



**City of Apopka
Planning Commission
Meeting Agenda
January 12, 2016
5:30 PM @ CITY COUNCIL CHAMBERS**

I. CALL TO ORDER

If you wish to appear before the Planning Commission, please submit a “Notice of Intent to Speak” card to the Recording Secretary.

II. OPENING AND INVOCATION

III. APPROVAL OF MINUTES:

- 1 Approve minutes of the Planning Commission regular meeting held December 8, 2015, at 5:01 p.m.

IV. PUBLIC HEARING:

1. LEGISLATIVE - COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – Owned by Huy Tran and Hai Anh Nguyen, from “County” Low Density Residential (0-4 du/ac) to “City” Residential Low (0-5 du/ac), for property located at 904 Schopke Lester Road. (Parcel ID #: 06-21-28-7172-14-071)
2. CHANGE OF ZONING – Owned by Huy Tran and Hai Anh Nguyen, from “County” A-1 (ZIP) to “City” AG-E (Agricultural Estate), for property located at 904 Schopke Lester Road. (Parcel ID #: 06-21-28-7172-14-071)

V. SITE PLANS:

VI. OLD BUSINESS:

VII. NEW BUSINESS:

VIII. ADJOURNMENT:

All interested parties may appear and be heard with respect to this agenda. Please be advised that, under state law, if you decide to appeal any decision made by the City Council with respect to any matter considered at this meeting or hearing, you will need a record of the proceedings, and that, for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which record includes a testimony and evidence upon which the appeal is to be based. The City of Apopka does not provide a verbatim record.

In accordance with the American with Disabilities Act (ADA), persons with disabilities needing a special accommodation to participate in any of these proceedings should contact the City Clerk's Office at 120 East Main Street, Apopka, FL 32703, telephone (407) 703-1704, no less than 48 hours prior to the proceeding.

Backup material for agenda item:

- 1 Approve minutes of the Planning Commission regular meeting held December 8, 2015, at 5:01 p.m.

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON DECEMBER 8, 2015, AT 5:01 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

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

ABSENT: Orange County Public Schools (Non-voting)

OTHERS PRESENT: David Moon, AICP - Planning Manager, Kyle Wilkes - Planner II, Rogers Beckett – Special Projects Coordinator, Andrew Hand, Esq., Merry Lovern – Executive Assistant to the Mayor, Basil Cleek, Howard Washington, Suzanne Kidd, Ed Velazquez, 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 November 10, 2015, at 5:01 p.m. minutes.

Motion: Tony Foster made a motion to approve the Planning Commission minutes from the meeting held on November 10, 2015, regular meeting at 5:01 and seconded by Robert Ryan. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, Tony Foster, Jeremiah Jaspon, Linda Laurendeau, and Pam Toler (7-0).

Chairperson Greene asked if there were any corrections or additions to the special meeting minutes of November 24, 2015, at 5:01 p.m. minutes.

Motion: Linda Laurendeau made a motion to approve the Planning Commission minutes from the special meeting held on November 24, 2015, regular meeting at 5:01 and seconded by Tony Foster. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, Tony Foster, Jeremiah Jaspon, Linda Laurendeau, and Pam Toler (7-0).

LEGISLATIVE - COMPREHENSIVE PLAN – LARGE SCALE – FUTURE LAND USE AMENDMENT - Chairperson Greene stated this is a request to recommend approval of the Large Scale Future Land Use amendment from “County” Low Density Residential (0-4 du/ac) to “City” Residential Low suburban (0-3.5 du/ac); and to transmit the amendment to the Florida Department of Economic Opportunities for review, for property owned by JTD Land at Rogers Rd, LLC, located north of West Lester Road, east of Rogers Rod.

Staff Presentation: Kyle Wilkes, AICP, Planner II, stated this is a request to recommend approval of the Comprehensive Plan Large Scale Future Land Use amendment from “County” Low Density Residential (0-4 du/ac) to “City” Residential Low suburban (0-3.5 du/ac); and transmittal to the Florida Department of Economic Opportunity for review. The property is owned by JTD Land at Rogers Rd, LLC, and located north of West Lester Road, east of Rogers Road. The existing use is vacant land and the proposed development is a single-family subdivision. The tract size is 30.5 +/- acres. The existing maximum allowable development is 122 units and the proposed maximum allowable development is 106 dwelling units.

David Moon, AICP, Planning Manager, stated that the staff report contained a scrivner's error. The proposed land use mentioned in the staff report should read "City" Residential Low Suburban (0-3.5 du/ac) and not Residential Very Low Suburban.

The subject parcels were annexed into the City of Apopka on December 2, 2015, through Ordinances 2459. Presently, the subject properties do not have a "city" future land use designation or "city" zoning classification assigned. The applicant requests a future land use designation of "city" Residential Low Suburban.

The proposed use of the property is consistent with the Residential 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 Mixed Use FLUM designation at the subject site:

Future Land Use Element

1. **Policy 3.1.d** The primary use shall be residential dwelling units up to 3.5 dwelling units per acre, elementary schools; middle schools, high schools; supporting infrastructure of less than two acres, neighborhood parks.

The applicant's wish to develop the property for single-family residential units is compatible with Policy 3.1.d.

2. **Policy 3.2** Development and redevelopment shall be integrated with the adjacent land uses through: (1) the creation of like uses; or (2) creation of complementary uses; or (3) mitigation of adverse impacts.

The proposed use for the subject properties as single-family residential is compatible with the land uses and general character of the surrounding area. The future land use designation of surrounding properties predominantly is Residential Low Suburban and, therefore, the requested future land use change is consistent with Policy 3.2.

3. **Policy 3.14** The City shall consider the following when evaluating land use amendments, especially changes from very low density categories to higher density categories and voluntary annexation requests"

- Whether the amendment demonstrates a functional relationship of the proposed amendment to other more densely or intensely designated or development lands;
- The availability of public facilities and water supplies to service a more dense or intense land use; and
- Multi-modal transportation linkages between proposed residential use and neighborhood.

The maximum densities allowed under the proposed "city" Residential Low Suburban future land use is compatible with adjacent and surrounding land uses.

School Capacity Report: The densities allowed under the proposed future land use designation are lower than the current “county” future land use designation and, therefore, a school capacity agreement is not required at the time of the Future Land Use Amendment application but will be required prior to adoption of a change of zoning application.

Orange County Notification: 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 November 9, 2015.

