

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

MEMBERS PRESENT: James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle

ABSENT: Orange County Public Schools (Non-voting)

STAFF PRESENT: David Moon, AICP - Planning Manager, Richard Earp – City Engineer, Andrew Hand – City Attorney, Pamela Richmond – Senior Planner, Phil Martinez – Planner I, Jean Sanchez – Planner I, and Jeanne Green – Recording Secretary.

OTHERS PRESENT: Michael Cooper, Teresa Sargeant, Bryan Potts, Doug Potts, Barry Kalmansen, Sandra Martinez, Tom Sullivan, Adam Dionna, Ed Luna, Randy June, Jimmy Dunn, Michael Dabby.

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 February 13, 2018, at 5:30 p.m.

Motion: **John Sprinkle made a motion to approve the Planning Commission minutes from the regular meeting held on February 13, 2018, at 5:30 p.m. and seconded by Roger Simpson. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0).**

LEGISLATIVE - COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – KENNEY HARRY CHARLES MCALISTER - Chairperson Greene stated this is a request to find the proposed Future Land Use Designation consistent with the Comprehensive Plan; and to recommend approval of the Future Land Use amendment from “County” Rural to “City” Commercial (Maximum of 0.25 FAR) for the property owned by Kenney Harry Charles McAlister and located at the northwest corner of the intersection of North Hermit Smith Road and U.S. 441.

Staff Presentation: Phil Martinez, Planner I, stated this is a request to find the proposed Future Land Use Designation consistent with the Comprehensive Plan; and to recommend approval of the Future Land Use amendment from “County” Rural to “City” Commercial (Maximum of 0.25 FAR) for the property owned by Kenney Harry Charles McAlister and located at the northwest corner of the intersection of North Hermit Smith Road and U.S. 441. The applicant is Tannath Design, Inc., c/o Brian Potts. The existing use is Woodlands. The proposed development is a service station with a convenience store. The maximum allowable development is up to 479 sq. ft. The tract size is 0.04 +/- acres.

The subject parcel was annexed into the city on January 17, 2018 by Ordinance Number 2627. Presently, the subject property does not have a “city” future land use designation or “city” zoning classification assigned. The applicant’s intent for the “Commercial” Future Land Use Designation is to incorporate this parcel with the north-adjacent parcel, 1102 Hermit Smith Road. The applicant is applying for “Planned Unit Development” for the two parcels to accommodate a service station.

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.

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 February 12, 2018.

The Development Review Committee recommends approval to transmit a change in Future Land Use from "County" Rural to "City" Commercial for the property owned by Kenney Harry Charles McAllister Trust, subject to the information and findings in the staff report.

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" Rural to "City" Commercial, subject to the findings of 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.

Tom Sullivan, Gray Robinson PA, 301 East Pine Street, Suite 1400, Orlando, stated this parcel is related to the proposed adjacent RaceTrac and will be utilized as open space and a landscape buffer.

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 application consistent with the Apopka Comprehensive Plan and compatible with the character of the surrounding area; and to recommend approval of the Small Scale Future Land use amendment from "County" Rural to "City" Commercial (Maximum of 0.25 FAR) for the property owned by Kenney Harry Charles McAlister and located at the northwest corner of the intersection of North Hermit Smith Road and U.S. 441. Motion seconded by Jose Molina. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle (6-0). (Vote taken by poll.)

QUASI-JUDICIAL - CHANGE OF ZONING – KENNEY HARRY CHARLES MCALISTER -

Chairperson Greene stated this is a request to recommend approval of the Change of Zoning from “County” A-1 (Agriculture) to “City” Planned Unit Development (PUD/Commercial) for the property owned by Kenney Harry Charles McAlister and located at the northwest corner of the intersection of North Hermit Smith Road and U.S. 441.

Chairperson Greene stated the remaining items are quasi-judicial and anyone giving testimony during a quasi-judicial hearing must be sworn in. He asked that all those who planned to speak during any of these hearings to stand and raise their right hand to be sworn in.

