENT BEARING OF S 61°48' 55" W, RUN SOUTHWESTERLY ALONG SAID RIGHT OF WAY LINE AND THE ARC OF SAID CURVE, A DISTANCE OF 314.13 FEET; THENCE DEPARTING SAID CURVE, RUN N 49°14' 10" W, A DISTANCE OF 5.82 FEET TO THE POINT OF BEGINNING.

PARCEL 2

THAT CERTAIN REAL PROPERTY SITUATED, LYING AND BEING IN ORANGE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTHWEST 1/4 OF SECTION 25, TOWNSHIP 21 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, LYING NORTHERLY OF MAITLAND BOULEVARD (STATE ROAD NO. 426 A), DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 25; THENCE NORTH ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 25 FOR 1316.72 FEET; THENCE WEST 331.32 FEET; THENCE SOUTH FOR 1316.72 FEET; THENCE EAST TO THE POINT OF BEGINNING: LESS THAT PORTION OF SAID PARCEL LYING IN THE NORTH 100 FEET OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 25;

AND:

THE SOUTH 78.15 FEET OF THE NORTH 855.00 FEET OF THE WEST 481.00 FEET OF THE NORTHEAST 1/4 OF SAID SECTION 25.

TOGETHER WITH EASEMENT RIGHTS GRANTED IN CROSS ACCESS EASEMENT AGREEMENT RECORDED OCTOBER 21, 1994 IN OFFICIAL RECORDS BOOK 4810, PAGE 4691. THE PROPERTY CONTAINS 95.79 ACRES MORE OR LESS.

AND

THE FDOT RETENTION POND WHICH HAS A PARCEL IDENTIFICATION NUMBER OF 25-21-29-0000-00-062.

SECTION 2. The application and supplementary materials, and conditions of approval specified in the DRC Recommendation Report dated October 1, 2015 for Petition 2015-04 (AZ) (PD) 511 W. Maitland Boulevard, Planned Development – Option 1, as modified by the recommendations listed in the summary of staff working meeting dated December 18, 2015 (collectively the "DRC Report") shall be approved consistent with the same report which is attached hereto and incorporated herein by reference; and

SECTION 3. This approval is subject to the following additional conditions:

i. The Fee Credits section of the DRC report shall be considered under a separate agreement, subject to City Council approval; and

ii. The project site shall utilize the joint retention pond design concept identified as Pond 3B ("Pond 3B") in the application submittals to the City; and

iii. The project shall adhere to the revised conceptual elevations submitted by the applicant for compliance with the City's residential scale and character criteria; and

iv. The developer shall work with staff to design and install guardrails and or protective curbs along the Western access road as required by law to prevent vehicles from entering any drainage retention area; and

v. The developer shall design and install a berm and landscaping as described in the DRC Report to shield the Lake Charity neighborhood from vehicle headlight intrusion; and

vi. Delivery hours are restricted to from 6:00 a.m. to 7:00 p.m. and no amplified music outside or with the doors open shall be permitted after 11:00 p.m. and all other noise control will be in compliance with applicable City ordinances; and

vii. The developer shall preserve trees on Lot 6 that are adjacent to the Southern end of the panhandle of Lot 8 as per the "preservation area" designated on Exhibit "A" attached hereto; and

viii. The developer shall plant a new non-opaque tree buffer on Lot 6, directly north of the preservation area (Exhibit "A") within the setback, similar to the foregoing preservation area (Exhibit "A") as a visual and noise buffer between development and Lake Charity; and

ix. The developer shall install enhanced wall and/or tree buffering at the Lake Faith Villas Condominiums ("LFV") entrance, to buffer condominiums located at the southwest corner of LFV pursuant to a landscape plan and agreement to be entered into by the developer and the Lake Faith Villas Condominium Association, Inc. and approved by City staff pertaining to that area; and

x. The developer shall incorporate the shoreline restoration of the property associated with the Pond 3B and shall require shoreline restoration in general, which restoration shall be subject to maintenance by the Property Owner's Association to be established by the developer (the "POA") for a period ending on the later of (A) five (5) years after the completion of the installation of the plant material contemplated in the applicable shoreline restoration permit, or (B) until such time as those plantings have stabilized in the ordinary and customary manner; and

xi. The developer shall ensure no more than 0.56 acres of encroachment into the wetlands lobe (the "Wetlands Lobe") as depicted on the site plan for Pond 3B attached hereto as Exhibit "B"; and

xii. The developer shall landscape the slopes of all Pond 3B ponds with trees such as cypress, oak, bay, and other appropriate species; and

xiii. The developer shall restore and revegetate the Wetlands Lobe (Exhibit B), including the selective pruning and removal of exotic and invasive species, and plant the slope of the Wetlands Lobe with trees such as cypress, oak, bay, and other appropriate species; and

xiv. The developer or the POA shall maintain the Wetlands Lobe (Exhibit "B") against exotic and invasive species for a period ending on the later of (A) five (5) years after the completion of the installation of the plant material contemplated in the applicable wetlands restoration permit, or (B) until such time as those plantings have stabilized in the ordinary and customary manner; and

xv. The developer shall ensure 100% of site irrigation through stormwater reuse facilities, said facilities to be maintained in perpetuity by the POA and shall only be permitted to hookup to City potable water for irrigation purposes as a third option after utilizing the reuse facilities first and the on-site well second ; and

xvi. The developer shall ensure the project's ponds will treat all of project's stormwater, plus all 6 lanes of widened SR 414 to current standard (2.5 inches); and

xvii. The developer shall ensure that no more than the acreage specifically depicted on Exhibit "C" as "Impacted Area on Lot 8 For Pond Improvements" shall be impacted for that portion of the retention pond within the 10.32-acre park parcel; and

xviii. The developer shall donate the park parcel to City subject to the rights of other governmental agencies to impose other conditions during the normal permitting process and subject to an easement reserved in favor of the POA for shoreline and upland restoration (including the ongoing right to remove exotic and invasive species) and for pond maintenance, and shall impose a perpetual maintenance obligation on the POA for such pond maintenance which will include the City's right to perform any unattended pond maintenance at POA's expense and the City shall be responsible for the maintenance of the remainder of the park parcel; and

xix. The developer shall provide a place within the project to clean up after pets; and

xx. The developer shall reimburse the City up to $100,000 for the invoiced repairs of the existing drainage well near the site to offset potential flooding.

SECTION 4. In the event of ambiguity, all of the above conditions are subject to clarification based on the agreement reached during the discussions between City Council and the applicant as reflected in (i) that certain Transcript of Proceedings City of Maitland City Council Meeting Decision: Ordinance Petition No. 2015-04(AZ) (PD) 511 Maitland Blvd. (Maitland Concourse North) – Option 1, Date: February 22, 2016, as prepared by Sandra A. Moser, RPR, FPR and Notary Public, Realtime Reporters, Inc.; and (ii) those certain audio tapes of such meeting as recorded by and on file with the Maitland City Clerk, both of which are incorporated herein by reference.

SECTION 5. The City Clerk shall make the necessary entries to reflect the change as prescribed in Paragraph V., Section 21-1 of the Maitland Code of Ordinances.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. Effective Date. This ordinance shall become effective immediately upon adoption.

ADOPTED by the City Council of the City of Maitland, Florida this 22ND day of Feb., 2016.

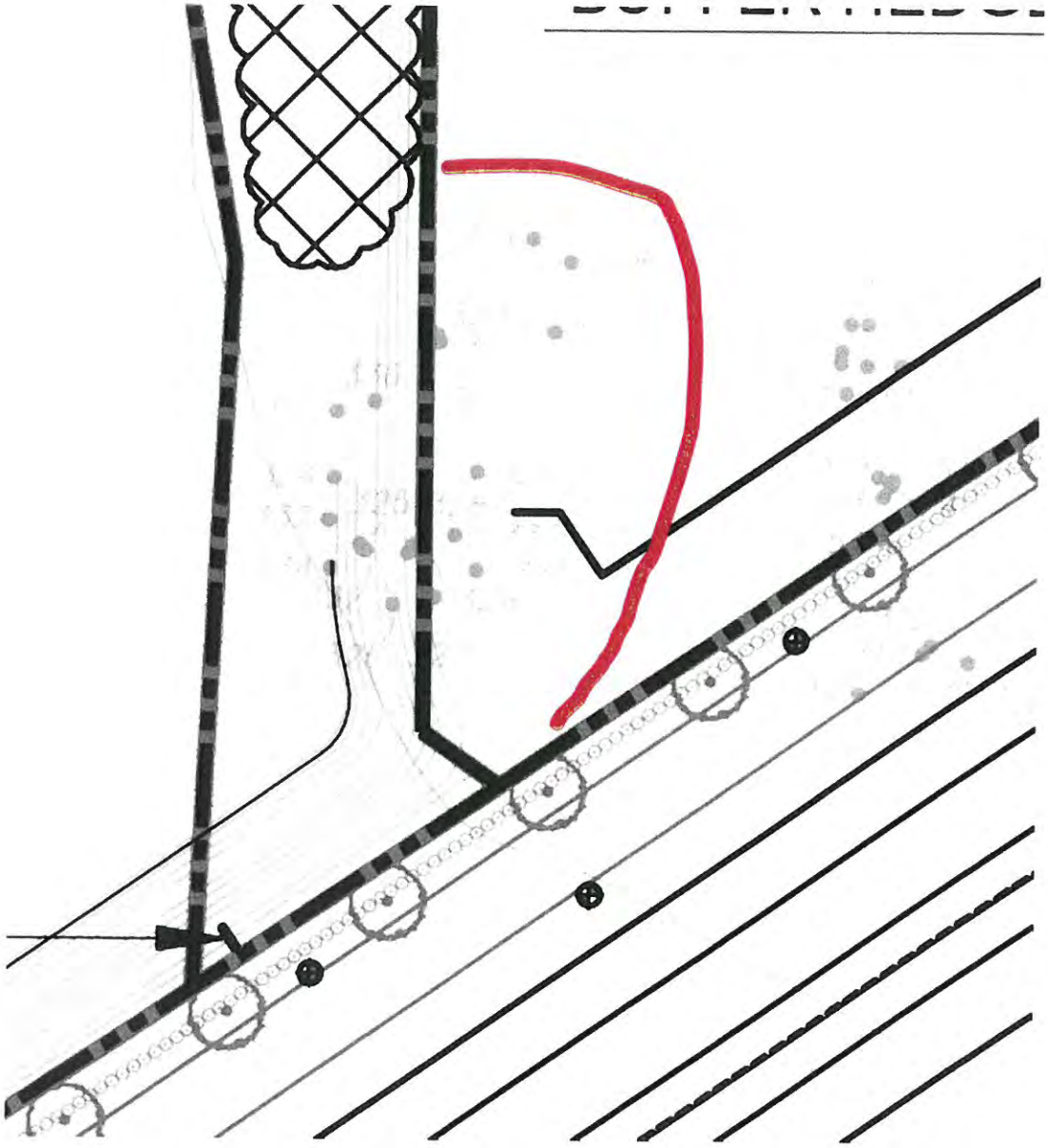
CITY OF MAITLAND, FLORIDA

A. Dale McDonald, Mayor

ATTEST

Maria Waldrop,MMC
City Clerk

EXHIBIT "A" TREE PRESERVATION AREA – LOT 6



Kimley»Horn
Jonathan Martin PE | Vice President
Kimley-Horn | **3660 Maguire Blvd, Suite 200, Orlando, FL 32803**
Direct: 407 427 1686 | Mobile: 407 341 5095 | Office Main Phone # 407 898 1511

POND 3B-EXHIBIT "B"

MAITLAND CONCOURSE NORTH

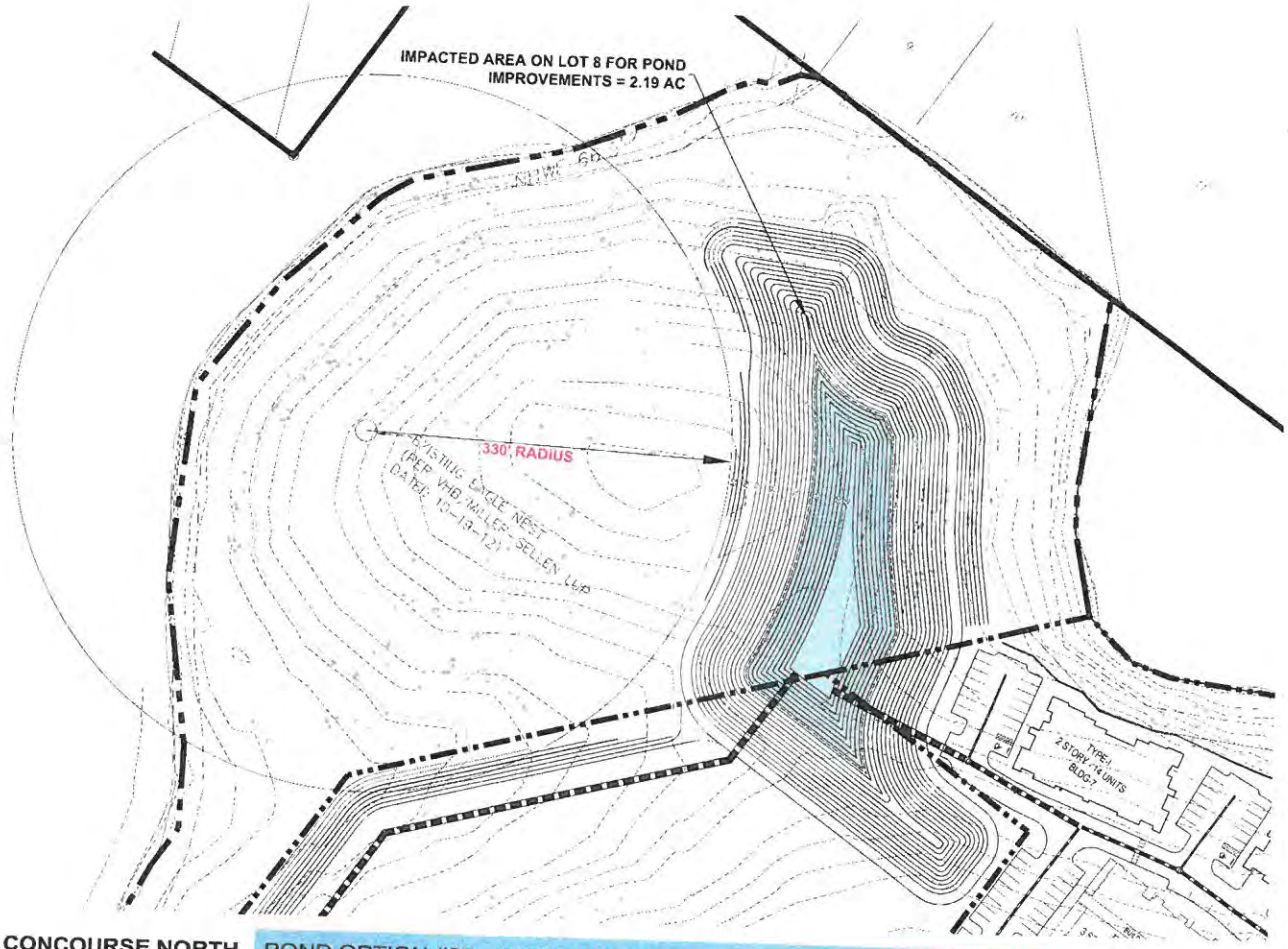
POND OPTION #3B - SLOPES AND WET NORTH POND

03/16/16 - CONTACT JONATHAN A. MARTIN, P.E. (407) 427-1656

GRAPHIC SCALE IN FEET
0 55 110 220

Kimley»Horn

EXHIBIT "C"
"IMPACTED AREA ON LOT 8 FOR POND IMPROVEMENTS"



MAITLAND CONCOURSE NORTH

POND OPTION #3B - WET NORTH POND

03/16/16 - CONTACT JONATHAN A. MARTIN, P.E. (407) 427-1686

GRAPHIC SCALE IN FEET 0 20 40 80

Kimley»Horn

SUMMARY OF THE STAFF WORKING MEETING
DECEMBER 18, 2015

The meeting commenced at 3:00 p.m. on Thursday, December 18, 2015. City staff members present were: Richard Wells Community Development Director; Rick Lemke, Public Works Director; Jay Conn, Director, Parks and Recreation Department; Sara Blanchard, Chief Planner; Kirsten Warren, Planner III; Charles Rudd, CRA Manager; Paul Ritter, Lakes Manager Coordinator; Mike DiClemente, Landscape Specialist; and Cristina Torres-Reyes, Transportation Engineer.

Petition No. 2015-04 (AZ)(PD) Option 1, 511 West Maitland Boulevard (known as Maitland Concourse North)

The applicant, Related Development, LLC, is requesting a rezoning for Parcel No. 25-21-29-0000-00-032 and Parcel No. 25-21-29-0000-00-062 (FDOT retention pond) to Planned Development. The proposed planned development includes a 10.32 acre park and recreation area, 350 residential units, and up to 150,000 square feet of either commercial or a combination of commercial and not more than 30,000 square feet of office space.

The development team was represented by Bill Battaglia, Maitland Concourse North; Brent Lezen and Jonathan Martin, Kimley-Horn & Associates, Inc.; Micky Grindstaff, Shutts & Bowen, LLP; Max Cruz, Related Development LLC; Chris Hite, Dix.Hite + Partners, Inc.; Justin Pelloni, Pelloni Development Corporation; and Scott Webber, ACi Architects, Inc.

City staff members reviewed, discussed, and clarified with the applicant's development team the unresolved issues contained within the Development Review Committee Recommendation Report.

The following modifications were recommended:

Page 1: Incorporate following (Condition No. 74) as an informational item:

> The Lakes Advisory Board (LAB) heard and discussed stormwater concepts during their meeting of August 19, 2015 and made recommendations that its concerns be conveyed to staff and Boards that are reviewing this project. We had the opportunity to discuss design concepts with their Consultant (Kimley Horn) and from those discussions, the following comments are offered regarding the review of the project:
>
> - The Developer should be commended for incorporating the FDOT stormwater pond as an integral component of their irrigation plan, which reduces their water demands (irrigation) from the City, while "recycling" the stormwater and providing further treatment as the water returns to the groundwater system. It was explained that the conventional rectangular pond will be designed to mimic the Lake Lily Amenity.
> - Given this concept, the FDOT stormwater "Pond", in their initial plan, does not consider the significant collection of debris that will be collected from the parking lots. Using Lake Lily as a prime example, considerable floatables (paper, cans, bottles, trash) find their way into this very public focal point every day.
> - Given the magnitude of pollutants that will come from the parking lots (oils, grease, & floatables), I have attached my comments to the Developer's Plan (Sheet PD 4.4) that recommend installation of at least two Continuous Deflective Separation (CDS) units or baffle Boxes to intercept the debris from the retail parking lots,
> - Incorporating "Rain Garden" Low Impact Development (LID) stormwater landscape features between parking bays.
> - Stormwater storage under drivable pavers located under the parking spaces will reduce runoff and reduce the 'Heat Island" effect of asphalt.

Page 1: ...Public access shall be provided to the Passive Park property which ~~shall~~ may include access for bicycle, pedestrian and public parking adjacent to the park for people that may need to park and not walk or bike to the site. ...

Page 13: ...The proposed development therefore, on its own, exceeds the level of service for parks and provides additional park land to assist the City in meeting these goals." However further investigation finds that there is a deficiency in the area of this project. The City of Maitland Parks and Recreation Master Plan identifies that the City needs to "develop additional neighborhood parks in the...northern...areas of the City" (p. 15) and that the "S.C. Battaglia Park....addresses an existing deficiency in park service for residents in the north central area of the city" (p. 45).

In addition, the submittal statement that the CIP does not "have any planned park projects along the Maitland Blvd corridor" is incorrect. The five year City CIP lists "Battaglia Property Development (Park)" in FY19 under the Recreation Department funded in the amount of $200,000.

Page 14. Transportation

...The traffic analysis did not contemplate the scenario of an un-widened Maitland Boulevard and therefore without this information no verification can be made at this time. ~~Therefore the LOS for the project will be held to the timeframe when Maitland Boulevard is widened~~, unless the traffic study is updated with the analysis to support the LOS without the occurrence of the widening of Maitland Boulevard. ...

Pages 18 through 32: Conditions of Approval of the Planned Development:

2. A sidewalk/walkway shall be incorporated around the perimeter of the proposed retention pond no less than 8 feet in width if designed to serve as an amenity.

3. Internal bike/pedestrian circulation system is required for this site. A sidewalk shall be provided along the proposed centrally located entrance road to accommodate both bicycle and pedestrian movements and connect to the internal circulation system. ~~An easement for public use of the sidewalk/bike system is required in conjunction with this planned development~~. Appropriate access rights will be provided for public access at the time of platting. ...

4. Public access shall be provided to the Passive Park property which shall include access for ~~bicycle~~ bike racks, pedestrian and parking adjacent to the park for vehicles that may need to park and not walk or bike to the site.

13. Screening Requirements:

Lot No. 3:

~~Trees indicated on Lot 3 are subject to review at a later phase of development.~~

13. Lot No. 4:

Shall incorporate into and accommodate tree preservation into the pond design. (See additional recommendations under the Residential scale and character Section d of this report.)

Move following from Page 35 to Condition of Lot No. 4 with the following modifications:

Surface stormwater facilities such as ~~stormwater ponds and~~ swales should be integrated into the parking lot design, incorporating landscaping and other aesthetic treatments and used as amenities.

If the developer, rather than FDOT, develops the retention pond on Lot 4, the following provisions shall apply. The retention pond on Lot 4 shall be designed ~~in~~ as an aesthetic amenity to the site or for buffering. Stormwater facilities that are located in the front of a property shall be prohibited from having fencing unless it can be demonstrated to be necessary due to the configuration and topography of the lot or safety reason. The determination of necessity in this circumstance shall be made by the City Council.

~~The~~ If the stormwater detention/retention facilities are designed as an amenity, they shall include a water feature such as a fountain or spray jet~~,~~. ~~and~~ The pond shall be planted with aquatic species which shall include cypress trees or other suitable aquatic plant material. The pond shall be designed with curvilinear edges to be reflective of a natural water body and not as a straight "box." ~~Retention embankments shall be planted with a minimum of two trees per hundred linear feet of the stormwater tract.~~ Trees shall be a minimum size requirements established in the City Code. Trees shall ~~be~~ include those suitable for wet locations and are subject to City acceptance. Trees shall be planted in clusters to achieve a quality landscape design, to provide buffering for the neighborhoods to the north and west of the site to augments the lake edge buffer.