The Development Review Committee recommends approval to transmit a change in Future Land Use from “County” Low Density Residential (0-4 du/ac) to “City” Residential Low Suburban (0-3.5 du/ac) for the property owned by JTD Land at Rogers Rd, 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.

LAND USE REPORT

The property has access from the west from Rogers Road

Land Use Analysis - The subject properties are located within an area with land uses predominantly for single-family residential, which makes the request for a Residential Low Suburban future land use designation consistent with the Comprehensive Plan policies listed above, as well as the general future land use character of the surrounding area.

Properties to the south and west are developed as existing single-family homes, which properties to the east and north are vacant, but have a future land use designation and zoning classification that permit single-family residential.

The proposed Residential Low Suburban future land use designation is consistent with the general future land use character of the surrounding area.

Wekiva River Protection Area: No
Area of Critical State Concern: No
DRI / FQD: No

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within the “Northern Area” of the JPA. The proposed FLUM Amendment request for a change from “County” Low Density Residential (0-4 du/ac) to “City” Residential Low Suburban (0-3.5 du/ac) is consistent with the terms of the JPA (Second Amendment). JTD Land at Rogers Rd, LLC, c/o Jim McNeil, is the applicant of the proposed future land use amendment and proposed change of zoning for the Property, and has been notified of the hearing schedule.

Transportation: Road access to the site is from Rogers Road, which connects to Lester Road to the south. Rogers Road is presently a County road.

Wekiva Parkway and Protection Act: The proposed amendment has been evaluated against the adopted Wekiva Study Area Comprehensive Plan policies. The proposed amendment is

consistent with the adopted mandates and requirements. The proposed Future Land Use Map (FLUM) amendment has been reviewed against the best available data, with regard to aquifer and groundwater resources. The City of Apopka's adopted Comprehensive Plan addresses aquifer recharge and stormwater run-off through the following policies:

- Future Land Use Element, Policies 4.16, 14.4, 15.1, 16.2 and 18.2
- Infrastructure Element, Policies 1.5.5, 4.2.7, 4.4, 4.4.1, 4.4.2 and 4.4.3
- Conservation Element, Policy 3.18

Karst Features: The Karst Topography Features Map from the Florida Department of Environmental Protection shows that there are karst features on this property.

Analysis of the character of the Property: The current use of the Property is vacant. The dominant soil, #5 Candler Fine Sand, has a 5-12 percent slope.

Analysis of the relationship of the amendment to the population projections: These properties were annexed into the City on May 20, 2015. Based on the adoption of the JPA, the size of the property, and the proposed land use change, the amendment will increase the population if developed.

CALCULATIONS:

ADOPTED: 122 Unit(s) x 2.659 p/h = 324 persons

PROPOSED: 106 Unit(s) x 2.659 p/h = 282 persons

Housing Needs: This amendment will provide housing to accommodate a year 2030 projected future population of 125,328 that is the Comprehensive Plan.

Habitat for species listed as endangered, threatened or of special concern: A habitat study is required for developments greater than ten (10) acres in size. At the time the Master Site Plan or Preliminary Development Plan is submitted to the City, the development applicant must conduct a species survey and submit a habitat management plan if any threatened or endangered species are identified within the project site.

Transportation: The City of Apopka is a Transportation Concurrency Exception Area. Refer to Chapter 3 of the City of Apopka 2010 Comprehensive Plan.

Sanitary Sewer Analysis

1. Facilities serving the site; current LOS; and LOS standard: None; N/A GPCD / Capita; 81 GPD / Capita

If the site is not currently served, please indicate the designated service provider: City of Apopka

2. Projected total demand under existing designation: 23,912 GPD
3. Projected total demand under proposed designation: 20,776 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 81 GPD/Capita

6. Projected LOS under proposed designation: 81 GPD/Capita
7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

1. Facilities serving the site; current LOS; and LOS standard: None ; N/A
GPCD/Capita;
177 GPD/Capita

If the site is not currently served, please indicate the designated service provider:
City of Apopka

2. Projected total demand under existing designation: 25,620 GPD
3. Projected total demand under proposed designation: 22,260 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 177 GPD/Capita
6. Projected LOS under proposed designation: 177 GPD/Capita
7. Improved/expansions already programmed or needed as a result of the proposed amendment: None
8. Parcel located within the reclaimed water service area: Yes

Solid Waste

1. Facilities serving the site: City of Apopka
2. If the site is not currently served, please indicate the designated service provider:
City of Apopka
3. Projected LOS under existing designation: 4 lbs./cap/day
4. Projected LOS under proposed designation: 4 lbs./cap/day
5. Improved/expansions already programmed or needed as a result of the proposed amendment: None

This initial review does not preclude conformance with concurrency requirements at the time of development approval.

Infrastructure Information

Water treatment plant permit number: CUP No. 3217

Permitting agency: St. John's River Water Management District

Permitted capacity of the water treatment plant(s): 21,981 mil. GPD

Total design capacity of the water treatment plant(s): 33,696 mil. GPD

Availability of distribution lines to serve the property: Yes

Availability of reuse distribution lines available to serve the property: Yes

Drainage Analysis

1. Facilities serving the site: None
2. Projected LOS under existing designation: 100 year - 24 hour design storm event.
3. Projected LOS under proposed designation: 100 year - 24 hour design storm event.
4. Improvement/expansion: On-site retention/detention pond

Recreation

1. Facilities serving the site; LOS standard: City of Apopka Parks System; 3 AC/1000 capita
2. Projected facility under existing designation: 0.972 AC
3. Projected facility under proposed designation: 0.846 AC
4. Improvement/expansions already programmed or needed as a result of the proposed amendment: None. Standards set forth in the City's Land Development Code will require any development plans to provide parkland and recreation facilities and open space for residents residing with the new development.

This initial review does not preclude conformance with concurrency requirements at the time of development approval.

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 Large Scale Future Land Use amendment from "County" Low Density Residential (0-4 du/ac) to "City" Residential Low suburban (0-3.5 du/ac); and transmittal to the Florida Department of Economic Opportunity, for the property owned by JTD Land at Rogers Rd, LLC, subject to the information and findings in the staff report; and Robert Ryan seconded the motion. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, Tony Foster, Jeremiah Jaspon, Linda Laurendeau, and Pam Toler (7-0). (Vote taken by poll.)**

OLD BUSINESS: None.

NEW BUSINESS: Robert Ryan, Vice-Chairperson, asked the Commission to consider rescheduling the Planning Commission meetings to 5:30 p.m. starting in January 2016, to give attendees additional time to get to the meetings.

