

MINUTES OF THE PLANNING COMMISSION REGULAR MEETING HELD ON NOVEMBER 13, 2018, AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

MEMBERS PRESENT: James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley

ABSENT: John Sprinkle; Orange County Public Schools (Non-voting)

STAFF PRESENT: David Moon, AICP - Planning Manager, Richard Earp – City Engineer, Patrick Brackins – City Attorney, Jean Sanchez – Planner II, Phil Martinez – Planner I, and Jeanne Green – Recording Secretary.

OTHERS PRESENT: Gayle Wilkerson, George Wilkerson, Bryan Williams, Tina Price, Rafael Martinez, Lloyd Hooper, Tony Zeli, Debra Huggins, James Bryant, Gloria Bryant, Frank Yockus, Meegan Yockus, Jonathan Huels, Richard J. Webb, Robert S. Rosen, Sonny Pesek, Shana Ellis, Hank Dunn, Randy Olson, Matt Hill, Jose Cantero, Jimmy Crawford, William A. Bryant, Robert Duncan, Kim Walsh, Aida Medina, Wayne Barrett, Marlene Barrett, Jessica Acevedo, Cory Clarke, Jeff Outlaw, Carlos Romero, Jose Cruz, Monique Montgomery, Joel Cravey, Lisa Cravey, Paul Rau, Jeanette Rau, Lucinda Burbach, Roland Ahearn, Haide Medina, Earl Johnson, and Gladys Mella.

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 regular meeting minutes of October 23, 2018, at 5:30 p.m.

Motion: **Butch Stanley made a motion to approve the Planning Commission minutes from the regular meeting held on October 23, 2018, at 5:30 p.m. and seconded by Linda Laurendeau. Aye votes were cast by James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley (4-0).**

LEGISLATIVE – ADMINISTRATIVE - COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT - DOUGLAS AND JERI BANKSON - Chairperson Greene stated this is a request to find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of Future Land Use Designation from “County” Low Density Residential to “City” Residential Very Low Suburban, subject to the findings of the staff report for the property owned by Douglas and Jeri Bankson, and located at 585 E. Sandpiper Road.

David Moon, AICP, Planning Manager, stated that the next ten items are Administrative amendments to the future land use and zoning designations for the subject properties. As required by Code, properties annexed within the City are required to have the future land use and zoning changed to a city designation. As a “housekeeping” measure staff has prepared the following administrative amendments to change the county future land use and zoning designations to comparable city designations. This is a standard practice and over a hundred properties within the City has gone through the same type of administrative amendments. Notification of the proposed administrative changes were made by sending certified letters to the property owners, the properties are posted, and public hearing notices are published in the Apopka Chief.

Staff Presentation: Phil Martinez, Planner, stated this is a request to find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of Future Land Use Designation from “County” Low Density Residential (0-4 du/ac) to “City” Residential Very Low Suburban (0-2 du/ac), subject to the findings of the staff report for the property owned by Douglas and Jeri Bankson, and located at 585 E. Sandpiper Road. The applicant is the City of Apopka. The existing and proposed is a single-family residence. The existing zoning is “County” A-2 (ZIP) that is being processed with the future land use amendment to the zoning to “City” RCE-1 (Residential Country Estates 1 District). The existing maximum allowable development is 7 dwelling units and the proposed maximum development is 3 dwelling units. The tract size is 1.92 +/- acres

The subject parcel was annexed into the city on October 16, 2013 by Ordinance Number 2333. Presently, the subject property is without a “city” future land use and zoning designation. The proposed Future Land Use, “Residential Very Low Suburban” is compatible with the property due to its size and existing uses. In addition, “Residential Very Low Suburban” can be found in the vicinity of the property, including the south-adjacent subdivision, Lakeshore at Wekiva.

The proposed use of the property is consistent with the Residential Very Low Suburban Future Land Use designation. Site development cannot exceed the density allowed by the Future Land Use policies. Planning & Zoning staff determines that the below policies support a Residential Very Low Suburban FLUM designation at the subject site:

Future Land Use Element

Policy 3.1.c - Very Low Density Suburban Residential: The primary use shall be residential dwelling units up to 2 dwelling units per acre, elementary schools; middle schools; supporting infrastructure of less than two acres, neighborhood parks.

Special exception uses shall include:

- 1) Institutional uses of five acres or less
- 2) High schools
- 3) Supporting infrastructure and public facilities of two acres or more
- 4) Horticultural nurseries as a primary use;

Planned Development uses may include:

- (1) All primary uses
- (2) All special exception uses
- (3) Neighborhood commercial uses at a rate not in excess of 25 square feet of gross floor area per residential unit in the PUD. Commercial uses must be completely internalized within the PUD.

- (4) Other uses deemed compatible with and complementary to the other proposed master planned uses and the surrounding neighborhoods

The proposed future land use change will result in an insignificant increase (less than 9) in the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement.

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation of Residential Very Low Suburban for the property owned by Douglas and Jeri Bankson, and located at 585 E. Sandpiper Road.

Staff recommended the Planning Commission find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of Future Land Use Designation from “County” Low Density Residential to “City” Residential Very Low Suburban, subject to the findings of the Staff Report.

This item is considered legislative and establishes general policy. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

Motion: Linda Laurendeau made a motion to find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of Future Land Use Designation from “County” Low Density Residential (0-4 du/ac) to “City” Residential Very Low Suburban (0-2 du/ac), subject to the findings of the staff report for the property owned by Douglas and Jeri Bankson, and located at 585 E. Sandpiper Road. Motion seconded by Robert Ryan. Aye votes were cast by James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley (4-0). (Vote taken by poll.)

QUASI-JUDICIAL – ADMINISTRATIVE - CHANGE OF ZONING - DOUGLAS AND JERI BANKSON – Chairperson Greene stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” A-2 to “City” RCE-1 for the property owned by Douglas and Jeri Bankson, and located at 585 E. Sandpiper Road.

Chairperson Greene asked if there were any affected parties in attendance that wished to speak. No one spoke.

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

MINUTES OF THE PLANNING COMMISSION REGULAR MEETING HELD ON NOVEMBER 13, 2018, AT 5:30 P.M.

Staff Presentation: Mr. Martinez stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” A-2 (ZIP) to “City” RCE-1 for the property owned by Douglas and Jeri Bankson, and located at 585 E. Sandpiper Road. The applicant is the City of Apopka. The existing and proposed is a single-family residence. The existing future land use is from “County” Low Density Residential (0-4 du/ac) that is being processed with the change of zoning to the future land use designation of to “City” Residential Very Low Suburban (0-2 du/ac). The existing maximum allowable development is 3 dwelling units and the proposed maximum development is 1 dwelling units. The tract size is 1.92 +/- acres.

Presently, the subject property has not yet been assigned a “City” zoning category. The subject parcel was annexed into the city on October 16, 2013 by Ordinance Number 2333.

A request to assign a change of zoning to RCE-1 is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The RCE-1 zoning is compatible with the property due to the size and uses. The change of zoning request is being processed in conjunction with a future land use amendment from “County” Low Density Residential to “City” Residential Very Low Suburban.

The existing and proposed use of the property is consistent with the proposed Residential Very Low Suburban (0-2 du/ac) Future Land Use designation and the City’s RCE-1 Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

The proposed future land use change will result in an insignificant increase (less than 9) in the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement.

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from “County” A-2 (ZIP) to “City” RCE-1 for the property owned by Douglas and Jeri Bankson, and located at 585 E. Sandpiper Road.

Staff recommended the Planning Commission find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” A-2 to “City” RCE-1 for the property owned by Douglas and Jeri Bankson, and located at 585 E. Sandpiper Road.

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.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

Motion: Butch Stanley made a motion to find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” A-2 (ZIP) to “City” RCE-1 for the property owned by Douglas and Jeri Bankson, and located at 585 E. Sandpiper Road. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley (4-0). (Vote taken by poll.)

LEGISLATIVE – ADMINISTRATIVE - COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT - WILLIAM D. COOK AND ROBYN D. COOK REVOCABLE TRUST - Chairperson Greene stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation from “County” Low Density Residential (0-4 du/ac) to “City” Residential Very Low Suburban (0-2 du/ac) subject to the findings of the staff report for the property owned by William D. Cook and Robyn D. Cook Revocable Trust and located at 1163 Oakpoint Circle.

Staff Presentation: Phil Martinez, Planner, stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation from “County” Low Density Residential (0-4 du/ac) to “City” Residential Very Low Suburban (0-2 du/ac) subject to the findings of the staff report for the property owned by William D. Cook and Robyn D. Cook Revocable Trust and located at 1163 Oakpoint Circle. The applicant is the City of Apopka. The existing and proposed use is a single family residence. The current zoning is “County” R-CE (ZIP) and the proposed zoning is “City” RCE-1 and being processed along with the future land use amendment. The existing maximum allowable development is 5 dwelling units and the proposed maximum allowable development is 2 dwelling units. The tract size is 1.27 +/- acres.

