

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON APRIL 12, 2016, AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

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

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

OTHERS PRESENT: Mark Reggentin, AICP – Community Development Director, David Moon, AICP - Planning Manager, Andrew Hand, Esq., Rogers Beckett – Special Projects Coordinator, Robert Sargent – Public Information Officer, Stuart Buchanan, Christopher Swann, Ed Velazquez, Teresa Sargeant, and Jeanne Green – Community Development Department Office Manager/Recording Secretary.

OPENING AND INVOCATION: Chairman 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 March 8, 2016, at 5:30 p.m. minutes.

Motion: **Melvin Birdsong made a motion to approve the Planning Commission minutes from the regular meeting held on March 8, 2016, at 5:30 p.m. and seconded by Tony Foster. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, Tony Foster, and Linda Laurendeau (5-0).**

QUASI-JUDICIAL - FINAL DEVELOPMENT PLAN/PLAT – SILVER OAK SUBDIVISION – Chairperson Greene stated this is a request to recommend approval of the Final Development Plan and Plat for Silver Oak Subdivision owned by Development Solutions SH, LLC and located north of East Keene Road, west of Sheeler Avenue. The applicant is Surrey Homes and the engineer is Poulos & Bennet, LLC, c/o Mark Stehli. P.E. This request is quasi-judicial and all testimony before the Planning Commission is sworn testimony. He asked if that anyone present who would be giving a presentation or providing testimony to stand and be sworn in by the City Attorney.

Andrew Hand, City Attorney, swore-in everyone present who would be giving a presentation or providing testimony in this matter.

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. None.

Staff Presentation: Mr. Moon stated this is a request to recommend approval of the Final Development Plan and Plat for Silver Oak Subdivision owned by Development Solutions SH, LLC and located north of East Keene Road, west of Sheeler Avenue. The applicant is Surrey Homes and the engineer is Poulos & Bennet, LLC, c/o Mark Stehli. The future land use is Residential High Density (0-15 du/ac) and the zoning is R-3 (Residential). The existing use is vacant land. The proposed use is a 182 single family residential lots, a clubhouse, and a community swimming pool. The tract size is 50.83 +/- acres.

The Silver Oaks Subdivision Final Development Plan proposes 182 single family residential units, clubhouse and community swimming pool. The Silver Oaks Subdivision is located within a Small Lot Overlay District which will consist of 40, 50 and 70 feet wide lots with a minimum lot size of 4600 S.F. and a minimum living area of 1500 S.F. All 40 foot wide lots have access via a rear-loaded garage from an alley owned and maintained by the homeowners association. All 50 foot and 70 foot wide lots have front entry garages. Development standards for the subdivision are based on the approved Silver Oak Master Plan and the Land Development Code.

MINUTES OF THE PLANNING COMMISSION REGULAR MEETING HELD ON APRIL 12, 2016, AT 5:30 P.M.

Ingress/egress for the development will occur from internal public roads connecting at two locations -- Sheeler Avenue and East Keene Road. All subdivision roads are publicly owned and maintained. All alleyways are owned and maintained by the homeowners association.

The stormwater management system includes on-site retention areas designed to meet the City's Land Development Code requirements.

A School Mitigation Agreement is under review by Orange County Public Schools. The location is served by the following schools: Lakeville Elementary, Piedmont Lakes Middle School, and Wekiva High School. No development activity shall occur on the subject property until the developer has obtained a school concurrency mitigation agreement or letter from OCPS.

The developer is providing a total of 6.08 acres of passive and active recreational areas which includes a twenty-five hundred (2500) square foot clubhouse, tot lot, dog park, community swimming pool, and common open space areas.

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

The JPA requires the City to notify the County any public hearing or advisory board consideration of a Subdivision Plan that is adjacent to Unincorporated Orange County. The County has not been notified.

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. A tree survey and mitigation plan is included with the final development plan. The developer is required to pay tree mitigation fee of \$34,140 into the tree bank fund.

