

ORDINANCE NO. 1304

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 DESCRIBED HEREIN FROM PD, PLANNED DEVELOPMENT DISTRICT, TO PD, PLANNED DEVELOPMENT DISTRICT; TO OBTAIN APPROVAL OF A FINAL DEVELOPMENT PLAN, AND TO INCLUDE THE CONSTRUCTION OF EIGHTY-ONE MULTIPLE FAMILY DWELLING UNITS AT 8770 MAITLAND SUMMIT BOULEVARD, ALSO KNOWN AS THE DWELL AT MAITLAND; AND AMENDING REQUIREMENTS AND APPROVALS WITHIN A PLANNED DEVELOPMENT ZONING CLASSIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Clay Chandler, of The Klein Company, 1735 Market Street, Philadelphia, Pennsylvania 19103, as applicant, has requested a zoning amendment regarding property located at 8770 Maitland Summit Boulevard, within the City of Maitland, Florida, in accordance with Section 21-21, Chapter 21 of the Maitland Code of Ordinances; and

WHEREAS, the site is a part of the *First Amended and Restated City of Maitland Development Order for Parcels 1B, 1C, and 1D of the Summit DRI (the DO)*; and

WHEREAS, the subject property is recognized as a portion of Parcel 1B within the DO; and

WHEREAS, the DO provides a conversion table recognizing a methodology and allowance to convert land uses provided in the DO, when a notice of intent to convert land uses is provided to the East Central Florida Regional Planning Council (ECFRPC) and Department of Economic Opportunity (DEO) thirty days (30) prior to a conversion being approved by the City; and

WHEREAS, the Applicant desires to use the conversion methodology provided in the DO; and

WHEREAS, notice of intent to convert land uses from 210 hotel rooms to 81 dwelling units was provided to the ECFRPC and DEO on January 22, 2016; and

WHEREAS, the PD was reviewed in accordance with "Development Guidelines" for the Property set forth in the DO and as provided in Ordinance 1103 adopted by the City of Maitland when the Property was rezoned from an Orange County PD to a City of Maitland PD, following annexation into the City of Maitland; and

WHEREAS, the Maitland Planning and Zoning Commission, (P&Z) which also sits as the Local Planning Agency and the Land Development Regulation Commission duly scheduled, advertised and held a public hearing to consider said request on January 21, 2016; and

WHEREAS, The P&Z heard all persons who desired to speak for and against said rezoning and at their regularly scheduled meeting of January 21, 2016, provided a recommendation for approval of the zoning amendment and moved to streamline the process by sending this item to the Development Review Committee (DRC) for recommendation to be made directly to City Council, and

WHEREAS, The Maitland Development Review Committee (DRC) recommended, at their regularly scheduled meeting of February 18, 2016, that the application and supplementary materials noted in the DRC Recommendation report for Petition No. 2016-01 (AZ) (PD) Option 2, 8770 Maitland Summit Boulevard dated February 18, 2016, be approved subject to the conditions in said report; and

WHEREAS, The P&Z and DRC found the zoning amendment to be in substantial compliance with the 2030 City of Maitland Comprehensive Development Plan; and

WHEREAS, the Maitland City Council has duly considered the recommendation of the Planning and Zoning Commission and reviewed all comments both written and verbal, pro and con, regarding this requested rezoning; and

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

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

SECTION 1. The Official Zoning Map, a part of Chapter 21 of the Maitland Code of Ordinances, City of Maitland, Florida, be amended to change the zoning district classification of the following properties from PD (Planned Development) to PD (Planned Development) for the property legally described as:

Legal Description (s):

A PORTION OF LOT 1, SUMMIT PHASE III ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 36, PAGE 118 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 1, AS A POINT OF REFERENCE; THENCE RUN S 89°49'52" W, ALONG THE NORTH LINE THEREOF, 418.15 FEET TO THE POINT OF BEGINNING; THENCE RUN S 00°00'00"E, 359.51 FEET; THENCE RUN N 90°00'00"W, 26.58 FEET; THENCE RUN S 10°22'56" W, 49.72 FEET; THENCE RUN 90°00'00" W, 42.85 FEET; THENCE RUN S 13°47'48" W, 67.46 FEET TO THE NORTH RIGHT OF WAY LINE OF MAITLAND SUMMIT BOULEVARD, SAID LINE BEING A CURVE CONCAVE TO THE SOUTH; THENCE RUN WESTERLY ALONG SAID NORTH LINE AND CURVE HAVING A CENTRAL ANGLE OF 20°28'04", A RADIUS OF 576.00 FEET, AN ARC LENGTH OF 205.76 FEET, A CHORD BEARING OF N 78°28'17" W AND A CHORD DISTANCE OF 204.67 FEET TO A REVERSE CURVE CONCAVE TO THE NORTHEAST; THENCE RUN NORTHWESTERLY ALONG SAID CURVE HAVING A CENTRAL ANGLE OF 87°33'46", A RADIUS OF 38.00 FEET. AN ARC LENGTH OF 58.07 FEET, A CHORD BEARING OF N 44°55'26" W AND A CHORD DISTANCE OF 52.59 FEET TO THE EAST RIGHT OF WAY LINE OF SUMMIT PARK DRIVE; THENCE RUN N 01°08'33" W, ALONG SAID EAST LINE 184.11 FEET TO A CURVE CONCAVE TO THE WEST; THENCE RUN NORTHERLY ALONG SAID EAST LINE AND CURVE HAVING A CENTRAL ANGLE OF 22°02'07", A RADIUS OF 389.06 FEET, AN ARC LENGTH OF 149.63 FEET, A CHORD BEARING OF N 12°09'36" W AND A CHORD DISTANCE OF 148.71 FEET TO THE AFORESAID NORTH LINE OF LOT 1; THENCE RUN N 66°49'09' E, ALONG SAID NORTH LINE, 166.96 FEET; THENCE RUN N 89°49'52" E, CONTINUING ALONG SAID NORTH LINE, 213.66 FEET TO THE POINT OF BEGINNING. THE PROPERTY CONSISTS OF 3.27 ACRES MORE OR LESS.

SECTION 2. The application and supplementary materials specified in the DRC Recommendation report for Petition 2016-01 (AZ)(PD), 8770 Maitland Summit Boulevard, dated, February 18, 2016, are hereby approved, subject to the conditions of approval recommended in the same report, which report is attached hereto and incorporated herein by reference.

SECTION 3. 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 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

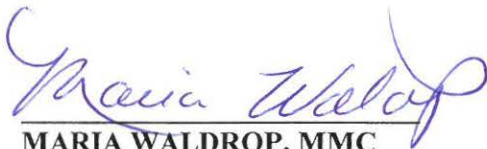
SECTION 5. This ordinance shall become effective immediately upon its adoption.

ADOPTED by the City Council of the City of Maitland, Florida this 25th day of MARCH, 2016.

CITY OF MAITLAND, FLORIDA


A. DALE MCDONALD, MAYOR

ATTEST


MARIA WALDROP, MMC
CITY CLERK