

**MINUTES OF THE PLANNING COMMISSION SPECIAL MEETING HELD ON AUGUST 25, 2015, AT 5:01 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.**

**MEMBERS PRESENT:** James Greene, Robert Ryan, Tony Foster, Jeremiah Jaspon, Linda Laurendeau, and Pam Toler

**ABSENT:** Melvin Birdsong, Orange County Public Schools (Non-voting)

**OTHERS PRESENT:** David Moon, AICP - Planning Manager, Rogers Beckett - Special Projects Coordinator, Kyle Wilkes - Planner II, Robert Sargent - Public Information Officer, Andrew Hand, Esq., John Herbert, Jeff Banker, Jose' Cantero, Suzanne Kidd, Steve Francis, Ed Velazquez, Teresa Sargeant, and Jeanne Green – Community Development Department Office Manager/Recording Secretary.

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

**APPROVAL OF MINUTES:** Chairperson Greene asked if there were any corrections or additions to the regular meeting minutes of August 11, 2015, at 5:01 p.m. minutes.

**Motion:** Tony Foster made a motion to approve the Planning Commission minutes from the regular meeting on August 11, 2015, meeting at 5:01 and seconded by Pam Toler. Aye votes were cast by James Greene, Robert Ryan, Tony Foster, Jeremiah Jaspon, Linda Laurendeau, and Pam Toler (6-0). (Vote taken by poll.)

**SWEARING-IN** - Mr. Hand swore-in staff, the petitioners, and affected parties.

**CHANGE OF ZONING – CANTERO HOLDINGS LLC** – Mr. Greene stated this is a request to recommend approval of the change of zoning for Cantero Holdings, LLC, from AG (Agriculture) to AG-E (Agriculture Estates) for the property located east of Golden Gem Road, north of Ponkan 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: David Moon, AICP, Planning Manager, stated this is a request for a change of zoning from AG (Agriculture) to AG-E (Agriculture Estates) for the property owned by Cantero Holdings, LLC and the applicant is the City of Apopka. The property is located east of Golden Gem Road, north of Ponkan Road. The existing use is timberland and the proposed use is single-family homes. The Future Land Use is Rural Settlement (1 du/5 acres). The tract size is 81.39 +/- acres. The existing maximum allowable development is 16 Residential Units and the proposed is 32 Residential Units.

The subject properties were annexed into the City of Apopka on December 1, 2004, through the adoption of Ordinance No. 1692, 1693, 1694 and 1695.

The proposed city zoning category is comparable to the densities and intensities and uses allowed under the existing “county” zoning classification, and the proposed zoning change is compatible with the character of the surrounding area. The property owner intends to develop the property as twelve (12) single-family residential lots. The AG-E zoning category does not allow for trailer homes and requires a minimum house livable area of 2,200 sq. ft., a minimum lot area of two and a half acres, and a minimum lot width of 150 feet.

Staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this zoning change (see attached Zoning Report).

The proposed zoning classification is consistent with the Future Land Use Designation assigned to the property.

The impact on the number of residential units under the proposed rezoning will be de minimus and, therefore, a school capacity enhancement agreement with OCPS is not necessary.

The subject properties are located within the “Northern Area” of the Joint Planning Area with Orange County. The subject properties are not located within any other city zoning overlay or protection area.

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 24, 2015.

*Land Use & Traffic Compatibility:* The subject property fronts and is accessed by a local roadway (Golden Gem Road).

*Comprehensive plan compliance:* The proposed AG-E zoning is consistent with the City’s Rural Settlement (1 du/5 acres) Future Land Use designation and with the character of the surrounding area and future proposed development. The AG-E zoning classification is one of the acceptable zoning categories allowed within the Rural Settlement Future Land Use category. Development Plans shall not exceed the density allowed in the adopted Future Land Use Designation.

*AG-E District Requirements:*

Minimum Living Area:	2,200 sq. ft.
Minimum Site Area:	At 2.5 acres (or 108,900 sq. ft.)
Minimum Lot Width	150
Setbacks:	
Front:	45 ft.
Rear:	50 ft.
Side:	35 ft.
Corner	35 ft.

Based on the above zoning standards, the subject parcels comply with code requirements for the AG-E district.

