

REVISED



City of Apopka Planning Commission Meeting Agenda April 10, 2018 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 March 13, 2018.
2. Approve minutes of the Planning Commission special meeting held March 20, 2018.

IV. PUBLIC HEARING:

1. PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN AMENDMENT – Property owned by Spirit SPE Portfolio CA C-Stores, LLC and located at 1305 West Orange Blossom Trail. (Parcel ID #: 05-21-28-0000-00-039)
2. VARIANCE – To approve a variance of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.02.15. (g)(3), to allow a 30 foot wide landscape buffer in lieu of required 50 foot wide buffer for property owned by Little Brownie Properties, Inc., c/o Peter Wood, President, and located at 1350 Sheeler Avenue. (Parcel ID #: 15-21-28-3960-00-010)

V. SITE PLANS:

1. PLAT – Vistas at Water's Edge, Phase 1 – Property owned by M/I Homes of Orlando, LLC, and located south of Hooper Farms Road, west and north of Binion Road, and west of Harmon Road

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 1 Street, Apopka, FL 32703, telephone (407) 703-1704, no less than 48 hours prior to the proceeding.

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.

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.

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- Access to the Oak Point 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.
- Paved sidewalk will placed along the west side of the park, connecting Street I with the Tot Lot, Dog Park, and parking lot.

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- 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.

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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. 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 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 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.

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

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
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 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.

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

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.

James Greene, Chairperson

James K. Hitt, FRA-RA
Community Development Director

Backup material for agenda item:

- 2 Approve minutes of the Planning Commission special meeting held March 20, 2018.

MINUTES OF THE PLANNING COMMISSION SPECIAL MEETING HELD ON MARCH 20, 2018, AT 5:30 P.M. IN THE APOPKA COMMUNITY CENTER, 519 S. CENTRAL AVENUE, APOPKA, FLORIDA.

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

ABSENT: Orange County Public Schools (Non-voting)

OTHERS PRESENT: Glenn Irby – City Administrator, Cliff Shepard – City Attorney, David Moon, AICP - Planning Manager, Richard Earp – City Engineer, Pamela Richmond – Senior Planner, Matt Wisenfeld – HDR Consultant, Phil Martinez – Planner I, Jean Sanchez – Planner I, Edith Torres – Secretary II, and Jeanne Green – Recording Secretary. There were approximately 300 residents in the audience. (The sign-in sheets are made a part of the record.)

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

QUASI-JUDICIAL - CHANGE OF ZONING AND MASTER PLAN – NEW ERROL - Chairperson Greene stated this is a request to find the Change of Zoning from Planned Unit Development (PUD) and PR (Parks & Recreation) to Planned Unit Development (PUD) and the New Errol PUD Master Plan consistent with the Comprehensive Plan and Land Development Code; the character of the surrounding area; the PUD conditions of approval; and City Council adoption of the Future Land Use Amendment and the Development Agreement for the property owned by Signature H Group, LLC, generally located north of Old Dixie Highway, south of Lester Road, east of Vick Road.

Chairperson Greene stated this item is 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 Shepard swore-in staff, petitioners, and affected parties for those wishing to give testimony,

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 find the proposed change of zoning and Master Plan consistent with the Comprehensive Plan; and to recommend approval of the Change of Zoning from Planned Unit Development (PUD) and PR (Parks & Recreation) to Planned Unit Development (PUD) for the property owned by Signature H Group, LLC, generally located north of Old Dixie Highway, south of Lester Road, east of Vick Road. The consulting planner is GAI Consultants. The existing use is a golf course and club house. The proposed development is single family residences, townhomes, an assisted living facility, community parks, a commercial amenities complex with a hotel, restaurant, aquatic park, and recreation facilities. The tract size is 75.9 +/- acres.

The development application is for a change of zoning to Planned Unit Development and a Master Plan, consistent with Section 2.02.18.K of the Apopka Land Development Code. Prior to development within or for each Phase, Neighborhood, or Community and Neighborhood Park, including any off-site infrastructure improvements, must be reviewed and approved by the City through a Preliminary Development Plan and a Final Development Plan. A Preliminary Development Plan implements the Master Plan by providing further detail regarding residential subdivision plans, landscaping, recreation facilities, and street layout. A final development plan serves as a construction plan to demonstrate how roads, water, sewers, utilities and recreation facilities will be constructed or installed. All preliminary development plan applications have a public hearing before the Planning Commission and City Council.

Development Profile:

Neighborhood	Acreage	Development Profile	FLUM	Proposed Zoning
A	11.64	70 townhomes	RML	PUD
B-1	9.95	25,000 sq ft1 clubhouse 40(21,200 sq ft1) room hotel	Commercial	PUD
B-2	5.45	18 townhomes	RML	PUD
C	6.76	46 carriage homes (townhomes)	RML	PUD
D	4.97	26 townhomes	RML	PUD
E	8.57	32 townhomes 41 single family units	E-1: RLS E-2: RL	PUD
F	13.3	180 ALF units (200,000 sq ft1)	F-1: RL R-2: RML	PUD
G	13.94	60 acute care beds (45,000 sq ft)	RML	PUD
Community Park	4.04	Park and Open Space	P&R	PUD

PUD Conditions of Approval:

1. Final street names will be determined at the time of the Preliminary Development Plan, and must be accepted by the County Emergency Management Office.
2. All wetland and floodplain impacts shall meet the mitigation requirements set forth in the Comprehensive Plan (Conservation Element) and as determined by the Water Management District. All buildings shall be set back a minimum of fifty (50) feet from a wetland line and an upland buffer shall be provided consistent with the Comprehensive Plan and Land Development Code.
3. Where and if any inconsistencies occur between a Master Plan sheet and the Design Development Standards appearing on Sheet 11.0, Sheet 11.0 shall preside.
4. Transportation: New Errol Developer shall be responsible for cost of installation (not just design) of any warranted traffic signals as determined by the Transportation Study.
5. Additional conditions not appearing above may be presented at the Planning Commission hearing.

The applicant has obtained a School Capacity Enhancement Agreement from Orange County Public Schools. School concurrency will be required at the time of the Preliminary Development Plan or Final Development Plan application for residential development. Location served by the following schools: Apopka Elementary; Wolf Lake Middle School; and Apopka High School.

All property proposed for rezoning is surrounding by incorporated areas within the jurisdiction of the City of Apopka. Notice was sent to Orange County via the agenda for the Development Review Committee.

The Development Review Committee finds the Change of Zoning and Master Plan consistent with the Comprehensive Plan, Land Development Code, and character of the surrounding areas subject to the findings of the Staff Report, PUD Conditions of Approval, and City Council adoption of the Future Land Use Amendment and a Development Agreement.

Staff recommended that Planning Commission find the Change of Zoning and New Errol PUD Master Plan consistent with the Comprehensive Plan and Land Development Code; the character of the surrounding area; the PUD conditions of approval; and City Council adoption of the Future Land Use Amendment and the Development Agreement.

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 the change of zoning covers 75/9 +/- acres and does not include all of the golf course. Any changes to the areas not included in this current project will require a new application. Since the Land Development Code has no requirements that a golf course owner must reconfigure the golf course, the owner could leave it fallow. There is a developer's agreement; however, that addresses the golf course.