Motion: Melvin Birdsong made a motion to change the Planning Commission meetings start time to 5:30 p.m. starting January 2016; and Jeremiah Jaspon seconded the motion. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, Tony Foster, Jeremiah Jaspon, Linda Laurendeau, and Pam Toler (7-0). (Vote taken by poll.)

ADJOURNMENT: The meeting was adjourned at 5:08 p.m.

James Greene, Chairperson

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

Backup material for agenda item:

1. LEGISLATIVE - COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – Owned by Huy Tran and Hai Anh Nguyen, from “County” Low Density Residential (0-4 du/ac) to “City” Residential Low (0-5 du/ac), for property located at 904 Schopke Lester Road. (Parcel ID #: 06-21-28-7172-14-071)



CITY OF APOPKA PLANNING COMMISSION

<input checked="" type="checkbox"/> PUBLIC HEARING	DATE:	January 12, 2016
<input type="checkbox"/> ANNEXATION	FROM:	Community Development
<input type="checkbox"/> PLAT APPROVAL	EXHIBITS:	Land Use Report
<input type="checkbox"/> OTHER:		Vicinity Map
		Adjacent Zoning Map
		Adjacent Uses Map
		Existing Uses

SUBJECT: HUY TRAN AND HAI ANH NGUYEN – COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT

PARCEL ID NUMBER: 06-21-28-7172-14-071

Request: COMPREHENSIVE PLAN - SMALL SCALE - FUTURE LAND USE AMENDMENT
FROM: “COUNTY” LOW DENSITY RESIDENTIAL (0-4 DU/AC)
TO: “CITY” RESIDENTIAL LOW (0-5 DU/AC)

SUMMARY

OWNER/APPLICANT: Huy Tran and Hai Anh Nguyen

LOCATION: 904 Schopke Lester Road

EXISTING USE: Single-family residence

CURRENT ZONING: “County” A-1 (ZIP)

PROPOSED DEVELOPMENT: Single-family home and aquaponics (existing)

PROPOSED ZONING: “City” AG-E (Agriculture Estate)(Note: this Future Land Use Map amendment request is being processed along with a request to change the Zoning Map designation from “County”A-1 (ZIP) to “City” AG-E.)

TRACT SIZE: 4.42 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: 18 Units
PROPOSED: 22 Units

DISTRIBUTION

Mayor Kilsheimer
Commissioners (4)
City Administrator Irby
Community Dev. Director

Finance Director
HR Director
IT Director
Police Chief

Public Ser. Director
City Clerk
Fire Chief

ADDITIONAL COMMENTS: Presently, the subject property has not yet been assigned a “City” Future Land Use Designation or a “City” zoning category. Applicant is requesting the City to assign a future land use designation of Residential Low (0 – 5 du/acre) to the property.

The subject property was annexed into the City of Apopka on December 2, 2015, through the adoption of Ordinance No. 2460. The proposed Small-Scale Future Land Use Amendment is being requested by the owner/applicant. Pursuant to Florida law, properties containing less than ten acres are eligible to be processed as a small-scale amendment. Such process does not require review by State planning agencies.

A request to assign a Future Land Use Designation of Residential Low is compatible with the designations assigned to abutting properties. The FLUM application covers approximately 4.42 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).

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the Residential Low (0-5 du/ac) Future Land Use designation and the City’s proposed AG-E Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: The proposed rezoning will not result in an increase in the number of residential units which could be developed at the subject property. A capacity enhancement agreement with OCPS is not necessary because the impacts on schools will be de minimus.

ORANGE COUNTY NOTIFICATION: 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 December 11, 2015.

PUBLIC HEARING SCHEDULE:

January 12, 2016 - Planning Commission (5:30 pm)
January 20, 2016 - City Council (7:00 pm) - 1st Reading
February 3, 2016 – City Council (1:30 pm) - 2nd Reading

DULY ADVERTISED:

January 1, 2016 – Public Notice and Notification
January 22, 2016 – Ordinance Heading Ad w/Map/¼ Page w/Map Ad

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommends approval of the change in Future Land Use from “County” Low Density Residential (0-4 du/ac) to “City” Residential Low (0-5 du/ac) for the property owned by Huy Train and Hai Anh Nguyen and located at 904 Schopke Lester Road.

Note: 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.

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Low Density Residential (0-4 du/ac)	R-1	Vacant
East (City)	Residential Low (0-5 du/ac)	R-3	Lexington Club, Phase 2
South (County)	Low Density Residential (0-4 du/ac)	R-1	Single Family Residence
West (County)	Low Density Residential (0-4 du/ac)	R-1	Vacant

II. LAND USE ANALYSIS

The general character of the area surrounding the subject property is compatible with the development of residential uses. The property lies south of West Schopke Lester Road and north of West Highland Avenue.

Wekiva River Protection Area: No
 Area of Critical State Concern: No
 DRI / FQD: No

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within “Core Area” of the JPA.

Wekiva Parkway and Protection Act: The proposed amendment has been evaluated against the adopted Wekiva Study Area Comprehensive Plan policies. While located within the Wekiva River Basin Study Area, the subject property is not located within the Protection Area. The proposed amendment is consistent with the adopted mandates and requirements. The proposed Future Land Use Map (FLUM) amendment has been reviewed against the best available data, with regard to aquifer and groundwater resources. The City of Apopka's adopted Comprehensive Plan addresses aquifer recharge and stormwater run-off through the following policies:

- Future Land Use Element, Policies 4.16, 14.4, 15.1, 16.2 and 18.2
- Infrastructure Element, Policies 1.5.5, 4.2.7, 4.4, 4.4.1, 4.4.2 and 4.4.3
- Conservation Element, Policy 3.18

Karst Features: The Karst Topography Features Map from the Florida Department of Environmental Protection shows that there are no karst features on this property.

Analysis of the character of the Property: The Property fronts Schopke Lester Rd. The vegetative communities present are urban; the soils present are Candler fine sand; and no wetlands occur on the site, and the terrain has a 5-12 percent slope.

The proposed amendment is consistent with the Comprehensive Plan, including Policy 3.1.e Residential Low Future Land Use designation.

Analysis of the relationship of the amendment to the population projections: The proposed future land use designation for the Property is Residential Low (0-5 du/ac). Based on the housing element of the City's Comprehensive Plan, this amendment will increase the City's future population.

CALCULATIONS:

ADOPTED (City designation): 18 Unit(s) x 2.659 p/h = 48 persons
PROPOSED (City designation): 22 Unit(s) x 2.659 p/h = 59 persons

Housing Needs: This amendment will negatively impact the housing needs as projected in the Comprehensive Plan.