Attorney Hand swore-in staff, petitioners, and affected parties for the quasi-judicial hearing items

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 recommend approval of the Change of Zoning from “County” A-1 (Agriculture) to “City” Planned Unit Development (PUD/Commercial) for the property owned by Kenney Harry Charles McAlister and located at the northwest corner of the intersection of North Hermit Smith Road and U.S. 441. The applicant is Tannath Design, Inc., c/o Brian Potts. The existing use is Woodlands. The proposed development is a service station with a convenience store. The maximum allowable development is up to 479 sq. ft. The tract size is 0.04 +/- 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 PUD (Planned Unit Development) to the property, which will be incorporated with the PUD in the north adjacent parcel.

The subject parcel was annexed into the city on January 17, 2018 by Ordinance Number 2627.

A request to assign a change of zoning to PUD 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” Rural 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 proposed Planned Unit Development 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 February 12, 2018.

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

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-1 to “City” PUD for the property owned by Kenney Harry Charles McAllister, and located at 3591 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, recommending approval of the proposed Change of Zoning from “County” A-1 to “City” PUD for the property owned by Kenney Harry Charles McAllister, and located at 3591 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.

Petitioner Presentation: None

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: Jose Molina made a motion to find the application consistent with the Apopka Comprehensive Plan and Land Development Code, and recommend approval of the change of zoning from “County” A-1 (Agriculture) to “City” Planned Unit Development (PUD/Commercial) for the property owned by Kenney Harry Charles McAlister and located at the northwest corner of the intersection of North Hermit Smith Road and U.S. 441. Motion seconded by Tony Foster. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle. (6-0). (Vote taken by poll.)

QUASI-JUDICIAL - CHANGE OF ZONING – OAK POINTE - Chairperson Greene stated this is a request to find the proposed amendments to be consistent with the Comprehensive Plan and Land Development Code, and recommend to approve the rezoning of the Revelle Parcel from “County” A-1 to “City” Planned Unit Development (PUD/Residential), and amend Ordinance 2584 to incorporate the Revelle Parcel into the legal description of Ordinance 2584, and the amended Oak Pointe PUD Master Plan/Preliminary Development Plan to increase the maximum number of townhomes to 120 for property owned by Jason C. Revelle and Thompson Hills Estates. LLC, c/o Malcolm Jones and located east of Ocoee-Apopka Road, north of McCormick Avenue.

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 to recommend approval of the Change of Zoning from “County” A-1 to “City” Planned Unit Development (PUD/Residential) for property owned by Jason C. Revelle and Thompson Hills Estates. LLC, c/o Malcolm Jones and located east of Ocoee-Apopka Road, north of McCormick Avenue. The applicant is Evans Engineering, Inc., c/o David Evans. The existing uses are a single-family residence and vacant

land. The future land use is Residential Low (0 – 5 units per acre). The proposed development is to add the 0.97 acre, currently owned by Mr. Revelle, to the boundaries of the Oak Pointe PUD owned by Thompson Hills Estates, LLC. Additionally, the developer will be increase the number of townhomes in the Oak Pointe PUD from 106 to 120 units. The overall development will have 118 single family homes and 120 townhomes for a total of 238 units. The total tract size, with the addition, is 69.38 +/- acres.

On December 20, 2017 the City Council approved Ordinance 2584, which approved a PUD Master Plan for a 69.7 acre residential development known as Oak Pointe. The approved Oak Pointe PUD Master Plan consists of 118 single-family and 106 townhome units. Prior to the approval of Ordinance 2584, the property owner of the Oak Pointe PUD entered into an agreement to purchase a 0.96 acre parcel located at 1751 Irmalee Lane, which is currently owned by Jason C. Revelle. The Revelle Parcel (aka Jones Addition) is surrounded by and interior to the Oak Pointe PUD. The legal description for Ordinance 2584, and the approved Oak Pointe PUD Master Plan did not include the legal description Mr. Revelle's property. As a result, the applicant is requesting the following actions:

