

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON JUNE 9, 2015, AT 5:01 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

MEMBERS PRESENT: James Greene, Robert Ryan, Melvin Birdsong, Tony Foster, Jeremiah Jaspon, and Linda Laurendeau

ABSENT: Pam Toler, Orange County Public Schools (Non-voting)

OTHERS PRESENT: R. Jay Davoll, P.E. - Community Development Director/City Engineer, David Moon, AICP - Planning Manager, E. Brown, Eric Coleman, Suzanne Kidd, and Jeanne Green – Community Development Department Office Manager/Recording Secretary.

OPENING AND INVOCATION: Chairperson Greene called the meeting to order and asked for a moment of silent prayer. The Pledge of Allegiance followed.

APPROVAL OF MINUTES: Chairperson Greene asked if there were any corrections or additions to the May 12, 2015, at 5:01 p.m. minutes. With no one having any corrections or additions, he asked for a motion to approve the minutes of the Planning Commission meeting held on May 12, 2015 at 5:01 p.m.

Motion: Tony Foster made a motion to approve the revised Planning Commission minutes from the regular meeting on April 14, 2015, meeting at 5:01. Robert Ryan seconded the motion. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, Tony Foster, Jeremiah Jaspon, and Linda Laurendeau (6-0).

REVISED PLAT - MAUDEHELEN, PHASE 3 - Chairperson Greene stated this is a request to recommend approval of the Revised Plat for Maudehelen, Phase 3, owned by GK Maudehelen, LLLP; the applicant/engineer is Morris Engineering and Consulting, LLC, c/o Matthew J. Morris, P.E., for property located at 455 South Binion Road. (Parcel ID Nos. 07-21-28-0000-00-004; 07-21-28-0000-00-052)

R. Jay Davoll, P.E., Community Development Director/City Engineer, stated that Mr. Morris, the owner's representative, was unable to attend due to a traffic delay.

Ms. Green swore in staff.

Chairperson Greene asked if there were any affected parties in attendance that wished to speak. With no one wishing to speak he asked if the Commission members had any ex parte communications to divulge prior to the staff presentation. With no one acknowledging ex parte communications, he opened the meeting to the staff presentation.

Staff Presentation: Mr. Davoll stated this is a request to recommend approval of the Revised Plat for Maudehelen, Phase 3, owned by GK Maudehelen, LLLP; applicant/engineer is Morris Engineering and Consulting, LLC, c/o Matthew J. Morris, P.E., for property located at 455 South Binion Road. The land use is Residential Low (0-5 du/ac) and the zoning is R-2. The existing use is vacant land and the proposed use is a single-family subdivision with 48 lots. The proposed maximum allowable development is 2.73 units per gross acre. The tract size is 17.36 +/- acres.

Mr. Davoll stated the Maudehelen, Phase 3, is a portion of the overall Maudehelen Subdivision that proposed four phases. The original Maudehelen, Phase 1 plat was recorded on January 26, 2006. Subsequently, the Phase 2 plat was recorded on September 27, 2007. The Final Development Plan for Phases 3 and 4,

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containing 63 lots, was approved by City Council on February 18, 2009. A revised Final Development Plan for Phase 3 (48 lots) and Phase 4 (15 lots) was approved by City Council on December 18, 2013.

The Planning Commission reviewed and recommended approval of the Maudehelen Phase 3 Plat on December 10, 2013. City Council approve it on December 18, 2013 after reviewing the Planning Commission recommendation. A replat, or revision, of the original plat is necessary to address an updated land survey. The Maudehelen, Phase 3 Minor Plat Revision proposes the development of 48 single family residential lots. The typical minimum lot width in Phase 3 is 80 feet with a minimum lot size of 9,200 square feet. The proposed minimum living area for Phase 3 is 1,800 square feet with a minimum requirement of 1,350 square feet as set forth in Chapter 2 of the Land Development Code. The minimum setbacks applicable to this project are:

Setback	Min. Standard
Front	25'*
Side	7.5'
Rear	20'
Corner	25'

*Front load garage 30'

Ingress/egress for the development will be via South Binion Road.

The retention ponds have been designed to meet the City's Land Development Code requirements.

The developer has provided two active and passive recreation areas totaling 122,275 square feet. The parks will serve the entire residential community and will be owned and maintained by the homeowners association.

A habitat management plan was submitted by the applicant. Based on the results of this study, the developer must obtain approval from the Florida Department of Environmental Protection prior to commencing any site construction activity.

Buffers provided are consistent with the Land Development Code. A ten-foot wide landscape buffer is proposed along South Binion Road with a six-foot high brick or masonry wall. Wall design must be approved by the Community Development Department prior to issuance of a building permit.

No construction activity can occur, nor a plat recorded, until such time that a concurrency mitigation agreement has been approved by OCPS. The affected Schools are Apopka Elementary, Apopka Memorial Middle and Apopka High School.

The County was notified at the time of the land use amendment and rezoning application for this property, and coordination occurred with County planning staff regarding impact on adjacent parcels.

The Development Review Committee (DRC) recommends approval of the Maudehelen, Phase 3 - Plat Revision, subject to the findings of this staff report.

This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

Petitioner Presentation: None.

Affected Party(ies) Presentation: None.

Staff/Petitioner Rebuttal: None.

In response to questions by Mr. Foster, Mr. Davoll stated the affected yard sizes will not be significantly smaller than previously platted. Those lots will lose approximately 200 sq. ft. of space, but still meet the minimum standards. Additionally, none of the lots have been sold.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing and asked the members of the Commission to vote.

Motion: Jeremiah Jaspon made a motion to recommend approval of the Revised Plat for Maudehelen, Phase 3, owned by GK Maudehelen, LLLP, for property located at 455 South Binion Road, subject to the information and findings in the staff report. Robert Ryan seconded the motion. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, Tony Foster, Jeremiah Jaspon, and Linda Laurendeau (6-0). (Vote taken by poll.)

OLD BUSINESS:

Planning Commission: None.

Public - None.

NEW BUSINESS:

Planning Commission: Mr. Davoll stated that staff will get the meeting packets to the Commission members by the Friday prior to the meeting. He announced that upon review of the packets, if the Commission members have technical questions, they can send those questions via e-mail to himself (jdavoll@apopka.net) or Mr. Moon (dmoon@apopka.net).

In response to a question by Mr. Ryan, Mr. Davoll stated that the Commission members could also respond to Ms. Green's notice that the packet was on GoodReader with their questions and she would them to Mr. Davoll or Mr. Moon. To avoid conflicts with the quasi-judicial procedures, staff will read the questions and provide the answers at the public hearing.

Public - None.

ADJOURNMENT: The meeting was adjourned at 5:13 p.m.

/s/

James Greene, Chairperson

/s/

R. Jay Davoll, P.E.
Community Development Director