Habitat for species listed as endangered, threatened or of special concern: Per policy 4.1 of the Conservation Element, a habitat study is required for developments greater than ten (10) acres in size. This site is less than ten acres. A habitat study will not be required at the time of a development plan application.

Transportation: The City of Apopka is a Transportation Concurrency Exception Area. Refer to Chapter 3 of the City of Apopka 2010 Comprehensive Plan.

Potable Water, Reclaimed Water & Sanitary Sewer Analysis: The subject property is located within the Orange County Utilities service area for potable water, reclaimed water and sanitary service. The property owner will need to provide a letter from Orange County Utilities demonstrating available capacity prior to submittal of any development plan.

Sanitary Sewer Analysis

1. Facilities serving the site; current LOS; and LOS standard: None; 81 GPD/Capita;
81 GPD / Capita

If the site is not currently served, please indicate the designated service provider: City of Apopka

2. Projected total demand under existing designation: 3528 GPD
3. Projected total demand under proposed designation: 4312 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 81 GPD/Capita
6. Projected LOS under proposed designation: 81 GPD/Capita
7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

1. Facilities serving the site; current LOS; and LOS standard: City of Apopka; 177 GPD/Capita;
177 GPD/Capita

If the site is not currently served, please indicate the designated service provider: City of Apopka

2. Projected total demand under existing designation: 3780 GPD
3. Projected total demand under proposed designation: 4620 GPD
4. Capacity available: Yes

5. Projected LOS under existing designation: 177 GPD/Capita
6. Projected LOS under proposed designation: 177 GPD/Capita
7. Improved/expansions already programmed or needed as a result of the proposed amendment: None
8. Parcel located within the reclaimed water service area: Yes

Solid Waste

1. Facilities serving the site: City of Apopka
2. If the site is not currently served, please indicate the designated service provider:
City of Apopka
3. Projected LOS under existing designation: 192 lbs./person/day
4. Projected LOS under proposed designation: 236 lbs./person/day
5. Improved/expansions already programmed or needed as a result of the proposed amendment: None

This initial review does not preclude conformance with concurrency requirements at the time of development approval.

Drainage Analysis

1. Facilities serving the site: Lake Standish
2. Projected LOS under existing designation: 25 year - 96 hour design storm
3. Projected LOS under proposed designation: 25 year - 96 hour design storm
4. Improvement/expansion: On-site retention/detention pond

Recreation

1. Facilities serving the site; LOS standard: City of Apopka Parks System; 3 AC/1000 capita
2. Projected facility under existing designation: 0.144 AC
3. Projected facility under proposed designation: 0.177 AC
4. Improvement/expansions already programmed or needed as a result of the proposed amendment:
None

This initial review does not preclude conformance with concurrency requirements at the time of development approval.

Huy Tran & Hai Anh Nguyen
904 Schopke Lester Road
4.42 +/- Acres

Existing Maximum Allowable Development: 18 dwelling units
Proposed Maximum Allowable Development: 22 dwelling units

Proposed Small Scale Future Land Use Change
From: “County” Low Density Residential (0-4 du/ac)
To: “City” Residential Low (0-5 du/ac)

