

ORDINANCE NO. 1354

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, FURTHER DESCRIBED HEREIN, FROM PLANNED DEVELOPMENT TO PLANNED DEVELOPMENT; PERMITTING UP TO A 134 BED ASSISTED LIVING (ALF) AND MEMORY CARE FACILITY FOR THE PLANNED DEVELOPMENT, CONTAINING UP TO 114,000 SQUARE FEET; MODIFYING THE MAITLAND CONCOURSE NORTH DEVELOPMENT SQUARE FOOTAGE PROGRAM AMONG THE LOTS IN MAITLAND CONCOURSE NORTH; MORE SPECIFICALLY, RE-ALLOCATION OF 39,000 SQUARE FEET OF BUILDING AREA FROM LOT 6, TO LOT 5, AND THE COMBINATION OF F.A.R. FROM LOT 4 AND LOT 5 TO ADHERE TO THE 0.30 F.A.R. FOR PROFESSIONAL OFFICE (PO) LAND USE CATEGORY AS CONTEMPLATED AND ALLOWED UNDER THE MAITLAND COMPREHENSIVE DEVELOPMENT PLAN; AND APPROVALS FOR THE PLANNED DEVELOPMENT DISTRICT CLASSIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Vestor Communities, Inc., located at 3030 Harley Road, Suite 310, Jacksonville, Florida 32257, has requested an amendment to Lots 4, 5 and 6 of the existing Planned Development known as Maitland Concourse North PD.

WHEREAS, the 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 May 2, 2019; and having heard all persons who desired to speak for and against said rezoning provided a recommendation for denial of Petition No. 2018-05 (AZ-PD) 601 Trelago Way, Maitland Concourse North Lots 4, 5 & 6 proposed; and

WHEREAS, the Development Review Committee (DRC), at their regularly scheduled meeting of May 15, 2019 recommended approval of Petition No. 2018-05 (AZ-PD) 601 Trelago Way, Maitland Concourse North Lots 4, 5 & 6 subject to the conditions in said report; and

WHEREAS, the zoning amendment was found to be in substantial compliance with the Comprehensive Development Plan of the City of Maitland; 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; and

WHEREAS, the City Council duly advertised and held a public hearing on July 22, 2019 to consider the zoning amendment and revised development plan; and

WHEREAS, the City Council having heard all persons who desired to speak for and against said rezoning, found that the zoning amendment and development plan will be in the best interest of the residents of the City of Maitland, Florida, and found them in compliance with the Comprehensive Development Plan of the City of Maitland, Florida; and

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):

PORTION OF LOT 4, LOCATED WITHIN THE PROFESSIONAL OFFICE LAND USE DISTRICT, LOT 5, & 6 MAITLAND CONCOURSE NORTH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 92, PAGES 113 THROUGH 119, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

SECTION 2. The application and supplementary materials specified in the DRC Recommendation Report for Petition No. 2018-05 (AZ-PD) 601 Trelago Way, Maitland Concourse North Lots 4, 5 & 6, and findings stated therein, are approved and incorporated herein by reference, including the "Items Required at Site Plan" and subject to the "Outstanding Conditions of Approval-Option 2 PD" attached as Exhibit "A".

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.

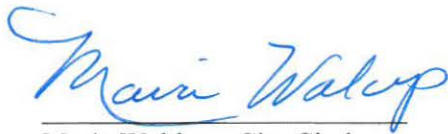
ADOPTED by the City Council of the City of Maitland, Florida this 22nd day of July, 2019.

CITY OF MAITLAND, FLORIDA

By: 

A. Dale McDonald, Mayor

Attest:



Maria Waldrop, City Clerk

Exhibit "A"

CONDITIONS OF APPROVAL - OPTION 1 PD

(Upon approval of the PD, an application for Site Permit Review will be submitted by the applicant for staff review of technical items prior to issuance of Site or Building Permits.)

1. The landscape plan for MCN, Lot 5 will be assessed during site plan review. The City may require additional landscaping to be placed on Lots 4 & 5 based on a review of the landscape plans, to provide adequate screening and buffering to the surrounding area.
2. The proposed project shall be limited to a maximum of 111 ALF beds and 23 memory care beds as proposed in the PD. The facility shall be used only as a Florida licensed ALF/Memory Care facility as represented within the application.
3. The applicant shall enter into a payment in lieu of City taxes (P.I.L.O.T.) agreement with the City for a term not less than 99 years in the event that a non-profit entity acquire ownership of the site in the future. The applicant shall be responsible for drafting the agreement, which shall be recorded in the public records of Orange County, Florida.
4. The applicant, prior to site plan approval, shall provide proof of an ongoing service agreement with a non-emergency ambulance provider to facilitate transportation to an emergency department for patients who do not exhibit an emergency medical condition as defined in Florida Statutes Section 409.901(10) "Emergency medical condition". The applicant, its successors and assigns shall maintain, throughout the period the facility operates as an AFL, such a service agreement, provided upon request to the City.
5. The applicant shall provide 24 hour a day 7 day a week CPR, First Aid and AED certified Staff. The facility shall maintain, at minimum, one working Automated External Defibrillator device in a centralized location of the facility.
6. The corner of Trelago Way and Maitland Boulevard shall be designed as a focal point, which shall include at a minimum a fountain feature, sculpture and/or additional landscaping and hardscape. The design of such focal point shall be reviewed at Site Plan.