- 1) Rezone Mr. Revelle's property from Orange County A-1 to City of Apopka PUD (Planned Unit Development).
- 2) Incorporate the legal description of Mr. Revelle's property into the overall legal description of Ordinance 2584 (the Oak Pointe PUD).
- 3) Amend the Oak Pointe PUD Master Plan to include six townhome units on Mr. Revelle's property, and eight additional townhomes within the existing Oak Pointe PUD, adjacent to Tract L-3, for an increase in the amount of townhomes in the Oak Pointe PUD from 106 to 120. There will be no increase in the amount of single-family units located within the Oak Pointe PUD. No other changes are proposed to the Oak Pointe PUD.
- 4) The Revelle parcel, when incorporated into the Oak Pointe PUD, will be owned by Thompson Hill Estates LLC, and will be subject the terms and conditions sheet forth in the Oak Pointe PUD and its development agreement.

Project Description: The amended PUD Master Plan includes 120 townhomes and 118 single family homes within a gated community with private streets. A single master homeowners association will serve both the single family homes and townhomes. The following development standards are proposed:

- Single family lots typically have a minimum width of 70 feet and a minimum lot area of 8,400 sq. ft., a minimum house livable area of 1,500 sq. ft., and a minimum two-car enclosed garage. A small percentage of single family lots (6.8% totaling 8 lots) have a minimum typical lot width of 65 feet and a minimum lot area of 7,800 sq. ft., also with a minimum house livable area of 1,500 sq. ft. and a minimum two-car enclosed garage. No three-car garages are allowed.
- Townhomes will have a minimum lot width of 23 feet and a minimum lot area of 2,530 sq. ft. All townhome units offer a one-car enclosed garage. No two-car enclosed garages are proposed by the developer. Seventy-five (75) units have a one-car driveway; 31 units have a two-car driveway. On-Street parking and a parking lot are provided for the townhomes and community park (Tract K-6).
- Two parks are provided and will be accessible to all residents. Tract N-1 provides a community swimming pool and a cabana with a parking lot. A second community park provides outdoor

recreation on 2.03 acres (Tract K-6) and includes a fenced-in dog park.

- Access to the Oak Pointe Community will occur through a road connection to McCormick Road and a future road connection to Ocoee-Apopka Road. A gate will be located at both the north and south entrances. An emergency gate will be located on the eastern boundary, connecting to Pelock Drive within the Apopka Woods community.
- Perimeter buffers include: a ten foot buffer with a six-foot high brick wall along the western property line adjacent to S.R. 429, a six-foot high vinyl fence within a ten foot buffer next to the Apopka Woods community and next to the County's Northwest Reclamation facility.

Existing Conditions: The Oak Point PUD consists of 69.38 acres serviced by a gated private right-of-way noted on the Master Plan as Street "I". The site typically has a flat topography with no wetlands. The property is located along the north side of McCormick Road. The City of Ocoee is situated along the south side of McCormick Road. The proposed residential PUD Master Plan abuts land zoned commercial located to the south. The commercial land is not part of the PUD and is located between McCormick Road and the single family residential area delineated on the Master Plan. Located to the east of the site is Apopka Woods a 76 lot, single family residential neighborhood. Typical lots within Apopka Woods have a minimum width of 70 feet and a minimum land area of 7,500 sq. ft. The Orange County Northwest Reclamation Water Facility is located on portions of the northern and northwest boundaries of the property. Directly to the south of Oak Pointe is a private gated residential community located in the City of Ocoee; McCormick Woods, with typical lot sizes of 70 x 125 (8,750 sq. ft.).

Annexation History: The subject properties were annexed into the City via Ordinance 1651 on December 18, 2002.