The subject parcel was annexed into the city on September 21, 2016 by Ordinance Number 2516. Presently, the subject property is without a “city” future land use and zoning designation. The proposed Future Land Use, “Residential Very Low Suburban” is compatible with the property due to its size and existing uses. In addition, “Residential Very Low Suburban” can be found in the vicinity of the property, including the north-adjacent subdivision, Lakeshore at Wekiva.

The proposed use of the property is consistent with the Residential Very Low Suburban Future Land Use designation. Site development cannot exceed the intensity allowed by the Future Land Use policies. Planning & Zoning staff determines that the below policies support a Residential Very Low Suburban FLUM designation at the subject site:

Future Land Use Element

Policy 3.1.c - Very Low Density Suburban Residential: The primary use shall be residential dwelling units up to 2 dwelling units per acre, elementary schools; middle schools; supporting infrastructure of less than two acres, neighborhood parks.

Special exception uses shall include:

- 1) Institutional uses of five acres or less

- 2) High schools
- 3) Supporting infrastructure and public facilities of two acres or more
- 4) Horticultural nurseries as a primary use;

Planned Development uses may include:

- (1) All primary uses
- (2) All special exception uses
- (3) Neighborhood commercial uses at a rate not in excess of 25 square feet of gross floor area per residential unit in the PUD. Commercial uses must be completely internalized within the PUD.
- (4) Other uses deemed compatible with and complementary to the other proposed master planned uses and the surrounding neighborhoods

The proposed future land use change will result in an insignificant increase (less than 9) in the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation of Residential Very Low Suburban for the property owned by William D. Cook and Robyn D. Cook Revocable Trust and located at 1163 Oakpoint Circle.

Staff recommended the Planning Commission find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of Future Land Use Designation from “County” Low Density Residential (0-4 du/ac) to “City” Residential Very Low Suburban (0-2 du/ac), subject to the findings of the Staff Report.

This item is considered legislative and establishes general policy. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

Motion: **Robert Ryan made a motion to find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation from**

“County” Low Density Residential (0-4 du/ac) to “City” Residential Very Low Suburban (0-2 du/ac) subject to the findings of the staff report for the property owned by William D. Cook and Robyn D. Cook Revocable Trust and located at 1163 Oakpoint Circle. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley (4-0). (Vote taken by poll.)

QUASI-JUDICIAL – ADMINISTRATIVE - CHANGE OF ZONING - WILLIAM D. COOK AND ROBYN D. COOK REVOCABLE TRUST – Chairperson Greene stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” R-CE to “City” RCE-1 subject to the information in the staff report for the property owned by William D. Cook and Robyn D. Cook Revocable Trust, and located at 1163 Oakpoint Circle.

Chairperson Greene asked if there were any affected parties in attendance that wished to speak. No one spoke.

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: Mr. Martinez stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” R-CE (ZIP) to “City” RCE-1 subject to the information in the staff report for the property owned by William D. Cook and Robyn D. Cook Revocable Trust, and located at 1163 Oakpoint Circle. The applicant is the City of Apopka. The existing and proposed use is a single family residence. The current future land use designation is “County” Low Density Residential (0-4 du/ac) and the proposed future land use designation is “City” Residential Very Low Suburban (0-2 du/ac) and is being processed along with the change of zoning. The existing maximum allowable development is 1 dwelling units and the proposed maximum allowable development is 1 dwelling unit. The tract size is 1.27 +/- acres.

Presently, the subject property has not yet been assigned a “City” zoning category. The subject parcel was annexed into the city on September 21, 2016 by Ordinance Number 2516.

A request to assign a change of zoning to RCE-1 is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The RCE-1 zoning is compatible with the property due to the size and uses. The change of zoning request is being processed in conjunction with a future land use amendment from “County” Low Density Residential to “City” Residential Very Low Suburban.

The existing and proposed use of the property is consistent with the proposed Residential Very Low Suburban (0-2 Du/acre) Future Land Use designation and the City’s RCE-1 Zoning classification. Site development cannot exceed the density allowed by the Future Land Use policies.

The proposed future land use change will result in an insignificant increase (less than 9) in the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement.

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from “County” R-CE (ZIP) to “City” RCE-1 for the property owned by William D. Cook and Robyn D. Cook Revocable Trust, and located at 1163 Oakpoint Circle.

Staff recommended the Planning Commission find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” R-CE to “City” RCE-1 for the property owned by William D. Cook and Robyn D. Cook Revocable Trust, and located at 1163 Oakpoint Circle.

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.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

Motion: Linda Laurendeau made a motion to find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” R-CE (ZIP) to “City” RCE-1 subject to the information in the staff report for the property owned by William D. Cook and Robyn D. Cook Revocable Trust, and located at 1163 Oakpoint Circle. Motion seconded by Butch Stanley. Aye votes were cast by James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley (4-0). (Vote taken by poll.)

LEGISLATIVE – ADMINISTRATIVE - COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT - BRYAN AND DEBBIE NELSON - Chairperson Greene stated this is a request to find the find the proposed amendment the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of Future Land Use Designation from “County” Low Density Residential (0-4 du/ac) to “City” Residential Very Low Suburban (0-2 du/ac), subject to the findings of the staff report for the property owned by Bryan and Debbie Nelson and located at 1157 Oakpoint Circle.

Staff Presentation: Phil Martinez, Planner, stated this is a request to find the find the proposed amendment the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of Future Land Use Designation from “County” Low Density Residential (0-4 du/ac) to “City” Residential Very Low Suburban (0-2 du/ac), subject to the findings of the staff report for the property owned by Bryan and Debbie Nelson and located at 1157 Oakpoint Circle. The applicant is the City of Apopka. The existing and proposed use is a single family residence. The current zoning is “County” R-CE (ZIP) and the proposed zoning is “City” RCE-1 and being processed along with the future land use amendment. The existing maximum allowable development is 5 dwelling units and the proposed maximum allowable development is 2 dwelling units. The tract size is 1.27 +/- acres.

The subject parcel was annexed into the city on September 21, 2016 by Ordinance Number 2515. Presently, the subject property is without a “city” future land use and zoning designation. The proposed Future Land Use of Residential Very Low Suburban is compatible with the property due to its size and existing uses. In addition, the future land use designation of Residential Very Low Suburban can be found in the vicinity of the property, including the north-adjacent subdivision, Lakeshore at Wekiva.

The proposed use of the property is consistent with the Residential Very Low Suburban Future Land Use designation. Site development cannot exceed the intensity allowed by the Future Land Use policies. Planning & Zoning staff determines that the below policies support a Residential Very Low Suburban FLUM designation at the subject site:

Future Land Use Element

Policy 3.1.c - Very Low Density Suburban Residential: The primary use shall be residential dwelling units up to 2 dwelling units per acre, elementary schools; middle schools; supporting infrastructure of less than two acres, neighborhood parks.

Special exception uses shall include:

- 1) Institutional uses of five acres or less
- 2) High schools
- 3) Supporting infrastructure and public facilities of two acres or more
- 4) Horticultural nurseries as a primary use;

Planned Development uses may include:

- (1) All primary uses
- (2) All special exception uses
- (3) Neighborhood commercial uses at a rate not in excess of 25 square feet of gross floor area per residential unit in the PUD. Commercial uses must be completely internalized within the PUD.
- (4) Other uses deemed compatible with and complementary to the other proposed master planned uses and the surrounding neighborhoods

The proposed future land use change will result in an insignificant increase (less than 9) in the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation of Residential Very Low Suburban (0-2 du/ac) for the property owned by Bryan and Debbie Nelson and located at 1157 Oakpoint Circle.

Staff recommended the Planning Commission find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of Future Land Use Designation from “County” Low Density Residential to “City” Residential Very Low Suburban, subject to the findings of the Staff Report.

This item is considered legislative and establishes general policy. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

Motion: Butch Stanley made a motion to find the find the proposed amendment the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of Future Land Use Designation from “County” Low Density Residential (0-4 du/ac) to “City” Residential Very Low Suburban (0-2 du/ac), subject to the findings of the staff report for the property owned by Bryan and Debbie Nelson and located at 1157 Oakpoint Circle. Motion seconded by Robert Ryan. Aye votes were cast by James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley (4-0). (Vote taken by poll.)