*Bufferyard Requirements:*

1. Developments shall provide a minimum six-foot high brick or stone finished wall adjacent to all external roadways, erected inside a minimum ten-foot landscaped bufferyard. Landscape materials shall be placed adjacent to the right-of-way, on the exterior of the buffer wall.
2. Areas adjacent to agriculture districts or activities shall provide a minimum five foot bufferyard and a minimum six-foot high brick or stone finished wall unless acceptable alternatives are submitted for approval.

*Allowable Uses:* Single-family dwellings providing they are consistent with the stated purpose of this zoning district, commercial wholesale foliage plant production nursery, livestock barns and stables, crop and animal production and the buildings and structures necessary to support such production and other accessory uses in accordance with article VII of the Apopka Land Development Code.

The Development Review Committee recommends approval of the change in zoning from AG to AG-E for Cantero Holdings, LLC subject to the information and findings in this staff report.

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

The Planning Commission's Role is advisory to City Council. The Planning Commission may recommend to approve, deny or to approve with conditions.

Petitioner Presentation: Jose' Cantero, Cantero Holdings LLC, 12601 Avalon Road, Winter Garden, Florida, stated that they were in agreement with staffs' recommendation and was available to answer any questions the Commission may have.

Affected Party Presentation: None.

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

In response to a comment by Mr. Foster, Mr. Moon stated that the current AG (Agricultural) zoning would allow mobile homes to be installed on this property. The applicant requested the change of zoning to AG-E (Agricultural Estates) which does not allow mobile homes. Additionally, the minimum living area for the single-family residences under the AG-E zoning category is 2,200 sq. ft.

**Motion:** Tony Foster made a motion to recommend approval of the Change in Zoning from AG (Agriculture) to AG-E (Agriculture Estates) for the property owned by Cantero Holdings, LLC, located east of Golden Gem Road, north of Ponkan Road; subject to the information and findings in the staff report; and Linda Laurendeau seconded the motion. Aye votes were cast by James Greene, Robert Ryan, Tony Foster, Jeremiah Jaspon, Linda Laurendeau, and Pam Toler (6-0). (Vote taken by poll.)

**CHANGE OF ZONING – 3<sup>rd</sup> AMENDMENT TO PLANNED UNIT DEVELOPMENT MASTER PLAN – MULLINAX FORD OF CENTRAL FLORIDA, INC.** – Mr. Greene stated this is a request to recommend approval of the Change of Zoning for Mullinax Ford of Central Florida, Inc. for the 3<sup>rd</sup> Amendment to the Planned Unit Development Master Plan, for property located north of S.R. 436 (a.k.a. Semoran Boulevard) and east of Roger Williams 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: Mr. Moon stated this is a request to recommend approval of the Change of Zoning for Mullinax Ford of Central Florida, Inc. for the 3<sup>rd</sup> Amendment to the Planned Unit Development Master Plan, for property located north of S.R. 436 (a.k.a. Semoran Boulevard) and east of Roger Williams Road. The engineer is American Civil Engineering Company c/o John Herbert, P.E. The future land use is Commercial. The existing use is an automobile dealership. The proposed development is to construct a truck display mountain, service building, paved employee parking spaces and vehicle inventory storage area. The tract size is 21.51 +/- Acres.

The original PUD Master Plan was adopted on January 2, 2003, through Ordinance # 1552, allowing automotive sales and associated uses. The PUD Master Plan amendment identifies four development

phases for the site. The first phase includes the construction of a 203' x 73' truck display mountain 23' in height and 96 paved employee parking spaces. The second phase of the proposed PUD Master Plan includes the development of a 6,290 sq. ft. service building with phases 3 and 4 expanding the employee parking and vehicle inventory storage area.

**Comprehensive Plan Compliance:** The proposed PUD zoning is consistent with the City's Commercial Land Use designation. The development plan shall not exceed the intensity allowed within the adopted Future Land Use designation.

**Land Use Compatibility:** The property fronts an urban principle arterial roadway (Semoran Blvd, S.R. 436). The properties to the south, east and west have established commercial uses.

**Buffer yard Requirements:** Areas adjacent to all road right of ways shall provide a minimum ten foot landscape bufferyard. Areas adjacent to residential uses or districts shall provide a six foot high masonry wall within a ten-foot landscape buffer.