A pedestrian pathway and benches for use by the public ~~shall~~ may be incorporated into the design, which is discussed further in this report.

13. Lot No. 6.

...~~This proposed Lot 6 contains an area of trees that was described in the expired MCN Development Agreement (DA) as "Tree Protection Land". This area contained approximately 2 acres of land area with trees which the City would acquire by deed from the Developer to ensure that the mature stands of trees and open space would be protected. This area is contiguous to the Passive Park Area and may provide an opportunity for park impact feet credit should this be conveyed to the City for tree preservation purposes and to add to the Passive Park area.~~ Non-exotic or invasive trees will be preserved in the flag portion of Lot 6 and trees directly to the east of the flag to be described in an exhibit provided by the applicant.

13. Lot No. 7

Shall provide additional tree preservation along the eastern boundary adjacent to Lake Faith Villas. The eastern-most parking row adjacent to Lake Faith Villas shall be relocated to preserve the trees in that location. Likewise, the cul-de-sac shall be moved a minimum of 25 feet from the property line and a decorative wall, fence or other opaque screening, as may be agreed to by Lake Faith Villas and the applicant, placed along the property line to screen the area from lights. Parking shall be removed from the cul-de-sac to allow for unencumbered turning movements. ...

13. Lot No. 8 [Unresolved]

...Should a conservation easement be placed on the park property, the City of Maitland shall be ~~the~~ an easement holder, with uses established within a conservation easement consistent with the uses listed within the *City of Maitland 2030 CDP Standard 3.28.4 (a)* as a Passive Park area. ...

16. Other Requested Variations Setbacks

~~Variation~~ Request

20. Requested Variations Impervious Areas (For clarification: Applicant shall re-calculate all areas to certify permeable and open space at a minimum of 30% for the overall development.)

Lot	Request	City Response
Lot 1:	Up to ~~90%~~ 85%	~~Denied~~ – A minimum of 30% shall be maintained on site.
Lot 2:	Up to ~~90%~~ 85%	~~Denied~~ – A minimum of 30% shall be maintained on site.

29. through 40. apply to the final site plan.

41. ~~The site must not be mass graded in conjunction with the PD.~~ Mass grading is approved in concert with temporary seeding/mulching and soil erosion control. Clearing may only occur on those areas that are to be built upon immediately after clearing, regardless of which phase of development is underway. The soils conditions on site are very erodible and removing the existing vegetation will allow erosion of soils into the adjoining lakes. ~~Provide a provision for temporary seeding/mulching~~.

50. Sheet LFV-01 – Lake Faith Villas Access Option – please provide a copy of the joint use agreement for the gated access to Lake Faith Villas prior to final site plan approval.

~~69. The retention pond for the development and FDOT is located within Lake Charity to the lake side of the Normal High Water Elevation. PD3.1~~

- ~~This existing NHWE is the definitive line.~~
- ~~Any structure or impervious surface must be a minimum of 50 LF back from the existing NHWE.~~
- ~~The vegetation within that area is listed as Wetland Shrub and cannot be removed or destroyed.~~
- ~~The soils in the area are Bassinger Fine Sand Depressional indicating complete inundation by the lake.~~

~~72. The site must not be mass graded in conjunction with the PD. Clearing may only occur on those areas that are to be built upon immediately after clearing, regardless of which phase of development is underway. The soils conditions on site are very erodible and removing the existing vegetation will allow erosion of soils into the adjoining lakes. Provide a provision for temporary seeding/mulching.~~

~~73. The cul-du-sac and parking lot on the northwest end of the residential development extend into the limit radius around the Bald Eagle nest site located in Lot 8. PD3.3.~~

74. Move this item to the beginning of the report as informational paragraph and delete as a condition of approval.

~~The Lakes Advisory Board (LAB) heard and discussed stormwater concepts during their meeting of August 19, 2015 and made recommendations that its concerns be conveyed to staff and Boards that are reviewing this project. We had the opportunity to discuss design concepts with their Consultant (Kimley Horn) and from those discussions, the following comments are offered regarding the review of the project:~~

- ~~The Developer should be commended for incorporating the FDOT stormwater pond as an integral component of their irrigation plan, which reduces their water demands (irrigation) from the City, while "recycling" the stormwater and providing further treatment as the water returns to the groundwater system. It was explained that the conventional rectangular pond will be designed to mimic the Lake Lily Amenity.~~
- ~~Given this concept, the FDOT stormwater "Pond", in their initial plan, does not consider the significant collection of debris that will be collected from the parking lots. Using Lake Lily as a~~

~~prime example, considerable floatables (paper, cans, bottles, trash) find their way into this very public focal point every day.~~

- ~~Given the magnitude of pollutants that will come from the parking lots (oils, grease, & floatables), I have attached my comments to the Developer's Plan (Sheet PD 4.4) that recommend installation of at least two Continuous Deflective Separation (CDS) units or baffle Boxes to intercept the debris from the retail parking lots,~~
- ~~Incorporating "Rain Garden" Low Impact Development (LID) stormwater landscape features between parking bays.~~
- ~~Stormwater storage under drivable pavers located under the parking spaces will reduce runoff and reduce the 'Heat Island" effect of asphalt.~~

101. No boat ramps/docks for boat launching are shown in this proposal and shall not be allowed for the proposed project, unless authorized through an amendment to the PD, planned development. A non-recreational Lake Maintenance boat ramp can be applied for under separate permit to be reviewed and approved by the Public Works Department and not require a PD modification.

Page 37:

Fee Credits. Fee Credits are subject to separate action with City Council approval. Informational only.

Page 38:

(iv.) …The applicant does propose and the City is requiring an 8 foot wide walkway around the pond for use by the public if the pond is designed as an amenity. …

PETITION 2015-04 (AZ)(PD) 511 MAITLAND BOULEVARD
PLANNED DEVELOPMENT – OPTION 1
DEVELOPMENT REVIEW COMMITTEE RECOMMENDATION
OCTOBER 1, 2015

Based on the requirements of Section 7.5, Article VII. Planned Development, of the Maitland City Code, the Development Review Committee of the City of Maitland, at its meeting of October 1, 2015 recommends that the Planning and Zoning Commission approve Petition Number 2015-04 (AZ)(PD) 511 Maitland Boulevard Maitland Concourse North–Option 1, including supplementary materials listed below, and determines:

A. That there is substantial compliance with the purpose and intent of the Planned Development district;

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 are adequate for the proposed development; that all adopted levels of service can be adequately met; (See comments pertaining to LOS under Item J below.)

D. That the proposed development plan is consistent with the Comprehensive Development Plan.

I. THE APPLICATION AND SUPPLEMENTARY MATERIALS ARE RECOMMENDED FOR APPROVAL SUBJECT TO THE FOLLOWING CONDITIONS:

II. THE FOLLOWING FINDINGS ARE INCLUDED:

(a) 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.

Vehicular: Three driveway access points onto Maitland Boulevard are planned for the development. The intersection at the west end of the development is an FDOT curb cut and accessway shared with Savannah Court, an adult congregate living facility. The intersection at the east end is shared with the Lake Faith Villas Condominiums. The third entrance is proposed to be centrally located, with a signalized access when warranted (warrants have not been approved by FDOT.)

Pedestrian/Bicycle: An eight-foot pedestrian sidewalk is proposed for the perimeter of the development along Maitland Boulevard. This provides a link to the sidewalk that exists along Maitland Boulevard in front of Savannah Court and extending west to Lake Faith Villas.

The applicant shall provide an 8-foot wide sidewalk along the perimeter adjacent to Maitland Boulevard with an easement granted for public use.

A sidewalk/walkway shall be incorporated around the perimeter of the proposed retention pond no less than 8 feet in width.

An internal bike/pedestrian circulation system is required for this site. A sidewalk shall be provided along the proposed central entrance road to accommodate both bicycle and pedestrian movements and to connect to the internal circulation system.

An easement for public use of the entire sidewalk/bike system is required in conjunction with this planned development. Sidewalks provided within the site shall be a minimum of 6 feet in width to maximize circulation and shall be increased to a minimum 8 to 10 feet where they access the commercial buildings, less any outdoor restaurants, planters, or outside furnishings.

Public access shall be provided to the Passive Park property which shall include access for bicycle, pedestrian and public parking adjacent to the park for people that may need to park and not walk or bike to the site.

An ADA accessibility plan shall be provided by the applicant at time of Final Site Plan Review. A bike/pedestrian circulation plan shall be submitted as part of the Final Site Plan review as well.

(b) Off-street parking and loading areas, where required, with particular attention to the items in (A) above.

Parking spaces for residential uses are provided at a rate of one parking space per 1.7 dwelling units, 1 space per 200 gsf for commercial retail, and 1 per 250 feet of building for office uses as required by the City Code. The first phase of development proposes 350 multi-family residential dwelling units @ 1.7 spaces per dwelling unit for a total of 595 spaces provided.

A parking analysis was provided by WGI, dated September 2, 2015, and was submitted to validate a parking reduction from the City's requirement of 2 spaces per unit, to the requested 1.7 spaces per units. The application indicates that there will be a total of 582 bedrooms in the complex. The majority of the units is made up of one bedroom (124) and two bedroom (148) units.

The parking study that was provided was based on three other communities that are very similar to the project that is being proposed. The sites were studied on a 24-hour basis over the course of 7 days and counted all parking, including visitors. Guest parking was noted as being included in the counts during the review days. The ITE Parking Generation - 4th Edition Manual lists a range of 1.10-1.37 spaces per dwelling unit with a 95% confidence range. The overall range variation on a weekday peak period was listed as 0.59-1.94 spaces per dwelling unit; with an average peak calculation of 1.23 spaces per dwelling unit. The studies validated that 1.6 spaces per unit was the highest count needed within the three sites studied. Further, the ITE information reflected that 1.7 spaces per dwelling units is higher than the 95% confidence range, the average peak and within the higher end of the overall ranges listed. *No objection is made to the use of 1.7 spaces per dwelling unit.*

Up to 150,000 square feet of retail/commercial uses are proposed @ one space per 200 gsf for a total of 750 spaces provided. The calculation for retail/commercial space does not account for restaurant uses which require one space per 3 seats and 1 space per two employees and a different parking calculation than is listed. *The applicant shall accommodate the required amount of spaces per code for these differing uses or supply an updated parking study to substantiate the use of a different parking ratio subject to approval by the City.*

Likewise if a hotel is submitted for a later phase, the planned development shall be amended and, City Code parking requirements shall be followed unless an updated parking study is submitted to substantiate the use of a different parking ratio, all of which is subject to City review and approval.

Loading Areas: ***The applicant has indicated that the loading spaces shall be sized and located consistent with the City Code requirements***. Based upon the total square footage and unit count for the buildings proposed in phase one, a total of 12-13 loading spaces would be required. Section 21-22 (9) Off-street loading requirements, states that off-street loading spaces shall be provided and maintained as follows:

(b) a retail or wholesale facility or restaurant to provide 5 loading spaces for 100,000 square feet to 250,000 square feet.

(d) Business and professional office: One (1) space for the first ten thousand (10,000) square feet of floor area, plus one (1) space for each additional fifty thousand (50,000) square feet or major fraction thereof.

(f) Multiple family dwelling: One (1) to fifty (50) dwelling units, one (1) loading space; one (1) space for each additional fifty (50) dwelling units or major fraction thereof.

Phase 1:

Commercial/Retail - 150,000 square feet of commercial/retail of which a maximum 30,000 sq. ft. may be office. This would require *5 loading spaces for retail/commercial and 1 space for office square footage* .

Multi-family dwellings - *350 units proposed will require 7 loading spaces.*

The applicant shall provide these accordingly.

(c) The economics, noise, glare or odor effects of the proposed development on the City as a whole and on the surrounding properties.

Lighting is a critical element of the site plan. The lighting plan illustrates lighting examples for character, but does not demonstrate the actual height, fixtures chosen and final specific illumination.

At the Final Site Plan applicant shall submit:

- *A photometric plan shall be submitted to demonstrate that glare and light spillover shall not occur and thus will not create a glare on adjacent uses or rights-of-way.*
- *Use of sharp cut-off type fixtures or dark skies-type lighting to limit spread of light in outdoor/parking areas and lighting spill over onto adjacent uses, rights-of way or adjoining parcels;*
- *Lighting on buildings that incorporates the type of fixtures that direct light to the ground.*
- *Indication that light placement incorporates CEPTD guidelines and standards to enhance safety.*
- *Indication that site lighting is consistent with residential scale and character and is no higher than 13 feet to 14 feet. Lighting character images shown on page L.1.02 are acceptable only to the extent that the style of the decorative lighting is acceptable and the parking area lighting example is not. Please revise parking area lighting consistent with the decorative site lighting example.*

Noise: *The project shall be designed to adhere to the applicable noise/sound regulations of the City of Maitland. Noise control shall include, but not be limited to, noise attenuation for equipment such as shielding of A/C units and compressors; limiting non-residential truck deliveries to certain hours (5:00 a.m. to 7:00 p.m.) unless otherwise approved by the city); controlling outdoor music provided at sit-down restaurants or similar uses to conform to City of Maitland noise regulations and controlling hours of operation to be compatible with surrounding uses and with the residential character of the neighborhood.*

Vibrations: The proposed project is to be multi-family and retail/commercial with office. *No storage or heavy equipment use or materials handling or related activities that would create vibrations out of character with the residential portions of the project on-site or adjacent to the site.*

Odor: *No activities shall be permitted that would create a consistent pattern of odor production that is incompatible with the residential character, including the emission of pollutants and offensive fumes or gases.*

(d) Refuse and service areas, with particular reference to items in (a) and (b) above. Sanitation (Contact: Sharon Anselmo, 407-539-6221)

A refuse service plan must be provided in conjunction with the Final Site Plan Review.

Solid Waste and Recycling Plan *- The location of dumpsters and containers is generally located on the site plan, however Florida Statutes 403.706(2)c requires that newly developed property receiving a certificate of occupancy, or its equivalent, on or after July 1, 2012, that is used for multifamily residential or commercial purposes, must provide adequate space and an adequate receptacle for recycling by tenants and owners of the property. The City of Maitland has established a commercial and multifamily recycling program and requires a detailed solid waste and recycling plan to ensure compliance with this provision, as was noted in the pre-application report from staff. The site plan does indicate a compactor to accommodate the solid waste from the multifamily tenants, but does not indicate an area to accommodate recycling.*

Dumpster Enclosure and Screening *- City Code Sec. 8-16 requires that all loading areas with a minimum width of fifteen (15) feet or more and utility service areas not screened by an intervening building shall be screened from view from any public street rights-of-way for their entire length except for necessary access. Screening for loading areas may be accomplished by a closed fence or wall which is at least six (6) feet high and is compatible with the principal building. Additional planting materials shall be provided so that no more than two-thirds of the surface area of the closed fence or wall is visible from the street within three (3) years of erection of the structure. The screening may also be accomplished with a natural evergreen plant material which can be expected to reach six (6) feet or greater within two (2) years of planting. Any plant materials used to fulfill these requirements shall be a minimum of four (4) feet in height when planted, and there shall be no gap greater than two (2) feet between plant foliage. Access points to the dumpster must also be screened with gates if it is visible from the road or public right-of-way.*

Gates shall close all the way and latch in the both the closed and opened positions and gates and enclosures shall allow easy truck access (room for mirrors and for the gates to open more than 90 degrees). Gates shall have intermediate posts instead of large, bi-fold spans.

The interior and exterior enclosure walls shall match the exterior architectural finishes of the adjacent building(s). It is recommended to use bollards at the wall entrances by the dumpsters to protect the walls from being hit by the service truck.

Enclosures and areas around enclosures shall be designed to prevent liquid run-on to the area and run-off from the area, and to contain litter and garbage so that it is not dispersed by the wind or runoff. Enclosures and areas around enclosures shall not discharge to the storm drain system. If proposed use of the development includes a food service facility, any drains installed in or beneath enclosure areas shall be connected to a grease removal device prior to discharging to the sanitary sewer.

(e) Screening and buffering with reference to type, dimensions, and character.

The project provides a preliminary landscape plan which depicts trees to be preserved on the north, east, southwest and park property (Lot 8). Additional trees must be preserved on the site in groupings to provide increased buffer depth. (See Comments as well under Stormwater Lakes Management Section of this report).

Specific areas:

Lot No.	Condition
3	*Trees indicated on Lot 3 are subject to review at a later phase of development.*
4	*Shall incorporate into and accommodate tree preservation into the pond design. (See additional recommendations under the Residential scale and character Section d) of this report.*
5	*The roadway shall be shifted from its proposed location, and increased significant tree preservation along the northern side of Lot 5 shall be provided. This will provide a greater buffer at a higher elevation on the property.* *A landscape hedge a minimum height of 4 feet at planting shall be provided along any access roadway on Lot 5 that faces Lake Charity for protection from vehicle headlights. A screen wall (brick or block and opaque in nature) no less than 5 feet in height shall be provided at the northwestern corner of Lot 5 to screen headlights as they drive northward on this access road.*
6	*No trees are indicated for preservation on the site. Opportunity exists to preserve a vast majority of the existing trees. A key preservation area shall be provided along the western and southwestern border to protect the character of residential properties across the lake.* *This proposed Lot 6 contains an area of trees that was described in the expired MCN Development Agreement (DA) as "Tree Protection Land". This area contained approximately 2 acres of land area with trees which the City would acquire by deed from the Developer to ensure that the mature stands of trees and open space would be protected. This area is contiguous to the Passive Park Area and may provide an opportunity for park impact feet credit should this be conveyed to the City for tree preservation purposes and to add to the Passive Park area.*
7	*Shall provide additional tree preservation along the eastern boundary adjacent to Lake Faith Villas. The eastern-most parking row adjacent to Lake Faith Villas shall be relocated to preserve the trees in that location. Likewise, the cul-de-sac shall be moved a minimum of 25 feet from the property line and a decorative wall placed along the property line to screen the area from lights. Parking shall be removed from the cul-de-sac to allow for unencumbered turning movements.* *On the western portion of Lot 7, the cul-de-sac shall be moved away from Lot 8. The radii for protection for the eagles' nest must be honored with any proposed construction indicated in this portion of Lot as well as increased tree preservation. Change the cul-de-sac to a T-turnaround. Provide the City with evidence that the Florida Fish and Wildlife Conservation Commission is okay with that design within the 660 foot radius of the eagle's nest.*
8	*Passive Park - The park property does not reflect tree preservation in the complete flag portion of the property. This must be corrected and the trees must be preserved in this portion as well.* *Placement of an accessway through the flag portion of the lot shall be subject to the review and approval by the City of not only the access, but also the tree preservation in connection with access placement. The tree preservation and proposed access will be evaluated at that time to ensure that the accessway does not interfere with tree locations.* *An eagle management plan shall be submitted by the applicant and reviewed in conjunction with the Final Site Plan review which shall be subject to City approval. The Developer shall be responsible for installing any protective barriers or screening that may be required by the eagle management plan to protect the eagles or the nest from the impacts of construction. Eagle management shall abide by all applicable guidelines and permitting standards.*

	A park maintenance agreement shall be established between the City and Developer in conjunction with the Final Site Plan Review and submitted for City Council acceptance. *Hours of operation for the passive park shall be one-half hour after sunrise to one-half hour before sunset.* *Prior to or simultaneously with the transfer of the deed for the Passive Park to the City of Maitland, the Developer shall also convey to the City, by separate instrument or by Plat, any easements necessary for public access to the Passive park.* *{For the subject site adjacent to Lakes Charity and Lake Hope, screening shall be provided at a minimum and no less than the screening depicted on the elevations and plan presented by Dix Hite & Partners to add an increased layer of buffering for persons views from across each of the referenced lakes. The exhibits are attached. Tree preservation in these areas is required to provide additional natural buffers. }*

(f) **Required yards and other open space.**

The applicant proposes the following:

REQUESTED VARIATIONS SETBACKS		
Type/Code/Variation/Request	***Variation and/or App. Justification***	***City Response***
BUILDING SETBACKS: Section 21-5(XIV)(b)(4); ~~Section 23-1.5.1~~	Maitland Boulevard—One hundred (100) feet, except freestanding signs are permitted between the property line and setback line, provided: 1) other sign requirements are met; 2) the owner is responsible for replacement costs should future widening be necessary; 3) the signs permitted within the setback area are placed a minimum of twenty (20) feet inside the front property line; 4) the signs do not exceed ten (10) feet in height as measured from the grade at the curb; 5) the signs are not internally lit; and 6) the signs do not exceed a total of fifty (50) square feet in size for copy area. ~~Main Street – Fifteen feet (15')~~ ~~Primary Street – Twenty five feet (25')~~ ~~Secondary Street – Fifty feet (50')~~ ~~Common Lot Setback – Ten feet (10')~~	*Please note that Section 23-1.5.1 is an incorrect Code reference which is applicable to Maitland West Side and not to this project. These references shall be ~~stricken~~ as shown above.*
Abutting Maitland Boulevard – Fifty feet (50') Outparcels – Twenty feet (20')	For the purpose of future street widening, setback lines are established for certain streets as set out in this section. Maitland Boulevard requires a setback of one hundred (100) feet.	*The City does not object to this variation, subject to the applicant providing to the City from FDOT. An agreement between the City and the property owner will be required in which the property owner indemnifies the City for any replacement costs for future widening of Maitland Boulevard which may be required by FDOT. The building location shall also be subject to City of Maitland visibility triangles for accessways and street intersections.*

Abutting Lake Faith Villas/LMDR – Seventy feet (70')		*Increased tree preservation along the eastern boundary shall be provided which may increase the 70 foot setback in areas to accomplish this. See comments in e. concerning Lot 7.*
Abutting Lake Faith Villas/R-MORC – One Hundred feet (100')		*Increased tree preservation along the eastern boundary shall be provided which may increase the 100 foot setback. See comments in e. concerning Lot 7.*
Abutting Savannah Court – Twenty feet (20')		*Increased tree preservation along the western and northwest portion of the proposed Lot 5 shall be provided which may increase the 20 foot setback in areas. See comments in e. above concerning Lot 5.*
Abutting Lake Hope – Fifty feet (50') - *Waterbody setbacks*		*Must be consistent with Chapter 6.5 Flood Damage Prevention (Section 6.5-27 - Specific standards) See also CDP Excerpts Attached as Exhibit A.* *POLICY 3.5: No structures, other than docks, boathouses or pool construction, shall be allowed within 50 feet of the ordinary high water line for lakes.* *Chapter 11 – Parks, Recreation and Boating; Article II – Boats, Boating and Use of Waterways* *Division 4 – Construction of Boat Docks, Boathouses, Boat Ramps, Boardwalks and Seawalls* *Section 11-80 (9): An existing seawall's vertical height shall not exceed the 100 year flood elevation listed in Table 1. No seawall shall be built on the lake side of the NHWE listed in Table 1. All seawalls shall be required to have a permit from the Department of Environmental Protection (DEP) prior to application for a City of Maitland waterfront structure permit, subject to the City's understanding that FDOT is in the process of obtaining a permit to build a retention pond and that would override the City's regulations, in which case it becomes a condition that is approved. The City will have to abide by the FDOT's pond permit.*
Abutting Lake Charity – Fifty feet (50') - *Waterbody setbacks*		Must be consistent with *Chapter 6.5 Flood Damage Prevention (Section 6.5-27 - Specific standards) See also CDP Excerpts Attached as Exhibit A* *Chapter 11 – Parks, Recreation and*

		Boating; Article II – Boats, Boating and Use of Waterways *Division 4 – Construction of Boat Docks, Boathouses, Boat Ramps, Boardwalks and Seawalls* *Section 11-80 (9): An existing seawall's vertical height shall not exceed the 100 year flood elevation listed in Table 1. No seawall shall be built on the lake side of the NHWE listed in Table 1. All seawalls shall be required to have a permit from the Department of Environmental Protection (DEP) prior to application for a City of Maitland waterfront structure permit.*
All Interior Setbacks – Zero feet (0')		Interior lot line setbacks for Lots 3, 5, and 6 are subject to additional interior setback review at the time the planned development is amended. This setback analysis will include the additional tree preservation comments stated within this report. No construction is shown for Lot 8, hence no comment. Lot 4 along the shoreline and Lot 7 along the shoreline and lake are subject to all shoreline protection and waterbody setbacks which have been outlined by Public Works in this report and as specified within the Maitland City Code. Lot 2 shall be examined relative to the tree cluster at the northwest corner for possible incorporation of mature trees into the parking lot or site design.