Amenities: The Master Plan includes two recreation tracts:

1. Tract N-1 – 0.8 acres

- Swimming Pool.
- Pool area surrounded by a 36" viburnum hedge, crepe myrtles, magnolia trees, live oak trees, and approved ground cover.
- Pool parking lot - 13 parking plus one handicap parking space.
- Bike rack located adjacent to parking lot.
- 2,200 +/- SF Cabana located next to the pool surrounded by landscaping that blends with the pool landscaping.
- The cabana will be partially open, with the open area surrounded by a four foot metal guardrail/ fence.
- A paved sidewalk from the Cabana connects to the sidewalk along Street I.
- An outdoor shower will be placed on both the east and west sides of the building.
- The pool and cabana are appropriately located near the center of the development, easily accessible to both the single family residential units and the townhome.

2. Tract K-6 – 2.05 acres

- Two multi-purpose playing fields.
- Mulched walking trail around the perimeter of the Tract.

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

- Paved sidewalk will be placed along the west side of the park, connecting Street I with the Tot Lot, Dog Park, and parking lot.
- Paved sidewalk will connect the parking lot at Tract O-1 with the paved sidewalk along the west side of the park.
- Three picnic tables.
- Litter receptacle - 24" X 30" size.
- Eight benches, each with armrests.
- Tot Lot with playground equipment – slides, climbing equipment.
- Dog park with five foot high vinyl coated chain link fence, screened with a viburnum hedge.
- Dogipot aluminum pet station with pet waste receptacle.
- Dog park will be handicap accessible.
- Bike rack located in Tract K-5, between the parking lot and sidewalk along the west side of the park.
- Pedestrian level lighting
- Park area surrounded by a viburnum hedge, sabal palms, crepe myrtles, magnolia trees, live oak trees, and approved ground cover.

The Planned Unit Development (PUD) recommendations state the zoning classification for the Revelle Parcel is proposed to be PUD and the amendment to the Oak Point PUD incorporates the Revelle property into its boundaries. A summary of the amendments are as follows:

Amendment

1. The Oak Pointe PUD is amended to include the Revelle property. (Parcel identification number: 29-21-28-0000-00-037)
2. The Revelle property shall be subject to all the development standards and conditions set forth in Ordinance 2584.
3. The Revelle property shall be subject to any Development Agreement approved by the City Council for the Oak Pointe PUD.
4. The maximum number of townhome units for the Oak Pointe PUD is increased from 106 to 120.

The existing and proposed use of the property is consistent with the Residential Low Future Land Use designation and is consistent with the Land Development Code subject to the recommended DRC development conditions.

The current capacity enhancement agreement must be amended with OCPS or a letter provided by OCPS prior to City approval of a final development.

Pursuant to Section 7 of the Joint Planning Area agreement, notification to Orange County is not required for a rezoning application as the subject parcel being incorporated into the PUD is not adjacent to unincorporated Orange County. As a courtesy, the City notified Orange County and the City of Ocoee on February 21, 2018.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and Land Development Code and recommends approval of the amended Oak Pointe Planned Unit

Development Master Plan/Preliminary Development Plan subject to the DRC Conditions of Approval.

Staff recommends the Planning Commission find the proposed amendments to be consistent with the Comprehensive Plan and Land Development Code, and recommend to approve the rezoning of the Revelle Parcel from “County” A-1 to “City” Planned Unit Development (PUD/Residential), and amend Ordinance 2584 to incorporate the Revelle Parcel into the legal description of Ordinance 2584, and the amended Oak Pointe PUD Master Plan/Preliminary Development Plan to increase the maximum number of townhomes to 120.

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 questions by Ms. Laurendeau, Mr. Moon stated that Irmalee Lane is currently a public road and the gate has been removed. The roadway will likely be vacated at the time of the platting process.

Petitioner Presentation: None.

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: Roger Simpson made a motion to find the proposed amendments to be consistent with the Comprehensive Plan and Land Development Code, and recommend to approve the rezoning of the Revelle Parcel from “County” A-1 to “City” Planned Unit Development (PUD/Residential), and amend Ordinance 2584 to incorporate the Revelle Parcel into the legal description of Ordinance 2584, and the amended Oak Pointe PUD Master Plan/Preliminary Development Plan to increase the maximum number of townhomes to 120 for property owned by Jason C. Revelle and Thompson Hills Estates, LLC, c/o Malcolm Jones and located east of Ocoee-Apopka Road, north of McCormick Avenue. Motion seconded by Tony Foster. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle. (6-0). (Vote taken by poll.)