Proposed Zoning Change
From: “County” A-1 (ZIP)
To: “City” AG-E

Parcel ID #: 06-21-28-7172-14-071

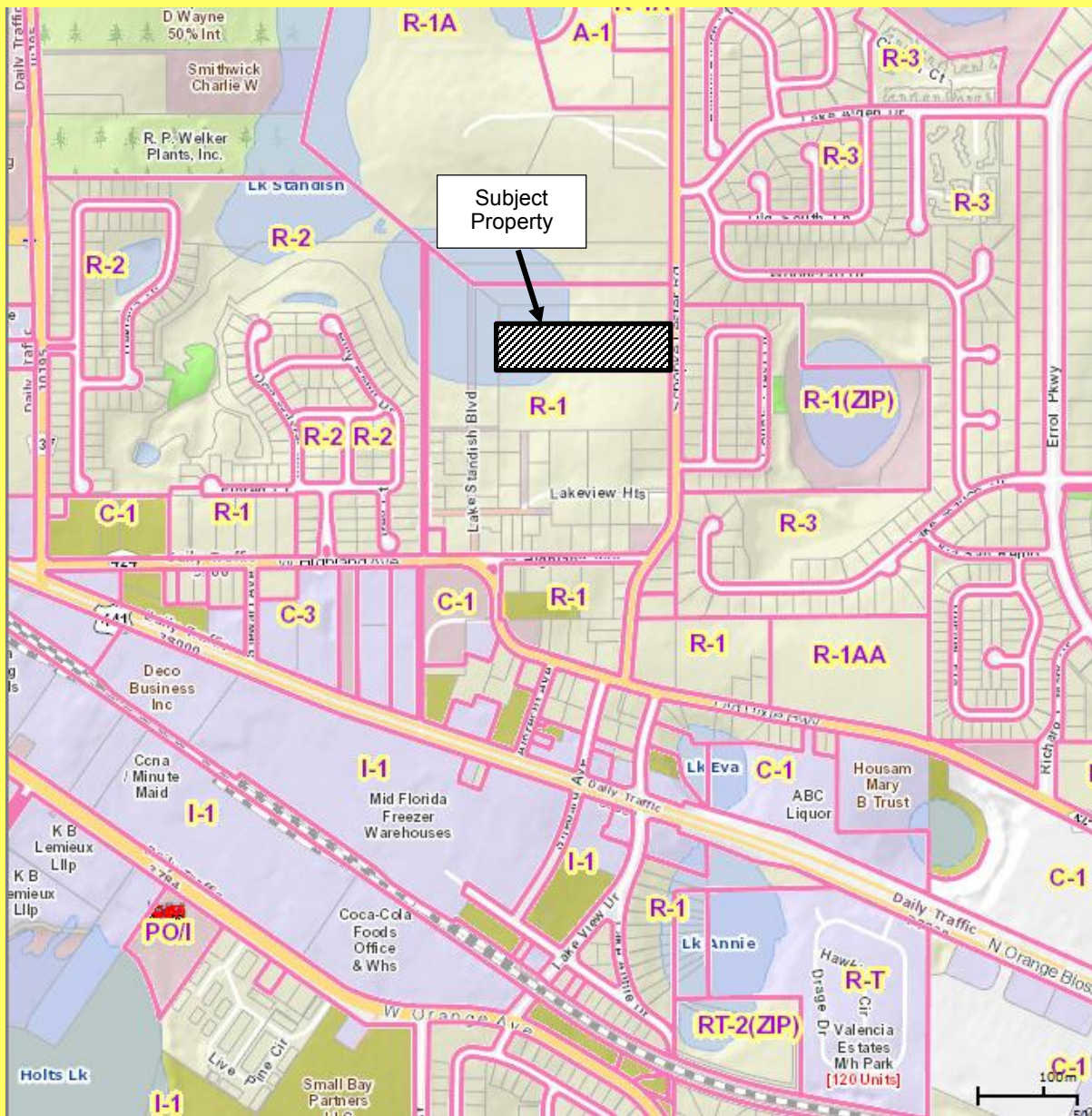


VICINITY MAP



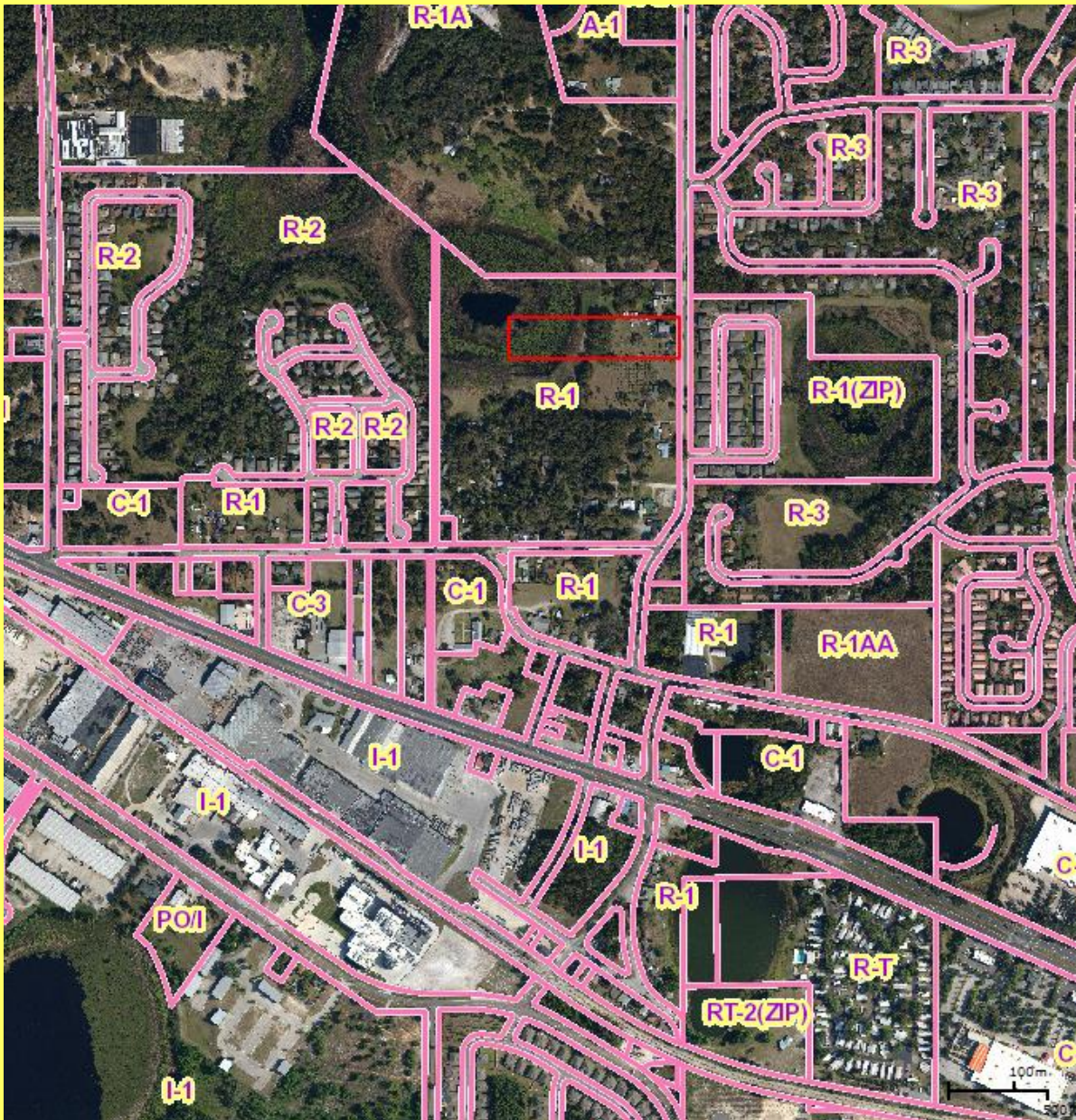


ADJACENT ZONING



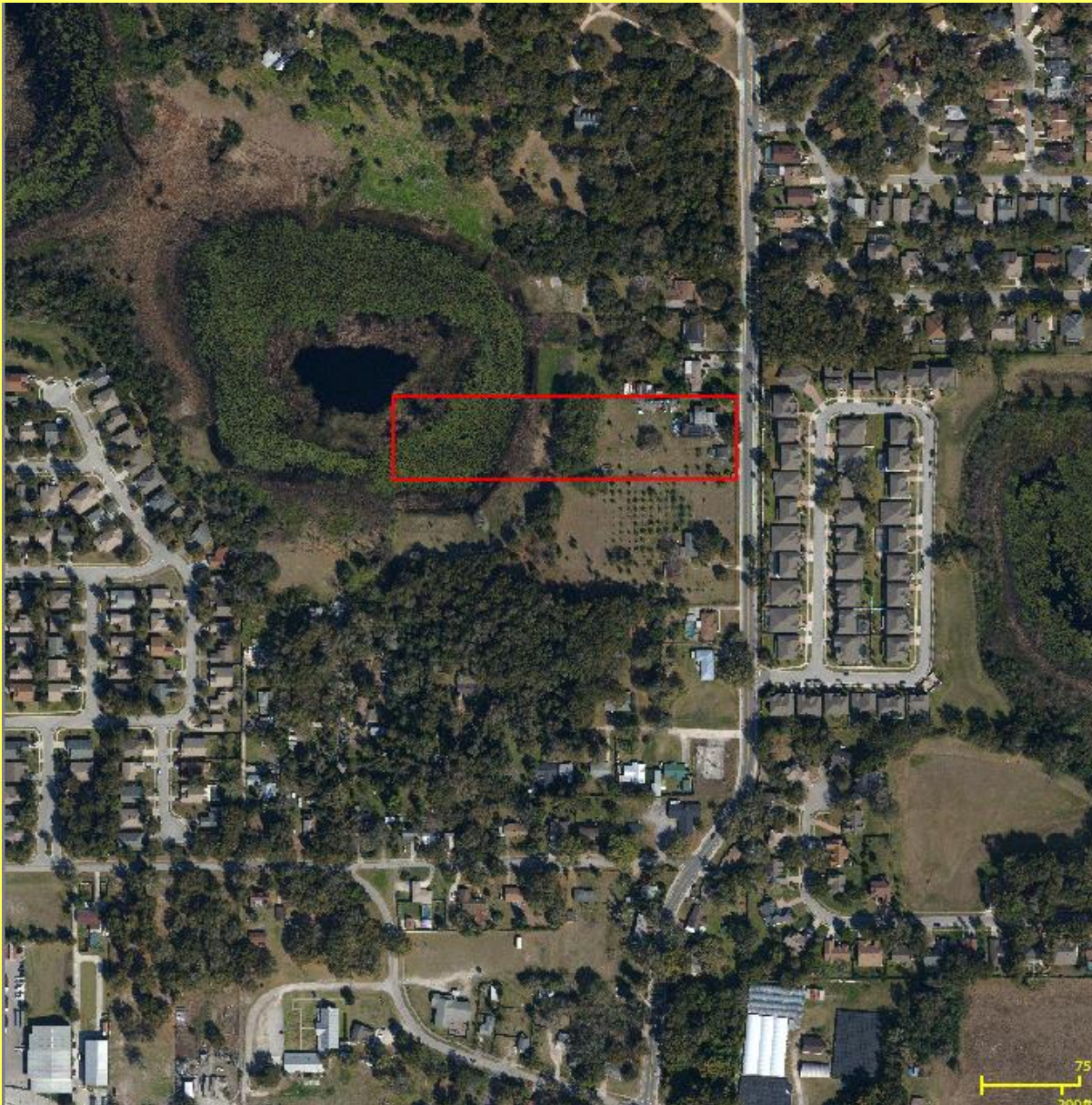


ADJACENT USES





EXISTING USES



Backup material for agenda item:

2. CHANGE OF ZONING – Owned by Huy Tran and Hai Anh Nguyen, from “County” A-1 (ZIP) to “City” AG-E (Agricultural Estate), for property located at 904 Schopke Lester Road. (Parcel ID #: 06-21-28-7172-14-071)



CITY OF APOPKA PLANNING COMMISSION

<input checked="" type="checkbox"/> PUBLIC HEARING	DATE:	January 12, 2016
<input type="checkbox"/> ANNEXATION	FROM:	Community Development
<input type="checkbox"/> PLAT APPROVAL	EXHIBITS:	Land Use Report
<input type="checkbox"/> OTHER:		Vicinity Map
		Adjacent Zoning Map
		Adjacent Uses Map
		Existing Uses

SUBJECT: HUY TRAN AND HAI ANH NGUYEN – CHANGE OF ZONING

PARCEL ID NUMBER: 06-21-28-7172-14-071

Request: CHANGE OF ZONING
FROM: “COUNTY” A-1 (ZIP)
TO: “CITY” AG-E (AGRICULTURAL ESTATE)

SUMMARY

OWNER/APPLICANT: Huy Tran and Hai Anh Nguyen

LOCATION: 904 Schopke Lester Road

EXISTING USE: Single-family residence

PROPOSED LAND USE: Proposed “City” Residential Low (0-5 du/ac)(Note: this Change of Zoning request is being processed along with a request to change the Future Land Use Map designation from “County” Low Density Residential (0-4 du/ac) to “City” Residential Low (0-5 du/ac)

CURRENT ZONING: “County” A-1 (ZIP)

PROPOSED DEVELOPMENT: Single-family home & aquaponics (existing)

TRACT SIZE: 4.42 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: 8 Units
PROPOSED: 1 Unit

DISTRIBUTION

Mayor Kilsheimer	Finance Director	Public Ser. Director
Commissioners (4)	HR Director	City Clerk
City Administrator Irby	IT Director	Fire Chief
Community Dev. Director	Police Chief	

ADDITIONAL COMMENTS: Presently, the subject property has not yet been assigned a “City” Future Land Use Designation or a “City” zoning category. Applicant is requesting the City to assign a zoning classification of AG-E to the property.

The subject property was annexed into the City of Apopka on December 2, 2015, through the adoption of Ordinance No. 2460. The proposed change of zoning is being requested by the owner/applicant.