***Proposed PUD Recommendations:*** The PUD recommendations are that the zoning classification of the following described property be designated as Planned Unit Development (PUD), as defined in the Apopka Land Development Code, and with the following Master Plan provisions:

Section I. That the zoning classification of the following described property be designated as Planned Unit Development (PUD), as defined in the Apopka Land Development Code, and with the following Master Plan provisions subject to the following zoning provisions:

- A. The uses permitted within the PUD district shall be those allowed within the C-2 zoning category.
- B. All development standards set forth in the Land Development Code and Development Design Guidelines shall apply to development within the PUD unless as otherwise allowed and defined as follows:
  - 1. The truck display mountain shall not exceed a height of twenty-five (25) feet above ground elevation. (The vehicle is not considered part of the height of the truck display mountain when a truck(s) is parked on this structure.)
  - 2. Signage shall comply with the City's sign codes unless otherwise approved through a master sign plan. No business identification shall be placed on the vehicle display mountain or vehicles parked thereon.
  - 3. No outdoor light poles shall be placed on the truck display mountain. Any ground lighting placed there on or projected on to the truck display mountain must be approved with a preliminary or final development plan.
  - 4. Outdoor display of new vehicles allowed within the display areas denoted as "Rock Area" on the Master Plan. No used or pre-owned vehicles shall be placed with the "Rock Area". All vehicles shall only be parked or stored within paved parking areas or designated outdoor display areas appearing on the Master Plan. Landscape areas shall not be used for vehicle parking or storage.
  - 5. Outdoor illumination plan shall be provided with the preliminary or final development plan.
- C. The C-2 zoning standards shall apply to the development of the subject property unless otherwise established herein this ordinance.

The display mountain will be surrounded by fencing and will not be accessible by the public.

The Development Review Committee (DRC) recommended approval of the Mullinax Ford PUD Master Plan Amendment for the property owned by Mullinax Ford of Central Florida, Inc., located north of S.R. 436, east of Roger Williams Road, subject to PUD Recommendations and the information and findings in the staff report.

The Planning Commission's Role is advisory to City Council. The Planning Commission may recommend to approve, deny or to approve with conditions.

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 Ms. Laurendeau, Mr. Moon stated that if the amendment is approved by the City Council, the existing rock areas at the front of the dealership will be approved by this Master Plan.

In response to a question by Ms. Toler, Mr. Moon stated the length of the truck display mountain is approximately 200 ft.

In response to a question by Mr. Foster, Steve Francis, Vice-President of Operations, for Mullinax Ford of Central Florida, Inc., 1551 East Semoran Boulevard, Apopka, stated that the truck display mountain will be the first for Mullinax in the state of Florida; however, they do have one in Mobile, Alabama that is 80 feet long.

Petitioner Presentation: Mr. Francis stated that this project dates back to 2003 at which time they got approval to expand their property and the display area to the west. This area that we are talking about, Phase 1, will be the employee parking lot and the display mountain is a platform where we thinking about building a brand new dealership prior to 2008. Unfortunately the economic conditions changed and our employees now park on gravel and what they refer to as "the land of little lakes." He said he was available to answer any questions the Commission may have. He introduced John Hebert, Civil Engineer, for the project.

Affected Party Presentation: None.

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

**Motion:** Jeremiah Jaspon made a motion to recommend approval of the Change in Zoning for the 3<sup>rd</sup> Amendment to the Planned Unit Development Master Plan for Mullinax Ford of Central Florida, Inc. on property located north of S.R. 436 (a.k.a. Semoran Boulevard) and east of Roger Williams Road; subject to the information and findings in the staff report; and Tony Foster seconded the motion. Aye votes were cast by James Greene, Robert Ryan, Tony Foster, Jeremiah Jaspon, Linda Laurendeau, and Pam Toler (6-0). (Vote taken by poll.)

**REVISED FINAL DEVELOPMENT PLAN - NORTHWEST DISTRIBUTION FACILITY BUILDING "C"** - Mr. Greene stated this is a request to recommend approval of the revised Final Development Plan for Northwest Distribution Facility Building "C" owned by Oakmont Apopka Road, LLC and located at 1349 Ocoee-Apopka Road generally located between S.R. 451 and Ocoee-Apopka Road and east of Boy Scout 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.