Section 21-21 PD, Planned Development District stipulates that: ***Wide setbacks from the perimeter line may be imposed to protect privacy of adjacent existing uses. The requirements listed above in E. and F. provide additional buffers and tree preservation consistent with this criteria of the PD, and will provide a more mature and effective buffer for adjacent existing uses.***

PERMEABLE SURFACE AND OPEN SPACE		
Type/Code/Variation/Request	***Variation and/or App. Justification***	***City Response***
30% Open Space Represented by applicant.		*Sheet PD1.0 contains the definition of open space that was applied to the project site. This open space definition referenced was that used for Downtown Maitland and must be referenced in accordance with the City Code definition for Open Space. (Copy attached)*

For clarification: Applicant shall re-calculate all areas to certify permeable and open space at a minimum of 30% for the development.

REQUESTED VARIATIONS IMPERVIOUS AREAS		
Type/Code/Variation/Request	***Variation and/or App. Justification***	***City Response***
Lot 1	Up to 90%	*Denied - A minimum of 30% shall be maintained on site.*
Lot 2	Up to 90%	*Denied – A minimum of 30% shall be maintained on the site.*
Lot 3	TBD	*No development proposed at this time*
Lot 4	Up to 20%	*Predominantly pond. Re-examine number presented*
Lot 5	TBD	*No development proposed at this time*
Lot 6	TBD	*No development proposed at this time*
Lot 7	Up to 70%	*Adheres to Code*
Lot 8	Up to 5%	*Adheres to Code (predominately permeable)*
Tract 1	95%	*(Roadway at entrance by Lake Faith) – accepted*
Tract 2	95%	*(Roadway entrance at central location) This percentage shall be increased to accommodate landscaping in the design acceptable to the City.*

Site floor area ratio for the entire project site shall not exceed 0.30. The R-MORC restricted mixed office residential commercial land use district shall not exceed a site F.A.R of 0.50.

LANDSCAPE SPECIALIST – Michael DiClemente		
Type/Code/Variation/Request	***Variation and/or App. Justification***	***City Response***
BUFFER YARDS: Section 8-13 Buffer Type D - 10' depth	No comment.	*No comment.*
ROADWAY STREET TREES: *Section 8-12(1)* One (1) shade/canopy tree per fifty (50) linear feet of road frontage is required.	To insure necessary site visibility to developments on lots 5, 3, and retail lots 1 & 2, PD proposes deviation from code standard: PD proposes 1 Canopy Tree or 1 specimen palm per 75 LF/40 shrubs per 100 LF. Cluster of 3 palms (i.e., sabal palm) shall equal 1 canopy tree or specimen palm (i.e. date palm). Trees may be clustered rather than evenly spaced, but no more than 100' shall occur without a tree. PD proposes to up-size Min installed size of Canopy trees to be min 3.25" Caliper in lieu of code min typical 2.25" Caliper.	*To keep in context with adjacent commercial properties along Maitland Blvd. the street tree code (8-12) of one tree per fifty feet of road frontage shall be adhered to in order to maintain visual continuity. Palm trees can be used to delineate entry ways to the project.* *City agreed to review applicant proposal for 75' tree spacing with 3.25" caliper to match caliper inches otherwise required.*
OA SITE TREE POINTS: *Section 8-11(2)* A minimum of one (1) tree and ten (10) shrubs shall be planted or preserved for every two thousand five hundred (2,500) square feet of site area, excluding only areas of vegetation required to be preserved by law.	Due to the project's reduced vertical building density, an increased level of horizontal development intensity is required; Considering this, as well as the preservation of 60% of site surveyed trees and dedication of lot 8 as a preserve/park; the PD proposes deviation from code sec. 8- 11(2): PD proposes 1 tree & 10 shrubs per 3500 SF.	*The code requirement of one tree and 10 shrubs every 2500 feet of site area is required unless a tree preservation plan is completed and reviewed for viability, showing the proposed clusters of trees that are proposed to be saved.*

EXISTING TREE CREDITS: *Section 8-8(5)(d)* Trees required to be planted or preserved by this section shall not be used outside the property lines of the subject site, unless specifically permitted in this chapter.	The PD proposes that credit for retained/ saved trees located at proposed park (lot 8), site buffers, and perimeters shall be applied on a percentage basis to developed lots towards satisfying individual Lot/Tract landscape requirements.	*Tree clusters that are proposed to be saved in site buffers and perimeters need to be evaluated for viability after tree preservation plan has been submitted and reviewed. The park area will be reviewed after a final decision regarding whether property is to be deeded to city or not.*
PARKING LOT LANDSCAPING: *Section 8-15(B)(2)* Planter islands. All required planter islands must contain a minimum of one (1) shade/canopy tree or two (2) intermediate trees for every one hundred and sixty-two (162) square feet or less of area. Trees in the planter islands do not count as credit towards the perimeter trees. The remainder shall be landscaped with shrubs, lawn, ground cover other approved material not to exceed thirty (30) inches in height.	To insure necessary site visibility to development/retail storefronts, the PD proposes deviation from code sec.8-15(B)(2) for specific Lots 1, 2, Tract 1, Tract 2, Tract 3: The PD proposes ***1 intermediate tree or 2 understory trees*** shall be planted in each required 162 SF parking island. The retail developer will provide enhanced landscaping treatments to key entryway and patron focal gathering areas such as storefronts, plazas, and café spaces.	*The layout of parking lot planter islands in a more random fashion will be considered if the enhanced landscape treatment areas contain the same amount of plant material and trees that were to be used in the parking area islands.*
LANDSCAPE BUFFERS: *Section 8-13(b)(3) Buffer yard depth and intensity requirements.*	Abutting Maitland Boulevard – Fifteen feet (15'); Abutting Lake Faith Villas – Ten feet (10')*; Abutting Savannah Court – Ten feet (10'); Abutting Lake Hope – Forty feet (40') Abutting Lake Charity – Twenty feet (20'); All Interior Setbacks – Zero feet (0'); *The buffer area abutting Lake Faith Villas shall be a minimum of 10' with an average buffer of 50' along the length of the Lake Faith Villas property line.	*No variation from the code required buffer yard depths will be considered at this time. Due to adjacent property types, buffer yard depths must remain the same depth as specified in code 8-13 to protect neighboring properties.* *Interior setbacks = Zero feet (0').*

***General Landscape**: The proposed development is part of a Planned Development and needs to take advantage of the ability to design the parking lot with elements of a residential scale. Instead of the proposed single canopy planter islands, establish where there are existing clusters of trees on the site that can be used as part of the parking lot tree canopy. If there are no existing large canopy trees or clusters of canopy trees that are viable for preservation and use within a larger planter island, then larger planter islands are to be designed within the parking lot that will have the area needed to support the growth of a cluster of canopy trees. The parking lot is to have a village style elements to it to diminish ambience of a mall parking lot. This will also allow for proposed parking lighting to be farther away from the trees to allow for a more natural tree canopy growth. Although this may result in a lesser number of planter islands, the number of canopy trees and overall square footage of the planting areas (larger planter islands) for the site is not to be reduced. The number of canopy trees and overall square footage of canopy island area is to be consistent with the landscape code and is not to be reduced.*

The location of lighting is to be at a distance that will not impact the natural diameter of the tree canopies. The lighting design will need to be determined as per a photometric plan Trees including clusters of trees are to be centered between the light poles to prevent the light poles from impacting the tree or from the tree impacting the effectiveness of the lighting.

LIQUOR LICENSE		
Type/Code/Variation/Request	***Variation and/or App. Justification***	***City Response***
Section 21-5(XIII) No vendor applying for an alcoholic beverage license for the sale of "liquor", as defined in the Florida Statutes, for on-premises consumption shall be approved in any location that is within seven hundred and fifty feet (750') of any location for which any other such license has already been issued and is in force; or within one thousand feet (1,000') of any established school or church.	"Given that the Maitland Boulevard right-of-way is a one hundred twenty six (126) foot wide right-of-way that is currently a four (4) lane divided highway programmed to become a six (6) lane divided highway that separates the MCN project from any school or church on the south side of Maitland Boulevard, the proposed MCN project includes restaurants that are allowed to sell "liquor", as defined in the Florida Statutes, for on-premises consumption provided that such restaurants must have at least fifty-one percent (51%) of its gross revenue from the sale of food and nonalcoholic beverages and no liquor shall be sold after the hours of serving food have elapsed."	*There is no objection to this request. The roadway separation is a significant barrier and to restrict the "liquor" as defined in the Florida Statutes for on-premises consumption to those restaurants that have at least fifty-one percent (51%) of its gross revenue from the sale of food and non-alcoholic beverages and no liquor shall be sold after the hours of serving food have elapsed, is acceptable.*

(g) Signs, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effects, and compatibility and harmony with properties in the district.

SIGNAGE		
Type/Code/Variation/Request	***Variation and/or App. Justification***	***City Response***
Abutting Maitland Boulevard – Fifteen feet (15') Section 21-5. Setbacks states that for Maitland Boulevard—One hundred (100) feet, except freestanding signs are permitted between the property line and setback line; provided, however: 1) other sign requirements are met; 2) the owner is responsible for replacement costs should future widening be necessary; 3) the signs permitted within the setback area are placed a minimum of twenty (20) feet inside the front property line; 4) the signs do not exceed ten (10) feet in height as measured from the grade at the curb; 5) the signs are not internally lit; and 6) the signs do not exceed a total of fifty (50) square feet in size for copy area.		*The City does not object to this variation of a setback which is a difference of 5 feet, subject to the applicant providing to the City from FDOT a letter of no objection; a hold harmless agreement from the property owner and future assignees in favor of the City of Maitland that the owner is responsible for all replacement costs should future widening /improvements to Maitland Boulevard be necessary; subject to City of Maitland visibility triangles for accessways and street intersections, and consistent with the additional requirements listed above under Section 21-5 for signage on Maitland Boulevard.*
Monument Signs	PD Monument Sign A -Max 90 SF Copy ea. side, Min. 8' setback, Max 12' height, signs internally or externally lit. Sign may be part of attached architectural monument feature/	*Section 5-118(b)(1), Zone E, office commercial of the LDC permits freestanding signs a maximum copy area of 75 SF and maximum height of 12 feet. The master sign plan should reflect*

	column max height 16' (project name/ logo may be applied to monument feature max 16' copy, max 16' height).	*the above maximums.*
Monument Signs	PD Monument Sign B-Max 90 SF Copy ea. side, 8' max height, Min. 8' setback, signs internally or externally lit.	*<u>Section 5-116(b)(1),</u> Zone C, professional office of the LDC permits freestanding signs a maximum copy area of 75 SF and maximum height of 6 feet. Section 5-115(b)(1), Zone B, multi-family residential, permits a copy area of 50 SF and maximum height of 5 feet. The master sign plan referenced below should reflect the above maximums.*
Monument Sign	PD Monument Sign C -Max 50 SF Copy, 8' max height, Min. 8' setback, signs internally or externally.	*See signage comments above which shall be applied to signage along Maitland Boulevard.*

A master sign plan or Sign Package (MSP) shall be required and approved as part of a site development plan before any signs for development requiring site plan approval are approved. All owners, tenants, subtenants and purchasers of individual units and/or outparcels within the development shall comply with the approved master sign plan.

B. The Master Sign Plan shall include:

1. *The proposed general locations for freestanding signs on a lot, as well as the proposed location(s) for building signs on a building façade;*
2. *The types of signs proposed;*
3. *The maximum number, size, height, and sign copy area of all proposed signs using calculations consistent with the requirements of Section 5-109 of this Article;*
4. *The proposed style and color pallet for all letter colors, background colors and text font;*
5. *The type and description of illumination, if any, proposed for all signs;*
6. *Include a description of any structure (i.e., any wall or fence base) upon which a sign face is proposed to be placed;*
7. *Include other information required in Section 5-97 for permit applications which is not listed herein.*

C. Prior to the issuance of a sign permit for the erection of a sign, all proposed sign plans shall be reviewed for conformity with the MSP and all applicable provisions of this Article. If a proposed sign conforms to the regulations of this Article and the approved MSP, such sign (s) shall be issued a permit by the Community Development Director or designee.

D. Revisions to the master sign plan or sign package that do not increase the sign area by more than ten percent will be considered to be minor and may be permitted after review and approval by the Community Development Director, provided that the changes are substantially consistent with the purposes and intent of the approved master sign plan/sign package and that they conform to all other applicable ordinances and regulations consistent with Chapter 7.5 Land Development Procedures.

Should the Community Development Director or designee have questions about whether a proposed revision is substantially consistent with the master sign plan/sign package, he/she may at his/her sole discretion, refer the proposed revisions to the Development Review Committee for their consideration.

The Development Review Committee shall review the proposed revisions and shall determine whether or not they are consistent with the approved master sign plan. Any decision rendered by the Development Review Committee may be appealed to the City Council within thirty (30) days of the date that the decision is rendered.

The DRC may determine that a proposed change is not substantially consistent with the approved sign plan/sign package within the Development Order, and may choose to forward the revision to the Planning and Zoning Commission (P&Z) for review and decision.

Any decision rendered by P&Z may be appealed to the City Council within thirty (30) days of the date that the decision is rendered.

(h) General compatibility with adjacent properties and other property in the surrounding area.

DIRECTION	DESCRIPTION	CONDITION
West	To the west of the development is Savannah Court, there is an adult congregate living facility. The property will share the western access road with this existing development.	*The recommendations require a detail of this entry to be provided ensure the roadway, driveway entrances and pedestrian/bicycle facilities are safe and adequate for the area. Additional tree preservation is required along the western and northwestern portion of the site discussed previously in this report.*
North	To the north of the site are single family residential properties (i.e., Druid Isle, Druid Hills, Oakland Shores, 2nd Addition) which are separated from the Subject Property by Lake Hope and a waterway/canal connection between Lakes Hope and Faith approximately 100 feet in width owned by Orange County BCC. A 30 foot canal easement is located at the rear of Lots 8 9, 10 and 11, Block C, of Druid Hills Estates, between Lakes Hope and Charity. The trees on the site are predominantly on the northeast and west perimeter.	*Additional tree preservation in these areas is required which would provide additional natural buffers and enhance compatibility with the single-family neighborhoods to the north and south. This has been addressed previously in this report.*
East	Lake Faith Villas, a multi-family residential development located southwest of Lake Faith, is contiguous on the east side of the Subject Property.	*While trees are being preserved in this location, additional buffering, tree preservation and wall construction in specific areas is required to minimize impacts on the off-site residential uses.*
South	Maitland Boulevard (State Road 414) parallels the entire length of the southern boundary of the subject property and is proposed as a 6-lane roadway. Maitland Concourse South is located south of Maitland Boulevard which consists of office and medical office uses and the Ohev Shalom synagogue. The Future Land Use category for Maitland Concourse South is Professional Office. In conjunction with this finding of compatibility, the City is requiring elements for inclusion in the design to preserve and protect surrounding residential and other uses; these include but are not limited to increased buffers, tree preservation on site in clusters and areas which will maintain screening; walls and landscaping on site to protect privacy and screen from headlights and noise; site design to blend with residential scale and character guidelines that are listed within this report.	*While and additional landscaping is discussed throughout this report additional buffering and wall construction in specific areas is required to minimize impacts on the off-site uses.*

(i) Whether there is compliance with the applicable ordinances and regulations for the proposed development; where compliance is not achieved, whether the development <u>adversely impacts adjacent and surrounding properties</u> and unduly burdens City operations and facilities;

With the findings and conditions of approval included in this report for the proposed project, the site and structural improvements are found to be consistent with applicable City regulations and the Comprehensive Development Plan for the City.

(j) 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 the time when the adopted service levels are met.

DIVISION/ DEPARTMENT	RESPONSE
Parks	*Parkland Dedication – The Comprehensive Development Plan submittal for the MCN site included supporting documentation for the then proposed amendment. Item 4b of the submittal package stated the following:* "The City's Park Master Plan does not identify deficiencies for parks in the area of this project, nor does the CIP have any planned park projects along the Maitland Blvd. Corridor. Maitland Concourse North will provide internal recreational activities for its residents and will set aside a significant parcel of land for passive park uses by the general public. The project, therefore, will increase the parks level of service to the City. The Capital Improvement Element to the City's Comp Plan requires 2.5 acres of neighborhood parkland per 1,000 residents and 2.5 acres of community parkland per 1,000 residents. Maitland Concourse North will be adding 350 residential units (2 bedroom average), and will therefore potentially increase the number of residents by 700 persons (assuming an average of 2 persons per unit). This would place an additional demand of approximately 3.5 acres for parklands due to the full development of this project. The proposed Land Use Map Identifies 9.2 acres of private property to be set-aside as Park and Recreation. The proposed development therefore, on its own, exceeds the level of service for parks and provides additional park land to assist the City in meeting these goals." ***4d. (same document excerpt)*** "The majority of the project site is a former orange grove and the areas adjacent to the lakes are currently in a natural condition. There are wetlands adjacent to the lakes and a large natural area between Lakes Hopes and Charity (often referred to as Pine Island) that exhibits an active American Bald Eagle Nest. The land holds no significant historical value to the City. Pine Island, a valuable natural resource is not being impacted by the proposed development and is proposed to be dedicated for a passive park for use by general residents...". ***The 2030 City of Maitland Comprehensive Development Plan addresses the MCN property in both and Park designation and uses that may be established within the Passive Park Area. It states:*** ***STANDARD 3.28.4:*** *PARKS & RECREATION AREA:* Not less than ten (10) acres of property located generally within the northwesterly corner of the Maitland Concourse North Property between Lake Charity and Lake Hope (the "MCN Parks and Recreation Area") shall be restricted and committed to passive Parks and Recreation Uses and shall be so designated on the Future Land Use Map. **STANDARD 3.28.4 (a)**: The Passive Park area shall be for passive recreational purposes only and may include nature trails, nature observation area(s), jogging trails, bicycle paths, picnic areas, and similar passive recreational uses, ***and shall not incorporate active recreational uses such as playgrounds, ball fields, basketball courts, or tennis courts.*** *The property owner shall dedicate to the City of Maitland in fee simple title the 10.32 - acre tract of land represented on Sheet PD 3.0 as Lot 8 and which is also identified on the City of Maitland Future Land Use Map 2030 CDP as a Park and Recreation Land Use. The uses shall be consistent with the 2030 CDP Standard 3.28.4 (a) as a Passive Park area.* *Should a conservation easement be placed on the park property, the City of Maitland shall be the easement holder, with uses established within conservation easement consistent with the uses*

	listed within the City of Maitland 2030 Standard 3.28.4 (a) as a Passive Park area shall be provided therein. *The 10 acre passive park provides recreational opportunities including nature observation and walking or jogging activities. These activities support Maitland Parks and Recreation Master Plan directives of providing additional "walking/bicycling paths and trails" and a "wider variety of programs and special events" (nature interpretation activities). However, the site lacks a variety of elements that would characterize the property as a neighborhood or community park and would therefore not contribute to park LOS attainment.* *While the amenitization of the pond with the proposed 8 foot path, bike racks, and benches support uses that are consistent with a neighborhood park, no other active or passive recreational uses are provided. The addition of open space, a playground, exercise stations, or similar components consistent with the City of Maitland Parks Master Plan would allow the area to function as a neighborhood park for the 700 residents of the development as well as to the general public, subject to a Joint Use Agreement with the City as well as an easement for public use, are recommended to be included.*
Water	*Presently, the City has sufficient volume of potable water at adequate pressure from the supply source to the proposed project for domestic use, irrigation, firefighting and sanitary purposes, subject to demand calculations that will be required to be provided to the City by the Developer.* *The proposed development will be required to make the following upgrades to the existing City infrastructure:* *Currently there are inline valves on the 16" water main at the southeast and southwest ends of the proposed project. An additional 16" valve will be required to be installed midway between the point of connections for the master meters that will be required for the internal looped water system.* ***Fire Flow:*** *All potable water requirements for LOS pertaining fire flow are required to be met. (See also comments under the heading of FIRE within this report.)*
Sewer	*The Altamonte Spring's wastewater treatment facility capacity is sufficient for this proposed project. There is an upgrade that involves the rerouting of the existing infrastructure to the Altamonte Springs wastewater treatment facility. Although the plans for the upgrade are still in the design phase within the Ultimate I-4 project, this will not prevent the proposed Maitland Concourse North lift station to the existing City of Maitland infrastructure.*
Transportation	*Transportation: Public Works - The project will function within the LOS provided in the CDP, as demonstrated within the Traffic Analysis submitted with the widening of Maitland Boulevard to 6 lanes and improvements represented within the study which are: dual eastbound left turn lanes, one westbound right turn lane, and signalizing the intersection i.e. the central entrance to the project and synchronizing the traffic signals along the Maitland Boulevard arterial system. The traffic analysis did not contemplate the scenario of an un-widened Maitland Boulevard and therefore without this information no verification can be made at this time. Therefore the LOS for the project will be held to the timeframe when Maitland Boulevard is widened, unless the traffic study is updated with the analysis to support the LOS without the occurrence of the widening of Maitland Boulevard. This is subject to the acceptance of the City of Maitland and its Traffic Engineers*
Stormwater	**This requirement shall be met for this project** *Stormwater drainage: Design capacity is for at least the 25-year storm event. All stormwater treatment and disposal facilities shall be required to meet the design and performance standards established in Chapter 17-25, Section 17-25.025, and 17-25.035, F.A.C., with treatment of the first inch of run-off on-site to meet water quality standards required by Chapter 17-302, Section 17-302.500, F.A.C.* *Solid Waste: 4 pounds of solid waste per person per day. The applicant shall adhere to this requirement.* *Open space - 30% shall be met for this project site.*

(k) Whether time frames proposed for development are consistent with requirements of the Comprehensive Development and other applicable regulations.