Petitioner Presentation: Helmut Wyzisk, III, Signature H Property Group, 1420 Celebration Boulevard, Suite 200, Celebration, introduced Blake Drury of GAI Consultants, Inc., 618 East South Street, Suite 700, Orlando. He also introduced Attorney Jonathan Huels, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., 215 North Eola Drive, Orlando, who is representing Signature H Property Group.

Mr. Wyzisk stated they started in March of 2016 by introducing the project and initially meeting with focus groups and going over the designs. In September 2016 they held the first of over 130 community meetings for additional feedback. On March 31, 2017, they submitted the Master Plan to the City of Apopka. The first step was to have the future land use amended. The large scale future land use amendment was presented to the Planning Commission on July 26, 2017. At that meeting, the Planning Commission recommended approval and on August 22, 2017, the City Council accepted the first reading and authorized transmittal to the Florida Department of Economic Opportunity (FDEO). In November 2017 DEO provided full approval with no comments. The large scale future land use ordinance is being presented at the special City Council meeting to be held on March 27, 2018, for adoption. From December 2017 through March 2018, we have worked with the Development Review Committee (DRC) to refine the master plan details. City staff recommended the Planning Commission find the Change of Zoning from Planned Unit Development (PUD) and PR (Parks & Recreation) to Planned Unit Development (PUD) and the New Errol PUD Master Plan consistent with the Comprehensive Plan and Land Development Code; the character of the surrounding area; the PUD conditions of approval; and City Council adoption of the Future Land Use Amendment and the Development Agreement. City Council will have a special meeting on Tuesday, March 27, 2018, to adopt the future land use and for the first reading of the change of zoning. City Council will then meet on April 11, 2018, for second reading of the change of zoning and the master plan.

Mr. Drury reviewed the overall plan; the parks and open space plan, each of the proposed neighborhood plans including the proposed buffers and grading plans; the assisted living facility (ALF); roadways; and the proposed phasing plan.

In response to questions by Mr. Molina, Mr. Drury stated that there will be one entrance off of Vick Road. They had considered a second entrance off of Lexington Parkway; however, there would be an increase to the traffic impact. He stated they were urged by staff to internalize the traffic. This helps emergency response as well as the day to day traffic. He stated the traffic benefit for a second entrance on Staghorn is negligible.

In response to questions by Mr. Sprinkle, Mr. Helmut, III, stated that a centex fence is 6' tall composite with stone impressions on it. He stated the Master Plan shows three types of proposed buffering. Berms, masonry, and landscape.

Chairperson Greene opened the meeting for public hearing.

Erik Whynot, Esq., Garfinkel Whynot Association Law, 300 N. Maitland Avenue, Maitland, stated he represents the Errol Estate Property Owners' Association (EEPOA) in relation to the New Enol Planned Unit Development Master Plan dated March 2, 2018 ("PUD Master Plan") and revised Master Development Agreement dated February 15, 2018, related to the development of "New Errol" by Signature-H Property Group. He stated he was attending this meeting to document their recommended mitigation actions and requests to reduce the negative effects that this project would have on the current Errol Residents. For EEPOA respectfully asks the Planning Commission to recommend to the City Council that these mitigation actions be included as conditions precedent to the approval of the referenced PUD Master Plan.

The negative effects will significantly reduce the overall welfare and property values for current Errol residents. It should be noted that the EEPOA represents approximately 80% of the current Errol Estate community; approximately 2,000 residents. There are other sub-divisions within the Errol Estates community that will also be impacted and they will be presenting their concerns separately.

First, generally, EEPOA supports the overall vision of New Errol as created by Signature-H's website, the illustrations within the PUD Master Plan dated March 2, 2018, and the Signature-H marketing presentations that have been provided to the EEPOA residents, both personally to Errol residents and at prior City Public Hearings. The following are two items that the EEPOA has identified as major concerns that effect the welfare of current EEPOA residents and must be mitigated:

With regard to the spine road, in all presentations, and in the original Development Agreement, Signature-H agreed to the construction of a spine road. The road would stem from the intersection of Vick Road and Sun Bluff Lane and continue to Errol Parkway. Signature-H has repeatedly stated that this spine road would be the "construction" road for the entire project.

The first draft of the Development Agreement required the Developer to complete the road before the first occupancy permit would be issued. It said: "Developer agrees to complete and dedicate the Spine Road as a public right-of-way prior to issuance of the first certificate of occupancy of a residential structure in Phase I (Neighborhoods A, B-1, B-2)." This requirement would have forced Signature-H to make good on their promise to complete the new road before beginning construction on any homes.

The current revised Master Development Agreement has deleted that requirement and requires them to complete the spine road in two separate phases. As proposed now, the spine road does not have to be completed until the 151st Certificate of Occupancy is issued to Signature-H. This revised Master Development Agreement negates all statements and promises made by Signature-H with regard to the construction of the spine road. This effectively makes Errol Parkway and Lake Francis Drive the only construction entrances for all of Phase 1. Signature-H, despite the comments from the DRC and the requirements of Section 2.02.18 of the Apopka Land Development Code, has not provided any Traffic Impact Analysis related to the use of Errol Parkway and Lake Francis Drive as the primary construction entrances for the development of Phase 1 of this project.

Errol Parkway contains no sidewalks for pedestrian traffic and the use of Errol Parkway as the primary construction entrance for Phase 1 presents a significant safety hazard for the Errol community that must be addressed by Signature-H. Pedestrians share the roadway with all vehicular traffic and parked vendor vehicles such as yard services and delivery vehicles that are commonly parked in multiple places on the Parkway at any given time.

The EEPOA requests that the City require the spine road be designated as the only construction entrance for the project and that the spine road be completed to "construction access level" prior to any construction or construction preparation for either Phase 1 or 2.

Further, EEPOA requests that the City deny any use of Errol Parkway or Lake Francis Drive as a construction entrance for Phase 1. As an alternative, the City can implement appropriate mitigation actions on both roads to ensure pedestrian safety until the spine road has been completed and dedicated to the City.

With regard to the buffering plans, the current proposed buffer walls/fences between existing homes and the New Errol neighborhoods and roads are planned to be placed within one foot of the property line with no set-back or in-set from the existing property line.

In general, the existing homes and improvements on the property owner's parcel are predominantly located a short distance from their rear property line. Many are as close as 5' to the rear property line. This is certainly understandable where the owner was originally promised that his or her property would back up to a golf course fairway in perpetuity. Enol Estate owners paid a premium for lots that backed up to a fairway.

Pursuant to the revised PUD Master Plan, placing the proposed buffer walls on the property line between New Errol and existing Errol residences will effectively:

1. Reduce the quality of life for existing residents by reducing air-flow and light and inserting an aesthetic eye-sore that directly affects the value of that owner's property.
2. Place a significant burden on homeowners to maintain the back side of New Errol's property along the wall since New Errol's access to maintain these walls would not be possible.
3. The elevation measurements for the various buffer tracts within the PUD Master Plan all demonstrate that the new community will be set at a much higher grade elevation than the bordering homes. This will result in significant storm water run-off from the new development into the back yards of all neighboring Errol Estate homes.
4. While Signature-H's marketing specifically states that the lack of a golf course could reduce property values up to 20% in the Errol community, those Errol residents whose property will now back up to a 6' wall stand to lose a similar amount if the project and buffer wall installation proceed as proposed and at the current grading elevations represented in the PUD Master Plan.