A request to assign a change of zoning to AG-E is compatible to the adjacent zoning classifications and with the general character of abutting properties and surrounding area. The property owner is requesting the AG-E zoning classification to accommodate the use of an existing single-family residential home, as well as an aquaponics garden for hobby use. According to the Merriam-Webster Dictionary, aquaponics is a “system of growing plants in the water that has been used to cultivate aquatic organisms,” which normally includes fish. The systems use a closed-loop system in which plants are grown in water tank systems concurrently with fish. The fish waste is used to fertilize the plants, which helps to reduce the need for fertilizer and reduces water use, according the University of Florida. The property owner intends to have an aquaponic garden for hobby use only, not for commercial sales which makes the use compatible with the requested AG-E zoning district.

The change of zoning application covers approximately 4.42 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 Zoning Report).

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the Residential Low (0-5 du/ac) Future Land Use designation and the City’s proposed AG-E Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: The proposed rezoning will not result in an increase in the number of residential units which could be developed at the subject property. A capacity enhancement agreement with OCPS is not necessary because the impacts on schools will be de minimus.

ORANGE COUNTY NOTIFICATION: 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 December 11, 2015.

PUBLIC HEARING SCHEDULE:

January 12, 2016 - Planning Commission (5:30 pm)
January 20, 2016 - City Council (7:00 pm) - 1st Reading
February 3, 2016 – City Council (1:30 pm) - 2nd Reading

DULY ADVERTISED:

January 1, 2016 – Public Notice and Notification
January 22, 2016 – Ordinance Heading Ad w/Map/¼ Page w/Map Ad

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommends approval of the change in zoning from “County” A-1 (ZIP) to “City” AG-E (Agricultural Estate) for the property owned by Huy Train and Hai Anh Nguyen, located at 904 Schopke Lester Road.

Note: 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.