QUASI-JUDICIAL – ADMINISTRATIVE - CHANGE OF ZONING - BRYAN AND DEBBIE NELSON - Chairperson Greene stated this is a request to find proposed amendment the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” R-CE (ZIP) to “City” RCE-1 subject to the information in the staff report for the property owned by Bryan and Debbie Nelson, and located at 1157 Oakpoint Circle.

Chairperson Greene asked if there were any affected parties in attendance that wished to speak. No one spoke.

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: Mr. Martinez stated this is a request to find the proposed amendment the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” R-CE (ZIP) to “City” RCE-1 subject to the information in the staff report for the property owned by Bryan and Debbie Nelson, and located at 1157 Oakpoint Circle. The applicant is the City of Apopka. The existing and proposed use is a single family residence. The current future land use is “County” Low Density Residential (0-4 du/ac) and the proposed future land use is “City” Residential Very Low Suburban (0-2 du/ac) and being processed along with the change of zoning. The existing maximum allowable development is 2 dwelling units and the proposed maximum allowable development is 1

dwelling units. The tract size is 1.27 +/- acres.

Presently, the subject property has not yet been assigned a "City" zoning category. The subject parcel was annexed into the city on September 21, 2016 by Ordinance Number 2515.

A request to assign a change of zoning to RCE-1 is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The RCE-1 zoning is compatible with the property due to the size and uses. The change of zoning request is being processed in conjunction with a future land use amendment from "County" Low Density Residential to "City" Residential Very Low Suburban.

The existing and proposed use of the property is consistent with the proposed Residential Very Low Suburban (0-2 Du/acre) Future Land Use designation and the City's RCE-1 Zoning classification. Site development cannot exceed the density allowed by the Future Land Use policies.

The proposed future land use change will result in an insignificant increase (less than 9) in the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement.

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from "County" R-CE (ZIP) to "City" RCE-1 for the property owned by Bryan and Debbie Nelson, and located at 1157 Oakpoint Circle.

Staff recommended the Planning Commission find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from "County" R-CE to "City" RCE-1 for the property owned by Bryan and Debbie Nelson, and located at 1157 Oakpoint Circle.

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.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

Motion: Robert Ryan made a motion to find the proposed amendment the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from "County" R-CE (ZIP) to "City" RCE-1 subject to the information in the staff report for the property owned by Bryan and Debbie Nelson, and located at 1157 Oakpoint Circle. The Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley (4-0). (Vote taken by poll.)

LEGISLATIVE – ADMINISTRATIVE - COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT - RENUKA PRASAD - Chairperson Greene stated this is a request to find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of Future Land Use Designation from Mixed Use to Commercial, subject to the findings of the staff report for the property owned by Renuka Prasad, and located at 3349 W. Orange Blossom Trail.

Staff Presentation: Phil Martinez, Planner, stated this is a request to find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of Future Land Use Designation from Mixed Use to Commercial, subject to the findings of the staff report for the property owned by Renuka Prasad, and located at 3349 W. Orange Blossom Trail. The applicant is the City of Apopka. The existing and proposed use is a tire and automotive services shop. The current zoning is “County” C-2 (ZIP) and the proposed zoning is “City” C-2 and is being processed along with the request the amendment the future land use. The existing and proposed maximum development is 34,479 Sq. Ft. The tract size is 3.17 +/- acres.

The subject parcel was annexed into the city on October 7, 2009 by Ordinance Number 2124. Presently, the subject property has a “city” future land use designation of Mixed Use, however, no “city” zoning classification has been assigned. Based on a letter from the property owner’s attorney, the property owner is requesting a Commercial Future Land Use Designation and C-2 Zoning. The property owner’s intent is to retain similar property rights/ permitted uses that were granted to the property when in unincorporated Orange County.

The proposed use of the property is consistent with the Commercial Future Land Use designation. Site development cannot exceed the intensity allowed by the Future Land Use policies. Planning & Zoning staff determines that the below policies support a Commercial FLUM designation at the subject site:

Future Land Use Element

1. Policy 3.1.i – Commercial: Primary uses shall be for business, commerce, and convenience shopping which may be neighborhood or community oriented. The maximum floor area ratio shall be .25 gross floor area. Institutional land uses of less than five acres; and public facilities or utilities of less than five acres.

Planned Unit Development uses may include: (Policy 3.1.i)

1. All primary uses
2. All Special Exception uses
3. Multifamily Development of up to fifteen dwelling units per acre, when located within a primary use structure
4. Other uses deemed compatible with and complimentary to the other proposed master planned uses and the surrounding neighborhoods.

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Because this request represents a change to a non-residential future and use designation and zoning classification, school capacity determination by Orange County Public Schools is not required.

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation of Commercial for the property owned by Renuka Prasad, and located at 3349 W. Orange Blossom Trail.

Staff recommended the Planning Commission find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of Future Land Use Designation from Mixed Use to Commercial, subject to the findings of the Staff Report.

This item is considered legislative and establishes general policy. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

Motion: Linda Laurendeau made a motion to find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of Future Land Use Designation from Mixed Use to Commercial, subject to the findings of the staff report for the property owned by Renuka Prasad, and located at 3349 W. Orange Blossom Trail. Motion seconded by Robert Ryan. Aye votes were cast by James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley (4-0). (Vote taken by poll.)

QUASI-JUDICIAL – ADMINISTRATIVE - CHANGE OF ZONING - RENUKA PRASAD -

Chairperson Greene stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” C-2 (ZIP) to “City” C-2 (General Commercial) subject to the information in the staff report for the property owned by Renuka Prasad, and located at 3349 W. Orange Blossom Trail.

Chairperson Greene asked if there were any affected parties in attendance that wished to speak. No one spoke.

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: Mr. Martinez stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” C-2 (ZIP) to “City” C-2

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(General Commercial) subject to the information in the staff report for the property owned by Renuka Prasad, and located at 3349 W. Orange Blossom Trail. The applicant is the City of Apopka. The existing and proposed use is a tire and automotive services shop. The current future land use is Mixed Use and the proposed future land use is Commercial and is being processed along with the request the amendment the future land use. The existing and proposed maximum development is 34,479 Sq. Ft. The tract size is 3.17 +/- acres.

Presently, the subject property has not yet been assigned a “City” zoning category. The applicant is requesting the City to assign a zoning classification of C-2 (General Commercial) to the property. The intent for requesting “City” C-2 zoning is to retain the permitted uses that were once granted to the property when in Orange County, with “County” C-2 (ZIP) zoning. At the time the property annexed into the City of Apopka, the property was used for an automobile repair business, which remains the current use of the property. Automobile repair is the present use.

The subject parcel was annexed into the city on October 7, 2009 by Ordinance Number 2124.

A request to assign a change of zoning to C-2 is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The change of zoning request is being processed in conjunction with a future land use amendment from “County” Mixed Use to “City” Commercial.

The existing and proposed use of the property is consistent with the proposed Commercial (Max. 25% Floor Area Ratio) Future Land Use designation and the City’s C-2 Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

Because this request represents a change to a non-residential future land use designation and zoning classification, school capacity determination by Orange County Public Schools is not required.

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from “County” C-2 (ZIP) to “City” C-2 for the property owned by Renuka Prasad, and located at 3349 W. Orange Blossom Trail.

Staff recommended the Planning Commission find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” C-2 (ZIP) to “City” C-2 (General Commercial) for the property owned by Renuka Prasad, and located at 3349 W. Orange Blossom Trail.

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.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

Motion: Butch Stanley made a motion to find the proposed amendment consistent with the

Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” C-2 (ZIP) to “City” C-2 (General Commercial) subject to the information in the staff report for the property owned by Renuka Prasad, and located at 3349 W. Orange Blossom Trail. Motion seconded by Robert Ryan. Aye votes were cast by James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley (4-0). (Vote taken by poll.)

LEGISLATIVE – ADMINISTRATIVE - COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT - CARLOS VERDUZCO - Chairperson Greene stated this is a request to find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of Future Land Use Designation from “County” Low Density Residential (0-4 du/ac) to “City” Residential Very Low Suburban (0-2 du/ac), subject to the findings of the staff report for the property owned by Carlos Verduzco and located at 1175 Oakpoint Circle.

Staff Presentation: Phil Martinez, Planner, stated this is a request to find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of Future Land Use Designation from “County” Low Density Residential (0-4 du/ac) to “City” Residential Very Low Suburban (0-2 du/ac), subject to the findings of the staff report for the property owned by Carlos Verduzco and located at 1175 Oakpoint Circle. The applicant is City of Apopka. The existing and proposed use is a single family residence. The existing zoning is “County” R-CE (ZIP) and the proposed zoning is “City” RCE-1 and a change of zoning is being processed along with future land use amendment. The existing maximum allowable development is 4 dwelling units and the proposed is 2 dwelling units. The tract size is 1.14 +/- acres.