Mr. Whynot said the DRC Comments state that all buffer walls should be inset 5' into the buffer to enable maintenance to be done to those buffer areas by the New Errol community. Further, the DRC commented that the Signature-H must specifically state who will be responsible for maintenance of these buffer areas. The revised PUD Master Plan and Master Development Agreement ignore the DRC comments.

The EEPOA requests that the buffer area between the buffer walls/fence and existing Errol residences be inset at least 5' from the property line. And that irrigation and sod maintenance requirements be added to this area to preclude unsightly appearances and to keep the area from being abandoned by the New Errol owner. For Permabrick walls, the EEPOA requests that the buffer wall inset be increased to 10' to allow heavy duty equipment access to repair or replace damaged portions of the wall. Mature trees from required landscaping will limit access from the street side over time. Signature-H must provide storm water management design plans related to any change in the flow of water as a result of the buffer or buffer wall.

Improper storm water drainage could result in significant flooding and damage to Errol residents that border the New Errol development. The placement of buffer walls should take into account the lot grading for the proposed development, which at times raises the proposed development 6' above the neighboring Errol resident's lot. The purpose of the buffer wall is completely defeated where the proposed development is at least 6' higher than the adjacent Errol resident lots.

Based upon the above, EEPOA respectfully requests that the Planning Commission move these concerns forward as recommendations to the City Council with the approval of the revised PUD Master Plan or revised Master Development Agreement. The EEPOA also requests that resolutions for the herein stated issues be documented in the PUD Master Plan and/or in the Master Development Agreement as a condition precedent to City Council approval.

Jonathan Huels, Esq., Lowndes Drosdick Doster Kantor & Reed, P.A., 215 North Eola Drive, Orlando, stated that his firm represents Signature H Property Group LLC regarding New Errol, a mixed-use project consisting of a 18-hole golf course and clubhouse, single family homes, townhomes, an assisted living facility, community parks, commercial amenities complex with hotel, restaurant, aquatic park and recreation facilities. A letter dated March 12, 2018, was received from Erik Whynot, Esq., on behalf of the Errol Estates Property Owners Association, Inc. that expressed concern over two matters related to the Project. The EEPOA Letter followed a February 13, 2018 letter transmitted from Mr. Whynot, on behalf of the EEPOA, that outlined nine (9) separate concerns with respect to the Project. Since that time, the PUD Master Plan was revised, in part, to address many of the concerns expressed in the earlier letter and it now appears that only two of the nine original concerns remain. However, we cannot agree to the EEPOA's requests with respect to these remaining matters.

Mr. Huels addressed Mr. Whynot's concerns with regard to the spine road, by saying that as provided in the PUD Master Plan and Development Agreement, the Spine Road will be constructed in two phases. The first phase of the Spine Road, from Errol Parkway to Golf Course Drive, will be completed and dedicated as a public right-of-way prior to the issuance of the first residential permit in the Project. The second phase of the Spine Road, from Golf Course Drive, to Vick Road, will be completed and dedicated as a public right-of-way prior to issuance of the 151st residential certificate of occupancy for the Project. Prior to being completed and dedicated as a public road, the second phase will be substantially completed and utilized as a limited-access private construction road for the portions of the project accessible therefrom. However, it is not feasible for the second phase of the Spine Road to serve as the only construction entrance for the entire Project, as EEPOA has requested, since portions of the project simply cannot be accessed either physically or legally via that road segment. Instead, construction in areas of the Project not accessible from the Spine Road will necessitate use of the existing road network. In those limited circumstances, Signature H will implement a construction vehicle access plan that includes protocols safeguarding pedestrians in the community.

With regard to the buffering plan, Mr. Huels stated the buffer areas in the PUD Master Plan are consistent with the City's Code requirements and are the culmination of many months of discussions with City Staff and input from the majority of adjacent neighboring lot owners. Any change in the proposed buffer areas at this late stage in the rezoning process would require a complete redesign of the Project. The relocation of the buffer walls also presents security and liability issues for the property located on the exterior the wall that would be continued to be owned but no longer controlled by Signature H. Furthermore, the notion that Signature H should uniformly locate perimeter walls 5 feet away from its own property boundary and also irrigate, landscape and maintain those areas for the benefit of the adjacent lot owners is without precedent and would effectively act as an unlawful taking of private property. In addition, all buffer walls will be constructed, repaired and maintained from property owned and/or controlled by Signature H.

Mr. Huels stated the storm water design plans will be prepared as part of the development plan approval process. The entire Project, including buffer walls, will be designed and constructed in accordance with the City's Code and St. Johns River Water Management District's rules and regulations.

Mr. Huels stated the placement of all buffer walls have taken into account the natural grades of the Project and surrounding properties. While final grading will not be completed until Preliminary Development Plan submittal, graphical cross-sections depicting the elevation of the buffer walls with respect to adjacent properties have been incorporated into the PUD Master plan. The referenced cross-section includes homes on Crepe Myrtle Circle, and shows a grade change of six feet across roughly 90 feet of setback between existing and proposed single-family homes, which distance will allow the wall and adjacent setback to act as an effective buffer between the neighborhoods. It should also be noted that an examination of existing homes along Crepe Myrtle Circle shows grade changes of greater magnitude with three feet of elevation change in the roughly fifteen feet between homes to be a common condition. In addition, Mr. Huels said the developer has every intention to renovate and redesign portions of the existing 18-hole golf.

Dale Fenwick, 1272 Errol Parkway, stated his home is approximately 400 feet south of the proposed intersection of Errol Parkway and the Spine Road. He also co-owns Golf Villa #129 with his wife and step-daughter. The Villa is located on what was the old #9 Fairway. The back door of the Villa is 37 to 45 feet from the pavement of the proposed Spine Road, depending upon the ultimate configuration of the Buffer on the west side of the Spine Road in Neighborhood C. He stated that his comments do not reflect the views of any organization of which he is or has been a member. He said that like most of the people he supports the New Errol Project. However, unlike most people, his support is not without reservations. He said the developers garnered support for the Project over the past two years by repeatedly promising to: "Renovate the 18-hole Errol golf course and build a new clubhouse before any new homes are sold." He said that without this promise the support being expressed would not exist. Unfortunately, the golf course was removed from the Master Plan just 3 weeks ago. This will prevent the City from requiring the developers to renovate the course before the first occupancy permits are issued. The removal of the golf course from the Master Plan has allowed the developers to modify their promise. The developers are now asking to be allowed to build and sell 50 homes before the renovation of only 9 holes is complete, and to sell 150 homes before the renovation of the remaining 9 holes. Because the golf course is no longer part of the plan he said he does not know if the City can hold the developers accountable for their promise. For more than 45 years the Errol Club Villa Condominium Association and the Villa Owners have used the land adjacent to the Villa property to perform necessary repair and maintenance work on the Villas. This happens nearly every day. Now Villas are using our neighbor's property for access because when the Villas were built they were owned by the Errol Country Club and it was unimaginable that the surrounding land would be anything but a golf course. The property line was therefore arbitrarily drawn only 12.5 feet from most of the buildings. Some buildings are within 5 feet of the property line. He requested that the Planning Commission include a Condition in their recommendation that requires the developers to build buffers on the north and east side of the Villas that will accommodate the Villas' need to continue a 45-year practice. The currently proposed buffers do not work. Obviously a wall or fence on the property line is a problem but so is a berm with a 3:1 Slope. Additionally, the parking calculations in Neighborhood B-1 do not allow for the fact that there is a 40-year old easement allowing the Villa Owners to park 100 cars in the club's parking lot. There are only 57 parking spaces for the golf course operation. By contrast, the nearby Forest Lake Golf Course, which does not have a clubhouse operation, has 164 parking spaces. Mr. Fenwick stated the manager of Forest Lake Golf Course told him that are parking lot is 80% to 90% full on most days. Although the Developers has modified part of their original promise, he believes they intend to make good on their promises. Unfortunately, Errol has seen Developers come and go. He said he hoped Signature H makes it, but if they don't, the Master Plan and Development Agreement need to contain air-tight language that will allow the City to hold their successors accountable and protect the existing residents of Errol Estate.