QUASI-JUDICIAL - PLAT – BINION RESERVE SUBDIVISION - Chairperson Greene stated this is a request to find the Binion Reserve Subdivision Plat consistent with the Land Development Code; and recommend approval of the Plat subject to the findings of the staff report for the property owned by Gail W. Brown, c/o Jeffrey A. Sedloff, PE, June Engineering Consultants, Inc., and located at 1078 South Binion 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: Bobby Howell, AICP, Senior Planner, stated this is a request to find the Binion Reserve Subdivision Plat consistent with the Land Development Code; and recommend approval of the Plat subject to the findings of the staff report for the property owned by Gail W. Brown, c/o Jeffrey A.

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

Sedloff, PE, June Engineering Consultants, Inc., and located at 1078 South Binion Road. The existing use is a vacant single family residence. The proposed development is a single family residential subdivision with 44 lots. The future land use is Residential Low Density (0 – 5 du/ac) and the zoning is R-1A. The typical minimum lot width is 85 feet. The minimum lot size is 10,000 square feet. The tract size is 21.39 +/- acres and the density is 2.05 du/ac.

The Planning Commission reviewed and recommended approval of the Binion Reserve Preliminary Development Plan (PDP) on July 12, 2016. The Planning Commission role is to review the Plat for consistency with the PDP, and, if approved by City Council, the Planning Commission Chair is required to sign the Plat.

The Binion Reserve Final Development Plan proposes the development of 44 single family residential lots. Located within the R-1A zoning district, the community provides a typical lot width standard of 85 feet and minimum lot size of 10,000 square feet.

The proposed minimum living area, in aggregate of 1,600 square feet, with a no individual unit being less than 1,600 square feet as set forth in Section 2.02.20.B.4 of the Land Development Code. At the time of the final development plan, developer will be requested to establish criteria to assure a 2,000 sq. ft. aggregate is monitored and maintained during the building permit application cycle.

The minimum setbacks applicable to this project are:

Setback	Min. Standard
Front*	25'
Side	10'
Rear	20'
Corner	25'

*Front-entry garage must be setback 30 feet.

The ingress/egress access points for the development will be via full access onto Binion Road. The stormwater management system includes an on-site retention area. Stormwater ponds are located within Tract “A” and Tract “I”. The stormwater ponds design meets the City’s Land Development Code requirements. The developer is providing 0.51 acres (22,120 square-feet) of active and passive recreation space. Details of active and passive recreation equipment and facilities are submitted with the final development plan. A ten-foot wide landscaped buffer easement is provided along the western project line adjacent to the S.R. 429 right-of-way with a 6-foot tall brick, masonry, concrete or precast wall. A thirty-foot wide buffer tract with a 6-foot tall brick, masonry, concrete or precast wall are provided along Binion Road.

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

Total inches on-site:	8561
Total number of specimen trees removed:	67
Total specimen tree inches retained:	1505
Total inches replaced:	756
Total inches removed:	5797
Total inches retained:	2764
Total inches post development:	3520

Developer has obtained a school concurrency mitigation agreement with Orange County Public Schools to address school impacts generated by this residential development. The following schools are zoned to receive students from this community: Apopka Elementary School, Wolf Lake Middle School and Wekiva High School.

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 found the Binion Reserve Plat to be consistent with the Preliminary Development plan and Final Development Plan; and recommends approval of Binion Reserve Subdivision Plat subject to the final review by the City surveyor and City Engineer prior to recording the plat.

Staff recommended the Planning Commission find the Binion Reserve Subdivision Plat consistent with the Land Development Code and recommend approval of the Plat subject to the findings of the 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 Final Development Plan 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.

Petitioner Presentation: None.