The subject parcel was annexed into the city on September 21, 2016 by Ordinance Number 2517. Presently, the subject property is without a “city” future land use and zoning designation. The proposed Future Land Use, “Residential Very Low Suburban” is compatible with the property due to its size and existing uses. In addition, “Residential Very Low Suburban” can be found in the vicinity of the property, including the north-adjacent subdivision, Lakeshore at Wekiva.

The proposed use of the property is consistent with the Residential Very Low Suburban Future Land Use designation. Site development cannot exceed the intensity allowed by the Future Land Use policies. Planning & Zoning staff determines that the below policies support a Residential Very Low Suburban FLUM designation at the subject site:

Future Land Use Element

Policy 3.1.c - Very Low Density Suburban Residential: The primary use shall be residential dwelling units up to 2 dwelling units per acre, elementary schools; middle schools; supporting infrastructure of less than two acres, neighborhood parks.

Special exception uses shall include:

- 1) Institutional uses of five acres or less

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- 2) High schools
- 3) Supporting infrastructure and public facilities of two acres or more
- 4) Horticultural nurseries as a primary use;

Planned Development uses may include:

- (1) All primary uses
- (2) All special exception uses
- (3) Neighborhood commercial uses at a rate not in excess of 25 square feet of gross floor area per residential unit in the PUD. Commercial uses must be completely internalized within the PUD.
- (4) Other uses deemed compatible with and complementary to the other proposed master planned uses and the surrounding neighborhoods

The proposed future land use change will result in an insignificant increase (less than 9) in the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Future Land Use Designation of Residential Very Low Suburban for the property owned by Carlos Verduzco and located at 1175 Oakpoint Circle.

Staff recommended the Planning Commission find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of Future Land Use Designation from “County” Low Density Residential to “City” Residential Very Low Suburban, subject to the findings of the Staff Report.

This item is considered legislative and establishes general policy. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

In response to a question by Ms. Laurendeau, Mr. Martinez stated that the staff reports would be revised to change several references to Oakpoint Road to Oakpoint Circle.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

Motion: Linda Laurendeau made a motion to find the proposed Future Land Use amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend approval of the change of

Future Land Use Designation from “County” Low Density Residential (0-4 du/ac) to “City” Residential Very Low Suburban (0-2 du/ac), subject to the findings of the staff report for the property owned by Carlos Verduzco and located at 1175 Oakpoint Circle. Motion seconded by Butch Stanley. Aye votes were cast by James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley (4-0). (Vote taken by poll.)

QUASI-JUDICIAL – ADMINISTRATIVE - CHANGE OF ZONING - CARLOS VERDUZCO -

Chairperson Greene stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” R-CE (ZIP) to “City” RCE-1 subject to the information in the staff report for the property owned by Carlos Verduzco, and located at 1175 Oakpoint Circle.

Chairperson Greene asked if there were any affected parties in attendance that wished to speak. No one spoke.

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: Mr. Martinez stated this is a request to find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” R-CE (ZIP) to “City” RCE-1 subject to the information in the staff report for the property owned by Carlos Verduzco, and located at 1175 Oakpoint Circle. Future Land Use Designation from, subject to the findings of the staff report for the property owned by Carlos Verduzco and located at 1175 Oakpoint Circle. The applicant is City of Apopka. The existing and proposed use is a single family residence. The existing future land use is “County” Low Density Residential (0-4 du/ac) and the proposed future land use is “City” Residential Very Low Suburban (0-2 du/ac) is being processed along with the change of zoning. The existing maximum allowable development is 2 dwelling units and the proposed is 1 dwelling units. The tract size is 1.14 +/- acres.

Presently, the subject property has not yet been assigned a “City” zoning category. The subject parcel was annexed into the city on September 21, 2016 by Ordinance Number 2517.

A request to assign a change of zoning to RCE-1 is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The RCE-1 zoning is compatible with the property due to the size and uses. The change of zoning request is being processed in conjunction with a future land use amendment from “County” Low Density Residential to “City” Residential Very Low Suburban.

The existing and proposed use of the property is consistent with the proposed Residential Very Low Suburban (0-2 Du/acre) Future Land Use designation and the City’s RCE-1 Zoning classification. Site development cannot exceed the density allowed by the Future Land Use policies.

The proposed future land use change will result in an insignificant increase (less than 9) in the number of residential units which could be developed at the subject property. Therefore, the property is exempt from school capacity enhancement per the School Interlocal Planning Agreement

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, recommending approval of the proposed Change of Zoning from “County” R-CE (ZIP) to “City” RCE-1 for the property owned by Carlos Verduzco, and located at 1175 Oakpoint Circle.

Staff recommended the Planning Commission find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” R-CE (ZIP) to “City” RCE-1 for the property owned by Carlos Verduzco, and located at 1175 Oakpoint Circle.

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.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

Motion: **Linda Laurendeau made a motion to find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding areas, and recommend approval of the proposed Change of Zoning from “County” R-CE (ZIP) to “City” RCE-1 subject to the information in the staff report for the property owned by Carlos Verduzco, and located at 1175 Oakpoint Circle. Motion seconded by Robert Ryan. Aye votes were cast by James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley (4-0). (Vote taken by poll.)**

LEGISLATIVE – COMPREHENSIVE PLAN – LARGE SCALE – FUTURE LAND USE AMENDMENT – CANTERO HOLDINGS, LLC - Chairperson Greene stated this is a request to find the proposed Future Land Use Designation consistent with the Comprehensive Plan; recommend approval of the Future Land Use Amendment from Rural Settlement (0-1 du/ac) and “County” Rural (1 du/10 ac) to Mixed Use Interchange subject to the information and findings in the staff report for the properties owned by Cantero Holdings, LLC and located at 3845 & 4011 Golden Gem Road; and recommend transmittal to the Florida Department of Economic Opportunities for review.

Staff Presentation: Mr. Martinez stated this is a request to find the proposed Future Land Use Designation consistent with the Comprehensive Plan; recommend approval of the Future Land Use Amendment from Rural Settlement (0-1 du/ac) and “County” Rural (1 du/10 ac) to Mixed Use Interchange subject to the information and findings in the staff report for the properties owned by Cantero Holdings, LLC and located at 3845 & 4011 Golden Gem Road; and recommend transmittal to the Florida Department of Economic Opportunities for review. The applicant is Jimmy D. Crawford, Esq. The existing use is vacant land and the proposed use is a residential subdivision. The current zoning is “City” Agriculture Estates (81 ac +/-) and “County” A-1 (ZIP) (10.5 ac +/-). The proposed zoning is Mixed Use Interchange Zoning District with Neighborhood Overlay Zone (0-5 du/ac) The existing maximum allowable development for Parcel 1 is 1 dwelling unit and Parcel 2 has been approved for a residential subdivision with twelve 5 acre lots named Golden Gem Estates. The

proposed maximum allowable development is a maximum of 457 residential units. The tract size is 91.57 +/- acres.

The applicant requests a future land use designation of “City” Mixed Use Interchange for two parcels along the east side of Golden Gem Road. Parcel 1 (10.5 ac +/-) annexed into the City on August 5, 2015 but has not had a “city” future land use designation or zoning assigned to it. Parcel 2 annexed into the City on December 1, 2004.

Parcel 1 (10.5 ac +/-) has planted pine on the western third of the parcel and vacant land on the eastern two-thirds of the parcel. The eastern portion of the parcel is a former horticultural nursery operation. Parcel 1 is not included within the boundaries of the Golden Gem Estates Preliminary Development Plan., which is described below for Parcel 2.

Parcel 2 (81 ac +/-) was approved with a Preliminary Development Plan (called Golden Gem Estates) for a 12-lot residential subdivision in August 2015. Typical lot size in Golden Gem Estates is five acres. A Mass Grading Plan was approved by the City Council on August 5, 2015¹⁶ as a phased portion of the Final Development Plan application. Clearing and grading occurred to allow the transfer of excess fill off site.

The parcel straddles the boundaries of the Wekiva Parkway Interchange Vision Plan Area, as depicted in the Future Land Use Element of the City’s Comprehensive Plan, and the Kelly Park Interchange Form-Based Code

Policy 20.9, Future Land Use Element of the Comprehensive Plan, requires that a Mixed Use-Interchange future a land use designation must be assigned to the property.