MINUTES OF THE PLANNING COMMISSION SPECIAL MEETING HELD ON MARCH 20, 2018, AT 5:30 P.M.

Barbara McLeod, 1065 Errol Parkway, voiced her support of the proposed change of zoning and development.

Tom Watson, 1705 Golf Garden Way, voiced his support of the proposed change of zoning and development.

Victoria R. Davies, 1065 Errol Parkway, voiced her support of the proposed change of zoning and development.

Jerry Clinebell, 1320 Errol Parkway, voiced his support of the proposed change of zoning and development.

Carl J. Freeman, 801 Crepe Myrtle Circle, voiced his opposition to the development. He expressed concerns regarding the proposed density and traffic impacts.

David Middag, 1340 Golf Point Loop, voiced his support of the proposed change of zoning and development.

Christina Angott, 1339 Villa Lane, voiced her support of the proposed change of zoning and development.

Valerie Ferbert, 1162 Villa Lane, voiced her support of the proposed change of zoning and development.

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

In response to questions by Mr. Molina, Mr. Huels stated prior to the approval of the first residential plat, the developer shall form a master property owner association. The Master Association will establish an annual budget to adequately fund the maintenance of the ALF, open spaces, parks, recreational trails and internal streets. The golf course portion will be privately owned and not a part of the Master Association. He said there is a phasing plan included in the Master Plan and the Developer's Agreement that includes the club house, amenities, and golf course. The first nine holes must be complete by the issuance of the first 50 certificates of occupancy. The final nine holes must be complete by the issuance of the 90th certificate of occupancy. To ensure the golf course is adequately funded there will be a resort fees for residents at the ALF. The operating agreement would include language that if the ALF is sold those fees would be passed to any buyer.

In response to questions by Chairperson Greene, Mr. Huels stated that Spine Road will be developed in two phases so that as each phase is developed the spine road will be used for construction access to keep as much of that traffic off of the existing roads as possible. Legally, the entire project cannot be accessed only through the Spine Road. Residents will have to use the existing roads. Pursuant to the Master Plan and Developer's Agreement, maintenance of the walls will be the responsibility of the developer until turnover to the HOA. The setbacks will be enough to allow the walls to be maintained.

In response to questions by Chairperson Greene, Mr. Moon stated that the code allows residential development berms along roadways but not adjacent to other uses. Walls are not required between residential developments. A PUD allows unique development standards. This is handled on a case by case basis. A tree survey will be required prior to the Final Development Plan.

Due to his concerns for traffic impacts and emergency access, Mr. Molina recommended the developer look at a second entrance off of Vick Road.

In response to a question by Mr. Sprinkle, Mr. Moon stated the spine road will be named Staghorn Drive.

Motion: Roger Simpson made a motion to find the Change of Zoning from Planned Unit Development (PUD) and PR (Parks & Recreation) to Planned Unit Development (PUD) and the New Errol PUD Master Plan consistent with the Comprehensive Plan and Land Development Code; the character of the surrounding area; the PUD conditions of approval; and City Council adoption of the Future Land Use Amendment and the Development Agreement for the property owned by Signature H Group, LLC, generally located north of Old Dixie Highway, south of Lester Road, east of Vick Road. Motion seconded by John Sprinkle. Aye votes were cast by James Greene, Tony Foster, Linda Laurendeau, Jose Molina, Patrice Phillips, Roger Simpson, and John Sprinkle. (7-0). (Vote taken by poll.)

OLD BUSINESS: None

NEW BUSINESS: None

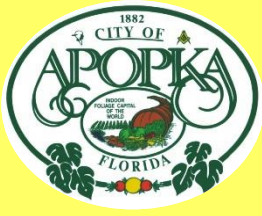
ADJOURNMENT: The meeting was adjourned at 7:50 p.m.

James Greene, Chairperson

James K. Hitt, FRA-RA
Community Development Director

Backup material for agenda item:

1. PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN AMENDMENT – Property owned by Spirit SPE Portfolio CA C-Stores, LLC and located at 1305 West Orange Blossom Trail. (Parcel ID #: 05-21-28-0000-00-039)



CITY OF APOPKA PLANNING COMMISSION

- PUBLIC HEARING
- SITE PLAN
- SPECIAL REPORTS
- OTHER:

MEETING OF: April 10, 2018
 FROM: Community Development
 EXHIBITS: Vicinity Map
 Adjacent Zoning Map
 PUD Master Plan

SUBJECT: AMENDMENT TO THE PLANNED UNIT DEVELOPMENT MASTER PLAN FOR 1305 WEST ORANGE BLOSSOM TRAIL

REQUEST: RECOMMEND APPROVAL OF THE AMENDMENT TO ORDINANCE 2292, WHICH AMENDS THE PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN FOR 1305 WEST ORANGE BLOSSOM TRAIL. (PARCEL ID #: 05-21-28-0000-00-039)

SUMMARY:

OWNER: Spirit SPE Portfolio CA C-Stores, LLC

APPLICANT: Gray Robinson, P.A.

ENGINEER: Tannath Design, Inc.

LOCATION: 1305 West Orange Blossom Trail
(North of U.S. HWY 441 (a.k.a. Orange Blossom Trail) and East of Errol Parkway)

EXISTING USE: Convenience Store w/ Fueling Stations

LAND USE: Commercial

ZONING: PUD/C-2

PROPOSED DEVELOPMENT: Existing gas station and gasoline sales (Lot 1), Future General Business uses (Lot 2)

PROPOSED LOTS: Lot 1: 2.045 +/- Acres
Lot 2: 0.895 +/- Acres

TOTAL ACRES: 2.94 +/- Acres

FUNDING SOURCE: N/A

DISTRIBUTION

Mayor Kilsheimer	Finance Director	Public Services Director
Commissioners	HR Director	Recreation Director
City Administrator	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	Future Land Use	Zoning	Present Use
North (City)	Residential Medium (0-10du/ac)	R-2	Residential Subdivision
East (City)	Commercial	PUD	Retail Shopping Center (Victoria Plaza)
South (City)	Commercial	C-2	Commercial Retail (Verizon Wireless)
West (County)	Commercial	C-2	Commercial Retail

ADDITIONAL COMMENTS: The subject property is located at 1305 West Orange Blossom Trail and is the site of a gas station and associated convenience store. According to Orange County Property Appraiser records, the gas station was constructed in 1997. Originally a RaceTrac gas station was located on the property. In 2015 the property was sold, and is now the site of a Marathon gas station with an associated convenience store.