The time frame proposed for planned development is specified in Sec. 7.5-57. - Planned development time limitations of the Maitland City of Maitland which states:

"If construction of the building(s), as determined by the building official's application of the Standard Building Code, has not begun within five (5) years after the approval of a final development plan for the first phase of the planned development, or the building permit for construction of the building(s) has become void after the five-year period has expired, the approval of the final development plan shall lapse".

The phasing of the project shall conform to the PD time frames established in the Maitland City Code.

(l) Whether the phase of development in question can exist as an independent unit capable of creating an environment of substantial desirability and stability;

The project is proposed for development in phases. Each phase shall developed as an independent unit capable of creating an environment of substantial desirability and stability. This conforms with CDP and is required in conjunction with this recommendation for approval. All infrastructure is required to be constructed in each phase of development that will adhere to City Codes and support the development proposed at that time.

This includes but is not limited to: sewer; water; garbage; stormwater; parking; landscaping and buffering; internal circulation systems for vehicular, pedestrian and bicycle; any external road improvements required to the phase of development; recreation and open space; and adherence to building and fire codes and requirements.

(m) Whether there is substantial compliance with the purpose and intent of the planned development district;

Sec. 21-21. - PD, planned development district. Purpose and Intent was evaluated for determination of compliance with the elements listed in that section. The proposed project in combination with the modifications listed within this recommendation report will provide substantial conformance with those items listed within the Purpose and Intent portion of this Code section. (copy attached).

(n) Whether incentives and/or development bonuses are proposed (if any) and if so have met conditions under which they will be permitted;

There are no bonuses or incentives included within this PD.

(o) Whether off-site credits proposed (if any) have been satisfactorily addressed, if applicable;

There are no off-site credits requested for this project. The site is not part of Downtown Maitland which was the primary focus of this category within the PD report.

The site is developed as a PD with a master stormwater pond to serve the MCN site. Likewise, cross access easements, cross-parking easements and joint use agreements for shared access Lake Faith and MCN revised entrance, and other shared features that may between users and lots within the MCN are required. These shall be supplied during the Administrative Site Plan review and shall be memorialized on the record plat as well.

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

The site is currently shown within the City's Mobility Tier 2 – Other Non-single family residential. As such Policy 2.4.2 states:

POLICY 2.4.2: The mobility strategy for Tier 2 is to enhance the existing transportation system for all modes, but generally at a less intense scale than Tier 1. The transportation contributions shall include pedestrian and bicycle facilities, roadway TSM and capacity projects, transit infrastructure and contributions to operations. TDM will be encouraged, but will likely not be an integral part of mobility in this Tier.

Based on the Traffic Impact Analysis that was submitted, the project at build-out will generate 16,208 daily trips. The development scenario for the study included office, retail and multi-family residential development. The proposed PD for this phase includes 350 apartments and 150,000 square feet of commercial (of which 30,000 square feet may be office use.)

Transportation Element, Policy 2.11.3: Implementation of Mobility Strategies. The above mentioned mobility strategies (further described by mobility performance measures in Policy 2.11.2(b)) will be implemented by the

development/redevelopment projects within the TCEAs based on Transportation Element following strategies. The number and type of strategies are chosen based on a project's trip generation potential and their impact on adjacent roadways. Based on the number of trips generated by the proposed PD, the project falls within the Criteria Level 6 with 10,444 new daily trips generated. This requires the following:

CRITERIA LEVEL	NET NEW AVERAGE DAILY TRIP GENERATION	REQUIRED NUMBER OF STRATEGIES
Level 6	Greater than 10,000 or 50 or more Employees (Example: 2,500 dwelling units or 500,000 SF retail)	Pedestrian Strategy: 3 (#1, 2, &3) Bicycle Strategy: 1 (#1 or 2) TDM Strategy: 1 (any) TSM Strategy: as determined appropriate by City to enhance Connectivity within the Transportation

PEDESTRIAN STRATEGY CATEGORY	
1. Amount of sidewalks added and/or expanded to the network in the TCEAs	500 linear feet of sidewalk per year
2. Linear feet of streetscaping/landscaping which enhances the pedestrian environment	500 feet per year
3. Number of pedestrian enhanced crosswalks in the TCEAs1 per project generating	> 5,000 net new daily trips 1 per project

Pedestrian strategies:

1) A sidewalk system for pedestrian circulation throughout the site is required. Please see additional requirements for on-site pedestrian connectivity listed under Item A. page 1.

2) An eight-foot pedestrian sidewalk is proposed for the perimeter of the development along Maitland Boulevard. This provides a link to the sidewalk that exists along Maitland Boulevard in front of Savannah Court, and which shall be connected to that sidewalk, to the west and extend eastward to Lake Faith Villas. The sidewalk will span roughly 3000 linear feet and will be not be on the public right-of-way portion of Maitland Boulevard, but will be the MCN site for enhanced safety. An easement for public use of the sidewalk will be provided.

3) Crosswalks are required when a sidewalk crosses a public driveway, cross-access or a paved area accessible to vehicles. Crosswalks shall be located at all points where a sidewalk crosses a lane of vehicular travel.

BICYCLE STRATEGY: 1 (#1 OR 2):		
1.Number of bicycle stalls/ lockers and related amenities for projects within the TCEAs	1 bicycle stall/locker for every 100 vehicle parking spaces provided within the 2009 TCEA for redevelopment and new development	CRA TIF/ Developer Contributions
2.Linear feet of bicycle lanes and related facilities in the TCEAs	Bicycle lanes and related facilities including bicycle provisions at intersections as part of programmed street resurfacing and/or rehabilitation (where feasible)	CRA TIF/City

1)A bicycle rack must be provided near the entrance of each building. See comments below is bicycle strategies.

2)Nearly 3000 linear feet of sidewalk/bike way will be provided along Maitland Boulevard.

TSM STRATEGY: AS DETERMINED APPROPRIATE BY CITY TO ENHANCE CONNECTIVITY WITHIN THE TRANSPORTATION NETWORK.			
Transportation System Management	1. Number of intersection and/or signal improvements	1 per project generating > 5,000 net new daily trips	CRA TIF/Developer Contributions
	2. Reevaluate the signal synchronization to maintain optimized flow	By 2013	CRA TIF/City
	3. Number of joint driveways and/or cross-accesses or combined driveways	1 per redevelopment/ development project	Developer Contributions

1) The applicant will add a signal at the central entrance when the signal is considered warranted by FDOT.

2) The proposed new signal at the central entrance to the site, when warranted by FDOT, shall be synchronized/ coordinated with the traffic signals along Maitland Blvd between Hope Rd and Maitland Ave to maintain optimized flow of traffic.

3) In interest of promoting unified access and circulation systems, cross access easements shall be provided throughout the project in conjunction with any plat and or sale of property to guarantee circulation.

TRANSPORTATION DEMAND STRATEGY - TDM STRATEGY: 1 (ANY)			
Mobility Strategy			
	Mobility Performance Measure*	Target*	Implementation Responsibility
Transportation Demand Management	1. Persons participating in ridesharing or vanpooling programs	3% annual increase of participants	Employer
	2. Number of businesses/ employers offering flexible work schedules	3% annual increase of participants	Employer
	3. Implementation of transit pass programs and number of participants (businesses and individual)	Implementation by 2009 with 5% annual increase after implementation	Employer
	4. Number of bus turn out facilities (at locations desired by LYNX)	1 per 3 years as coordinated with LYNX	CRA TIF/ Developer Contributions
	5. Number of improved and/or new bus shelters on LYNX routes within the TCEAs	1 improved and/or new shelter each year	CRA TIF/ Developer Contributions

1.) Applicant shall provide a proposal to achieve bus connection to the Maitland SunRail Station to and from the project.

(All Mobility Strategies have been addressed with the conditions provided in conjunction with this report.)

(q) 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

See comments in item J.

(r) Whether the proposed development plan is consistent with the comprehensive development plan.

The proposed development plan has been reviewed for consistency with the CDP and has been viewed as consistent in conjunction with the comments and conditions provided in this report. A review for consistency with City of Maitland 2030 CDP Future Land Use Policy 3.28 and Standards 3.28.1 through 3.28. 13 which relates to MCN, was conducted with this review as well. A copy is attached.

Conditions of Approval of the Planned Development:

Site Plan (Sara Blanchard: 407.539.6214, Jacqueline Holt: 407.539.6215, Kirsten Warren: 407.539.6213)

1. The applicant shall provide an 8-foot wide sidewalk width along the perimeter adjacent to Maitland Boulevard.
2. A sidewalk/walkway shall be incorporated around the perimeter of the proposed retention pond no less than 8 feet in width.
3. Internal bike/pedestrian circulation system is required for this site. A sidewalk shall be provided along the proposed centrally located entrance road to accommodate both bicycle and pedestrian movements and connect to the internal circulation system. An easement for public use of the sidewalk/bike system is required in conjunction with this planned development. Sidewalks provided within the site shall be a minimum of 6 feet in width to maximize circulation and increased to a minimum 8 to 10 feet accessing the commercial buildings, less any outdoor restaurants, planters, or outside furnishings.
4. Public access shall be provided to the Passive Park property which shall include access for bicycle, pedestrian and parking adjacent to the park for vehicles that may need to park and not walk or bike to the site.
5. An ADA accessibility plan shall be provided by the applicant at time of Final Site Plan Review. A bike/pedestrian circulation plan shall be submitted as part of the Final Site Plan review as well.
6. The applicant shall accommodate the required amount of spaces per code for these differing uses or supply an updated parking study to substantiate the use of a different parking ratio subject to approval by the City. If a hotel is submitted for a later phase, the planned development shall be amended, City Code parking requirements followed, or an updated parking study to substantiate the use of a different parking ratio, all of which are subject to City review and approval.
7. Loading: Commercial/Retail - 150,000 square feet of commercial/retail of which a maximum 30,000 sq. ft. may be office. This would require 5 loading spaces for retail/commercial and 1 space for office square footage. Multi-family dwellings - 350 proposed will require 7 loading spaces. The applicant shall provide these accordingly.
8. At the Final Site Plan applicant shall submit:
   - A photometric plan to demonstrate that glare and light spillover shall not occur and thus will not create a glare on adjacent uses or rights-of-way.
   - Use of sharp cut-off type fixtures or dark skies-type lighting to limit spread of light in outdoor/parking areas and lighting spill over onto adjacent uses, rights-of way or adjoining parcels;
   - Lighting on buildings that incorporates the type of fixtures that direct light to the ground.
   - Indication that light placement incorporates CEPTD guidelines and standards to enhance safety.
   - Indication that site lighting is consistent with residential scale and character and be no higher than 13 feet to 14 feet. Lighting character images shown on page L.1.02 are acceptable only to the extent that the style of the decorative lighting is acceptable and the parking area lighting example is not. Please revise parking area lighting consistent with the decorative site lighting example.
9. Noise: The project shall be designed to adhere to the applicable noise/sound regulations of the City of Maitland. Noise control shall include, but not be limited to, noise attenuation for equipment such as shielding of A/C units and compressors; limiting non-residential truck deliveries to certain hours (5:00 a.m. to 7:00 p.m.) unless otherwise approved by the city); controlling outdoor music provided at sit-down restaurants or similar uses to conform to City of Maitland noise regulations and controlling hours of operation to be compatible with surrounding uses and with the residential character of the neighborhood.
10. Vibrations: The proposed project is to be multi-family and retail/commercial with office. No storage or heavy equipment use or materials handling or related activities that would create vibrations out of character with the residential portions of the project on-site or adjacent to the site.
11. Odor: No activities shall be permitted that would create a consistent pattern of odor production that is incompatible with the residential character, including the emission of pollutants and offensive fumes or gases.

12. Each phase shall be developed as an independent unit capable of creating an environment of substantial desirability and stability. This is required in conjunction with this Planned Development. All infrastructure is required to be constructed in each phase of development that will adhere to City Codes and support the development proposed at that time.

    This includes but is not limited to: sewer; water; garbage; stormwater; parking; landscaping and buffering; internal circulation systems for vehicles, pedestrians and bicycles; and any external road improvements required to the phase of development; recreation and open space; and adherence to fire codes and requirements.

13. Screening Requirements:

Lot No.	Condition
3	*Trees indicated on Lot 3 are subject to review at a later phase of development.*
4	*Shall incorporate into and accommodate tree preservation into the pond design. (See additional recommendations under the Residential scale and character Section d) of this report.*
5	*The roadway shall be shifted from its proposed location, and increased significant tree preservation along the northern side of Lot 5 shall be provided. This will provide a greater buffer at a higher elevation on the property.* *A landscape hedge a minimum height of 4 feet at planting shall be provided along any access roadway on Lot 5 that faces Lake Charity for protection from vehicle headlights. A berm (brick or block and opaque in nature) no less than 5 feet in height shall be provided at the northwestern corner of Lot 5 to screen headlights as they drive northward on this access road.*
6	*No trees are indicated for preservation on the site. Opportunity exists to preserve a vast majority of the existing trees. A key preservation area shall be provided along the western and southwestern border to protect the character of residential properties across the lake.* *This proposed Lot 6 contains an area of trees that was described in the expired MCN Development Agreement (DA) as "Tree Protection Land". This area contained approximately 2 acres of land area with trees which the City would acquire by deed from the Developer to ensure that the mature stands of trees and open space would be protected. This area is contiguous to the Passive Park Area and may provide an opportunity for park impact feet credit should this be conveyed to the City for tree preservation purposes and to add to the Passive Park area.*
7	*Shall provide additional tree preservation along the eastern boundary adjacent to Lake Faith Villas. The eastern-most parking row adjacent to Lake Faith Villas shall be relocated to preserve the trees in that location. Likewise, the cul-de-sac shall be moved a minimum of 25 feet from the property line and a decorative wall placed along the property line to screen the area from lights. Parking shall be removed from the cul-de-sac to allow for unencumbered turning movements.* *On the western portion of Lot 7, the cul-de-sac shall be moved away from Lot 8. The radii for protection for the eagles' nest must be honored with any proposed construction indicated in this portion of Lot as well as increased tree preservation. Change the cul-de-sac to a T-turnaround. Provide the City with evidence that the Florida Fish and Wildlife Conservation Commission is okay with that design within the 660 foot radius of the eagle's nest.*
8	*Passive Park - The park property does not reflect tree preservation in the complete flag portion of the property. This must be corrected and the trees must be preserved in this portion as well.* *Placement of an accessway through the flag portion of the lot shall be subject to the review and approval by the City of not only the access, but also the tree preservation in connection with access placement. The tree preservation and proposed access will be evaluated at that time to ensure that the accessway does not interfere with tree locations.* *An eagle management plan shall be submitted by the applicant and reviewed in conjunction with the Final Site Plan review which shall be subject to City approval. The Developer shall be responsible for installing any protective barriers or screening that may be required by the eagle management plan to protect the eagles or the nest from the impacts of construction. Eagle management shall abide by all applicable guidelines and permitting standards.* *Additional Passive Park relating to Lot 8:* *A park maintenance agreement shall be established between the City and Developer in conjunction with the Final Site Plan Review and submitted for City Council acceptance.* *Hours of operation for the passive park shall be one-half hour after sunrise to one-half hour before sunset.* *A minimum of 6 to 8 parking spaces shall be designated for passive park users which shall include accessible space(s).* *Prior to or simultaneously with the transfer of the deed for the Passive Park to the City of Maitland, the Developer shall also convey to the City, by separate instrument or by Plat, any easements necessary for public access to the Passive park.*

	The property owner shall dedicate to the City of Maitland in fee simple title the 10.32 - acre tract of land represented on Sheet PD 3.0 as Lot 8 and which is also identified on the City of Maitland Future Land Use Map 2030 CDP as a Park and Recreation Land Use. The uses shall be consistent with the 2030 CDP Standard 3.28.4 (a) as a Passive Park area. *Should a conservation easement be placed on the park property, the City of Maitland shall be the easement holder, with uses established within a conservation easement consistent with the uses listed within the City of Maitland 2030 CDP Standard 3.28.4 (a) as a Passive Park area.* *The passive park shall be open to the public no later than 12 months after the first CO is issued for the Development.* *For the subject site adjacent to Lakes Charity and Lake Hope, in addition to all of the screening, buffering and landscaping comments stated herein, at a minimum and no less than the screening depicted on the elevations and plan presented by Dix Hite & Partners (copy attached) shall be provided as an increased layer of buffering to protect residents' views from across each of the referenced lakes.*

Required Yards and Setbacks

14. Section 23-1.5.1 is an incorrect Code reference which is applicable to Maitland West Side and not to this project. These references shall be stricken.
15. Abutting Maitland Boulevard – Fifty feet (50') - Outparcels – Twenty feet (20')
    - For the purpose of future street widening, setback lines are established for certain streets as set out in this section. Maitland Boulevard requires a setback of one hundred (100) feet.
    - **City Response:** The City does not object to this variation, subject to the applicant providing to the City a letter of no objection from FDOT. An agreement between the City and the property owner will be required in which the property owner indemnifies the City for any replacement costs for future widening of Maitland Boulevard which may be required by FDOT. The building location shall also be subject to City of Maitland visibility triangles for accessways and street intersections.
16. Requested variances and City Response:

OTHER REQUESTED VARIATIONS SETBACKS	
Variation/Request	***City Response***
Abutting Lake Faith Villas/LMDR – Seventy feet (70')	*Increased tree preservation along the eastern boundary shall be provided which may increase the 70 foot setback in areas to accomplish this. See comments in e. concerning Lot 7.*
Abutting Lake Faith Villas/R-MORC – One Hundred feet (100')	*Increased tree preservation along the eastern boundary shall be provided which may increase the 100 foot setback. See comments in e. concerning Lot 7.*
Abutting Savannah Court – Twenty feet (20')	*Increased tree preservation along the western and northwest portion of the proposed Lot 5 shall be provided which may increase the 20 foot setback in areas. See comments in e. above concerning Lot 5.*
Abutting Lake Hope – Fifty feet (50') - *Waterbody setbacks*	*Must be consistent with Chapter 6.5 Flood Damage Prevention (Section 6.5-27 - Specific standards) See also CDP Excerpts Attached as Exhibit A.* *Chapter 11 – Parks, Recreation and Boating; Article II – Boats, Boating and Use of Waterways* *Division 4 – Construction of Boat Docks, Boathouses, Boat Ramps, Boardwalks and Seawalls* *Section 11-80 (9): An existing seawall's vertical height shall not exceed the 100 year flood elevation listed in Table 1. No seawall shall be built on the lake side of the NHWE listed in Table 1. All seawalls shall be required to have a permit from the Department of Environmental Protection (DEP) prior to application for a City of Maitland waterfront structure permit.*
Abutting Lake Charity – Fifty feet (50') - *Waterbody setbacks*	*Must be consistent with Chapter 6.5 Flood Damage Prevention (Section 6.5-27 - Specific standards) See also CDP Excerpts Attached as Exhibit A* *Chapter 11 – Parks, Recreation and Boating; Article II – Boats, Boating and Use of Waterways*

	Division 4 – Construction of Boat Docks, Boathouses, Boat Ramps, Boardwalks and Seawalls *Section 11-80 (9): An existing seawall's vertical height shall not exceed the 100 year flood elevation listed in Table 1. No seawall shall be built on the lake side of the NHWE listed in Table 1. All seawalls shall be required to have a permit from the Department of Environmental Protection (DEP) prior to application for a City of Maitland waterfront structure permit, subject to the City's understanding that FDOT is in the process of obtaining a permit to build a retention pond and that would override the City's regulations, in which case it becomes a condition that is approved. The City will have to abide by the FDOT's pond permit.*
All Interior Setbacks – Zero feet (0')	Interior lot line setbacks for Lots 3, 5, and 6 are subject to additional interior setback review at the time the planned development is amended. This setback analysis will include the additional tree preservation comments stated within this report. No construction is shown for Lot 8, hence no comment. Lot 4 along the shoreline and Lot 7 along the shoreline and lake are subject to all shoreline protection and waterbody setbacks which have been outlined by Public Works in this report and as specified within the Maitland City Code. Lot 2 shall be examined relative to the tree cluster at the northwest corner for possible incorporation of mature trees into the parking lot or site design. On the western portion of Lot 7, the cul-de-sac shall be moved away from Lot 8 and may not be a zero lot line. The radii for protection for the eagles' nest must be honored with any proposed construction indicated in this portion of Lot 8 as well as increased tree preservation.