The subject parcels are located within the one-mile radius from the Wekiva Parkway interchange at Kelly Park Road; and therefore is required to adhere to the Kelly Park Crossing Form Based Code. The properties are located within the Wekiva Parkway Interchange Vision Plan Area. Therefore, the property must comply with Objectives 18 – 20 and related policies within the Future Land Use Element of the Comprehensive Plan and the recently adopted Kelly Park Crossing Form-Based Code. The applicant’s request is consistent with the Mixed Use Interchange future land use designation and the Overlay District covering the property within the Vision Plan.

The proposed use of the property is compatible with the character of the surrounding area, is within one mile of the SR 429/Kelly Park Road interchange, and is consistent with the Mixed Use Interchange Land Use designation. City planning staff supports the FLUM amendment given the consistency with the Comprehensive Plan policies listed below and the intent of the Wekiva Parkway Interchange Vision Plan a (see Land Use Analysis below). Site development cannot exceed the intensity allowed by the Future Land Use policies.

Future Land Use Element

2. **Policy 3.1.r** The primary intent of the Mixed Use land use category is to allow a mixture of residential, office, commercial, industrial, recreation, institutional and public facilities uses to serve the residential and non-residential needs of special areas of the City. The mix of land uses may occur on a single parcel or multiple parcels ...

The designation of a mixed use category may occur only in certain areas of the city, including “land anticipated for inclusion within the Wekiva Parkway Interchange Land Use Plan...” These properties are within the 1-mile radius of the Wekiva Parkway Interchange depicted on the Wekiva Parkway Interchange Vision Plan Map located within the Future Land Use Element of the Apopka Comprehensive Plan.

3. **Policy 18.1** The City shall implement the Wekiva Parkway Interchange Vision Plan, which guides the location of a range of uses, such as residential, office, commercial, industrial, recreation, public and institutional, at various densities and intensities around the proposed interchange.

The proposed Mixed Use Future Land Use Designation allows for residential densities and non-residential uses and intensities to implement the Wekiva Parkway Interchange Vision Plan, consistent with Objective 18 and related policies.

4. **Policy 18.2** Prior to rezoning any property within a one-mile radius of the interchange Study Area, the City shall amend its LDC to incorporate development standards that will implement the Vision Plan.

This future land use amendment does not include a corresponding proposed zoning category because the City has yet to adopt development standards or form-based code consistent with this policy. Future densities/intensities and design character for the subject properties will be regulated at the time of rezoning once Wekiva Parkway Interchange Vision Plan design standards and form-based code are adopted.

5. **Policy 20.4** Prior to approving the first development plan with the Wekiva Parkway Interchange vision Plan Area, the City shall adopt the Wekiva Parkway Interchange Form-Based Cod establishing the design and development standards for the Wekiva Parkway Interchange Vision Plan Area.

The subject properties will be required to comply with the above policy should the development submit a development plan to ensure consistency with the Comprehensive Plan and Wekiva Parkway Interchange Vision Plan.

6. **Policy 20.9** Development within the Wekiva Parkway Interchange Plan Area shall be assigned a Mixed-Use Interchange future land use designation and shall accomplish an overall mix of residential and non-residential uses as outline in Policy 3.1.r. Assignment of the Mixed-Use Interchange Land Use future land use designation shall require an amendment to the Comprehensive Plan.

The applicant’s request for a Mixed Use future land use designation is consistent with this policy, as well as the intent of the Wekiva Parkway Interchange Vision Plan area, which intends to concentrate a mixture of land uses with varying densities and intensities within one mile of the Wekiva Parkway Interchange.

7. **Policy 20.3.** The annexation, land use change, and subsequent development of lands located within the Wekiva Parkway Interchange Plan Area for Apopka and the Wekiva Interchange Land Use Plan Overlay for the County shall be consistent with the adopted Interlocal Agreement

between Orange County and the City of Apopka regarding Wekiva Interchange Land Use Plan Overlay.

8. **Objective 19 and 20, and their associated policies.** See objectives and policies within the supporting information.

Transportation Element

1. **Policy 4.2** The City of Apopka shall promote, through the implementation of programs such as mixed-use land development, projects that support reduced travel demand, short trip lengths and balanced trip demand.

The Mixed Use future land use designation allows for a mixture of land use types such as residential and non-residential, which promotes shorter trip lengths, concentrated development to reduce travel demand.

2. **Policy 3.1.r** The primary intent of the Mixed Use land use category is to allow a mixture of residential, office, commercial, industrial, recreation, institutional uses and public facilities uses... This mix of land uses may occur on a single parcel or multiple parcels in the form of: a permitted single use; a vertical combination of different permitted uses; or a horizontal mix of different permitted uses.
3. **Policy 4.2** The City of Apopka shall promote, through the implementation of programs such as mixed-use land development, projects that support reduced travel demand, shorter trip lengths and balanced trip demand.
4. **Objective 20 and associated Policies, Future Land Use Element.** Provided with the Supporting Information.

Kelly Park Interchange Form-Based Code.

1. Page 1 – “Therefore, if a site, or any portion of a site, is within the 1-mile radius [of the Kelly Park Interchange], the entire site is included within the vision plan and is subject to the standards.” And Page 2, “Where a property straddles the line, the subject property owner may select to bring the portion outside the property into the Form-Base Code area.”

The properties are located within the boundaries of the Wekiva Parkway Interchange Vision Plan Area, making it subject to the Kelly Park Crossing Form-Based Code, Mixed- Use Interchange Zoning District and Neighborhood Overlay District. A copy of the Wekiva Parkway Interchange Vision Plan is provided with the support material.

An executed capacity enhancement agreement with Orange County Public Schools will be required prior to rezoning hearings, as density occurring on a property located within the Wekiva Parkway Interchange Vision Plan Area (aka Kelly Park Interchange Area) is not determined until the zoning and master plan, per Policy 20.12 of the Future Land Use Element, Comprehensive Plan.

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2018. Notification has already occurred

through the Second Amendment to the Joint Planning Agreement with Orange County government. The second amendment acknowledges that the City will assign a land use designation similar to the overlay district illustrated in the Wekiva Parkway Interchange Vision Plan.

The Development Review Committee recommends approval to transmit a change in Future Land Use to Mixed Use Interchange for the property owned by Cantero Holdings, LLC, subject to the information and findings in the staff report.

Staff recommended the Planning Commission find the Future Land Use Designation consistent with the Comprehensive Plan and recommend a change in Future Land Use Designation to Mixed Use Interchange for the properties owned by Cantero Holdings, LLC subject to the information and findings in the staff report.

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

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

Motion: Butch Stanley made a motion to find the proposed Future Land Use Designation consistent with the Comprehensive Plan; recommend approval of the Future Land Use Amendment from Rural Settlement (0-1 du/ac) and “County” Rural (1 du/10 ac) to Mixed Use Interchange subject to the information and findings in the staff report for the properties owned by Cantero Holdings, LLC and located at 3845 & 4011 Golden Gem Road; and recommend transmittal to the Florida Department of Economic Opportunities for review. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley (4-0). (Vote taken by poll.)

LEGISLATIVE – COMPREHENSIVE PLAN – LARGE SCALE – FUTURE LAND USE AMENDMENT – CARROL M. HAMRICK - Chairperson Greene stated this is a request to find the proposed Future Land Use Designation consistent with the Comprehensive Plan and compatible with the character of the surrounding area; recommend approval of the Large Scale Future Land Use Amendment from Residential Estates (0-1 du/ac) to Residential Very Low Suburban (0-2 du/ac) for the properties owned by Carrol M Hamrick and located north of West Ponkan Road and west of Mt. Sterling Avenue; and recommend transmittal to the Florida Department of Economic Opportunities for review.

Staff Presentation: Mr. Martinez stated this is a request to find the proposed Future Land Use Designation consistent with the Comprehensive Plan and compatible with the character of the surrounding area; recommend approval of the Large Scale Future Land Use Amendment from Residential Estates (0-1 du/ac) to Residential Very Low Suburban (0-2 du/ac) for the properties owned by Carrol M Hamrick and located north of West Ponkan Road and west of Mt. Sterling Avenue; and recommend transmittal to the Florida Department of Economic Opportunities for review. The applicant is PMDW Ventures, LLC. The existing use is vacant land and the proposed use is a subdivision with up to 70 single family homes. The current and proposed zoning is R-1AA (Single

Family Residential). The maximum allowable development under the existing future land use is 35 dwelling units. The maximum allowable development under the proposed future land use is 70 dwelling units. The tract size is 35.21 +/- acres.

The applicant intends to use the subject properties for a single family residential subdivision, and requests the City to assign a future land use designation of Residential Very Low Suburban to the property.

The subject properties were annexed into the City on July 18, 1990 via Ordinance No. 624. Pursuant to Florida law, properties ten acres or more are required to undergo review by State planning agencies.