On March 6, 2013, the City Council adopted Ordinance 2292, which rezoned the property from C-1 to PUD. The C-1 zoning district only permits gasoline sales through a Special Exception and is limited to four multiple station pumps and two single station pumps. The RaceTrac gas station had over ten fueling stations, and the site was considered a legal, non-conforming use. Ordinance 2292 allows PO/I, CN, C-1, and automotive fuel sales, which is a C-2 district permissible use as permitted uses, and was requested by the former property owner to remove the legal nonconforming status from the property. Exhibit “A” of Ordinance 2292 contains a PUD Master Plan for the RaceTrac gas station and associated convenience store.

The applicant is requesting an amendment to Ordinance 2292 to amend the PUD Master Plan to create two separate lots. Lot 1 identifies the existing Marathon (formerly known as RaceTrac) gas station consisting of a 5,928 square foot convenience store with ten fueling stations. Lot 2 is proposed to remain vacant, but is to be marketed for up to 7,200 square feet of general business uses with 24 parking spaces. The applicant is requesting the PUD Master Plan amendment to split the property and sell Lot 2 in the future.

DEVIATIONS: The applicant is requesting three deviations to the City’s required development standards. For a PUD master plan, a deviation from the City’s Land Development Code does not represent a variance but a development standard or zoning condition unique to and approved as part of the Planned Unit Development zoning. PUD’s are required to satisfy the requirements of the Land Development Code unless the City Council finds that, based on substantial evidence, a proposed alternative development guideline is adequate to protect to the public health safety, and welfare. Any deviations must be consistent with the policies of the Comprehensive Plan.

1. LDC 2.02.13.G.3 - areas adjacent to nonresidential uses or districts are required to provide a minimum five-foot landscaped bufferyard. The applicant is requesting a joint 5-foot wide landscape buffer between Lot 1 and Lot 2 in lieu of the required five foot wide landscape buffer on each parcel.

Justification: Both sites consist of commercial uses and there will be substantial landscaping within the 5-foot buffer, including 7 Crape Myrtles with 2-inch minimum Caliper 8-foot minimum height, a Sweet Viburnum Hedge 24-inch minimum height 36-inches on center and Parsons Juniper 24-inches on center. The panhandle portion of Lot 1 will remain as open space. The pan handle portion of the property shall be used for open space or stormwater retention only.

2. LDC 6.05.00.D.6.A - requires the minimum requirements for maintenance berms are ten feet around the perimeter of the stormwater pond. The applicant is requesting a reduction in width of the maintenance berm of 10 feet with fencing to 5-feet for Lot 2.

Justification: The proposed concrete wall is setback 10-feet from the property line, due to an existing easement. An additional 10-foot berm on the site side of the wall would take up additional room for recharge of the stormwater ponds, necessary to meet the goals and objectives of the City of Apopka Comprehensive Plan. The proposed pond is dry and will allow for maintenance and upkeep from inside the pond.

3. Development Design Guidelines Section 4.4, Off-street parking - The applicant is requesting a reduction of the requirement of no more than 50% of the required parking spaces in front of the proposed building on Lot 2.

Justification: Section 4.4 of the Development Design Guidelines does not permit parking areas to be located in the building setback area abutting a residential area. Lot 2 abuts an existing single-family residential subdivision. In addition, a wider landscape island is proposed in front of the proposed building on Lot 2, which increases the amount of open space on site. The reduction also allows for a cross access drive aisle in the future to the Victoria Plaza.

Comprehensive Plan Compliance: The proposed amendment to Ordinance 2292 is consistent with the City’s Commercial Future Land Use category. Development plans shall not exceed the intensity allowed under the adopted Commercial Future Land Use designation.

Land Use Compatibility: The Property is located on a major arterial road (West Orange Blossom Trail).The proposed amendment to Ordinance 2292 will not create any land use or traffic compatibility issues with adjacent uses. Development of the site must occur consistent with standards set forth in the Land Development Code and Development Design Guidelines unless otherwise approved within the PUD master plan.

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. The PUD Master Plan proposes extending an existing six foot high masonry wall located behind the Marathon gas station (Lot 1) along the rear of the proposed Lot 2 as it abuts residential development.

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 are PO/I, CN, C-1, and automotive fuel sales, which is C-2 district permissible use.
- 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. Signage shall comply with the City’s sign codes unless otherwise approved through a master sign plan
 2. Illumination plan shall be provided with the preliminary or final development plan.
 3. No outside activities including but not limited to, outside storage of parts, vending machines, supplies, merchandise or materials.

- C. The C-1 zoning standards shall apply to the development of the subject property unless otherwise established herein this ordinance.
- D. A cross access easement shall be illustrated in the preliminary and final development plans and the plat that connect the U.S. 441 entrance to the eastern boundary of the project, allowing for future connection to the Victoria Plaza.
- E. The parcel split shall occur through a plat at the time of the final development plan application.
- F. No driveway cut will be allowed onto Old Dixie Highway. The northern panhandle portion of the Property shall only be used as open space or stormwater retention.

PUBLIC HEARING SCHEDULE:

Planning Commission – April 10, 2018, 5:30 p.m.
City Council – May 2, 2018, 1:30 p.m. – First Reading
City Council – May 16, 2018, 7:00 p.m. – Second Reading

DULY ADVERTISED:

March 28, 2018 – Public Notice; Letter, Poster
March 30, 2018 – Public Notice (Apopka Chief)

RECOMMENDATION ACTION:

The **Development Review Committee (DRC)** recommends approval of the amendment to Ordinance 2292, for the property owned by Spirit SPE Portfolio CA C-Stores, LLC, located at 1301 West Orange Blossom Trail, subject to PUD Recommendations and the information and findings in the staff report.