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: Tony Foster made a motion to find the Binion Reserve Subdivision Plat consistent with the Land Development Code; and recommend approval of the Plat subject to the findings of the staff report for the property owned by Gail W. Brown, c/o Jeffrey A. Sedloff, PE, June Engineering Consultants, Inc., and located at 1078 South Binion Road. Motion seconded by Roger Simpson. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle. (6-0). (Vote taken by poll.)

QUASI-JUDICIAL – FINAL DEVELOPMENT PLAN/PLAT – LAKE GEM COMMERCE PARK

- Chairperson Greene stated this is a request to find the Lake Gem Commerce Park Final Development Plan and Plat consistent with the Comprehensive Plan and Land Development Code; and recommend approval of the Lake Gem Commerce Park Final Development Plan/Plat for the property owned by Property Industrial Enterprises, LLC, c/o Michael Cooper.

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 find the Lake Gem Commerce Park Final Development Plan and Plat consistent with the Comprehensive Plan and Land Development Code; and recommend approval of the Lake Gem Commerce Park Final Development Plan/Plat for the property owned by Property Industrial Enterprises, LLC, c/o Michael Cooper. The project engineer is Al Tehrani, P.E. The existing use is vacant land. The future land use is Industrial and the zoning is Planned Unit Development (PUD/I-1). The proposed development is a commerce park with 12 lots. The minimum lot width will be 160 feet and the minimum lot size is 32m597 sq. ft. The tract size is 28.74 +/- acres and the Floor Area Ratio is a minimum of 0.60 FAR.

The Lake Gem Commerce Park Final Development Plan/Plat proposes the development of 12 industrial lots. Located within the PUD/I-1 zoning district, the plan shows a minimum lot width of 160 feet and with a no individual lot being less than 32,597 square feet. Lake Gem Commerce must comply with the development standards for I-1 zoning district but allowed for a building height of up to 50 feet.

Preliminary and/or Final Development Plans shall be provided at the time of the each lot development and comply with the most current Land Development Code and other City standards.

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.

The ingress/egress access points for the development will be via full access onto Marshall Lake Road. The stormwater management system includes an on-site retention area. The stormwater pond is located within Tract B. The stormwater pond design meets the City's Land Development Code requirements. A 25-foot wide landscaped buffer is provided along Marshall Lake Road, as required by Code, and on the boundary adjacent to the existing railroad. The plan also shows a 10-foot wide buffer along the eastern boundary. 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 Lake Gem Commerce Park Final Development Plan/Plat subject to the final review by the City surveyor and City Engineer prior to recording the plat and findings of this staff report.

Staff recommends the Planning Commission find the Lake Gem Commerce Park Final Development Plan and Plat consistent with the Comprehensive Plan and Land Development Code, and recommend approval of the Lake Gem Commerce Park Final Development Plan/Plat, subject to the findings of this staff report.

This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and

made a part of the minutes of this meeting.

Petitioner Presentation: Michael Cooper, Property Industrial Enterprises, LLC, 370 Cooper Palms Parkway, Apopka, complimented staff and stated he was available to answer 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: Tony Foster made a motion to find the Lake Gem Commerce Park Final Development Plan and Plat consistent with the Comprehensive Plan and Land Development Code; and recommend approval of the Lake Gem Commerce Park Final Development Plan/Plat for the property owned by Property Industrial Enterprises, LLC, c/o Michael Cooper. Motion seconded by John Sprinkle. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle. (6-0). (Vote taken by poll.)

QUASI-JUDICIAL – FINAL DEVELOPMENT PLAN – SELF HELP CREDIT UNION -

Chairperson Greene stated this is a request to find the Self Help Credit Union Final Development Plan consistent with the Comprehensive Plan and Land Development Code, and recommend approval of the Self Help Credit Union Final Development Plan for the property owned by Self Help Credit Union, c/o Randy Chambers and located at 667 West 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. Moon stated this is a request to find the Self Help Credit Union Final Development Plan consistent with the Comprehensive Plan and Land Development Code, and recommend approval of the Self Help Credit Union Final Development Plan for the property owned by Self Help Credit Union, c/o Randy Chambers and located at 667 West Orange Blossom Trail. The engineering firm is Dewberry Engineers, Inc. c/o Christopher J. Allen, P.E. The future land use is Commercial and the zoning is C-2. The existing use is vacant land and the proposed use is a credit union with a drive-through. The tract size is 1.37 +/- acres and the building size of 2,320 sq. ft. The floor area ration is 0.039.