A request to assign a Future Land Use Designation of Residential Very Low Suburban is compatible with the designations assigned to abutting properties. The FLUM application covers approximately 35.21 acres.

Residential Very Low Suburban Future Land Uses:

“The primary use shall be residential dwelling units up to 2 dwelling units per acre, elementary schools; middle schools; supporting infrastructure of less than two acres, neighborhood parks.”

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this land use change (see attached Land Use Report). Based on the findings of the Land Use report, the proposed FLUM amendment is compatible with the surrounding and nearby land uses and the character of the general area.

The proposed use of the property is consistent with the Residential Very Low Suburban designation. Policy 3.5, Future Land Use Element of the Comprehensive Plan governs the following” “Residential development north of Ponkan Road and west of Rock Springs Road (Park Avenue) will be restricted to no more than two dwelling units per acre, unless otherwise authorized through the adopted Wekiva Parkway Interchange Plan.”

School Capacity determination must be addressed with Orange County Public Schools prior to adoption of the future land use amendment. Applicant must provide a capacity enhancement agreement or a letter of capacity determination from OCPS prior to the City Council adoption hearing.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommends transmittal of the change in Future Land Use from Residential Estates (0-1 du/ac) to Residential Very Low Suburban (0-2 du/ac) for the properties owned by Carrol M Hamrick.

Staff recommended the Planning Commission find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend transmittal of the Future Land Use Map designation from Residential Estates (0-1 du/ac) to Residential Very Low Suburban (0-2 du/ac) to the Florida Department of Economic Opportunity.

This item is considered legislative and establishes general policy. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

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In response to questions by Mr. Ryan, Mr. Moon stated that the zoning designation for the adjacent Rock Springs Ridge, Phase 2, is Planned Unit Development (PUD) and the entire Rock Springs Ridge project was Master Planned. The future land use is Residential Estates which allows up to one dwelling unit per acre; however, due to the developer preserving open space for the golf course they were allowed up to two dwelling units per acre. The gross area density is one dwelling unit per acre.

Chairperson Greene opened the meeting for public hearing.

Anthony Zeli, 643 Gaelic Court, Apopka, stated he did not receive a notice about this proposal.

In response to questions by Mr. Zeli, Mr. Moon stated that once a property has been annexed into the City, the first step is the future land use amendment which will indicate the general category and allowable density or intensity for a particular area. The next step is the change of zoning which will specifically define permitted uses and contain the design and development guidelines for those intended uses. Site plans are not required during the future land use amendment process. Site plans may be a part of the change of zoning process, in particular, if the zoning is being changed to a Planned Unit Development which requires a master plan/preliminary development plan. Once the future land use and zoning are amended, a developer may start the development plan review process which would require a preliminary and/or a final development plan.

Mr. Moon added that the future land use is presented to the Planning Commission for their recommendation to City Council. City Council will have two hearings on the amendment. Since this is a large scale future land use, the City Council has a first reading and authorizes staff to transmit the future land use amendment to several State agencies for their review and comment. That review usually takes 60 days and once the comments are received, staff will review and amend any changes required and then submit the ordinance to the City Council for final review and adoption. Once the future land use amendment is adopted, the applicant may move forward with the change of zoning. The next step would be for the applicant to submit a development plan that staff reviews to ensure it is consistent with the Comprehensive Plan.

In response to a question by Mr. Zeli, Chairperson Greene stated the code requires that any development plan must keep stormwater on their own property.

In response to a question by Mr. Ryan, Mr. Moon stated that a traffic study would be required during the rezoning and the site plan process.

In response to questions by Ms. Laurendeau, Mr. Moon stated that the applicant is required to send property owners within 300 feet of the subject project notices via certified mail. The applicant is required to submit to staff proof that the notices were sent out. If there was not adequate notice given then the item would have to be rescheduled.

Mr. Zeli expressed his concerns about not receiving notification and possible traffic impacts.

In response to a question by Chairperson Greene, Mr. Moon stated that notices should be sent out for the rezoning but not the development plan.

In response to questions by Mr. Zeli, Patrick Brackin, City Attorney, stated that the future land use,

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zoning, and development plans come before the Planning Commission so they can make a recommendation to the City Council. The future land use and zoning go before the City Council twice. Once for the first reading and then a second time for second reading and adoption. Development Plans are also taken to City Council where the Council makes the final decision.

Chairperson Greene stated that the public may participate at either the Planning Commission or City Council meetings.

Hank Dunn, 665 Mt. Stirling Avenue, expressed his concerns regarding the ingress/egress for the proposed project.

Mr. Moon stated that there may be two accesses for this proposed project. One on Pitman Road and one on Mt. Stirling Avenue. They may both provide public access or one could be public and one could be used as an emergency access. This will be addressed during the development plan process.

Cory Clarke, 625 Mt. Stirling Avenue, expressed his concerns regarding access and buffering between the neighborhoods.

Chairperson Greene and Ms. Laurendeau stated that access and buffering would be addressed during the development plan process.

In response to a comment by Mr. Clarke, Mr. Brackins stated that typically he has never seen a future land use map application be contingent upon a fully engineered site plan.

Robert S. Rosen, 636 Cheviot Court, Apopka, stated that he did receive a certified letter last week. He expressed concern that this amendment would set a precedence that would be applied to the golf course area in Rock Springs Ridge.

Mr. Moon stated this is not setting a precedence. Rock Springs Ridge is a Planned Unit Development that is a different type of process. The approved density is 2 du/ac and the zoning is R-1AA that requires a minimum lot size of 12,500 sq. ft.

In response to questions by Jeff Outlaw, 633 Mt. Stirling Avenue, Apopka, Mr. Moon stated the case before the Planning Commission is legislative which means the decision is based on general policies set forth in the Comprehensive Plan. As a legislative item staff looks at whether the request to amend the future land use is compatible with the surrounding area, and consistent with abutting future land use and zoning designations. As a part of that review staff looks at the impacts to water, sewer, transportation and parks and recreation. Staff has determined that the proposed future land use amendment is compatible with the Comprehensive Plan and the surrounding area.

Mr. Moon stated that the role of the Planning Commission is advisory to the City Council. At the time of the rezoning and site plan process the project must meet the requirements set forth in the Land Development Code and is in the best interest of the public's health, safety and welfare. Once the State agencies have reviewed the proposed future land use amendment, the ordinance goes to the City Council for adoption. If adopted, the next step will be the change of zoning which will trigger another set of notices being processed. The property owners within 300 feet of the project will be sent certified mail notices; the property will be posted; and public hearing notices will be advertised in the Apopka Chief. However, if a property within 300 feet of the project is a rental property, the certified mail

notice is sent to the property owner and not the tenant.

In response to a question by Skip Ahearn, 609 Mt. Stirling Avenue, Mr. Moon stated the Comprehensive Plan limits density to two dwelling units per acre for properties north of Ponkan Road. It would take review by the State and City Council action to change the Comprehensive Plan.

With no one else wishing to speak, Chairperson Greene closed the public hearing.

Motion: Butch Stanley made a motion to find the proposed Future Land Use Designation consistent with the Comprehensive Plan and compatible with the character of the surrounding area; recommend approval of the Large Scale Future Land Use Amendment from Residential Estates (0-1 du/ac) to Residential Very Low Suburban (0-2 du/ac) for the properties owned by Carol M Hamrick and located north of West Ponkan Road and west of Mt. Sterling Avenue; and recommend transmittal to the Florida Department of Economic Opportunities for review. Motion seconded by Robert Ryan. Aye votes were cast by James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley (4-0). (Vote taken by poll.)

LEGISLATIVE – COMPREHENSIVE PLAN – LARGE SCALE – FUTURE LAND USE AMENDMENT – RADAM INVESTMENT, LLC - Chairperson Greene stated this is a request to find the proposed Future Land Use Designation consistent with the Comprehensive Plan and compatible with the character of the surrounding area; recommend approval of the Large Scale Future Land Use Amendment from Residential Low and Residential Low Suburban to Residential Medium Low for the properties owned by Radam Investment, LLC, and located north of Apopka Boulevard and west of South Lake Pleasant Road; and recommend transmittal to the Florida Department of Economic Opportunities for review.

Staff Presentation: Mr. Martinez stated this is a request to find the proposed Future Land Use Designation consistent with the Comprehensive Plan and compatible with the character of the surrounding area; recommend approval of the Large Scale Future Land Use Amendment from Residential Low and Residential Low Suburban to Residential Medium Low for the properties owned by Radam Investment, LLC, and located north of Apopka Boulevard and west of South Lake Pleasant Road; and recommend transmittal to the Florida Department of Economic Opportunities for review. The applicant is Jonathan Huels, Esq. The existing use are three single family homes. The proposed use is a development of up to 235 dwelling units. The current zoning is R-1AA (Single Family Residential) (ZIP) and the proposed zoning is Planned Unit Development. The maximum allowable development under the existing future land use is 88 dwelling units. The maximum allowable development under the proposed future land use is 153 dwelling unit. The tract size is 23.52 +/- acres.