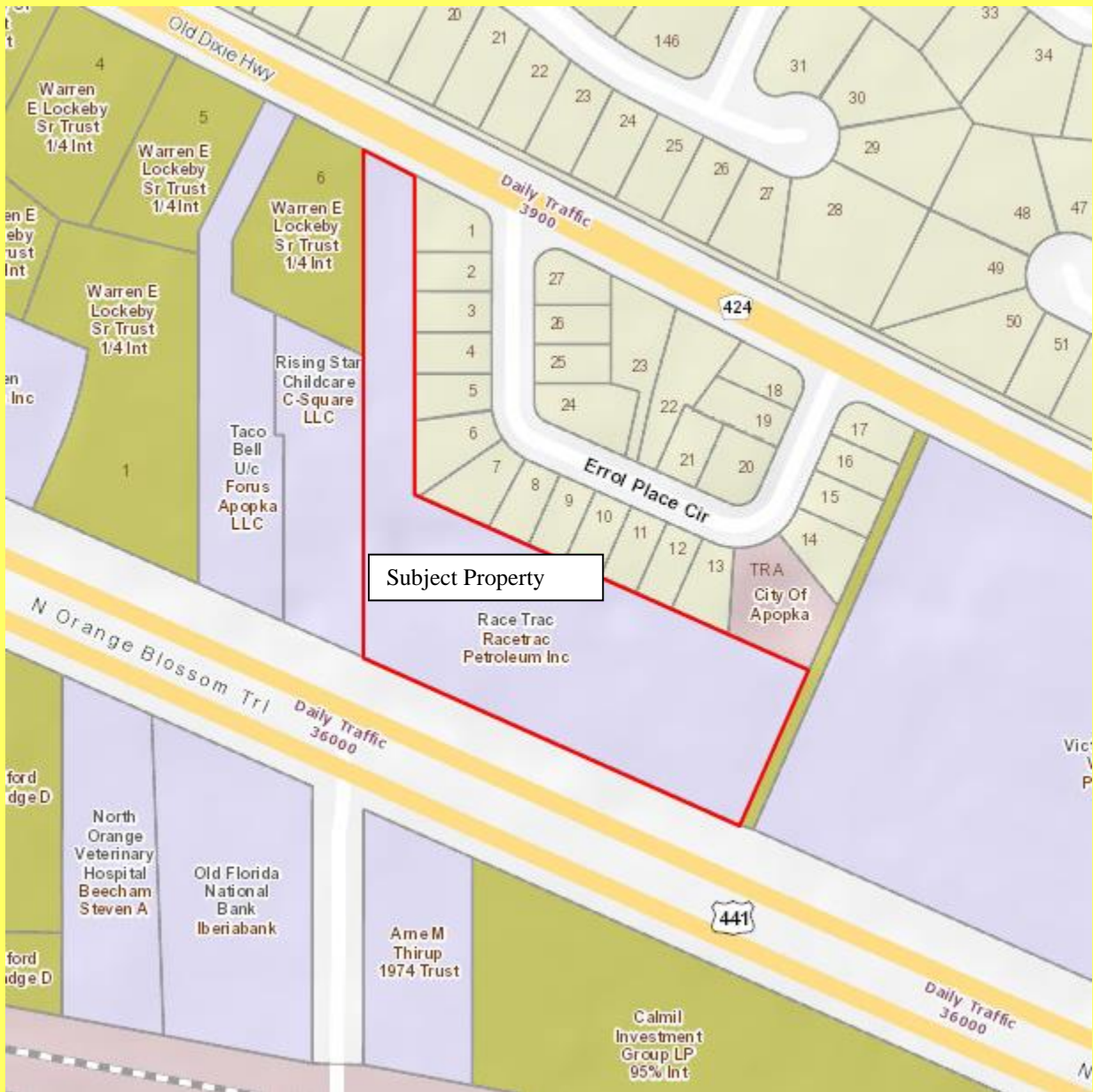
Planning Commission Role: Advisory to City Council. Planning Commission can recommend to approve, deny or to approve with conditions.

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.

Application: PUD Master Plan Amendment
Applicant: Gray Robinson, P.A.
Owner: Spirit SPE Portfolio CA C-Stores, LLC
Engineer: Tannath Design, Inc.
Parcel ID Nos.: 05-21-28-0000-00-039
Total Acres: 2.94 +/-