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	Future Land Use	Zoning	Present Use
North (County)	Low Density Residential (0-4 du/ac)	R-1	Vacant
East (City)	Residential Low (0-5 du/ac)	R-3	Lexington Club, Phase 2
South (County)	Low Density Residential (0-4 du/ac)	R-1	Single Family Residence
West (County)	Low Density Residential (0-4 du/ac)	R-1	Vacant

LAND USE &

TRAFFIC COMPATIBILITY: The subject property fronts and is accessed by a local roadway (Schopke Lester Road).

**COMPREHENSIVE
 PLAN COMPLIANCE:**

The proposed AG-E zoning is consistent with the City’s Residential Low (0 - 5 du/acre) 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 Residential Low 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.

Huy Tran & Hai Anh Nguyen
904 Schopke Lester Road
4.42 +/- Acres

Existing Maximum Allowable Development: 8 dwelling units

Proposed Maximum Allowable Development: 1 dwelling unit

Proposed Small Scale Future Land Use Change

From: “County” Low Density Residential (0-4 du/ac)

To: “City” Residential Low (0-5 du/ac)

Proposed Zoning Change

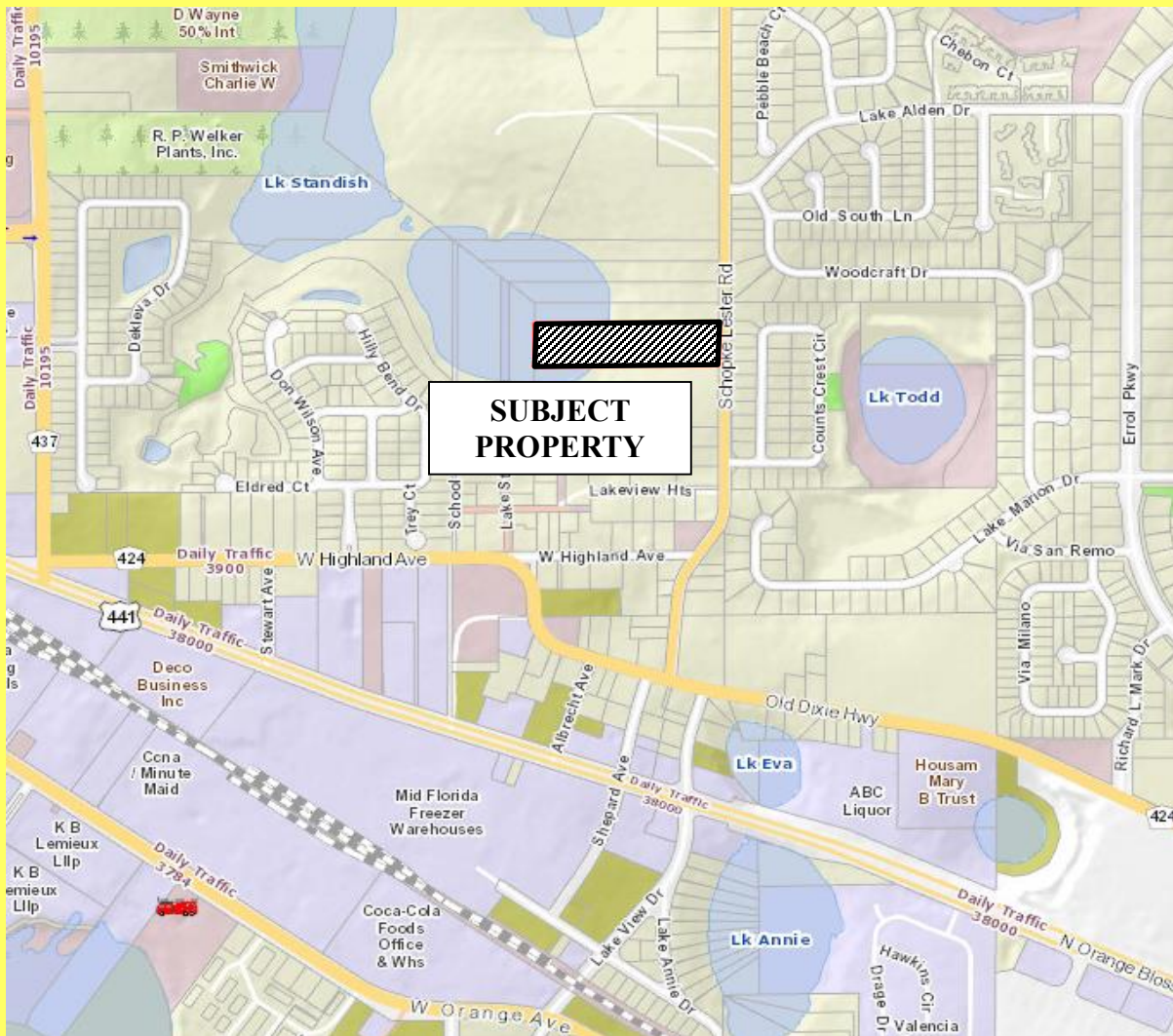
From: “County” A-1 (ZIP)