The applicant intends to use the subject properties for a multi-family complex, and requests the City to assign a future land use designation of Residential Medium Low to the property.

The subject properties were annexed into the City on September 17, 2003 via Ordinance No. 1606 and on October 17, 1990 via Ordinance No. 634. The proposed Large Scale Future Land Use Amendment is being requested by the owner/applicant. Pursuant to Florida law, properties ten acres or more are required to undergo review by State planning agencies.

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A request to assign a Future Land Use Designation of Residential Medium Low is compatible with the designations assigned to abutting properties. The FLUM application covers approximately 23.52 acres.

Residential Medium Low Future Land Uses:

“The primary use shall be residential dwelling units up to 7.5 dwelling units per acre, elementary schools; middle schools; high schools; supporting infrastructure of less than five acres.”

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this land use change (see attached Land Use Report). Based on the findings of the Land Use report, the proposed FLUM amendment is compatible with the surrounding and nearby land uses and the character of the general area.

The proposed use of the property is consistent with the Residential Medium Low designation.

An executed capacity enhancement agreement or a letter of capacity determination with Orange County Public Schools will be required prior to adoption of the future land use amendment.

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on July 19, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommends transmittal of the change in Future Land Use from Residential Low (0-5 du/ac) and Residential Low Suburban (0-3.5 du/ac) to Residential Medium Low (0-7.5 du/ac) for the properties owned by Radam Investment, LLC.

Staff recommended the Planning Commission find the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommend transmittal of the Future Land Use Map designation from Residential Low and Residential Low Suburban to Residential Medium Low to the Florida Department of Economic Opportunity.

This item is considered legislative and establishes general policy. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

Chairperson Greene opened the meeting for public hearing.

Jonathan Huels, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., 215 N Eola Dr, Orlando, stated the property is located north of Apopka Boulevard and west of South Lake Pleasant Road. The overall tract size is 23.52 +/- acres of which there are 3.15 +/- acres of lake and wetland and 20.37 +/- acres of developable uplands. The property is surrounded by existing residential development. If the future land use of Residential Medium Low (0-7.5 du/ac) is adopted, the applicant will be requesting Planned Unit Development (PUD) zoning. The proposed project are 126 unit apartment complex. A central courtyard with a clubhouse and pool are proposed. The maximum height of the apartment buildings is 3-stories or 35 feet.

In response to questions by Michelle Payne, 1604 Valmont Lane, Apopka, Mr. Huels stated that the proposed project would be apartments and not townhomes. A traffic study would be done at the time of the site plan process and they would mitigate any issues that study identifies.

Mr. Huels stated that market was transitioning towards rentals and eliminating barriers to housing types. It is too early in the process to determine if they will be luxury apartments.

Shana Ellis, 1941 Pia Court, Apopka, expressed concerns regarding how crowded the area is and the conditions of the roads and whether improvements would be made.

Lucinda Burbach, 905 Sheila Place, Apopka, stated she keeps several types of animals on her property and that her property is not in the City [Unincorporated Seminole County]. She does not want to be forced to annex into the City of Apopka or to have the zoning changed. Additionally, she expressed concerns regarding traffic impacts in the area.

Earl Johnson, 1951 Tindaro Drive, Apopka, stated that he did not receive a notice regarding he hearing. He found out about the hearing on Facebook. He expressed his concerns regarding traffic impacts in the area; the number of units being proposed; and how this project would affect his property value.

Rich Roberts, 915 South Lake Pleasant Road, stated his property is not within the City limits. He expressed concerns regarding traffic impacts. Additionally, he was not noticed about this hearing and suggested that staff considering expanding the 300 foot notice requirement.

Monique Montgomery, 1641 Pickard Circle, Apopka, expressed her concern regarding traffic impacts and the value of her property if this project is approved.

Ms. Ellis added that their subdivision is used as a cut-through and there have been several accidents. She also expressed concerns regarding crime in the area; and the caliber of people that would be moving into the proposed apartments; and if the apartments would be HUD homes or Section 8.

Debra Huggins, 1632 Chatham Circle, Apopka, expressed concerns regarding the possibility that Apopka Boulevard, that runs directly behind her property, would have to be widened to accommodate the project and how that would affect her property.

Mr. Moon stated that a more detailed traffic study would be required at the time of the plan review. Additionally, if the traffic study warrants that Apopka Boulevard be widened it would probably come from the north side and not on the Chelsea Parc side.

In response to questions by Mr. Ryan, Mr. Moon stated that a brick wall would be required to buffer the proposed development from the adjacent residentially zoned properties. Mr. Moon confirmed that the applicant could apply for a variance to allow vinyl fencing.

Mr. Brackin stated the code provides mechanisms for obtaining relief from the provisions of the code where hardship would otherwise occur. Any person desiring to undertake a development activity not in conformance with the code may apply for a variance in conjunction with the application for development review. A development activity that might otherwise be approved by the director must be

approved by the Planning Commission if a variance is sought.

John Acevedo, 1577 Danisco Place, Apopka, expressed his concerns regarding stormwater runoff from the subject site.

Chairperson Greene stated that the code required all development to keep any stormwater on their own site.

Mr. Brackins reiterated that what was before the Planning Commission at this time is the future land use amendment.

Mr. Huels reminded all attending that the amendment to the future land use was the first step in a long process to getting a project finalized. When the PUD master plan is submitted it will contain a great deal more detail.

Mr. Johnson reiterated his concerns.

Haide Medina, 1621 Apopka Boulevard, Apopka, expressed concerns regarding a three-store apartment complex and people being able to see into her yard; and due to the softness of the ground where the project was being planned sink holes could occur.

Mr. Huels stated that the buildings will be set back far enough from the roadway that it is unlikely that anyone would be able to see into the yards of adjacent residential properties.

Mr. Moon stated that the building setbacks are a part of the site plan review; and as part of that review, a soils study would be required.

Ms. Ellis reiterated her concerns with traffic, the type of housing being proposed, and the density of the area.

Ms. Payne requested that staff consider expanding the 300' notification; and again asked that this project not be approved.

In response to a question by Ms. Burbach, Mr. Huels stated the wall would surround the perimeter of the subject property.

With no one else wishing to speak, Chairperson Greene closed the public hearing.

Motion: Butch Stanley made a motion to find the proposed Future Land Use Designation consistent with the Comprehensive Plan and compatible with the character of the surrounding area; recommend approval of the Large Scale Future Land Use Amendment from Residential Low and Residential Low Suburban to Residential Medium Low for the properties owned by Radam Investment, LLC, and located north of Apopka Boulevard and west of South Lake Pleasant Road; and recommend transmittal to the Florida Department of Economic Opportunities for review. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley (4-0). (Vote taken by

poll.)

QUASI-JUDICIAL – MASTER SIGN PLAN – ADVENTIST HEALTH - Chairperson Greene stated this is a request to find the Advent Health Master Sign Plan amendment consistent with the Land Development Code; and recommend approval of the master sign plan amendment, subject to the findings of the staff report and conditions of approval for the property owned by Adventist Health System/Sunbelt Inc. and located at 2100 Ocoee Apopka Road.

Chairperson Greene asked if there were any affected parties in attendance that wished to speak. No one spoke.

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: Jean Sanchez, Planner II, stated this is a request to find the Advent Health Master Sign Plan amendment consistent with the Land Development Code; and recommend approval of the master sign plan amendment, subject to the findings of the staff report and conditions of approval for the property owned by Adventist Health System/Sunbelt Inc. and located at 2100 Ocoee Apopka Road. The applicant is Icon, c/o Jessica Stein. The zoning is Planned Unit Development (PUD). The existing use is a hospital complex. The building size is 265,904 gross floor area. The tract size is 33.71 +/- acres or 1,468,407.6 +/- square feet.

The Advent Health Master Sign Plan Amendment, previously named Florida Hospital Master Sign Plan includes new proposed signage for the entire complex. Through the proposed amendment to the Master Sign Plan, the applicant is requesting an increase the number of ground signs and wall sign size from one fifteen foot tall ground sign to three ground signs at 15 feet in height and from two 100-square feet of copy area of wall signs to 336 square feet of copy area for each wall sign. The Proposed sign elevations appear within the Master Sign Plan package.