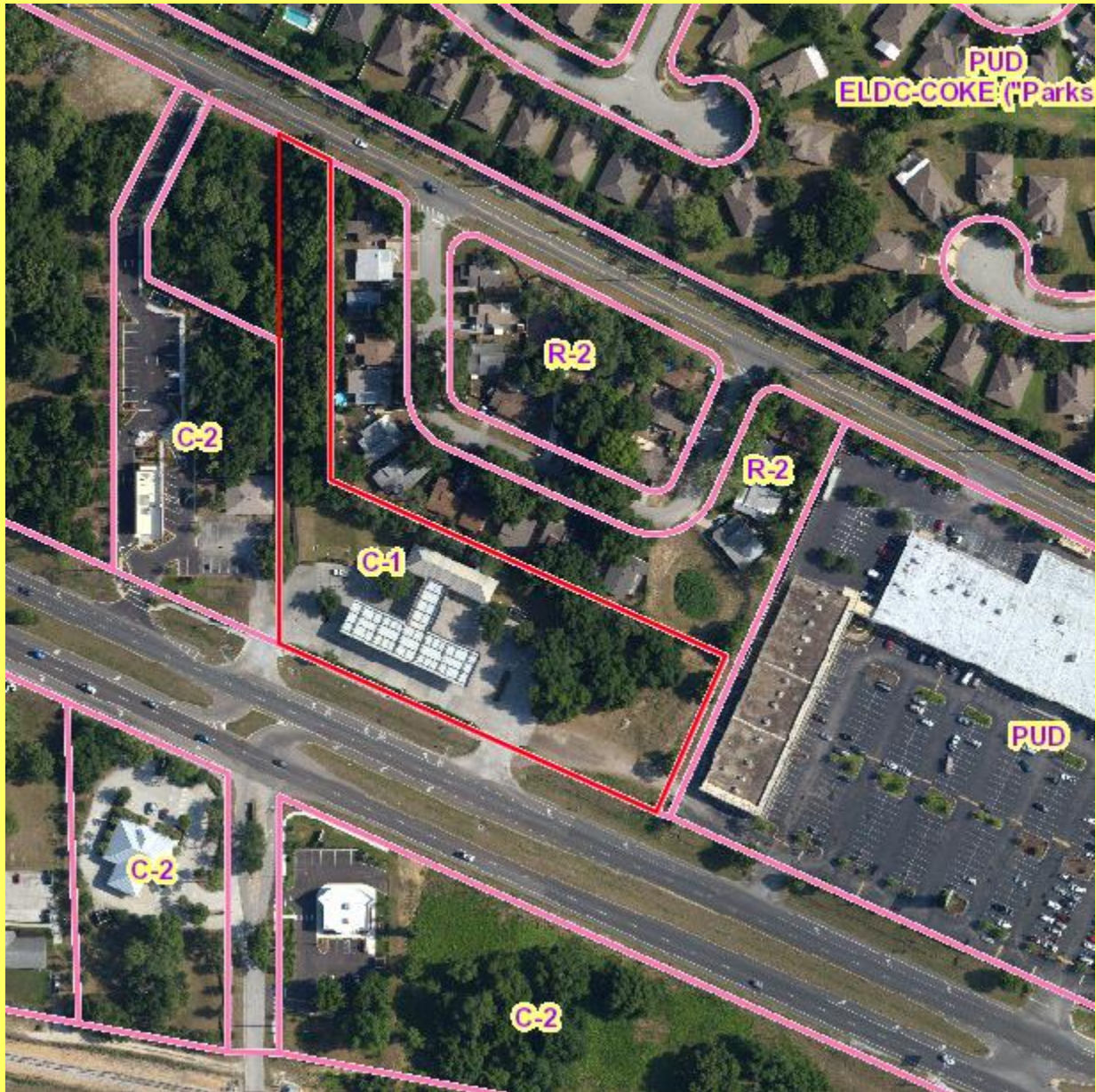


VICINITY MAP



Application: PUD Master Plan Amendment
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Engineer: Tannath Design, Inc.
Parcel ID Nos.: 05-21-28-0000-00-039
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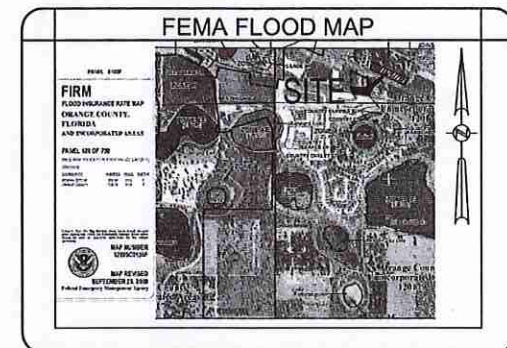
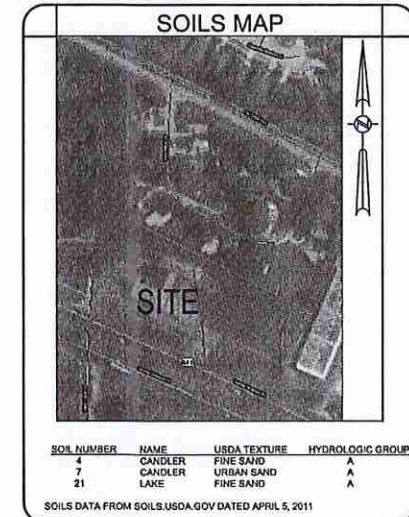
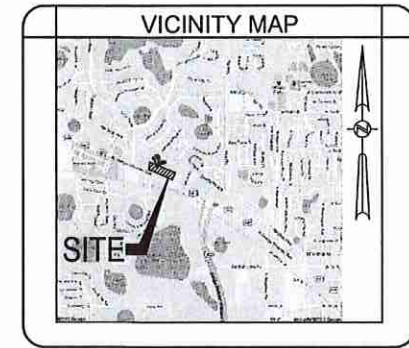
ADJACENT ZONING MAP





PUD MASTER PLAN

STORE #577 - WEST APOPKA
 1305 W. ORANGE BLOSSOM TRAIL, APOPKA, FL
 05-21-28-0000-00-039
 CITY OF APOPKA, ORANGE COUNTY, FLORIDA



LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SE 1/4 OF SECTION 5, TOWNSHIP 21 SOUTH, RANGE 28 EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT THE NW CORNER OF THE SW 1/4 OF THE SE 1/4 OF SAID SECTION 5, THENCE S 00°00'00" E, 55.74 FEET THE SOUTH RIGHT-OF-WAY OF STATE ROAD NO. 424, SAID POINT BEING THE POINT OF BEGINNING AND SAID POINT ALSO BEING THE NE CORNER OF LOT 6, PINE TREE PARK, AS RECORDED IN PLAT BOOK 11, PAGE 44 OF THE PUBLIC RECORDS OF ORANGE COUNTY, THENCE S 63°11'50" E, 87.23 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY OF STATE ROAD NO. 424 TO THE NW CORNER OF ERROL PLACE, AS RECORDED IN PLAT BOOK 13 PAGE 0 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, THENCE S 00°00'00" E, 373.99 FEET ALONG THE WEST LINE OF SAID ERROL PLACE TO THE SOUTHWESTERLY CORNER OF SAID ERROL PLACE, THENCE S 66°03'50" E, 507.5 FEET ALONG THE SOUTHERLY LINE OF SAID ERROL PLACE TO THE SOUTHEASTERLY CORNER OF SAID ERROL PLACE, THENCE S 23°52'10" W, 200.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 441 (STATE ROAD NO. 600), THENCE N 60°00'00" W, 484.19 FEET TO THE WEST LINE OF THE SE 1/4 OF SAID SECTION 5, THENCE N 00°00'00" E, 596.49 FEET ALONG THE AFORESAID NORTHERLY WEST LINE TO THE POINT OF BEGINNING.

SAID LANDS SITUATED IN ORANGE COUNTY, FLORIDA AND CONTAINING 2.945 A/ RES.

SHEET INDEX			
NO.	SHEET DESCRIPTION	REV	DATE
C0.0	COVER SHEET		
S1	BOUNDARY & TOPOGRAPHIC SURVEY		
C-1	SITE PLAN		
C-2	MASTER SITE PLAN		

- ### GENERAL NOTES:
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO BECOME FAMILIAR WITH THE PERMIT AND INSPECTION REQUIREMENTS OF THE VARIOUS GOVERNMENTAL AGENCIES. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION, AND SCHEDULE INSPECTION ACCORDING TO AGENCY INSTRUCTION.
 - ALL WORK PERFORMED SHALL COMPLY WITH THE REGULATIONS AND ORDINANCES OF THE VARIOUS GOVERNMENTAL AGENCIES HAVING JURISDICTION OVER THE WORK, INCLUDING LANDSCAPING.
 - CONTRACTOR SHALL SUBMIT FOR REVIEW TO THE OWNER'S CONSTRUCTION MANAGER SHOP DRAWINGS ON ALL PRECAST AND MANUFACTURED ITEMS TO USE ON THIS SITE. FAILURE TO OBTAIN APPROVAL BEFORE INSTALLATION MAY RESULT IN REMOVAL AND REPLACEMENT AT CONTRACTOR'S EXPENSE. CONSTRUCTION MANAGER'S APPROVAL OF A SHOP DRAWING DOES NOT RELIEVE CONTRACTOR'S RESPONSIBILITY FOR PERFORMANCE OF THE ITEM.
 - WORK PERFORMED UNDER THIS CONTRACT SHALL INTERFACE SMOOTHLY WITH OTHER WORK BEING PERFORMED ON SITE BY OTHER CONTRACTORS AND UTILITY COMPANIES. IT IS NECESSARY FOR THE CONTRACTOR TO COORDINATE AND SCHEDULE HIS ACTIVITIES, WHERE NECESSARY WITH OTHER CONTRACTORS AND UTILITY COMPANIES.
 - MATERIALS AND CONSTRUCTION METHODS FOR STREETS AND STORM DRAINAGE CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LOCAL REGULATORY AGENCY.
 - CONTRACTOR SHALL REVIEW SOIL REPORTS AND BORINGS PRIOR TO BIDDING THE PROJECT AND COMMENCING CONSTRUCTION.
 - AT LEAST 72 HOURS PRIOR TO CONSTRUCTION THE CONTRACTOR SHALL NOTIFY THE ENGINEER AND APPROPRIATE AGENCIES AND SUPPLY THEM WITH ALL REQUIRED SHOP DRAWINGS, THE CONTRACTOR'S NAME, STARTING DATE, PROJECTED SCHEDULE, AND OTHER INFORMATION AS REQUIRED. ANY WORK PERFORMED PRIOR TO NOTIFYING THE ENGINEER OR WITHOUT AGENCY INSPECTOR PRESENT MAY BE SUBJECT TO REMOVAL AND REPLACEMENT AT THE CONTRACTOR'S EXPENSE.
 - THE CONTRACTOR SHALL USE EACH PLAN IN CONJUNCTION WITH THE ENTIRE SET OF DRAWINGS AND JOB SPECIFICATIONS. DO NOT REMOVE OR DEMOLISH ANYTHING WITHOUT VERIFYING AND COORDINATING WITH ALL ELECTRICAL, PLUMBING, MECHANICAL, GENERAL TRADES, AND UTILITY COMPANIES AS THEY EFFECT THE OVERALL PROJECT.
 - ALL WORK SHOWN SHALL BE DONE IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS.