Mr. Moon stated that he had received a question via e-mail from Commission member Laurendeau asking with regard to aesthetics and the landscape islands, would the requested waivers be consistent/complimentary with the existing development on the site. He stated that the answer would be provided during that portion of the staff's presentation.

Staff Presentation: Mr. Moon stated that as the City is growing and staff becomes busier, from time to time, Planning staff members, Rogers Beckett, Special Projects Coordinator, and Kyle Wilkes, Planner II, will be making presentations to the Commission. He further stated that Mr. Beckett would be giving the staff report for the Northwest Distribution Facility Building "C."

Mr. Moon stated that this item includes four waivers. The Commission has the option of addressing each waiver separately or if there is a consensus, the Commission may combine them into one motion.

In response to a question by Chairperson Greene, Mr. Moon stated that if the consensus of the Commission is that all of the waivers are going to be approved or all denied, the Commission may make one motion for all four waivers and include them in the overall motion for the action being taken on the Revised Final Development Plan. If the Commission wanted to pull one waiver out for action, then they could make take that action and then make a motion that includes the other three waivers and the development plan.

Mr. Beckett - Special Projects Coordinator, stated this is a request to recommend approval of the revised Final Development Plan for Northwest Distribution Facility Building "C." The owner/applicant is Oakmont Apopka Road, LLC, c/o Thomas A. Cobb, and the property is located at 1349 Ocoee-Apopka Road generally located between S.R. 451 and Ocoee-Apopka Road and east of Boy Scout Road. The engineer is Highland Engineering, Inc. c/o Jeffery W. Banker, P.E. The architect is Smallwood, Reynolds, Stewart, Stewart & Assoc., Inc. The land use is Industrial and the zoning is I-1. The existing use is vacant land and the proposed use is an industrial warehouse (144,148 sq. ft.) with an office complex (5,000 sq. ft.). The tract size is 8.85 +/- acres. The overall site size is 45.09 +/- acres. The combined building size is 149,148 sq. ft.

The Northwest Distribution Facility Building C - Revised Final Development Plan proposes a 149,148 sq. ft. industrial warehouse and office space. A total of 150 parking spaces are provided (300 required by code) of which 6 are reserved as a handicapped parking space. The applicant is requesting a waiver to reduce the parking space requirement for the site. Access to the site is provided by a driveway cut along Ocoee-Apopka Road.

The height of the proposed building is 40' (top of parapet wall). The City approved a variance on October 10, 2006 for the overall building height for this project not to exceed 50'. The proposed height 40' is well below the maximum that could be built. Staff has found the proposed building elevations to be in accordance with the City's Development Design Guidelines.

Stormwater run-off and drainage will be accommodated by a master stormwater drainage system. The master stormwater management system is designed according to standards set forth in the Land Development Code.

A twenty-five foot landscape buffer is provided along Ocoee-Apopka Road. The applicant has provided a detailed landscape and irrigation plan for the property. The planting materials and irrigation system design are consistent with the water-efficient landscape standards set forth in Ordinance No. 2069.

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Total inches on-site:	55
Total number of specimen trees:	0
Total inches removed	0
Total inches retained:	55
Total inches required:	340
Total inches replaced:	340
Total inches post development:	340

*Waiver Requests:*

1. Waiver Request #1: Land Development Code (LDC), Section 6.03.02.A Requires the 2 parking spaces per 1000 square feet of gross floor area up to 150,00 square feet, plus 1 space for each vehicle operating from the premises. The applicant is requesting the required parking to be based on the number of employees working at the facility during the largest shift. The proposed use of facility does not fit the description in the parking code for industrial/warehouse uses. The facility will be mostly used for storage of materials and will have a maximum of 90 employees working during the largest shift and no service provided to the general public. DRC supports this waiver request.
2. Waiver Request #2: LDC 5.08.01.C require a landscape island every 20 parking spaces and Development Design Guidelines Section 4.4 require a landscape island every 10 parking spaces. The applicant is requesting not to require landscape islands within the trailer parking and staging area. Justification: Trailer parking/staging is not specifically addressed by the City of Apopka Code, but the 39 trailer staging spaces provided is a specific requirement of the tenant/occupant. DRC supports this waiver request.
3. Waiver Request #3: The Development Design Guidelines Section 4.4 which require a landscape every 10 spaces. The applicant is requesting that a landscape island be required every 20 parking spaces for vehicular parking areas, which is consistent with code requirements in 5.08.01.C. The City of Apopka Development Design Guidelines require no more than 10 parking spaces without a landscape island, which conflicts with the criteria specifically addressed by the City of Apopka Code, section 5.08.01.C; which require no more than 20 parking spaces without a landscape island. DRC supports this waiver request.
4. Waiver Request #4: The applicant is requesting a waiver from LDC 5.01.10; which requires trees and scrubs to be placed on separate irrigation zones. The applicant is requesting to install bubblers on all trees which will connect to the nearest zone. DRC supports this waiver request.