17. Section 21-21 PD, Planned Development District stipulates that: Wide setbacks from the perimeter line may be imposed to protect privacy of adjacent existing uses. The requirements additional tree preservation consistent with this criteria of the PD, have been reference in this report and will provide a more mature and effective buffer for adjacent existing uses.
18. The two story multi-family building height along Lake Hope shall not exceed a height of 35 feet.
19. Permeable Surface and Open Space:

PERMEABLE SURFACE AND OPEN SPACE	
Type/Code/Variation/Request	***City Response***
30% Open Space Represented by applicant.	*Sheet PD1.0 contains the definition of open space that was applied to the project site. This open space definition referenced was that used for Downtown Maitland and must be referenced in accordance with the City Code definition for Open Space. (Copy attached)*

20. Requested Variations Impervious Areas (For clarification: Applicant shall re-calculate all areas to certify permeable and open space at a minimum of 30% for the development.)

REQUESTED VARIATIONS IMPERVIOUS AREAS		
Lot	***Request***	***City Response***
1	Up to 90%	*Denied - A minimum of 30% shall be maintained on site.*
2	Up to 90%	*Denied – A minimum of 30% shall be maintained on the site.*
3	TBD	*No development proposed at this time*
4	Up to 20%	*Predominantly pond. Re-examine number presented*
5	TBD	*No development proposed at this time*
6	TBD	*No development proposed at this time*
7	Up to 70%	*Adhere to Code*
8	Up to 5%	*Adhere to Code (predominately permeable)*
Tract 1	95%	*(Roadway at entrance by Lake Faith) – accepted*
Tract 2	95%	*(Roadway entrance at central location) This percentage shall be increased to accommodate landscaping in the design acceptable to the City.*

21. Site floor area ratio for the entire project site shall not exceed 0.30. The R-MORC restricted mixed office residential commercial land use district shall not exceed a site F.A.R of 0.50.

22. Liquor License: Section 21-5(XIII)

LIQUOR LICENSE		
Type/Code/Variation/Request	***Variation and/or App. Justification***	***City Response***
Section 21-5(XIII) No vendor applying for an alcoholic beverage license for the sale of "liquor", as defined in the Florida Statutes, for on-premises consumption shall be approved in any location that is within seven hundred and fifty feet (750') of any location for which any other such license has already been issued and is in force; or within one thousand feet (1,000') of any established school or church.	"Given that the Maitland Boulevard right-of-way is a one hundred twenty six (126) foot wide right-of-way that is currently a four (4) lane divided highway programmed to become a six (6) lane divided highway that separates the MCN project from any school or church on the south side of Maitland Boulevard, the proposed MCN project includes restaurants that are allowed to sell "liquor", as defined in the Florida Statutes, for on-premises consumption provided that such restaurants must have at least fifty-one percent (51%) of its gross revenue from the sale of food and nonalcoholic beverages and no liquor shall be sold after the hours of serving food have elapsed."	*There is no objection to this request. The roadway separation is a significant barrier and to restrict the "liquor" as defined in the Florida Statutes for on-premises consumption to those restaurants that have at least fifty-one percent (51%) of its gross revenue from the sale of food and non-alcoholic beverages and no liquor shall be sold after the hours of serving food have elapsed is acceptable and required.*

23. Garbage and Recycling Requirements

A refuse service plan must be provided in conjunction with the Final Site Plan Review.

Solid Waste and Recycling Plan *- The location of dumpsters and containers is generally located on the site plan, however Florida Statutes 403.706(2)c requires that newly developed property receiving a certificate of occupancy, or its equivalent, on or after July 1, 2012, that is used for multifamily residential or commercial purposes, must provide adequate space and an adequate receptacle for recycling by tenants and owners of the property. The City of Maitland has established a commercial and multifamily recycling program and requires a detailed solid waste and recycling plan to ensure compliance with this provision, as was noted in the pre-application report from staff. The site plan does indicate a compactor to accommodate the solid waste from the multifamily tenants, but does not indicate an area to accommodate recycling.*

Dumpster Enclosure and Screening *- City Code Sec. 8-16 requires that all loading areas with a minimum width of fifteen (15) feet or more and utility service areas not screened by an intervening building shall be screened from view from any public street rights-of-way for their entire length except for necessary access. Screening for loading areas may be accomplished by a closed fence or wall which is at least six (6) feet high and is compatible with the principal building. Additional planting materials shall be provided so that no more than two-thirds of the surface area of the closed fence or wall is visible from the street within three (3) years of erection of the structure. The screening may also be accomplished with a natural evergreen plant material which can be expected to reach six (6) feet or greater within two (2) years of planting. Any plant materials used to fulfill these requirements shall be a minimum of four (4) feet in height when planted, and there shall be no gap greater than two (2) feet between plant foliage. Access points to the dumpster must also be screened with gates if it is visible from the road or public right-of-way.*

Gates shall close all the way and latch in the both the closed and opened positions and gates and enclosures shall allow easy truck access (room for mirrors and for the gates to open more than 90 degrees). Gates shall have intermediate posts instead of large, bi-fold spans.

The interior and exterior enclosure walls shall match the exterior architectural finishes of the adjacent building(s). It is recommended to use bollards at the wall entrances by the dumpsters to protect the walls

24. Landscaping (Michael DiClemente: 407.539.6245)

LANDSCAPING		
Type/Code/Variation/Request	***Variation and/or App. Justification***	***City Response***
BUFFER YARDS: Section 8-13 Buffer Type D-10' depth	No comment.	*No comment.*
ROADWAY STREET TREES: *Section 8-12(1)* One (1) shade/canopy tree per fifty (50) linear feet of road frontage is required.	To insure necessary site visibility to developments on lots 5, 3, and retail lots 1 & 2, PD proposes deviation from code standard: PD proposes 1 Canopy Tree or 1 specimen palm per 75 LF/ 40 shrubs per 100 LF. Cluster of 3 palms (I.e. sabal palm) shall equal 1 canopy tree or specimen palm (i.e. date palm). Trees may be clustered rather than evenly spaced, but no more than 100' shall occur without a tree. PD proposes to up-size Min installed size of Canopy trees to be min 3.25" Caliper in lieu of code min typical 2.25" Caliper.	*To keep in context with adjacent commercial properties along Maitland Blvd. the street tree code (8-12) of one tree per fifty feet of road frontage shall be adhered to in order to maintain visual continuity. Palm trees can be used to delineate entry ways to the project.* *City agreed to review applicant proposal for 75' tree spacing with 3.25" caliper to match caliper inches otherwise required.*
OA SITE TREE POINTS: *Section 8-11(2)* A minimum of one (1) tree and ten (10) shrubs shall be planted or preserved for every two thousand five hundred (2,500) square feet of site area, excluding only areas of vegetation required to be preserved by law.	Due to the project's reduced vertical building density, an increased level of horizontal development intensity is required; Considering this, as well as the preservation of 60% of site surveyed trees and dedication of lot 8 as a preserve/ park; the PD proposes deviation from code sec. 8- 11(2): PD proposes 1 tree & 10 shrubs per 3500 SF.	*The code requirement of one tree and 10 shrubs every 2500 feet of site area is required unless a tree preservation plan is completed and reviewed for viability, showing the proposed clusters of trees that are proposed to be saved.*
EXISTING TREE CREDITS: *Section 8-8(5)(d)* Trees required to be planted or preserved by this section shall not be used outside the property lines of the subject site, unless specifically permitted in this chapter.	The PD proposes that credit for retained/saved trees located at proposed park (lot 8), site buffers, and perimeters shall be applied on a percentage basis to developed lots towards satisfying individual Lot/Tract landscape requirements.	*Tree clusters that are proposed to be saved in site buffers and perimeters need to be evaluated for viability after tree preservation plan has been submitted and reviewed. The park area will be reviewed after a final decision regarding whether property is to be deeded to city or not.*
PARKING LOT LANDSCAPING: *Section 8-15(B)(2)* Planter islands. All required planter islands must contain a minimum of one (1) shade/canopy tree or two (2) intermediate trees for every one hundred and sixty-two (162) square feet or less of area. Trees in the planter islands do not count as	To insure necessary site visibility to development/retail storefronts, the PD proposes deviation from code sec. 8-15(B)(2) for specific Lots 1, 2, Tract 1, Tract 2, Tract 3: The PD proposes ***1 intermediate tree or 2 understory trees*** shall be planted in each required 162 SF parking island. The retail developer will provide enhanced landscaping treatments to key	*The layout of parking lot planter islands in a more random fashion will be considered if the enhanced landscape treatment areas contain the same amount of plant material and trees that were to be used in the parking area islands.*

credit towards the perimeter trees. The remainder shall be landscaped with shrubs, lawn, ground cover other approved material not to exceed thirty (30) inches in height.	entryway and patron focal gathering areas such as storefronts, plazas, and café spaces.	
LANDSCAPE BUFFERS: Section 8-13(b)(3) Buffer yard depth and intensity requirements.	Abutting Maitland Boulevard – Fifteen feet (15'); Abutting Lake Faith Villas – Ten feet (10')*; Abutting Savannah Court – Ten feet (10'); Abutting Lake Hope – Forty feet (40'); Abutting Lake Charity – Twenty feet (20'); All Interior Setbacks – Zero feet (0'); *The buffer area abutting Lake Faith Villas shall be a minimum of 10' with an average buffer of 50' along the length of the Lake Faith Villas property line.	*No variation from the code required buffer yard depths will be considered at this time. Due to adjacent property types, buffer yard depths must remain the same depth as specified in code 8-13 to protect neighboring properties. Interior setbacks = Zero feet (0').*

25. General Landscape: The proposed development is part of a Planned Development and needs to take advantage of the ability to design the parking lot with elements of a residential scale. Instead of the proposed single canopy planter islands, establish where there are existing clusters of trees on the site that can be used as part of the parking lot tree canopy. If there are no existing large canopy trees or clusters of canopy trees that are viable for preservation and use within a larger planter island, then larger planter islands are to be designed within the parking lot that will have the area needed to support the growth of a cluster of canopy trees. The parking lot is to have a village style elements to it to diminish the ambience of a mall parking lot. This will also allow for proposed parking lighting to be farther away from the trees to allow for a more natural tree canopy growth. Although this may result in a lesser number of planter islands, the number of canopy trees and overall square footage of the planting areas (larger planter islands) for the site is not to be reduced. The number of canopy trees and overall square footage of canopy island area is to be consistent with the landscape code and is not to be reduced.

26. The location of lighting is to be at a distance that will not impact the natural diameter of the tree canopies. The lighting design will need to be determined as per a photometric plan. Trees including clusters of trees are to be centered between the light poles to prevent the light poles from impacting the tree or from the tree impacting the effectiveness of the lighting.

27. SIGNAGE

SIGNAGE		
Type/Code/Variation/Request	***Variation and/or App. Justification***	***City Response***
Abutting Maitland Boulevard – Fifteen feet (15') Section 21-5. Setbacks states that for Maitland Boulevard—One hundred (100) feet, except freestanding signs are permitted between the property line and setback line; provided, however: 1) other sign requirements are met; 2) the owner is responsible for replacement costs should future widening be necessary; 3) the signs permitted within the setback area are placed a minimum of twenty (20) feet inside the front property line; 4) the signs do not exceed ten (10) feet in height as measured from		*The City does not object to this variation of a setback which is a difference of 5 feet, subject to the applicant providing to the City from FDOT a letter of no objection; a hold harmless agreement from the property owner and future assignees in favor of the City of Maitland that the owner is responsible for all replacement costs should future widening/ improvements to Maitland Boulevard be necessary; subject to City of Maitland*

the grade at the curb; 5) the signs are not internally lit; and 6) the signs do not exceed a total of fifty (50) square feet in size for copy area.		*visibility triangles for accessways and street intersections, and consistent with the additional requirements listed above under Section 21-5 for signage on Maitland Boulevard.*
Monument Signs	PD Monument Sign A -Max 90 SF Copy ea. side, Min. 8' setback, Max 12' height. Sign may be part of attached architectural monument feature/ column max height 16' (project name/ logo may be applied to monument feature max 16' copy, max 16' height).	*Section 5-118(b)(1), Zone E, office commercial of the LDC permits freestanding signs a maximum copy area of 75 SF and maximum height of 12 feet. The master sign plan should reflect the above maximums.*
Monument Signs	PD Monument Sign B-Max 90 SF Copy ea. side, 8' max height, Min. 8' setback, signs internally or externally lit.	*Section 5-116(b)(1), Zone C, professional office of the LDC permits freestanding signs a maximum copy area of 75 SF and maximum height of 6 feet. Section 5-115(b)(1), Zone B, multi-family residential, permits a copy area of 50 SF and maximum height of 5 feet. The master sign plan referenced below should reflect the above maximums.*
Monument Sign	PD Monument Sign C -Max 50 SF Copy, 8' max height, Min. 8' setback, signs internally or externally.	*See signage comments under setbacks which shall be applied to signage along Maitland Boulevard.*

28. A master sign plan or Sign Package (MSP) shall be required and approved as part of a site development plan before any signs for development requiring site plan approval are approved. All owners, tenants, subtenants and purchasers of individual units and/or outparcels within the development shall comply with the approved master sign plan.

B. The Master Sign Plan shall include:

1. The proposed general locations for freestanding signs on a lot, as well as the proposed location(s) for building signs on a building façade;
2. The types of signs proposed;
3. The maximum number, size, height, and sign copy area of all proposed signs using calculations consistent with the requirements of Section 5-109 of this Article;
4. The proposed style and color pallet for all letter colors, background colors and text font;
5. The type and description of illumination, if any, proposed for all signs;
6. Include a description of any structure (i.e., any wall or fence base) upon which a sign face is proposed to be placed;
7. Include other information required in Section 5-97 for permit applications which is not listed herein.

Pedestrian/Bicycle Circulation (Yvonne D'Avanzo: 407.539.2843)

29. Prior to approval of the final site plans, a Hardscape Plan will be required showing the proposed accessibility route.

30. All along the property that fronts Maitland Boulevard, please provide a bike/pedestrian path of ~~10'~~ 8' wide that meets the current accessibility code requirements.

31. Interior sidewalks shall connect to the proposed bike/pedestrian path at distances that do not exceed the current accessibility requirements for sidewalk connectivity to public areas.

32. Interior accessibility sidewalks shall continue throughout the developments so that the pedestrian will not need to travel within vehicular areas to connect to the proposed buildings or amenities such as a park area.

33. A Grading Plan will be necessary to confirm that the existing and proposed curb and sidewalk grade elevations will meet accessibility requirements and will not be in conflict with existing conditions and finished floor elevations.

34. Where parking spaces abut pedestrian areas, wheel stops are needed to prevent vehicle overhang from impacting the pedestrian areas.

35. The grading plan is to show the elevation of top of curb and bottom of curb. All plans are to show the locations of all accessibility ramps and accessibility parking spaces. Please refer to FDOT Design Standards Index 304, "Detectable Warnings and Sidewalk Curb Ramps" for sidewalk and ramp details.

36. A bicycle rack plan will be provided at final site plan. Please submit the type of bicycle rack selected for use, an elevation of the bike rack showing a bike mounted on the rack. Also, show on the plan view, the foot print/perimeter of the area that is needed when the bike rack is in use to confirm that the location of the bike rack will not be in conflict with landscaped areas, pedestrian areas, visibility triangles or any other objects such as light poles, building doors and vehicle door swings etc.

37. In designing the landscaping for the site and right-of-way, please consider that landscaping is not to impede the vehicle or pedestrian visibility. In addition to meeting the City's requirements for visibility at intersections, please also consider corners within the site parking areas. For FDOT, line of sight must be met along Maitland Boulevard. Please refer to current FDOT Design standards for "Sight Distance At Intersections" Index No. 546. This will be required for any vehicle entrances proposed along Maitland Boulevard.

38. In addition to FDOT Design Standards, Detectable Warning and Sidewalk Curb Ramps, Index No. 304, the City also refers to FDOT Chapter 8, Pedestrian, Bicycle and Public Transit Facilities.

39. Lynx has been making changes to their bus schedules to create better connectivity. Please contact Lynx to confirm if they have any plans for the Maitland Boulevard area since the I-4 improvements have created a lot of changes along Maitland Boulevard. There are areas within Maitland that Lynx has already made improvements to the bus routes.

40. The site plans, grading plans, signage, hardscape and landscape plans are to have both the visibility triangles and FDOT line of sight shown on the plans to confirm that there will be no berms, landscaping, signage, walls, hardscape, etc. that will impact the line of sight.

Grading

41. The site must not be mass graded in conjunction with the PD. Clearing may only occur on those areas that are to be built upon immediately after clearing, regardless of which phase of development is underway. The soils conditions on site are very erodible and removing the existing vegetation will allow erosion of soils into the adjoining lakes. Provide a provision for temporary seeding/mulching.

Transportation: (Cristina Torres Reyes: 407.539.6260)

Transportation Analysis:

42. Based on the traffic impact analysis, Maitland Concourse North is proposing 350 residential units, 220,000 square feet of commercial and 249,000 square feet of office space. Project phasing (see PD3.5) is not mentioned in the study, and the commercial and office space is different from the maximum square footage indicated in the Overall

Land Use Mix table (see Planned Development Report and PD1.0, Section 2.0). Also, the hotel land use is not considered in the study. – A meeting was held on September 3rd to discuss with KHA the development levels and concern with the amount shown in Sheet PD1.0. If the amount of development included in the Traffic Analysis is the proposed amount, a note should be added to the site plan to clarify the proposed amount vs maximum limits. Proposed amount vs maximum limits should also be discussed in the Traffic Analysis memorandum.

43. Plan sheet PD3.2 shows three southbound lanes at the proposed Concourse East driveway; however, the traffic impact analysis shows the need for four southbound lanes as follows: two left turn lanes, one shared through/right turn lane and one right turn lane. Exhibit 'A' and FDOT Financial Project ID: 424217-1 (Maitland Blvd widening) also show four southbound lanes. Clarification is needed. – Based on the Traffic Analysis memorandum dated September 18, 2015, it appears that fewer lanes are proposed than initially assumed (three southbound lanes rather than four). Please provide Synchro files and reports (HCM 2010 Signalized Intersection Summary, Timings and Queuing Synchro reports) for our review.

44. The study proposes adding a new signalized intersection along Maitland Blvd between Concourse Pkwy and Maitland Ave; however, the timing for the installation of the signal has not yet been identified. Also, the installation of a new signal along the Maitland Blvd corridor will require the signal retiming of the coordinated arterial system between Hope Rd and Maitland Ave. As part of the DA, developer shall be responsible to perform signal warrant study for FDOT approval when signal is warranted. This should also be included in the traffic report.

45. Based on the traffic impact analysis, the proposed project needs to provide two eastbound left turn lanes and one westbound right turn lane on Maitland Blvd in order to accommodate the anticipated traffic. However, the plans show one eastbound left turn lane and a 12-foot wide striping for a 2nd eastbound left turn lane in the future. If the intent is for the 2nd eastbound left turn lane to be operational once the signal is installed, then an analysis should be performed for the unsignalized condition prior to signal control.

46. The traffic study identifies two scenarios for analysis: Scenario 1 assumes that the development of Concourse North occurs prior to the widening of Maitland Blvd while Scenario 2 assumes that the widening occurs prior to the development of Concourse North. Only Scenario 2 was included in the study. Please provide Synchro files and results of the analysis for Scenario 1.

47. Table 18: Recommended Turn Lane Lengths – please revise table to include queue length, deceleration length and required turn lane length. Use 95th percentile queue length (feet) for calculations.

48. Study indicates that the analysis included the adjacent intersections of Hope Rd, Concourse Pkwy and Maitland Ave; however, they were not included in Appendix E. – please provide HCM 2010 Signalized Intersection Summary, Timings and Queuing Synchro reports for all intersections. In addition, please submit Synchro files for our review.

Traffic Circulation

49. Maitland Blvd at Lake Faith Dr – As part of the FDOT widening of Maitland Blvd, the existing full median opening at Lake Faith Dr will be replaced with a directional opening for left-turns from Maitland Blvd only. The proposed Maitland Concourse North shares an access with Lake Faith Condominiums which allows left turns from Lake Faith Dr. via the new internal access roads. However, the proposed shared access modifies the existing layout of Lake Faith Dr. and may create a potential safety or operational problem. It is recommended to revisit the design of the proposed connection to ensure efficient and safe vehicular operation for internal traffic circulation.

50. Sheet LFV-01 – Lake Faith Villas Access Option – please provide a copy of the joint use agreement for the gated access to Lake Faith Villas.

Parking Analysis

51. The calculated average peak period parking demand of 1.70 spaces per dwelling unit seems reasonable based on parking analysis. Since the retail and office components of the development have different peak parking occupancy periods, please state if that was considered as part of your justification to request a parking reduction from the City's requirement. If so, this should be stated in the parking study.

Pedestrian strategies

52. A sidewalk system for pedestrian circulation throughout the site is required. Please see additional requirements for on-site pedestrian connectivity within the conditions of approval.

53. An eight--foot pedestrian sidewalk is proposed for the perimeter of the development along Maitland Boulevard. This provides a link to the sidewalk that exists along Maitland Boulevard in front of Savannah Court, and shall connect to that sidewalk, and to the west and extend eastward to Lake Faith Villas. The sidewalk will span roughly 3000 linear feet and will be not be on the public right-of-way portion of Maitland Boulevard, but will be the MCN site for enhanced safety.

54. Crosswalks are required when a sidewalk crosses a public driveway, cross access or a paved area accessible to vehicles. Crosswalks shall be located at all points where a sidewalk crosses a lane of vehicular travel.

Bicycle strategies

55. A bicycle rack plan will be provided at final site plan. Submit the type of bicycle rack selected for use, and an elevation of the bike rack showing a bike mounted on the rack. Also, show on the plan view, the footprint/perimeter of the area that is needed when the bike rack is in full use to confirm that the location of the bike rack will not be in conflict with landscaped areas, pedestrian areas, visibility triangles or any other objects such as light poles, building doors and vehicle door swings etc.

56. The 8-foot wide sidewalk will also provide for bicycle lane usage along the entire length of MCN north site.

TSM Strategy: as determined appropriate by City to enhance Connectivity within the Transportation Network.

57. The applicant will add a signal at the central entrance when the signal is considered warranted by FDOT.

58. The proposed new signal at the central entrance to the site, when warranted by FDOT, shall be synchronized/coordinated with the traffic signals along Maitland Blvd between Hope Rd and Maitland Ave to maintain optimized flow of traffic.

59. In interest of promoting unified access, and cross circulation systems, cross access easements, cross-parking easements and joint use agreements for such as but not limited to shared access for Lake Faith and MCN revised entrance, and other shared features that may be necessary for cross circulation, or joint use between lots, tracts and uses within MCN are required. These shall be supplied during the Administrative Site Plan review process and shall be memorialized on the record plat as well.