To: “City” AG-E

Parcel ID #: 06-21-28-7172-14-071

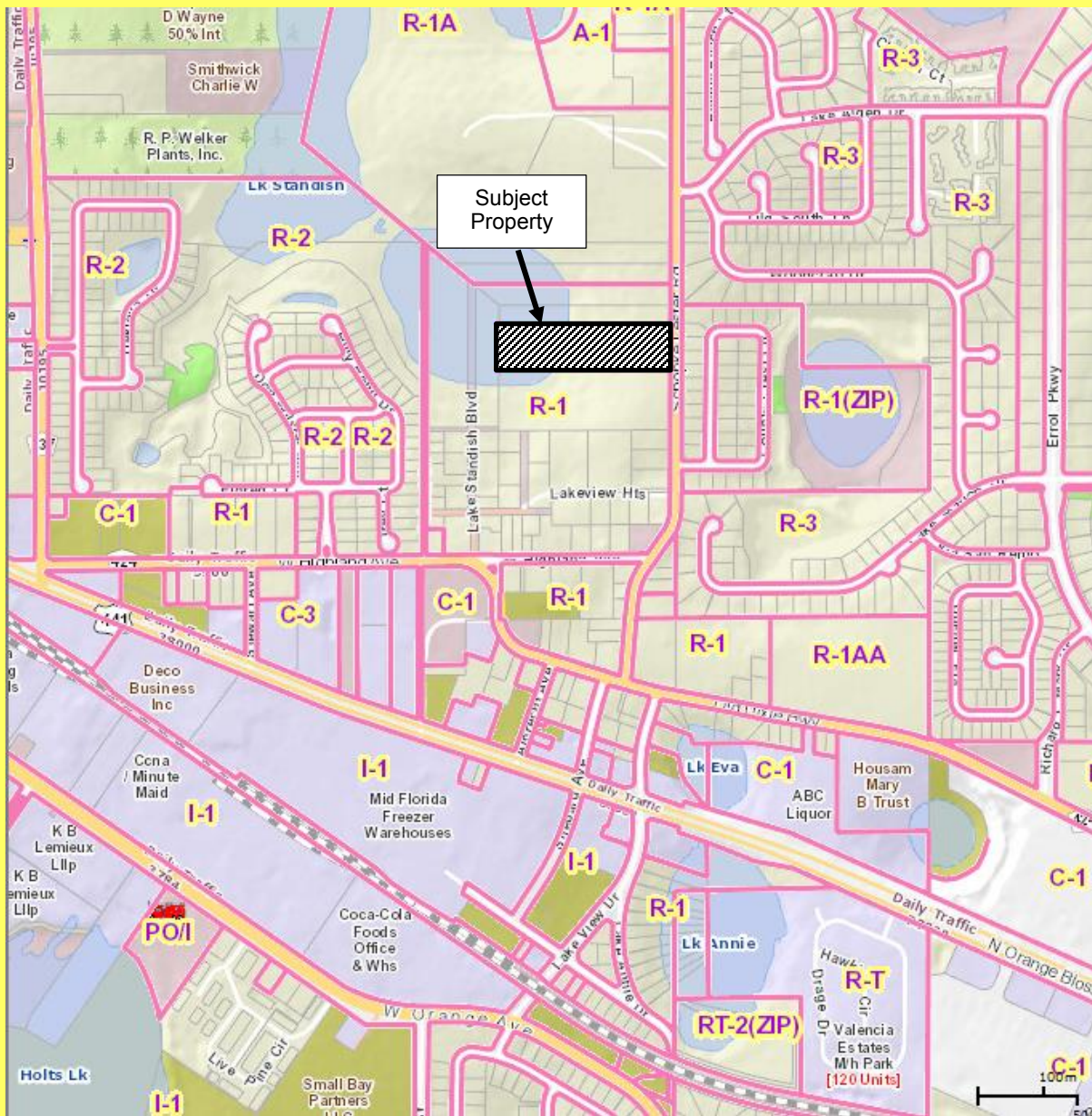


VICINITY MAP



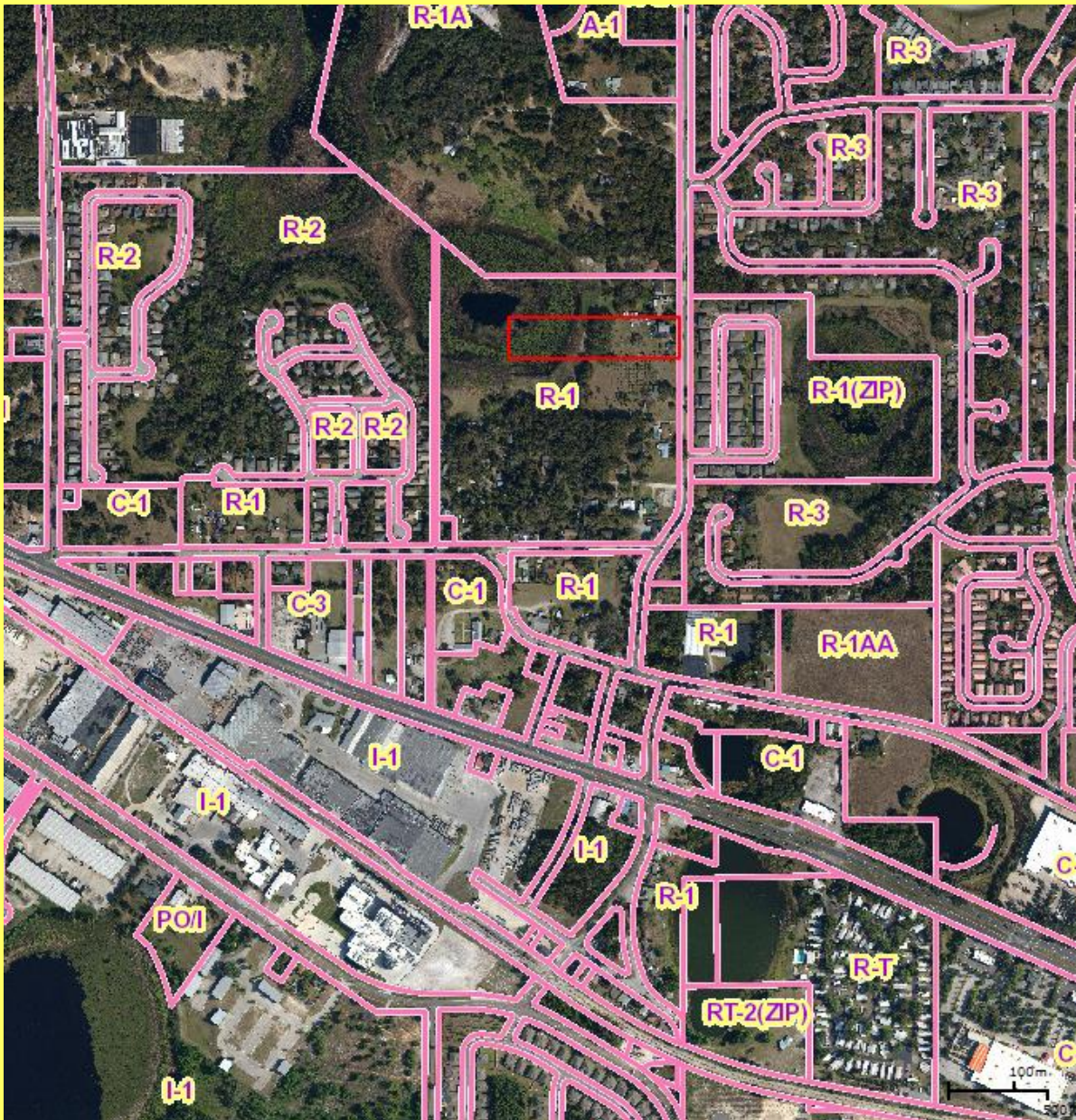


ADJACENT ZONING





ADJACENT USES





EXISTING USES