The Development Review Committee recommends approval of the Northwest Distribution Facility Building C – Revised Final Development Plan and waiver requests, 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

Recommend approval of the Northwest Distribution Building C – Revised Final Development Plan and the four waivers, subject to the findings of this staff report.

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

In response to a question by Mr. Foster, Mr. Beckett stated that staff supports the waiver requests.

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In response to questions Ms. Toler, Mr. Beckett stated that in certain areas of the project, they exceed the 10 space requirement. The request is to allow a landscape island for every 20 spaces as opposed to the code requirement of one for every 10 spaces. In this case, they are complying with the Land Development Code (LDC), Section 5.08.01.c. The Land Development Code has precedence over the Development Design Guidelines.

In response to a question by Mr. Ryan, Mr. Beckett stated that in his research he did not see this particular waiver request for the Northwest Distribution Center located south of this project. He said that could be due to how the staff report was analyzed when that project was approved.

In response to a question by Ms. Laurendeau, Mr. Beckett stated that this project is consistent with the previously approved plans for the buildings constructed on this site.

Mr. Beckett referred Mr. Jaspon's questions about why the applicant was requesting fewer parking spaces and Mr. Foster's question as to whether it was due to environmental issues or aesthetics to the applicant.

Petitioner Presentation: Jeff Banker, P.E., Highland Engineering, Inc., 79 W Illiana St, Orlando, stated that in some areas the proposed project exceeds the parking requirements. He said this project mirrors what has been approved in the past. He said the other objective of the waiver request is to generate more parking on the site. This building is tenant driven and there is a long term lease on this building. It is a build-to-suit building. A substantial portion of the building that is unutilized by the majority of the staff. There is over 50,000 sq. ft. of refrigerated and freezer areas that are used for product storage. So the nature of the use as a building is a little different than what the Code speaks to. This is why we asked that it be based more in line with the tenant's use of the site which is based on his largest shift on the property. He has two shifts and the largest shift being up to 90 employees. We've still provided up to 150 parking spaces just for growth. The second waiver to limit the number of landscape islands in the trailer parking and staging area is being requested because these spaces are 50 feet deep. If there is landscape islands every 10 spaces with the trucks backing their trailers in, those islands are going to get run over.

In response to a question by Ms. Toler, Mr. Banker stated that the third waiver is for parking spaces for vehicles and does not apply to trucks.

Mr. Banker stated this is very consistent with what was brought before the Planning Commission and City Council in 2007. The building is pretty much the same size and scale to the previous building. It's configured a little differently because it is being built to suit a specific tenant in the long term lease. The site had to be modified slightly to accommodate that building footprint.

In response to questions by Mr. Jaspon, Mr. Banker stated that when the project came through originally, the parking was applied to the office use only. Not necessarily the warehouse space because that space was mostly storage. Not occupied by a lot of staff. The parking was applied a lot less liberally than is being applied today. Originally it did comply with the Codes.

Mr. Beckett stated the original approved plan provided 126 parking spaces. They did that analysis based upon 20,000 sq. ft. of office space being used with the remaining being dead storage space. While the parking is inconsistent with the code, the applicant has made every attempt to apply their parking areas as closely to the code as possible.

Mr. Moon stated that the Land Development Code does provide a provision for the applicant to request fewer parking spaces than what is required. What is required is the general standard but if evidence is submitted that the need for parking is less than the requirement then, in some cases, staff can approve that deviation. In this case the applicant submitted information based on the number of employees that the application of the required number of spaces would yield a significant amount of useable parking.



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The risk that the City takes is if the site were to change use. Then there could be parking issues, but as this is a warehouse, we are anticipating that they will be there for a significant period of time.