The Self Help Credit Union Final Development Plan proposes to construct a building with 2,320 square feet floor area for a bank with two drive-through service stations. The drive-through station is screened from Old Dixie Highway by a 3-foot high garden wall and landscaping. With frontage on two streets, building architecture has the north and south sides of the building have the appearance of a building front wall.

A total of 21 parking spaces are provided of which 2 are reserved as a handicapped parking spaces. Ingress/egress access points for the development will be via full access onto U.S. 441 and Old Dixie Highway.

The design of the building exterior complies with Section 4.2.1 of the Development Design Guidelines

that addresses commercial design standards.

Stormwater run-off and drainage will be accommodated by an on-site retention pond on the western portion of the project site. The stormwater management system is designed according to standards set forth in the Land Development Code.

A re-plat will be required prior to issuance of a certificate of occupancy.

A three-foot tall garden wall is provided to screen the drive through area from Old Dixie Highway. The plan also shows a ten-foot landscape buffer along Old Dixie Highway and U.S. 441. 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. The applicant has committed to submit an arbor mitigation payment fee of \$3,629 based on the number of tree inches replaced.

Total inches on-site:	900
Total number of specimen trees:	10
Total inches removed	640
Total inches retained:	260
Total inches required:	363
Total inches replaced:	145
Total inches post development:	162

The Development Review Committee recommends approval of the Self Help Credit Union – Final Development Plan, subject to the findings of this staff report.

Staff recommended that the Planning Commission find the Self Help Credit Union Final Development Plan consistent with the Comprehensive Plan and Land Development Code, and recommend approval of the Self Help Credit Union Final Development Plan, subject to the findings of this staff report.

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

Petitioner Presentation: None.

Affected Party Presentation: None.

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

Motion: Roger Simpson made a motion to find the Self Help Credit Union Final Development Plan consistent with the Comprehensive Plan and Land Development Code, and recommend approval of the Self Help Credit Union Final Development Plan for the property owned by Self Help Credit Union, c/o Randy Chambers and located at 667 West Orange Blossom Trail. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Roger Simpson, and John Sprinkle. (6-0). (Vote taken by poll.)

QUASI-JUDICIAL – FINAL DEVELOPMENT PLAN/PLAT – ZARABROOKE SUBDIVISION - Chairperson Greene stated this is a request to find the Zarabrooke Subdivision Final Development Plan

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

consistent with the Comprehensive Plan and Land Development Code; and recommend approval of the Zarabrooke Subdivision Final Development Plan/Plat for the property owned by Zarabrooke, LLC c/o Barry Kalmanson and located at 829 Paradiso 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: Mr. Howell stated this is a request to find the Zarabrooke Subdivision Final Development Plan consistent with the Comprehensive Plan and Land Development Code; and recommend approval of the Zarabrooke Subdivision Final Development Plan/Plat for the property owned by Zarabrooke, LLC c/o Barry Kalmanson and located at 829 Paradiso Court. The applicant/engineer is Lochrane Engineering, Inc. c/o Edgardo Garcia-Luna. The future land use is Residential Low Density (max. 0-5 du/ac) and the zoning is R-3 (Residential Multiple Family). The existing use is vacant land and the proposed use is a single-family residential subdivision with 14 lots. The minimum lot width is 70 ft. and the minimum lot size is 9808 sq. ft. The tract size is 5.59 +/- acres and the proposed density is 2.68 du/ac.