Transportation Demand Strategy - TDM Strategy:

60. Applicant shall provide a proposal to get a bus connection to the Maitland SunRail Station

Sewer: (David Gonzalez: 407.875.1143)

61. The proposed project will be required to construct a private lift station within the site that will connect to the City's existing sewer system. The plans show a private lift station is proposed.

    a. There is an existing sewer pipe casing that crosses Maitland Boulevard, at the approach of the right turn lane of Brighton Gardens Assisted Living. The plans show the development is connecting to the proposed sewer lines to cross Maitland Boulevard.

    b. The developer will need to submit to the City an application for the Altamonte Springs wastewater treatment facility reserved capacity. An approved utility plan will be required for the application submittal.

    c. The proposed private lift station shall follow the Orange County specifications for new sanitary lift stations.

Water: (Robert Hayden 407.875.2115)

62. Service Availability - The City of Maitland has a 16" ductile iron water main on the north side of Maitland Blvd.

63. Developer needs to show the number of connections, size and proposed locations for commercial, irrigation, residential metering, and fire line service.

64. All water lines outside of the Right-of-Way are to be owned and maintained by the Maitland Concourse North Development; after acceptance and expiration of the warranty period, the City of Maitland will only maintain water lines that are located in the Right of Way on the City side of the water meters.

65. Master meter connections are preferred to reduce the number of points of connections to the water main.

66. If water meters are to be located on private property the City will own and maintain the water meters only.

67. Water meters will be required to be located so that they are available to City staff at all times as needed.

68. No water meters greater than one inch will be permitted to be located below ground in meter boxes or meter vaults.

Stormwater: (DRC Comments for lakes and wetlands – Paul Ritter- 407.539.6203)

69. The retention pond for the development and FDOT is located within Lake Charity to the lake side of the Normal High Water Elevation. PD3.1

    - This existing NHWE is the definitive line.
    - Any structure or impervious surface must be a minimum of 50 LF back from the existing NHWE.
    - The vegetation within that area is listed as Wetland Shrub and cannot be removed or destroyed.
    - The soils in the area are Bassinger Fine Sand-Depressional indicating complete inundation by the lake.

70. Div. 4-Construction of Boat Docks, Boathouses, Boat Ramps, Boardwalks or Seawalls.

    - Section 11-80, (9) Seawall's vertical height shall not exceed the 100 yr flood elevation. No seawall shall be built to the lake side of the NHWE.
    - Definitions: Retaining wall-A man-made structure built to hold upland soil in place, preventing its erosion into a water body. It is built landward of a surface water's NWHE and the wetland delineation line established by the FDEP.
    - Definitions: Seawall-A man-made structure... that is located between the 100 yr flood elevation and the NHWE of a water body.

71. The planned retention pond will hold water at the existing NHWE of Lake Charity. This volume cannot be included in the stormwater holding capacity of the retention pond.

    - The difference between the normal water level and the overflow structure elevation is the stormwater holding capacity.

72. The site must not be mass graded in conjunction with the PD. Clearing may only occur on those areas that are to be built upon immediately after clearing, regardless of which phase of development is underway. The soils conditions on site are very erodible and removing the existing vegetation will allow erosion of soils into the adjoining lakes. Provide a provision for temporary seeding/mulching.

73. The cul-du-sac and parking lot on the northwest end of the residential development extend into the limit radius around the Bald Eagle nest site located in Lot 8. PD3.3.

74. The Lakes Advisory Board (LAB) heard and discussed stormwater concepts during their meeting of August 19, 2015 and made recommendations that its concerns be conveyed to staff and Boards that are reviewing this project. We had the opportunity to discuss design concepts with their Consultant (Kimley Horn) and from those discussions, the following comments are offered regarding the review of the project:

    - The Developer should be commended for incorporating the FDOT stormwater pond as an integral component of their irrigation plan, which reduces their water demands (irrigation) from the City, while "recycling" the stormwater and providing further treatment as the water returns to the groundwater system. It was explained that the conventional rectangular pond will be designed to mimic the Lake Lily Amenity.

- Given this concept, the FDOT stormwater "Pond", in their initial plan, does not consider the significant collection of debris that will be collected from the parking lots. Using Lake Lily as a prime example, considerable floatables (paper, cans, bottles, trash) find their way into this very public focal point every day.
- Given the magnitude of pollutants that will come from the parking lots (oils, grease, & floatables), I have attached my comments to the Developer's Plan (Sheet PD 4.4) that recommend installation of at least two Continuous Deflective Separation (CDS) units or baffle Boxes to intercept the debris from the retail parking lots,
- Incorporating "Rain Garden" Low Impact Development (LID) stormwater landscape features between parking bays.
- Stormwater storage under drivable pavers located under the parking spaces will reduce runoff and reduce the 'Heat Island" effect of asphalt.

Fire Code: (Dennis Marshall: 407.539.6228)

75. Due to the size and complexity of the proposed development, it will be necessary to provide a Fire Protection Plan designed to Chapter 16, Safeguarding Construction Alteration, and Demolition Operations, NFPA 1 and NFPA 241, Standard for Safeguarding Construction Alteration, and Demolition Operations, as reference and adopted in the Florida Fire Prevention Code.
76. Due to the size and complexity of the proposed development, it will be necessary to provide a Phasing Plan to allow for individual buildings or section of the development to receive final inspections prior to the full development completion.
77. Plans submitted do not include sufficient data to accomplish a required fire flow calculation. The required fire flow (RFF) for all new buildings shall be calculated utilizing Section 18.4.5, Fire Flow Requirements for Buildings, NFPA 1 as adopted in the Florida Fire Prevention Code.
78. Where hydraulic calculations are utilized to prove the required fire flow is available, the minimum acceptable design pressure shall be not less than 25 psi per Maitland City Code.
79. The number and type of fire hydrants and connections to other approved water supplies shall be capable of delivering the required fire flow and shall be provided at approved locations.
80. Hydrants shall be spaced in accordance with the authority having jurisdiction, but in no case shall the distance between installed fire hydrants exceed 1,000 feet. Maximum distance from the nearest hydrant to the most remote exterior point of any building shall be 500 feet. If necessary, additional hydrants shall be provided within 500 feet of a building in sufficient quantity to supply the required fire flow for that building.
81. Reevaluate fire proposed fire hydrant spacing and locations shown on Page PD 5.2 for the protection of the proposed commercial structures 2 and 3. In addition, the proposed hydrant located behind structure 3 is illustrated in the middle of the roadway on this page.
82. Coordinate the proposed locations of the fire hydrants on property with the landscape plan. Page L 1.01 shows trees proposed for planting in all parking islands that are illustrated as having fire hydrants installed. A clear space of 36 inches to each side and to the rear of fire hydrants shall be provided per 18.5.3, NFPA 1, as adopted in the Florida Fire Prevention C ode.
83. Public hydrants are recognized as meeting all or part of the above requirements.
84. The body of public fire hydrants shall be painted silver in color. The body of private fire hydrants shall be painted red in color. Color coding of the hydrants to illustrate available fire flow amounts shall be accomplished per the guidelines of NFPA 291, Recommended Practices for Fire Flow Testing and Marking of Hydrants.
85. Fire hydrants shall be installed so that the large 4½ inch (steamer) port is facing the roadway it is accessed by.
86. The proposed combined service main (mains supplying domestic and fire protection system water supplies on private property) shall meet the requirements and shall be installed per NFPA 24, Standard for the Installation of Private Fire Service Mains and Their Appurtenances.

87. Fire protection mains for fire sprinkler systems designed to NFPA 13, Standard for the Installation of Sprinkler Systems as adopted in the Florida Fire Prevention Code shall be installed per NFPA 24, Standard for the Installation of Private Fire Service Mains and Their Appurtenances.

88. Fire protection mains for fire sprinkler systems designed to NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stores in Height shall be installed per requirements set forth in NFPA 13R.

89. Access roadways to the construction site shall be provided and arranged in accordance with Section 7.5.5, NFPA 241, Safeguarding Construction, Alteration, and Demolition Operations as adopted in the Florida Fire Prevention Code.

90. A water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material accumulates per 8.7.2.1, NFPA 241, Safeguarding Construction, Alteration, and Demolition Operations as adopted in the Florida Fire Prevention Code.

91. Where underground water mains and hydrants are to be provided, they shall be installed, completed, and in service prior to construction work per 8.7.2.3, NFPA 241, Safeguarding Construction, Alteration, and Demolition Operations as adopted in the Florida Fire Prevention Code.

92. Per Maitland City Code the facilities in the proposed development shall be protected with fire sprinklers. Provide details on plans for the fire protection water service from the water service main to the fire sprinkler systems.

93. The Point of Service for fire protection mains dedicated solely for any required fire protection system(s) shall be identified on the plans as required by FS 633.102 (24).

94. Per FS 633.539 (1) (a), the fire protection main must be installed by a Class I, II, or V contractor from the point of service to 1 foot above finished floor grade.

95. Clearances around the proposed fire department connection must be at least 3 feet in front of and to either side of the appliance per 18.5.3, NFPA 1 as adopted in the FFPC.

96. Reevaluate the two cul-de-sacs and round about widths. The turning radius of a fire department access road shall be as approved by the AHJ. (Authority Having Jurisdiction) The turning radius acceptable for the City of Maitland is 42 feet outside and 20 feet inside based upon current vehicle specifications. (18.2.3.4.3, NFPA 1, as adopted in the FFPC)

97. Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface suitable for all-weather driving capabilities. (18.2.3.4.2, NFPA 1, as adopted in the FFPC.)

98. Proposed rearrangement of access to Lake Faith Villas complex creates accessibility issue for fire apparatus. Fire department access roads shall provide a minimum of 20 feet of clearance, the proposed gating system only provides 18 feet.

99. All new power operated access control gate system installations shall be equipped with an automatic activation system acceptable to the authority having jurisdiction to allow for emergency access by responding fire/rescue apparatus. A keypad and appropriate numerical code shall also be provided to allow access. A means of manual override or back-up power shall be provided on all power operated gating systems to allow for access in the event of loss of power. (Sec. 6-16 (d), Maitland City Code)

100. Due to relocation of entry drive to Lake Faith Villas, proposed installation of the gated access, and subsequent reduction of access to hydrants outside of the complex, it will be necessary to provide at least one additional fire hydrant within the public right-of-way.

Building Code: No comment.

Police: No comment

General:

101. No boat ramps/docks for boat launching are shown in this proposal and shall not be allowed for the proposed project, unless authorized through an amendment to the PD, planned development.

102. Levels of Service listed in Item J. in Section II of the recommendation report shall be met.

103. The planned development time frame shall conform with Sec. 7.5-57. - Planned development time limitations of the Maitland City of Maitland.

RESIDENTIAL SCALE AND CHARACTER:

THIS SECTION IS INCLUDED IN THE PLANNED DEVELOPMENT CONDITIONS OF APPROVAL

Sec. 21-24. - Residential scale and character.

(I) *General.* **In determining residential scale and character, the city shall consider as a general guideline whether the building(s) exhibit architectural elements and features characteristic of residential structures of similar scale and mass, with consideration given to size and shape of the building(s); pitch of the roofs; type of building materials used; building fenestrations and detailing, whether there is an abundance of landscaping, and site organization, and giving articulation to the appearance of a smaller and reduced parking mass.**

(II) *Criteria for review.* **The following criteria shall serve as a framework to review development applications, but shall not mandate that every element must be provided. Final determination as to whether a development is of residential scale and character shall be subject to the approval of the appropriate City of Maitland board charged with reviewing the application for development.**

The site plans do not match the exact elevations and building identifications for either the residential or the retail center. The residential plans submitted via color elevations do not depict exact footprints shown on the site plans. The Final Site Plans shall be updated to accurately reflect the color elevations in the context of footprints represented on the site plan when Final Site Plans are reviewed by the City.

The residential building styles relate back to Mediterranean Revival, Mission and Craftsmen and appear to be well detailed and in general; the scale, massing, fenestration and colors are appealing for a Central Florida upscale setting. The retail building styles relate back to Mediterranean Revival, Mission, Southwest Mission, a little Deco and Craftsmen and appear to be well detailed and in general, the scale, massing, fenestration and colors are also appealing for a Central Florida upscale setting.

The two story residential buildings, pools and gazebos all lining the south side of the lake, including landscaping and all vehicular circulation and parking on the south side of this lakefront alignment of buildings, would appear that the view from the north side of Lake Hope should be reasonably acceptable.

a. **Building shapes and form. Buildings with lengthy unbroken facades should be avoided. As a general guide, the maximum horizontal length of an unbroken facade plane should be fifty-feet. Facade off-sets should be incorporated to create shadow lines. An essential character of residential scale is a traditional appearance of building walls and openings. Walls define the overall form of the building while openings give them human scale.**

   Retail: The second tier of retail buildings articulate a lengthy unbroken façade with individual retail buildings reaching 300 feet in length. Building off-sets shall be incorporated into the design of these retail buildings at approximate distances of 55 feet. The retail buildings shall include additional openings within the design to provide the human scale and to preclude a continuous linear pattern or strip. However, the inclusion of gabled, Jacobean and corbelled, flat roof parapets, along with pergolated outdoor seating areas and trellised, shaded sidewalks readily lend themselves as details that comply with the residential scale requirement.

   Residential: The vertical walls which become parapets are shown in segments that define separate elements of the buildings working to break the long dimensions of the building. The roof line [should] be broken more, with some vertical changes in the horizontal peak lines.

   Residential character building components include elements such as, decks, and balconies, and roof configurations which reflect traditional residential features such as pitched, hip, or gable. Residential character can also include parapets and a combination of flat and pitched roofs. Height limitations or design preferences may dictate a flat roof.

   Residential: Residential character components have been provided in the multi-family design to include balconies and decks, but do not incorporate variations in roof elevations that would articulate varying pitches and generate interest. This can be seen in the Building II west elevation with a continuous roof span without pitch changes. This shall be corrected to vary this design element to add visual interest to the design.

Retail: The retail/office component of the project shall contain greater roof articulation as well. The retail/office portion shall be developed to create a variety in roof heights which shall include a second story square footage devoted to a functional principle use. See comments in c. below.

Increased variety is needed in the retail façade by providing decks, pedestrian sheltered areas and varied door and window treatments are also needed. Courtyards may be placed between retail buildings to include additional green space, fountains etc. to enhance form and space and to create a pedestrian scale exterior space.

Building configuration needs variation in the shape of the roof, the use of ornamentation, development of shadow patterns, scale of fenestration and facade relief.

b. **Building fenestration and detailing may incorporate window features such as: punched, as opposed to banded or continuous windows; groupings of windows that are not generally found in larger office or residential buildings, and which may be separately defined by mullions, may include muntins, multi-pane windows, double-hung windows or casement windows; crown and other moldings; overhangs; soffits; building ornamentation; and architectural elements such as doorways, archways, arches and columns, dormers, and gables. Clearly defined entries facing the street should be provided. Features that visually reduce the height, mass and scale of the structure such as clearly defining the base, middle, and cap of the building, address residential scale and character.**

Retail: The fenestration at the base, middle and cap noted have been added in several places, but not all, thereby creating a diversity of interest. Also of note, the rear and side elevations provided, depict a 360 degree architectural application, not just a "front façade." Because of the residential component north of the commercial elements, the required articulation of breaking the horizontal facades, as well as other detailing, has diminished the "back of the building" look for the residents whose views are to the south, facing the commercial blocks.

Residential: For both Two Story (B) and Three Story (A) configurations, it appears that the fenestration detail is as suggested. The base, middle and cap however are not included. The absence of this detailing method does not impact the three story buildings, negatively.

c. **Site organization may be used to establish residential character, including clustering of buildings, the manner in which buildings are organized on the site, and building massing where special attention is made to its massing by the grouping of forms and spaces to reflect more of a human scale. Creating friendly pedestrian scaled exterior spaces by grouping of smaller structures, as well as indenting or setting back some upper floors or portions of upper floors add an element of residential scale. Buildings should be located so that the front door faces the street.**

Residential: A great deal of attention paid to minimizing broad expanses of flat planes to assist with the residential scale requirement.

Retail: Lots 1 and 2 may include a functional second story component where feasible, and this may include a second story office or retail area to be used as a second story component. The second floor is not mandated for the entire length of the retail area, but if incorporated by the developer shall have vertical façade articulation for a functional mix of uses. (See additional comments in d below.)

Along the main entrance roadway, retail may be continued/relocated into Lot 7 (the portion that is R-MORC) to achieve a pedestrian oriented village environment and to integrate the mix of uses. At a minimum the organization of the site shall be modified to reflect a village environment which does not appear as nor function as segregated components.

The design of the rear of the retail/office buildings shall be such that the appearance is aesthetically appealing on all sides of the building façade and does not create a loading area or back of building function or feel which may detract from the desirability of the area for the apartment tenants or the public.

d. **Building materials. Brick, accents of brick, stucco, stone, wood or natural materials are generally more reflective of residential character. The scale of materials should be smaller and relate to a more fine-grained character reflective of residential architecture, i.e., using brick to create a smaller modular scale**

instead of large panels and using architectural detailing, including trim, framing, fenestration, and articulation, is encouraged instead of creating continuous uniform surfaces.

Residential: The covered porches, vertical and horizontal building elements articulation, window bays, hoods or awnings, the visual impact of the longer facades are successfully downsized into smaller elements.

Retail: The basic building materials for the five Buildings are listed in a letter from the Architect as smooth and textured painted stucco, an acceptable material noted above. Because there are trellised porches (Sidewalks), awnings, pergolas for outdoor seating and what appears to be some stone bases, the visual impact of the longer facades are successfully downsized into smaller elements.

On-site parking. Parking should be deemphasized as much as possible. If possible, parking should not be placed in the front of the building, but if so located shall be screened by hedges and other landscape materials and may include the incorporation of a low screen wall approximately twenty-four (24) to thirty (30) inches in height.

Residential: The requirement for de-emphasizing the parking is not met, completely. According to the Site Plan supplied, and one color elevation, a couple of the Two Story buildings are providing enclosed garages. All other parking spaces, which are the majority of them, are simply surrounding the Three Story Buildings

Retail: A combination of screen walls, 24 to 48 inches in height, and hedges and other landscape material shall be provided in the areas where parking is located along Maitland Boulevard. Screen walls shall be wrought iron, brick or other sustainable material acceptable to the City of Maitland. Landscape islands, shall be increased in size periodically (roughly 2-3 times the width of a typical parking island) fronting Maitland Boulevard to break up the visual expanse of the parking area.

Parking lots should be screened or broken up by landscaping. Reduced parking mass in lieu of an expanse of parking should be provided.

The massing of the building on Lot 2 shall be re-oriented to break up the expanse of parking lot. Example: Western end retail units may be angled into the parking lot to break up parking lot expanse.

Incorporate pedestrian corridors into the parking lot, with minimal driveway crossings and provide flexibility in parking lot island location to enhance use of islands (larger and more beneficially located to break up the monotony of a parking pattern.)

Surface stormwater facilities such as stormwater ponds and swales should be integrated into the parking lot design, incorporating landscaping and other aesthetic treatments and used as amenities.

The retention pond on Lot 4 shall be designed in an aesthetic amenity to the site. Stormwater facilities that are located in the front of a property shall be prohibited from having fencing unless it can be demonstrated to be necessary due to the configuration and topography of the lot or safety reason. The determination of necessity in this circumstance shall be made by the City Council.

The stormwater detention/retention facilities shall include a water feature such as a fountain or spray jet, and shall be planted with aquatic species which shall include cypress trees. The pond shall be designed with curvilinear edges to be reflective of a natural water body and not as a straight "box." Retention embankments shall be planted with a minimum of two trees per hundred linear feet of the stormwater tract. Trees shall be a minimum size requirements established in the City Code. Trees shall be include those suitable for wet locations and are subject to City acceptance. Trees shall be planted in clusters to achieve a quality landscape design, to provide buffering for the neighborhoods to the north and west of the site to augments the lake edge buffer.

A pedestrian pathway and benches for use by the public shall be incorporated into the design, which is discussed further in this report.

<u>Standard 3.28.10 of the 2030 CDP states</u> that "... Stormwater ponds shall be designed to serve as amenities and/or to provide additional buffering.

e. **Landscape design and amenities. The following landscape design and amenities principals shall be considered: incorporation of unique and existing trees into the landscape design, use of layering to promote informality with a variety of plants with differing mature heights, use wide variety of plants in**

informal arrangements, use of plants or trees which have seasonal color; accommodate the topography in site planning, including planted slopes; incorporate other site amenities such as a gazebo, trellis, and yard/site furniture, to help create the perception of a residential development.

This has not been accomplished in the design nor does the landscape plan reflect this premise. The parking lot is a linear grid and the plan proposes to mass grade the site with only peripheral maintenance of stands of trees. The plan shall be revised to include the design principles above.

FEE CREDITS:

This section is included in the Planned Development Conditions of Approval

Any fee credits requested in the application that are not able to be finalized and adopted within the PD Ordinance by the City Council shall be subject to finalization through a PD amendment or separate agreement subject to City Council approval.