MASTER SIGN PLAN CONDITIONS OF APPROVAL:

1. To meet the intent of the sign ordinance, the Master Sign Plan Amendment for the Florida Hospital (aka Advent Health Systems) site shall be subject to the following conditions:
 - a. An approved variance shall be required to increase the previously approved two wall signs at 100 square feet each to 336 square feet each of copy area.
 - b. Electronic reader boards are not allowed within any monument sign along both frontages. LDC Section. 8.04.08
 - c. No portable trailer signs shall be allowed for any business within Advent Health. LDC Section 8.04.13
 - d. No human signs shall be allowed for any business within Advent Health. LDC Section 8.05.02(F)

APPLICANT REQUEST: Through the Master Sign Plan Amendment, the applicant is requesting approval of the following and the exempt “emergency” wall sign:

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1. Three illuminated ground signs at 15 feet in height with a total copy area of 297 square feet.
2. Nine illuminated directional signs at six feet tall. Each sign shall have a copy area of 24.75 square feet for a total of 222.75 square feet.
3. One illuminated directional sign at eight feet tall with a copy area of 33 square feet.
4. One non-illuminated directional sign at a height of five height with a total of 20.63 square feet of copy area.
5. Four non-illuminated directional signs at a height of four feet each for a total of 47.5 square feet of copy area.
6. Two illuminated wall signage each at 336 square feet of copy area. A variance application shall be approved by the Planning Commission to increase previously approved wall signs from 100 square feet for each to 336 square feet of copy area for each sign.
7. The “emergency” sign shall remain exempt per Section 8.02(C) of the Land Development Code (LDC).

FINDINGS: In granting approval of the Master Sign Plan for ADVENT HEALTH, the City of Apopka finds:

1. The Master Sign Plan Amendment application for ADVENT HEALTH, formerly known as Florida Hospital, has been submitted and reviewed by planning staff. Planning Staff does not object to the Master Sign Plan Amendment as proposed subject to the Master Sign Plan Conditions of Approval appearing in the staff report.
2. A variance for the proposed two wall sign must be reviewed at a public hearing before the Planning Commission prior to the wall signs increasing from 100 square feet each to 336 square feet each sign of copy area. The proposed wall signs only become part of the sign master plan if a variance is approved by the Planning Commission.

The Development Review Committee recommends approval of the Advent Health Master Sign Plan Amendment subject to the findings of this staff report and conditions of approval.

Staff recommended the Planning Commission find the Advent Health Master Sign Plan amendment consistent with the Land Development Code, and recommend approval of the master sign plan amendment, subject to the findings of this staff report and conditions of approval.

The Planning Commission has been granted the authority pursuant to Article VIII of the Land Development Code, to take final action regarding a Master Sign Plan.

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.

Mr. Moon stated that staff believes that the signs not to be included in the variance request should be a part of the Master Sign Plan. The proposed signs are necessary to the rebranding that is taking place.

Sonny Pesek, Icon Sign Company, 250 US Hwy-41 East, Negaunee, Michigan, stated they were requesting to expedite the review and approval process because Advent Health is rebranding at the beginning of next year. They will need time to create and install the new signs.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

Motion: Robert Ryan made a motion to find the Advent Health Master Sign Plan amendment consistent with the Land Development Code; and recommend approval of the master sign plan amendment, subject to the findings of the staff report and conditions of approval for the property owned by Adventist Health System/Sunbelt Inc. and located at 2100 Ocoee Apopka Road. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley (4-0). (Vote taken by poll.)

QUASI-JUDICIAL – FINAL DEVELOPMENT PLAN – SPECIAL OPS TACTICAL - Chairperson Greene stated this is a request to find the Special Ops Tactical – Final Development Plan consistent with the Comprehensive Plan and Land Development Code, and recommend approval of the Special Ops Tactical – Final Development, subject to the findings of this staff report for the property owned by Property Industrial Enterprises, LLC c/o Michael R. Cooper, and located at 655 Gem Commerce Court.

Chairperson Greene asked if there were any affected parties in attendance that wished to speak. No one spoke.

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: Ms. Sanchez stated this is a request to find the Special Ops Tactical – Final Development Plan consistent with the Comprehensive Plan and Land Development Code, and recommend approval of the Special Ops Tactical – Final Development, subject to the findings of this staff report for the property owned by Property Industrial Enterprises, LLC c/o Michael R. Cooper, and located at 655 Gem Commerce Court. The applicant is Ken Ehlers, P.E. The future land use is Industrial and the zoning is PUD/I-1 (Planned Unit Development/Industrial). The existing use is vacant land and the proposed use industrial proposed for Lot 8 within Lake Gem Commerce Park. The proposed building size is 4,000 square feet (1,150 square feet of manufacturing and 2,850 square feet of office). The proposed Floor Area Ratio (FAR) is 0.22 and the Maximum allowed is 0.60. The tract size is 0.56 +/- acres or 26,245 +/- square feet.

The Special Ops Tactical - Final Development Plan is a site plan proposing a 4,000 square feet one-story building at 28 feet in height to be used for manufacturing. Located within the PUD/I-1 zoning district, Special Ops Tactical is Lot 8 of the Lake Gem Industrial Park contains 26,245 square feet of lot area. Lake Gem Commerce complies with the development standards for I-1 zoning district but allowed for a building height of up 50 feet.

The minimum setbacks applicable to this project are:

Setback	Min. Standard
Front*	25'
Side	10'
Rear	10'*
Corner	25'

*30 feet setback from residential uses or zoning districts.

Ingress/egress access points for the development will be via Gem Commerce Court with full access onto Marshall Lake Road. Fourteen parking spaces are provided, including one handicap accessible parking space, while thirteen are required by Code.

A transportation impact analysis (TIA) was conducted for the Lake Gem Industrial Park to assess the impacts of the total project on the surrounding roadway segments and intersections within a one-mile radius of the project per the City’s adopted TIA methodology. Special Ops Tactical, located on Lot 10, is one of the 12 lots located in the Lake Gem Industrial Park project. Included in the analysis were segments of Bradshaw Road, Marshall Lake Road, and W 1st Street. The intersection of Bradshaw Road and Lake Marshall Road along with the site entrance on Lake Marshall Road were also analyzed.

The Lake Gem Industrial Park project will generate 627 Daily trips and 87 P.M. Peak Hour trips. Marshall Lake Building Lot 10 will generate 52 Daily trips and 7 P.M. Peak Hour trips. The addition of the project trips for the entire Lake Gem Industrial Park to the study roadways will not cause the Level of Service (LOS) to fall below the City’s adopted LOS. The intersection of Bradshaw Road and Marshall Lake Road and the site entrance will operate at acceptable Levels of Service with the addition of project generated traffic.

The stormwater management system includes an on-site retention area on the western portion of the Lake Gem Commerce Industrial Park. The stormwater pond design has been previously reviewed under the Lake Gem Commerce Park and meets the City’s Land Development Code requirements.

A 25-foot wide landscaped buffer and oak trees are provided along Gem Commerce Court. A Crepe Myrtle is provided for the parking landscape island, which is approximately 10-feet in width and matches the length of the adjacent parking spaces.

Architectural renderings (pictures) of the exterior of the building will look like are provided within the site plan. The building exterior is similar to other buildings within the Cooper industrial parks along Bradshaw Road, and it meets the intent of the City’s development design standards/guidelines.

The County was notified at the time of the subdivision plan and plat for this property through the DRC agenda distribution.

The Development Review Committee recommends approval of the Special Ops Tactical – Final Development Plan subject to the findings of this staff report.

Staff recommended the Planning Commission find the Special Ops Tactical – Final Development Plan consistent with the Comprehensive Plan and Land Development Code, and recommend approval of the Special Ops Tactical – Final Development, subject to the findings of this staff report.

The role of the Planning Commission for this development application is to advise the City Council to approve, deny, or approve with conditions based on consistency with the Comprehensive Plan and Land Development Code.

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.

In response to a question by Mr. Ryan, Ms. Sanchez stated the front door will be on the east side of the building.

Chairperson Greene opened the meeting for public hearing. With no one wishing to speak, Chairperson Greene closed the public hearing.

Motion: Butch Stanley made a motion to find the Special Ops Tactical Final Development Plan consistent with the Comprehensive Plan and Land Development Code, and recommend approval of the Special Ops Tactical – Final Development, subject to the findings of this staff report for the property owned by Property Industrial Enterprises, LLC c/o Michael R. Cooper, and located at 655 Gem Commerce Court. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Linda Laurendeau, Robert Ryan, and Butch Stanley (4-0). (Vote taken by poll.)

OLD BUSINESS: None.

NEW BUSINESS: None.

ADJOURNMENT: The meeting was adjourned at 7:47 p.m.

/s/

James Greene, Chairperson

/s/

James K. Hitt, FRA-RA
Community Development Director