The Zarabrooke Subdivision Final Development Plan proposes the development of 14 single family residential lots. The minimum typical lot width is 70 feet with a minimum lot size of 9,808 square feet. The required minimum living area for the subdivision is 1,350 sq. ft. as set forth in Chapter 2 of the Land Development Code for single-family lots located within the R-3 zoning. The minimum setbacks applicable to this project are:

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

*Front-entry garage must be setback 30 feet.

**15 feet distance requirement between structures.

Ingress/egress access points for the development will be via full access onto Vick Road. The retention pond on the western portion of the site has been designed to meet the City's Land Development Code requirements. A 6-foot tall masonry or concrete or brick-finished wall will be located on the east boundary of the project site with a subdivision entry sign and feature, abutting Vick Road. The plans shows a wrought-iron style fence with a brink posts on a portion of the stormwater pond, Tract A.

Buffers are provided consistent with the Land Development Code. A buffer wall is not located along the western boundary of the Duke Energy property. A screen wall is not required by the Land Development Code when a development abuts single family residential uses, and screen wall is not proposed by within the Final Development Plan. Future homeowners will have the option to install a fence along their rear lot lines.

Tree Program:

The following is a summary of the tree replacement program:

Total number of specimen trees: 107
Total number of non-specimen trees: 53

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

Total inches retained:	1054
Total inches replaced:	480
Total inches post development:	1534

Based on the number of tree inches preserved and additional tree inches replaced, a tree mitigation fee is not required for this project.

All preserved trees shall be protected during lot construction and grading. Appropriate tree barricades shall be installed around each tree or group of trees along the tree drip line.

No development activity can occur until such time that a concurrency mitigation agreement has been approved by Orange County Public Schools (OCPS).

The Development Review Committee (DRC) recommends approval of the Zarabrooke Subdivision Final Development Plan/Plat subject to the findings of this staff report.

Staff recommended the Planning Commission find the Zarabrooke Subdivision Final Development Plan consistent with the Comprehensive Plan and Land Development Code, and recommend approval of the Zarabrooke Subdivision Final Development Plan/Plat 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 questions by Mr. Simpson, Richard Earp, P.E., City Engineer, said that a traffic study has been completed and a signal is warranted at the intersection of Vick Road and Martin Street. Public Services is going out to bid in April for the design of the intersection and installation of the traffic signal.

In response to comments by Mr. Foster, Mr. Earp stated that traffic counts are done annually in the fall.

In response to questions by Mr. Molina, Mr. Moon stated that along the north and west sides there are abutting residential uses. When a development abuts single family residential uses the Land Development Code does not require a screen wall. On the east side, along Vick Road, a 10 foot landscape buffer and a 6 foot high masonry wall is required. On the south side there is a 10 to 15 foot landscape butter and vinyl fencing. The Land Development Code requires a residential development with 19 or more lots to provide a park. This project is proposed to have 14 residential lots.

In response to a question by Mr. Simpson, Mr. Earp stated that the timing of the signal will be balanced so that there is little to no impact to traffic flows.

Petitioner Presentation: None.

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: Roger Simpson made a motion to find the Zarabrooke Subdivision Final Development Plan/Plat

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

consistent with the Comprehensive Plan and Land Development Code; and recommend approval of the Zarabrooke Subdivision Final Development Plan/Plat for the property owned by Zarabrooke, LLC c/o Barry Kalmanson and located at 829 Paradiso Court. Motion seconded by Linda Laurendeau. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Roger Simpson, and John Sprinkle. Jose Molina voted no. (5-1). (Vote taken by poll.)

OLD BUSINESS: None.

NEW BUSINESS:

New Errol Special Meeting – James Hitt, FRA-RA, Community Development Director, reminded the Planning Commission of the special meeting for the New Errol project is to be held Tuesday, March 20, 2018, at 5:30 p.m. at the VFW Community Center located at 519 South Central Avenue.

In response to a question by Ms. Laurendeau, Mr. Hitt stated staff will get the meeting packet to the Commission members as soon as it is available.

ADJOURNMENT: The meeting was adjourned at 6:17 p.m.

/s/

James Greene, Chairperson

/s/

James K. Hitt, FRA-RA
Community Development Director