Applicant states: Pursuant to Standard 3.28.12 of the City of Maitland Comprehensive Plan and the provisions of the City of Maitland Land Development Code, applicant is requesting that the City grant it any and all applicable fee credits, including but not limited to credits for impact fees, application processing fees, building permit fees, inspection charges and water and sewer connection fees, in order to offset the construction costs of certain Maitland Concourse North ("MCN") property improvements that have a rational nexus to a resulting public benefit. The MCN improvements being provided by applicant that are rationally related to a public benefit include:

FEE CREDITS		
Item	Applicant Request	City Response
(i)	Conveyance of right-of-way to the Florida Department of Transportation ("FDOT") for the widening of State Road 414 (Maitland Boulevard) from 4 to 6 lanes and to maintain a 12' wide buffer strip from the back of the Maitland Boulevard curb along the MCN property's Maitland Boulevard frontage.	*Additional information was submitted for evaluation by the applicant to demonstrate that the proposed sidewalk width and location exceeds the standards that FDOT would have otherwise provided for the widening of Maitland Boulevard. The applicant represents that the FDOT minimum for sidewalk is 5 feet with a utility (sod) strip and 6 feet when next to the curb and gutter.* *The applicant states that they are exceeding this requirement as the sidewalk is not being placed within the public right-of-way but on the MCN property; that the sidewalk is eight feet in width; and a continuous 12 foot R/W buffer will be provided as a separation from the Maitland Boulevard roadway. (Exception: There are two locations where the buffer will only be 10 feet.) An easement is represented to be provided to FDOT for the sidewalk proposed to occur on the MCN property.* *The applicant states that the estimated value of the sidewalk is $288,000.00. The City does indicate the "**green bicycle path**" extending across MCN property. This appears on Future Land Use Map Series (FLUM) Map 5M1-Year 2030. **Widening the sidewalk to ten feet could accommodate the "green route" pathway on the site for bicycle purposes. The City may consider the increase in sidewalk width from 6 feet to 10 feet as a transportation impact fee credit. The credit shall not exceed transportation impact fees required for the project.*** ***Impact fee credit is not applicable to the maintenance of the buffer strip. However, the applicant shall provide continuance maintenance of the buffer strip.*** ***Applicant has not provided evidence from FDOT of any conveyance agreement with FDOT including compensation received for the conveyance of the right-of-way, which shall be provided to the City of Maitland as part of the final analysis for fee credit determination.***

(ii)	Conveyance to FDOT of an 8' wide perpetual sidewalk easement adjacent to the FDOT right-of-way buffer along the entire MCN property frontage with Maitland Boulevard.	*A sidewalk for public use would be required in conjunction with the project. An easement for public use of the sidewalk on private property will be required from developer/applicant to the City of Maitland. The additional sidewalk width to address the bike path has been addressed in terms of possible impact fee credits above. The applicant shall provide continuous maintenance of the sidewalk.*
(iii)	Conveyance of a right-of-way corner clip to FDOT at the intersection of Maitland Boulevard and Concourse Parkway South for the relocation of the mast arm pole and signal assembly that will improve the safety and functionality of that intersection.	*This is an area of roughly 43 sq. ft. and is necessitated by either the road widening of Maitland Boulevard or the Maitland Concourse North project itself.* ***No impact fee credits are applicable for this improvement.***
(iv)	Construction of an eight acre shared stormwater pond and conveyance of perpetual easement rights to FDOT to utilize the pond for stormwater drainage from Maitland Boulevard.	*The applicant is alleviating an FDOT pond which would have otherwise been surrounded by the development site. The FDOT pond will be modified in conjunction with the widening of Maitland Boulevard. In its current state the FDOT pond is not aesthetically beneficial. MCN and FDOT are proposing a combined pond which is an advantage to both parties. The applicant may enhance the pond for aesthetic purposes and FDOT will achieve increased storage capacity as well.* *The applicant does propose and the City is requiring an 8 foot wide walkway around the pond for use by the public. This walkway shall be linked to the sidewalk/bike path along Maitland Boulevard at both ends of the pond and to the park pathway providing circulation through the passive park area for purposes of connectivity.* ***The estimate of this walkway is $150,000.00 and may be considered for park impact fee credit subject to City approval. An easement for public use must be provided for this sidewalk system as well. The credit shall not exceed parks impact fees required for the project.*** *While the amenitization of the pond with the proposed 8 foot path, bike racks, and benches support uses that are consistent with a neighborhood park, no other active or passive recreational uses are provided.* ***The addition of open space, a playground, exercise stations, or similar components consistent with the City of Maitland Parks Master Plan would allow the area to function as a neighborhood park for the 700 residents of the development as well as to the general public, subject to a Joint Use Agreement with the City as well as an easement for public use, are recommended to be included, and may qualify for additional fee credits.*** *While the City recognizes that there is value to allowing public use of the 10.32 acre passive park and the amenitized pond area it should be noted that the contribution of these recreational facilities (as they are proposed) do not fully and in of itself contribute to the levels of service for park acreage as*

		set forth in the City of Maitland Comprehensive Development Plan. The CDP identifies that 2.5 acres of neighborhood parks and 2.5 acres of community parks shall be provided per 1,000 residents. Neighborhood Parks are generally described as 3 to 10 acre parks with a mix of active and passive recreational opportunities such as a playground, open space, athletic courts, trails, restrooms, lighting, and/or park furnishings. A community park is generally described as a 10 to 50 acre site that provides athletic fields and facilities, and a more comprehensive mix of indoor and outdoor recreational uses. *The 10 acre passive park provides recreational opportunities including nature observation and walking or jogging activities. These activities support Maitland Parks and Recreation Master Plan directives of providing additional "walking/bicycling paths and trails" and a "wider variety of programs and special events" (nature interpretation activities). However, this passive park lacks a variety of elements that would characterize the property as a neighborhood or community park and would therefore not contribute to park LOS attainment. Inclusion of a tot lot and exercise station would cure this problem.*
(v)	Creation of a 10.32 acre park on the MCN property and dedication of a perpetual conservation easement over the park property for passive park and recreation uses by the public.	*When the CDP amendment for Maitland Concourse North was reviewed and eventually adopted, historical research was accomplished to see if the policies and standards proposed in the CDP needed to reflect conditions that the City had placed on the site through past City project reviews etc.* *In that review it was found that a Development Agreement which had been approved by the City in 2000 had a provision providing fee waivers/or credits for specific purposes which had been established in the DA, for Maitland Concourse North. None of the credits/waivers contemplated the ten-acre tract as Park and Recreation area. On the contrary, fees were off-set based upon the City requiring the construction of a two-story parking structure in lieu of surface parking that could have been constructed at that time. This parking structure was required to preserve from the development in perpetuity two (2) areas of land totaling approximately four (4) acres in size that included many mature canopy trees located south and east of Lake Charity. The additional cost to the Developer to construct the parking structure was estimated at **$1,900,000**. The City also agreed to purchase the 4 additional acres of tree preservation area for a total of **$600,000.** The DA referenced above expired on December 15, 2012, and the property owner did not desire to extend the agreement. These findings were included in the January 7, 2013, DRC Recommendation Report on the Maitland Concourse North's Comprehensive Plan Amendment Petition No. 2012-02.* ***The CDP text adopted in response to <u>Petition No. 2012-02</u> provides a <u>Standard 3.28.12:</u> which** states that:* *If a rational nexus between an improvement and a resulting public benefit exists, the City may consider the granting of fee*

		credits during the planned development review process and/or other City Land Development review process, for application processing fees, building permit fees, inspection charges, impact fees, water and sewer connection fees and other applicable fees in order to offset the cost of construction of items such as parking garage(s), buffering, transportation improvements, public infrastructure improvements, and to encourage the preservation of land which provides additional significant buffering (for the Maitland Concourse North Property, <u>not including the 10 acres of Passive Park and Recreation Land Use on the MCN property</u>) for surrounding residential properties (emphasis added). *Within CDP <u>Table 3.28.8</u> relating to Maitland Concourse North, a 10.12 acre credit was allocated and transferred from the Parks and Recreation Land Use designation to the land use designation of Restricted–Mixed Office/Residential (10.0-20.0 D.U. Acre/Commercial) ("R-MORC"). This allowed the R-MORC category to attain a maximum of 0.50 F.A.R, while still preserving the overall development site to retain a 0.30 F.A.R. Therefore a value for the passive park was already provided to the development site through this mechanism.* ***No park impact fee credit is permitted for the passive park dedication itself.*** ***The City has programmed into its 2016-2020 CIP for the fiscal year 2019, expenditures from Fund 65 in the amount of $200,000.00 for Battaglia Property Development. Park impact fee credits may be accepted for the developer to provide the improvements that the City envisioned and planned for the passive park that would have otherwise been taken from Fund 65, impact fee credits. This is subject to City approval and shall not exceed park impact fees required for the project.***
(vi)	Providing additional buffering (other than the buffering provided by the 10.32 acre park) throughout the MCN property from surrounding residential properties,	*Standard 3.28.13: states that, "Through the PD process, development may be required to increase buffer widths, in excess of current landscape code requirements, between external adjacent or dissimilar uses, in order to protect these land uses from the effects associated with a more intense land use."* No significant buffering was provided or set aside or conveyed for the public use that would in the context of granting a park impact fee credit. *There are areas of trees that were described in the expired MCN Development Agreement (DA) as "Tree Protection Land". One of those areas was within the currently proposed Lot 6. This area contained approximately 2 acres of land with mature trees which the City was to acquire by deed from the Developer to ensure that the mature stands of trees and open space would be protected.* ***This area is contiguous to the Passive Park Area and may be an opportunity for park impact feet credit if the area is***

		conveyed to the City for tree preservation purposes to add to the Passive Park area. The tree area shall be reviewed by the City prior to acceptance and fee credits shall be subject to final City approval. *(See exhibit attached for general location purposes.)*
(vii)	Amenitizing the shared stormwater pond to provide additional public recreation opportunities.	*Additional information was provided to define and describe the amenitization for public recreational opportunities, in the form of a cost estimate sheet for Maitland FDOT Pond and a visual description of the improvements proposed. Impact fee credits for the walkway around the pond as well as possible credits if developed to serve as a neighborhood park were discussed above.*
(viii)	Rehabilitation and restoration of the shorelines within the MCN property.	*Applicant provided an elevation and description of the rehabilitation and restoration of the shoreline. The City is requiring re-vegetation and rehabilitation of the shoreline in conjunction with the Planned Development approval. Impact fee credit is not applicable.*
(ix)	When warranted by FDOT, the installation of a traffic signal at the intersection of Maitland Boulevard and the new access point to the MCN property for the safety and welfare of the public traveling Maitland Boulevard and accessing both MCN and Maitland Concourse South	*This item will be re-evaluated by the City at a later phase of development at the time of signal warrant analysis.*
(x)	Installing utilities in the MCN property that, at the request of the City, will serve properties outside of the MCN project.	*None are shown and therefore no credit is given.*
(xi)	Reconfiguring the access from Maitland Boulevard to Lake Faith Villas, including driveway, buffering and signage, that meets the requirements of FDOT and the City, and additionally provides access through the MCN project to the new access point on Maitland Boulevard.	*No transportation impact fee credit shall be given for reconfiguration of the access, signage or buffering.*

R. W. Wells

Richard Wells, Chairman
Development Review Committee
City of Maitland, Florida

Date 10/9/15

Exhibit A
Stormwater/Lake Management
Excerpts

EXHIBIT A
CDP EXCERPTS

CDP - CONSERVATION ELEMENT

GOAL: To conserve, manage and protect the natural resources of the Maitland Planning Area, through a balance of human needs with sound environmental practices.

STANDARD 1.2.1: Maintain within land development regulations requirements for a minimum of 30% open space and landscaped areas.

STANDARD 3.1.1: Require the protection of natural vegetated buffers through the use of filter berms, fabric screens or similar methods during construction to catch and retain sediment from construction sites.

STANDARD 3.1.2: Use of silt fencing and geohay or similar materials on areas of steep slope during construction shall be requires where no natural buffer zones exist or they provide inadequate protection.

POLICY 3.2: The City shall maintain a shoreline protection ordinance.

Section 8-14 – Shoreline Alteration and Landscaping (Chapter 8 – Landscape, Streetscape, Treescape; Article V – Specific Landscaping Requirements)

a. *Purpose and intent.* The regulations established in this section are intended to implement policies adopted in the Conservation Element of the City of Maitland's Comprehensive Development Plan. It is the intent of the City of Maitland to promote the health, safety, and welfare of existing and future residents, property owners, and visitors to the city by establishing minimum standards for the protection of natural plant communities along wetlands and shorelines, and the installation and continued maintenance of wetland and waterfront vegetative areas within Maitland.
b. The regulations in this chapter are created in order to achieve the following:
    i. *Improve environmental quality.*
    ii. *Promote water conservation.*
    iii. *Preserve existing vegetation.*
    iv. *Removal of invasive species.*
    v. *Human values.*
    vi. *Aesthetics. Improved administration and enforcement.*
c. *Shoreline Alteration Permit.* No person shall cause to be performed any shoreline alterations, including the removal of shoreline or waterfront vegetation, without first obtaining a City of Maitland Shoreline Alteration Permit in conformance with this section. Maitland Shoreline Alteration Permits shall be obtained in addition to Plant

Management Permits issued by the Florida Fish and Wildlife Conservation Commission (FFWCC) Invasive Plant Management Section. No wetland vegetation shall be trimmed, cut, or removed from any shoreline, wetland, or waterway without a City of Maitland Shoreline Alteration Permit, unless the activity is exempt per subsection (b)(1) of this section.

POLICY 3.5: No structures, other than docks, boathouses or pool construction, shall be allowed within 50 feet of the ordinary high water line for lakes.

Division 4 – Construction of Boat Docks, Boathouses, Boat Ramps, Boardwalks and Seawalls (Chapter 11 – Parks, Recreation and Boating; Article II – Boats, Boating and Use of Waterways)

a. This division is intended for all waterfront structures. It is the intent of this chapter to ensure that on canal-front lots, lakefront lots and stream-front lots no boating hazards will be created, water pollution from stormwater runoff and other sources will be minimized, views of water from adjoining properties will not be unduly impaired, and the appearance of the shore when viewed from the water will be kept as natural as reasonably possible. The city's lakes, canals and streams are among the city's greatest assets, and it is in the public interest to require that their aesthetic appeal and water quality be maintained and enhanced when possible.
b. Section 11-80 (9): An existing seawall's vertical height shall not exceed the 100 year flood elevation listed in Table 1. No seawall shall be built on the lake side of the NHWE listed in Table 1. All seawalls shall be required to have a permit from the Department of Environmental Protection (DEP) prior to application for a City of Maitland waterfront structure permit.

POLICY 3.6: To ensure 100% stabilization of soils, all landscaping activities of new development within 25 feet upland of the ordinary high water line, or jurisdiction line for wetlands, shall incorporate and not remove native vegetation.

OBJECTIVE 7: The value of wetlands for maintaining water quality, storing floodwater, reducing erosion and providing wildlife habitat has been proven. In order to further the goals for protection of all the City's natural resources, the City recognizes wetlands to be environmentally sensitive, and designates wetlands to be conservation areas. The City shall maintain appropriate measures to protect wetlands in coordination with the East Central Florida Regional Planning Council.

POLICY 7.3: The City shall ensure that appropriate permits are acquired from Federal and State agencies to develop in areas of possible conservation status.

POLICY 7.4: The City shall establish criteria for protection of wetlands. Criteria shall specify allowable uses within and adjacent to wetlands, requiring minimum vegetative upland buffers adjacent to designated wetlands, clustering development away from environmentally sensitive areas, and incorporate wetlands into development design where site conditions allow for preservation of their functioning.

POLICY 7.5: The City shall maintain its shoreline protection ordinance to include landscaping standards to restore or enhance shoreline plantings on lakefronts lots.

Section 8-14 – Shoreline Alteration and Landscaping (Chapter 8 – Landscape, Streetscape, Treescape; Article V – Specific Landscaping Requirements)

a. *Purpose and intent.* The regulations established in this section are intended to implement policies adopted in the Conservation Element of the City of Maitland's Comprehensive Development Plan. It is the intent of the City of Maitland to promote the health, safety, and welfare of existing and future residents, property owners, and visitors to the city by establishing minimum standards for the protection of natural plant communities along wetlands and shorelines, and the installation and continued maintenance of wetland and waterfront vegetative areas within Maitland.
b. The regulations in this chapter are created in order to achieve the following:
    i. *Improve environmental quality.*
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    iv. *Removal of invasive species.*
    v. *Human values.*
    vi. *Aesthetics. Improved administration and enforcement.*
c. *Shoreline Alteration Permit.* No person shall cause to be performed any shoreline alterations, including the removal of shoreline or waterfront vegetation, without first obtaining a City of Maitland Shoreline Alteration Permit in conformance with this section. Maitland Shoreline Alteration Permits shall be obtained in addition to Plant Management Permits issued by the Florida Fish and Wildlife Conservation Commission (FFWCC) Invasive Plant Management Section. No wetland vegetation shall be trimmed, cut, or removed from any shoreline, wetland, or waterway without a City of Maitland Shoreline Alteration Permit, unless the activity is exempt per subsection (b)(1) of this section.

POLICY 7.6: The City shall require that new development set back from the wetlands jurisdiction line and upland buffer areas are established to ensure adequate vegetation for filtering and stabilization.

STANDARD 7.6.1: Incorporate standards in development regulations to protect the quality and quantity of surface and groundwater and the preservation of semi-aquatic wildlife habitat.

OBJECTIVE 9: The Maitland Planning Area falls within an area of high groundwater aquifer recharge. Maintaining the high recharge capabilities of the area is essential to ensure future potable water supplies and curtail sinkhole development. It is the City's objective to integrate groundwater recharge and surface water management regulations with the aim of preserving the recharge capabilities of sites being developed. Recharge criteria for areas of development shall be maintained in the City's Water Conservation Plan, consistent with Objective 1 of this Element.

POLICY 9.3: The City shall encourage the use of pervious pavement or similar alternatives which promote recharge capabilities for new nonresidential and residential development proposals.

POLICY 9.5: The City shall establish a minimum of 30% pervious surface area for all new development, over and above any land proposed for drainage retention areas, driveways, or other structures.

OBJECTIVE 12: The City recognizes the value of its natural vegetative communities in providing wildlife habitat, regulating climate, providing recreational and aesthetic amenities and maintaining the balance of natural systems. The City shall ensure that remaining natural vegetative communities are protected through the implementation of the land development regulations and land development processes, to be adopted by the statutory deadline.

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CDP - INFRASTUCTURE – STORMWATER SUB-ELEMENT

GOAL: Ensure that every street in the City has safe and adequate stormwater drainage to minimize the hazardous and adverse effects of surface water and flooding while maintaining the physical and environmental integrity of the City.

OBJECTIVE 1: The drainage system shall be managed to minimize property damage, other hazards and maximize personal safety during flood conditions.

POLICY 1.2: The City shall require all new development to provide storm water management facilities which maintain or improve a safe and healthy environment.

STANDARD 1.2.3: In coordination with the Comprehensive Development Plan Conservation Element, water quality in lakes shall be maintained or improved, if feasible within financial resources of the City.

POLICY 2.4: Within areas not already served by reclaimed water, the City of Maitland shall identify large potential users (i.e., golf courses, parks, recreational areas) by 2011 and implement stormwater reuse practices where feasible.

POLICY 2.5: The City's land development regulations shall provide that no subdivision shall be platted nor shall construction commence for any multi-family, commercial, or institutional project until the drainage design for such project has been approved by City Engineer or Engineer authorized by the City of Maitland. The design shall meet or exceed design standards established by the SJRWMD, and Department of Environmental Protection and shall provide for retention and/or detention of stormwater runoff.

CDP Future Land Use
MCN

City of Maitland
2030 Comprehensive Development Plan

Future Land Use Element

POLICY 3.28: Subject to the restrictions set forth in this Policy 3.28, the City shall allow a mix of office, residential, commercial and public/semi-public uses on the north side of the Maitland Boulevard Corridor east of I-4, between Concourse Parkway and Lake Faith Villas (the Maitland Concourse North Property") consistent with the Comprehensive Development Plan provisions for traffic, infrastructure concerns, and when impacts to adjacent residential areas are appropriately addressed.

STANDARD 3.28.1: The Maitland Concourse North Property shall be restricted to Planned Development ("**PD**") Zoning District.

STANDARD 3.28.2: Within planned development (PD) regulations, include performance standards for buffers, traffic circulation, infrastructure and setbacks, to control the development of the Maitland Concourse North Property and to ensure compatibility with surrounding land uses.

STANDARD 3.28.3: CONSERVATION. That portion of the Maitland Concourse North Property that is currently designated Conservation on the Future Land Use Map shall continue to be so designated on the Future Land Use Map.

STANDARD 3.28.4: PARKS & RECREATION AREA. Not less than ten (10) acres of property located generally within the northwesterly corner of the Maitland Concourse North Property between Lake Charity and Lake Hope (the "MCN Parks and Recreation Area") shall be restricted and committed to passive Parks and Recreation Uses and shall be so designated on the Future Land Use Map.

STANDARD 3.28.4 (a): The Passive Park area shall be for passive recreational purposes only and may include nature trails, nature observation area(s), jogging trails, bicycle paths, picnic areas, and similar passive recreational uses, and shall not incorporate active recreational uses such as playgrounds, ball fields, basketball courts, or tennis courts.

STANDARD 3.28.5: LOW-MEDIUM DENSITY RESIDENTIAL (4.5 – 10.0 D.U./Acre). That portion of the Maitland Concourse North Property lying (i) within one hundred seventy five (175') feet landward and immediately contiguous to the Normal High-Water levation ("NHWE") of Lake Hope and (ii) located generally within the northeasterly corner of the Maitland Concourse North Property between Lake Hope and Lake Faith shall be restricted to Low-Medium Density Residential uses (4.5 - 10.0 D.U./Acre) and shall be designated on the Future Land Use Map as "Low-Medium Density Residential - (4.5 - 10.0 D.U./Acre).

STANDARD 3.28.6: PROFESSIONAL OFFICE. That portion of the Maitland Concourse

North Area located east of Concourse Parkway, both west and northwest of the FDOT retention Pond out-parcel, and south of the MCN Parks and Recreation Area, shall be restricted to Professional Office uses and shall be designated on the Future Land Use map as "Professional Office".

STANDARD 3.28.7: RESTRICTED-MIXED OFFICE/RESIDENTIAL (10.0 - 20.0 D.U./Acre/COMMERCIAL. All other property within the Maitland Concourse North Property may be permitted for a mix of office, residential (10.0 – 20.0 D.U./Acre), and commercial uses and shall be designated on the Future Land Use Map as "Restricted - Mixed Office/Residential (10.0 - 20.0 D.U./Acre)/Commercial" ("**R-MORC**").

STANDARD 3.28.7 (a): Commercial structures within the R-MORC category shall be residential scale and character. The commercial uses shall generally provide for the daily shopping and service needs of the community including by way of example and not limitation uses such as apparel, banking, professional and personal services, grocery, restaurant, and convenience goods.

STANDARD 3.28.7 (b): Hotel use within the R-MORC category shall provide accommodations and services primarily to serve business travelers, visitors and community residents. It shall be so located on the site so that surrounding neighborhoods are appropriately buffered.

STANDARD 3.28.7 (c): Commercial uses within R-MORC category shall not include "Big Box" retail, drive-through establishments of any kind, gasoline service stations with or without convenience stores, or industrial uses.