The following is a summary of the tree replacement program for this project:

Total inches on-site:	6510
Total number of specimen trees:	34
Total inches removed:	5742
Total inches retained:	768
Total specimen inches retained:	42
Total inches required:	5742
Total inches replaced:	2328
Total inches post development:	2328
Tree Inches to be mitigated:	3414

The applicant requested the following waivers:

- 1) Waiver Request #1: The applicant is requesting a waiver from LDC Section 6.02.07(8) b which requires "The width of curb and gutter shall be a minimum of 24 inches and shall be Florida state DOT type "F" curb and gutter. Simple vertical curbing and Miami curb are prohibited. FDOT type mountable median curb may be used around median dividers on the high side of pavement. All curbing designed to handle water shall incorporate an approved gutter design. There shall be a stabilized subgrade beneath all curbs and one foot beyond the back of curb."

The applicant is proposing install "Miami Curb" in the alleys only. The justification is that installing a "Miami Curb" provides a mountable curb to support a 22' drivable surface in conjunction with waiver #2. The Development Review Committee (DRC) supports the proposed waiver request.

- 2) Waiver Request #2. The applicant is requesting a waiver from LDC Section 6.02.07 minimum street design and construction standards.

The applicant is proposing a twenty-two (22) feet wide drivable surface within the alleys only. The justification is that Traditional New Development (TND) guidelines specify 15-foot paved surfaces within a 20-foot alley tract to service between 300-600 average daily trips (ADT). The Silver Oak two-way alleys serve a maximum of 14 lots 140 (ADT) and are not subject to pass through traffic. The proposed alley provides 22 feet of paved surface which is in excess of the TND design guidelines. Additionally, the peak traffic volumes occur in the AM and PM which does not coincide with the time of garbage pick-up service. DRC supports the proposed waiver request.

The Development Review Committee finds the Silver Oaks Subdivision Final Development Plan to be consistent with the Comprehensive Plan, Land Development Code, and the approved Silver Oak Master Plan and recommends the approval of the Silver Oaks Subdivision- Final Development Plan and to approve waiver requests, subject to submittal of a School Mitigation Agreement with Orange County School Board.

The recommended motion was to find the Silver Oak Subdivision Final Development Plan and Plat to be consistent with the Comprehensive Plan, Land Development Code, and the approved Silver Oak Master Plan, and recommend the approval of the Silver Oaks Subdivision- Final Development Plan and Plat and waiver requests, subject to submittal of a School Mitigation Agreement with Orange County School Board.

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

In response to a question by Mr. Ryan, Mr. Moon stated the alleyway setbacks would be 22 feet.

In response to a question by Chairperson Greene, Mr. Moon stated that Orange County was notified at the time of the Master Plan.

Petitioner Presentation: Christopher Swann, Surrey Homes, 10060 Lethbridge Drive, Orlando, stated that they concur with staff's presentation and were available for any questions.

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: Melvin Birdsong made a motion to find the Silver Oak Subdivision Final Development Plan and Plat to be consistent with the Comprehensive Plan, Land Development Code, and the approved Silver Oak Master Plan, and to recommend approval of the Silver Oaks Subdivision Final Development Plan and Plat and waiver requests, subject to submittal of a School Mitigation Agreement with Orange County School Board, for the property owned by Development Solutions SH, LLC and located north of East Keene Road, west of Sheeler Avenue. The motion was seconded by Robert Ryan. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, Tony Foster, and Linda Laurendeau (5-0). (Vote taken by poll.)

MINUTES OF THE PLANNING COMMISSION REGULAR MEETING HELD ON APRIL 12, 2016, AT 5:30 P.M.

OLD BUSINESS: None.

NEW BUSINESS: None.

ADJOURNMENT: The meeting was adjourned at 5:46 p.m.

/s/

James Greene, Chairperson

/s/

Mark Reggentin, AICP
Community Development Director