In response to questions by Mr. Foster, Mr. Banker stated that he is not sure who all the tenants are on the property. There is a mix of tenants that occupy the first two buildings. This building is a specific distribution service that distributes to restaurants and different food service establishments throughout Central Florida. He stated they have signed long term lease agreement for this property.

Affected Party Presentation: None.

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

Ms. Toler asked that the Commission take action of Waiver No. 3 separately.

In response to a question by Mr. Jaspon, Chairperson Greene suggested that the Commission deal with Waiver No. 3 first before action on the other items.

Ms. Toler expressed her concern regarding the request for landscape islands every 20 spaces rather than the 10 required by Code. She said this is Florida and this is a large tarmac area that gets very, very warm. She said she believes that additional trees would cut down some of that heat and that even the employees who park in the lot would be for favorable to having more trees so their cars aren't as hot.

Chairperson Greene stated there won't be trees for every car and that Ms. Toler may make a motion to deny Waiver No. 3 if that is what she would like.

**Motion: Pam Toler made a motion to recommend denial of the waiver request of the Development Design Guidelines, Section 4.4, to allow the applicant to install landscape islands for every 20 parking spaces for vehicular parking areas, for the Northwest Distribution Facility Building "C" owned by Oakmont Apopka Road, LLC; subject to the information and findings in the staff report. Robert Ryan seconded the motion.**

Mr. Moon stated that the Planning Commission needs to understand the ramification if you should deny the waiver requiring the additional islands. The Planning Commission is already aware that they have a reduction in the number of parking spaces based on the number of employees. To accommodate the additional islands parking spaces will have to be removed. Applicant of that Code, he said he can't say at this time, how many additional parking spaces will be lost. If that's the case then the consideration would be to, if you choose to deny that waiver, to table it until staff can tell you what those ramifications are. This would mean delaying this project and holding the meeting on September the 8<sup>th</sup>, the day after Labor Day which we were hoping not have a meeting on that day. Or you could approve it, recognizing that you agree in the reduction of the number of parking spaces and let it carry forward to the City Council.

In response to a question by Mr. Jaspon, Mr. Moon stated that typically canopy trees are required in landscape islands because they provide shade. There are several reasons for the trees within the parking areas: 1. Aesthetics; 2. They provide shade for some vehicles. A typical canopy tree is going to take many years to reach a height of canopy that is going to provide significant shade; and 3. On a more urbane area, it helps reduce the heat on the pavement which reduces the heat going into the environment.

In response to a question by Mr. Foster, Mr. Moon stated that one option, which would require a friendly amendment to the motion, is that based on the number of trees that would be lost on those

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islands is to ask that they be replanted within the perimeter area creating additionally shade and screening along the perimeter.

In response to questions by Ms. Laurendeau, Mr. Banker stated the tenant will be a 24/7, 365 days a year operation. Shade would only be an issue during the day. He said that for the most part the site does meet the one island for every 10 parking spaces. The parking field to the northwest corner and on the southeast side of the plan meets the parking requirement of the Code. He said there are a total of four (4) total landscape islands in the parking areas. He said they will be giving up four parking spaces to create the four landscape islands.

**Aye votes were cast by Robert Ryan and Pam Toler. Nay votes were cast by James Greene, Tony Foster, Jeremiah Jaspon, and Linda Laurendeau. (Vote taken by poll.) Motion failed (2-4).**

**Motion:** Linda Laurendeau made a motion to recommend approval of the four waiver requests and the Revised Final Development Plan for the Northwest Distribution Facility Building "C" owned by Oakmont Apopka Road, LLC and located at 1349 Ocoee-Apopka Road generally located between S.R. 451 and Ocoee-Apopka Road and east of Boy Scout Road; subject to the information and findings in the staff report. Jeremiah Jaspon seconded the motion. Aye votes were cast by James Greene, Robert Ryan, Tony Foster, Jeremiah Jaspon, Linda Laurendeau, and Pam Toler (6-0). (Vote taken by poll.)

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**ADJOURNMENT:** The meeting was adjourned at 5:51 p.m.

/s/  
\_\_\_\_\_  
James Greene, Chairperson

/s/  
\_\_\_\_\_  
R. Jay Davoll, P.E.  
Community Development Director