STANDARD 3.28.7 (d): A Big box retail use shall be defined as a single use retail establishment exceeding 50,000 square feet of gross floor area in a freestanding building, where general or specialty merchandise is sold or rented to businesses and/or the general public. This definition includes membership warehouse clubs and discount stores. A retail use in the R-MORC category may include 65,000 square feet of freestanding building area when the physical layout of the retail building is designed in a village style development pattern, creates a place-based design, with a walkable pedestrian-friendly atmosphere and includes a vertical or horizontal mixed-use environment. Such use shall not be considered to fall within the definition of Big Box retail per Standard 3.28.7 (c).

STANDARD 3.28.7 (e): Within planned development regulations, reasonable standards to regulate external signage and lighting and their impact on adjacent or nearby residential properties shall be incorporated.

STANDARD 3.28.7 (f): Within planned development regulations, reasonable standards to regulate hours of operation for commercial uses shall be incorporated.

STANDARD 3.28.7 (g): Within the planned development regulations performance standards shall be included to ensure conformity and compatibility with surrounding uses.

STANDARD 3.28.7 (h): Height within the R-MORC category shall be limited to no more than four (4) stories.

STANDARD 3.28.8: That portion of the Maitland Concourse North Property that has a land use designation of Professional Office ("PO") shall be restricted and limited to a floor area ratio of 0.30 (excluding parking structures) and that portion of the Maitland Concourse North Property that has a land use designation of Restricted-Mixed Office/Residential (10.0-20.0 D.U./Acre/Commercial ("R-MORC") shall be allowed a floor area ratio up to, but not to exceed, 0.50 (excluding parking structures); provided, however, that the maximum total site floor area ratio for the Maitland Concourse North Property shall be calculated based upon the total site development (including the MCN Parks and Recreation Area, all nonresidential uses and all residential uses but excluding parking structures) and shall be restricted to a floor area ratio of not more than 0.30.

STANDARD 3.28.9: To provide for a diversified mix and clustering of office, residential and commercial uses, the overall land use mix percentages for the Maitland Concourse North Property shall be a combination of two or more of the uses set forth in Table 3.28.8:

Table 3.28.8
Maitland Concourse North Property
Overall Land Use Mix

Land Use Type	Maximum Acres, Residential Unit Density Or Nonresidential FAR Intensity1
Parks & Recreation	10.12 acres
Residential	Up to 350 units
Office/Professional Office	Up to 500,000 sq. ft.
Commercial	Up to 200,000 sq. ft.
Hotel	Up to 100,000 sq. ft.
[Maximum square feet for all uses (excluding Parks & Recreation and parking structures)]	Up to 869,022 sq. ft.2

1Maximum Total Site F.A.R. limit, excluding parking structures = 0.30
2Based upon the "controlled water elevation level" being the "Normal High Water Elevation", 66.5 acres above the Normal High Water Elevation x 0.30 F.A.R. = 869,022 sq ft.

A 10.12 acre credit may be allocated and transferred from that portion of the Maitland Concourse North Property that has a land use designation of Parks & Recreation to that portion of the Maitland Concourse North Property that has a land use designation of Restricted–Mixed Office/Residential (10.0-20.0 D.U. Acre/Commercial) ("R-MORC").

The composition of the land use mix for each proposed development upon individual parcel(s) will be determined on a case-by-case basis during the development review process. Specific uses permitted will be monitored by the City to ensure continuity and consistency with the Overall Land Use Mix. The Overall Land Use Mix is designed to ensure that there is an appropriate mix of uses within the entire Maitland Concourse North Property in order to provide a variety of complementary uses and a compatible mix of uses.

STANDARD 3.28.10: To encourage flexible and creative concepts for the overall site, a master stormwater drainage plan for the overall Maitland Concourse North Property shall be incorporated into the planned development (PD) regulations, which master stormwater drainage plan may provide for reciprocal drainage facilities between and among the various land use designations within the overall Maitland Concourse North Property. Such drainage facilities serving one or more land use designations may be partially or totally located within one or more different land use designations. Stormwater ponds shall be designed to serve as amenities and/or to provide additional buffering.

STANDARD 3.28.11. One or more multi-level parking structures may be provided to accommodate parking requirements.

STANDARD 3.28.11. (a) Specific design standards for structured parking shall be required as part of any PD development plan application within the R-MORC future land use category that includes structured parking uses. Such standards shall include provisions such that:

> All exterior facades of parking garages shall be designed so as to achieve architectural compatibility within the project.
>
> Parking garages shall comply with applicable building design standards for building architecture, façade, scale, height, features, lighting, compatibility, and placement on the site.
>
> Parking garages shall be designed to provide for compatibility and continuity with the surrounding areas. Design options may, but shall not be required to, include provisions for parking garages to be designed with exterior liner buildings.

STANDARD 3.28.12: If a rational nexus between an improvement and a resulting public benefit exists, the City may consider the granting of fee credits during the planned development review process and/or other City Land Development review process, for application processing fees, building permit fees, inspection charges, impact fees, water and sewer connection fees and other applicable fees in order to offset the cost of construction of items such as parking garage(s), buffering, transportation improvements, public Infrastructure improvements, and to encourage the preservation of land which provides additional significant buffering (for the Maitland Concourse North Property, not including the 10 acres of Passive Park and Recreation Land Use on the MCN property) for surrounding residential properties.

STANDARD 3.28.13: Through the PD process, development may be required to increase buffer widths, in excess of current landscape code requirements, between external adjacent or dissimilar uses, in order to protect these land uses from the effects associated with a more intense land use.

Planned Development
Section 21-21

Sec. 21-21. - PD, planned development district.

I. Generally. It is the purpose of this district to permit planned developments which are intended:

(a) To encourage the development of land as planned communities and developments providing a variety of complementary and compatible residential, commercial, and industrial use or combination of uses.

(b) To allow diversification of uses, structures, and open spaces in a manner compatible with existing and permitted land use on abutting properties.

(c) To encourage flexible and creative concepts of site planning.

(d) To provide for an efficient use of land resulting in smaller networks of utilities and streets thereby lowering development and housing costs.

(e) To permit more effective adaptation of development to the natural soils, vegetation and topography of an area.

(f) To preserve the natural amenities and environmental assets of the land by encouraging the preservation and improvement of scenic and functional open areas.

(g) To encourage an increase in the amount and useability of open space areas by permitting a more economical and concentrated use of building areas than would be possible through conventional subdivision practices.

(h) To insure that development will occur according to limitations of use, design, density, coverage, and phasing stipulated on an approved final development plan.

(i) To encourage large scale, multiple-use planned developments which can aid the city in controlling the tempo and sequence of growth by maintaining a balance of land uses in conjunction with the growth of municipal facilities and services needed to serve the new population.

(II) Permitted uses. Each land use shall be complementary to and compatible with the project concept or theme for the total planned development district.

(a) Residential units, including single-family attached and detached dwellings, tow-family dwellings, and multiple-family dwellings.

(b) Churches, schools, community or club buildings, and similar public and semipublic facilities.

(c) Nonresidential uses, including commercial or retail uses, industrial uses, offices, clinics, and professional uses provided the following criteria are met:

(1) The location is in appropriate relation to other land uses.

(2) The proposed uses are compatible with the goals and objectives of the city's comprehensive development plan.

(III) Development standards for planned development. The development standards for planned development are as follows:

(a) Relation to zoning districts. An approved PD shall be considered to be a separate zoning district in which a final development plan approved for each phase establishes the restrictions, regulations, and district description according to which the development shall occur. Upon approval of the preliminary development plan, the official zoning map shall be changed to indicate the area as PD. Each final development plan as approved by the city council shall be filed and maintained within the community development department with a copy to the building official.

(b) Density/intensity. The density/intensity based on gross residential/commercial acreage permitted in each PD development shall be established by the city council upon recommendation of the planning and zoning commission. The criteria for establishing the

appropriate density/intensity includes existing surrounding density/intensity, density/intensity permitted by the existing zoning classification, adequacy of existing and proposed public facilities and services, conformance with the adopted city comprehensive plan, and site characteristics, but in no case shall it exceed the maximum density/intensity of the most dense/intense zoning district in the appropriate land use district.

(c) Dimensional, bulk and height restrictions. The location of all proposed building sites shall be as shown on the final section plat or site plan subject to the minimum lot sizes, setback lines, lot coverage, and minimum floor areas as specified in the final development plan as approved by the city council. Buildings or structures shall not exceed the floor area ratio established in the CDP.

(d) Access and parking. All streets, and access ways shall be designed to effectively relate to the major transportation plan as shown in the comprehensive development plan of the city. Off-street parking shall be provided for each land use as established by the off-street parking regulations of the Maitland Code of Ordinances and shall meet landscaping requirements as specified in the landscape ordinance for off street parking and other vehicular use areas established in the Maitland Code of Ordinances. Vehicular access from individual lots or dwelling units onto public arterial or collector streets within or adjacent to the development is prohibited.

(e) Perimeter requirements. The city council, following a recommendation of the planning and zoning commission, may impose one (1) or both of the following requirements in order to protect the privacy of existing adjoining uses:

(1) Structures, parking lots, buildings and streets located at the perimeter of the development shall be permanently screened in a manner which sufficiently protects the privacy and amenities of the adjacent existing uses.

(2) Wide setbacks from the perimeter line may be imposed to protect privacy of adjacent existing uses.

(f) Stormwater drainage systems. Provisions shall be made for one-hundred-percent on-site drainage retention/detention and special disposition of stormwater drainage when such drainage could substantially harm a natural body of water. Approval of self-contained stormwater drainage systems shall adhere to the procedures outlined in the Maitland Code of Ordinances.

(g) Maitland West Side Design Standards. Any exceptions to the Maitland West Side Design Standards, including block configurations, access standards, pedestrian connection requirements and lot layout requirements shall be made through the exception process described in section 7.5-81.

(Ord. No. 763, § 1, 11-26-90; Ord. No. 1220, § 1(Exh. A, § 5), 10-24-11)

Open Space Definition

City Code Open Space

Sec. 21-23. - Definitions.

Open space. Any parcel or area of land essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

Open space, common. Land within or related to a development which is designated and intended for the common use or enjoyment of the residents of the development and may include such complementary structures and improvements as are necessary and appropriate.

Planning and Zoning Commission Direction from August 6, 2015

P&Z Direction
Petition No 2014-04 (AZ)(PD) Option 1
511 West Maitland Boulevard (aka Maitland Concourse North)

Item	Direction	Outcome
1.	Address the strip/center appearance. Retail design should include some buildings to be two stories.	Res. Scale/ a. c. pgs. 33/34
2.	Buildings should be closer to the road to locate some of the parking behind the building to lessen the visual impact of the sea of parking visible from Maitland Boulevard.	Res. Scale/ d. pg. 35
3.	Provide more on-site green space, including in the interior of the project site.	Item E/ pgs. 4/5
4.	The conservation easement must be in favor of the City.	Item E/ pg. 4/5- lot 8, Item J/pg. 13/14
5.	Protect the adjacent residents from visual pollution of the buildings by creating more buffers through-out the project.	Item E/ pgs. 4/5, Item H/pgs. 12
6.	Provide visualization of project from different elevation levels of the site. Provide rear elevations of the building from the perspective of those neighbors looking south. A balloon test may be necessary so that adjacent properties can get an idea of the differing heights of the structures proposed in relationship to the on-site topography.	Applicant provided 9/18/15
7.	Provide schedules for delivery trucks and garbage collection to limit the impact on the neighbors and provide increased buffering through the use of walls and enhanced landscaping to mitigate noise and light pollution.	Item C/ Noise pg. 3
8.	Screen/block both vehicular and site lighting from intruding into neighboring properties with walls and enhanced landscaping and buffers. This was mentioned also along the western roadway as this may be the access used by supply trucks. The use of "L" shaped screening sections was mentioned.	Item E/ pgs. 4/5
9.	The retention pond design should be reviewed and designed to function as a visual and functional amenity for the area. It is too rectangular as shown on the plans. Include a walking path.	Res. Scale/ pg. 35
10.	Signage needs to be reviewed for consistency with sign code. Also provide adequate screening of the signage so that neighbors are buffered from the signage.	Item G/signage pg. 10/11
11.	Keep existing trees on site and enhance existing tree buffers. Preserve more natural environment. Preserve buffers along the lake and in the water. Provide a wall or netting to prevent trash from entering lakes. Provide buffers along the lake to protect it from discarded debris from Maitland Boulevard and the project.	1-3) E. pgs. 4/5 4) PW pg. 30 #74 5) PW pg. 30 #74
12.	A concern by surrounding residents for the public/residents/tenants of the project having access to the lake.	Pg. 32 #101
13.	Remove exotic vegetation from the mitigation area/park. Examine what this means in the context of plant/tree/buffer removal as well as with replacement of the vegetation with native species.	Refer to Exhibit Titled Site Elevation "B" Enlarged provided by PH dated 9/17/15.
14.	Revisit the design and layout of the buildings (including parking lot) to provide a more residential scale and character feel to the development, so that residential identity of area is maintained. Residential scale and character design elements are attached as an excerpt from the City Code.	Res. Scale/ a. – e. pgs. 33-36
15.	Examine if the property could be fenced in key locations to keep the property residents and visitors out of adjacent properties.	Applicant has noted fencing in 9/18/15 submittal
16.	There is a well at the end of Lake Charity that has not been functioning adequately.	

P&Z Direction
Petition No 2014-04 (AZ)(PD) Option 1
511 West Maitland Boulevard (aka Maitland Concourse North)

	Please address this item.	
17.	There is a 60 foot easement on or adjacent to property owned by Bill Ellis at 9031 Lake Hope Drive. Discern who maintains the easement.	30' canal easement exists on private property.
18.	Park was to be dedicated to (receive title to) the City of Maitland.	Item E/ pg. 4/ Lot 8, Item J/pg. 13/14
19.	<u>Letter from Kimley Horn - PD Application Option 1 – Maitland Concourse North Requested Code Flexibility due to Unique Characteristics and Design Enhancements to Benefit the City</u> - review this sheet in its entirety and address. Some specific items noted are as follows: ➢ Examine buffers and landscape code deviations requested by application. Validate these items. [Item E, pgs. 3/4 , item F pg. 5] ➢ Applicant proposes use of palms in lieu of canopy trees for street trees and at a distance of 1 per 75 feet in lieu of every 50 feet. This is proposed for visibility of retail. Please address this item. (Incorporate canopy trees along Maitland Boulevard to provide shade for pedestrians.) [pg. 8 Roadway Trees] ➢ Review building setbacks. [Pg. 5/6] ➢ Review proposed signage in conjunction with sign code regulations. [pg. 10/11] ➢ Review landscape buffers. [pg. 8] ➢ Review open space and permeable surface. [item F, pgs. 7/8] ➢ Review the parking study and adequacy of parking. [pg. 27, Transportation.] ➢ Provide additional detailed information regarding the fees and credits requested. Impact fees and fee credits requested must be thoroughly reviewed by DRC and evaluated if any credits can or should be granted.[Pgs. 37-41]	Refer to notes in column to the left.

Tree Preservation Area
(Fee Credit vi)

TRACT 6

SINGLE FAMILY

LAKE HOPE

EXISTING BUFFER

PD BUFFER D
(WHERE EXISTING BUFFER DOES NOT OCCUR)
4 CANOPY TREES PER 100 LF, 60 SHRUBS PER 100 LF,
30' WIDE MINIMUM BUFFER & FULLY SCREEN NEIGHBORING PARKING

SCALE: 1" = 120'

0 120 240

NOTES:

- CONCEPTUAL SITE LAYOUT SHOWN FOR GENERAL INFORMATIONAL PURPOSES ONLY AND SUBJECT TO CHANGE AT THE TIME OF SITE PERMITTING
- MCN WILL MAINTAIN THE 12' FDOT ROW BUFFER ON MAITLAND BLVD. PURSUANT TO FDOT AGREEMENT
- THE JOINT USE POND IS A STANDARD FDOT POND THAT MCN WILL CONTOUR, AMENITIZE AND LANDSCAPE PER THE TERMS OF THE FDOT AGREEMENT
- PER SEC. 8-57(A) MAITLAND CODE OF ORDINANCES, INDIVIDUAL LOTS MAY ALLOCATE LANDSCAPE IMPROVEMENTS ON LOT 4 (FDOT STORMWATER POND) TO OFFSET UP TO 25% OF INTERIOR LANDSCAPE REQUIREMENTS AS AN ALTERNATE METHOD OF COMPLIANCE

LOT 7

LOT 8

CONCRETE SIDEWALK TYP

8' MASONRY/STUCCO SCREEN WALL TYP

LOT 1

EXISTING BUFFER

SHARED ENTRY DRIVE

LAKE CHARITY

LOT 6

MAITLAND BLVD

SECTION A

TRACT 5

BUFFER HEDGE

LOT 2

SECTION B

PD ROADWAY STREET TREE BUFFER (601 LF)
MAITLAND BOULEVARD EAST FRONTAGE
1 CANOPY TREE (16' HT / 3.25" CAL MIN) OR 1 SPECIMEN PALM PER 75 LF
40 SHRUBS PER 100 LF, 24" HT MIN
CLUSTER OF 3 PALMS SHALL EQUAL 1 CANOPY TREE OF SPECIMEN PALM
TREES MAY BE CLUSTERED RATHER THAN EVENLY SPACED, BUT NO MORE THAN 100 SHALL OCCUR WITHOUT A TREE

PD INTERNAL ACCESS ROAD BUFFER
2 CANOPY TREES PER 100 LF
40 EVERGREEN SHRUBS PER 100 LF
5' WIDE MINIMUM

ENHANCED BUFFER AREA TO SCREEN CAR HEADLIGHTS ENHANCED W/ SHRUBS 30" OC MIN 4' HEIGHT AT THE TIME OF PLANTING

LOT 3

ENTRY DRIVE

SECTION A

SECTION C

EXISTING BUFFER

FDOT POND

LOT 4

PD BUFFER C
8 CANOPY TREES PER 100 LF
60 EVERGREEN SHRUBS PER 100 LF
10' WIDE MINIMUM

LOT 5

SHARED ENTRY DRIVE

TRACT 4

PD ROADWAY STREET TREE BUFFER (1,862 LF)
MAITLAND BOULEVARD WEST FRONTAGE
1 CANOPY TREE (15' HT / 3.25" CAL MIN) OR 1 SPECIMEN PALM PER 75 LF
40 SHRUBS PER 100 LF, 24" HT MIN
CLUSTER OF 3 PALMS SHALL EQUAL 1 CANOPY TREE OF SPECIMEN PALM
TREES MAY BE CLUSTERED RATHER THAN EVENLY SPACED, BUT NO MORE THAN 100 SHALL OCCUR WITHOUT A TREE

General Plant List Example

Symbol	Botanical Name	Common Name
TREES		
LI	Lagerstroemia indica	Crape Myrtle
MG	Magnolia grandiflora	DD Blanchard Magnolia / Little Gem Magnolia
PS	Phoenix sylvestris	Silver Date Palm / Silver Medjool Date Palm
QV	Quercus virginiana	Live Oak
SP	Sabal palmetto	Cabbage Palm
TD	Taxodium distichum	Bald Cypress
SHRUBS & GROUNDCOVERS		
AH	Arachis hypogaea	Perennial Peanut
HF	Homeria flavida	Freesia
ILN	Ilex vomitoria 'Schillings Dwarf'	Dwarf Yaupon Holly
SRE	Serenoa repens 'Silver'	Silver Saw Palmetto
ZE	Zamia pumila	Coontie

LANDSCAPE NOTES

GENERAL REQUIREMENTS

- PLANT MATERIAL SHALL COMPLY WITH SECTION 8 MAITLAND CODE OF ORDINANCES UNLESS OTHERWISE NOTED ON PLANS
- EXISTING TREE CREDITS SHALL BE APPLIED TO EACH DEVELOPED LOT (EXCLUDES LOT 4 AND 8) ON A PERCENTAGE BASIS AS NOTED ON SHEET L1.00
- A MINIMUM OF ONE (1) TREE AND TEN (10) SHRUBS SHALL BE PLANTED OR PRESERVED FOR EVERY 3,500 S.F. OF SITE AREA
- REQUIRED PARKING LOT AND BUFFER LANDSCAPING SHALL BE COUNTED TOWARDS THE MINIMUM SITE REQUIREMENT

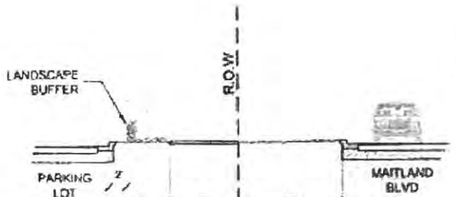
PARKING LOT LANDSCAPING REQUIREMENTS

RETAIL LOTS (LOT 1 & 2, TRACTS 1 - 3)

- ONE (1) INTERMEDIATE TREE OR TWO (2) UNDERSTORY TREES SHALL BE PLANTED IN EACH REQUIRED 192 S.F. PARKING ISLAND
- ONE (1) SHRUB PER 200 S.F. OF PARKING LOT AREA
- LOADING AREA LANDSCAPE REQUIREMENTS AS PER SEC. 8 MAITLAND CODE OF ORDINANCE

ALL OTHER LOTS TO BE DEVELOPED (LOT 3, 5 & AND 7)

- ONE (1) SHADE TREE OR TWO (2) INTERMEDIATE TREES SHALL BE PLANTED IN EACH REQUIRED 192 S.F. PARKING ISLAND
- ONE (1) SHRUB PER 200 S.F. OF PARKING LOT AREA



SECTION 'A'
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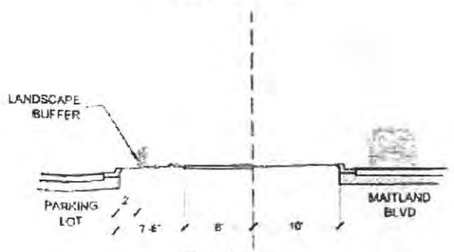

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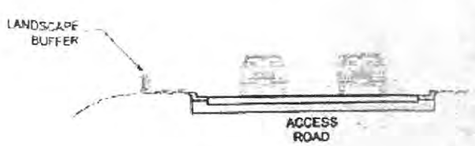

SECTION 'C'

MAITLAND CONCOURSE NORTH

City of Maitland

DIX HITE + PARTNERS

PRELIMINARY LANDSCAPE

Buffer and Interior Landscape Requirements

Sheet Number

L1.01