CONSULTANTS		
ENGINEER	LANDSCAPE ARCHITECT	SURVEYOR
TANNATH DESIGN, INC. BRYAN POTTS, P.E. 2494 ROSE SPRING DR ORLANDO, FL 32825 PHONE: (407) 982-9878	MILLS DESIGN GROUP INC. COREY MILLS, R.L.A. 10 WINDSOMERE WAY, STE 500 OWIEDO, FL 32765 PHONE: (407) 359-8425	PEC, SURVEYING AND MAPPING, LLC 2100 ALAFAYA TRAIL, SUITE 203 OWIEDO, FL 32765 DAVID A. WHITE, P.S.M. PHONE: (407) 542-4967

UTILITY PROVIDERS		
WATER	ELECTRIC	TELEPHONE
APOPKA PUBLIC SERVICES DEPT. 748 CLEVELAND ST APOPKA, FL 32703 JAY DAVOLL PHONE: (407) 703-1731	DUKE ENERGY 275 W POKKAN RD APOPKA, FL 32712 SCOTT SONNER PHONE: (407) 464-1203	SPECTRUM 3767 ALL AMERICAN BLVD, ORLANDO, FL 32810 TRACEY DOMOSTOY PHONE: (407) 532-8511
SANITARY SEWER	GAS	CABLE
APOPKA PUBLIC SERVICES DEPT. 748 CLEVELAND ST APOPKA, FL 32703 JAY DAVOLL PHONE: (407) 703-1731	LAKE APOPKA NATURAL GAS DISTRICT 38 N. PARK AVE, APOPKA, FL 32703 EVERETT HOLMES PHONE: (407) 658-0751	SPECTRUM 3767 ALL AMERICAN BLVD, ORLANDO, FL 32810 TRACEY DOMOSTOY PHONE: (407) 532-8511
STORM	FIRE DISTRICT	OTHER
SJRWMD 601 S LAKE DESTINY RD SUITE 200 MAITLAND, FL 32751 ALEX ABOODI PHONE: (407) 859-4837	CITY OF APOPKA 175 E 5TH ST APOPKA, FL 32703 CHIEF BRIAN BOWMEN PHONE: (407) 703-1758	

PREPARED FOR:
 RaceTrac Petroleum, Inc.
 200 Galleria Parkway SE, Ste 900
 Atlanta, GA 30339
 (770) 431-7600
 CONTACT: Samie Abdulhafiz

CONSTRUCTION INFORMATION

RACETRAC 24-HOUR PHONE NUMBER:
 CONTACT NAME:

DATE	06/27/17
SCALE	NTS
DRAWN BY	SCP
PROJECT NUMBER	024-090
SHEET NO.	C0.0
VERSION	0

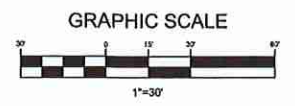
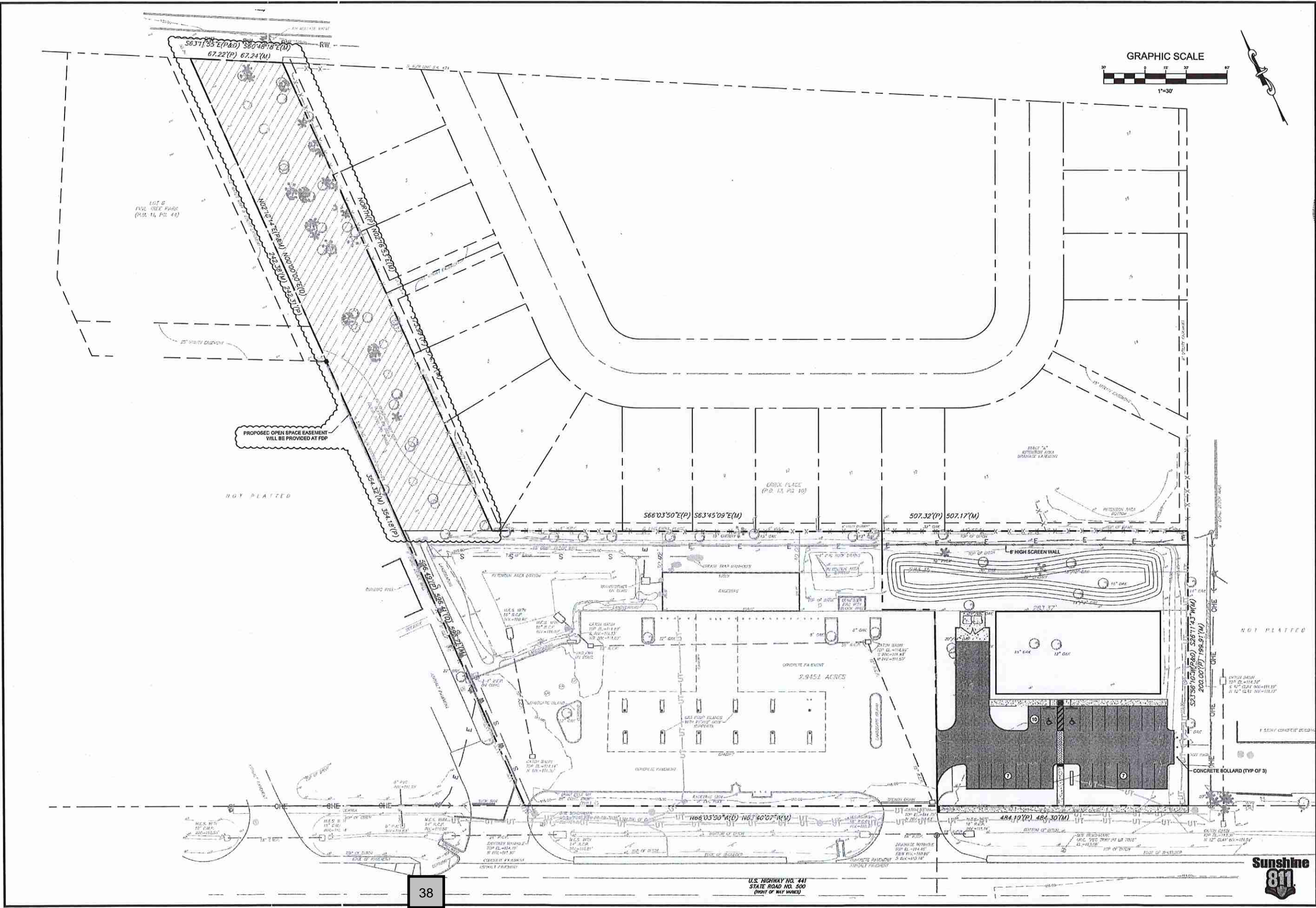
COVER SHEET
 RACETRAC #577 WEST APOPKA
 1305 W. ORANGE BLOSSOM TRAIL
 APOPKA, FL
 ORANGE COUNTY

TANNATH DESIGN, INC.
 2494 ROSE SPRING DRIVE
 ORLANDO, FLORIDA 32825
 (407) 982-9878
 (407) 208-1425 fax
 www.tannathdesign.com
 FL CERT. OF AUTH. #27189

THESE PLANS ARE SUBJECT TO FEDERAL COPYRIGHT LAWS. ANY USE OF THESE PLANS WITHOUT THE EXPRESS WRITTEN PERMISSION OF RACETRAC PETROLEUM, INC. IS PROHIBITED.

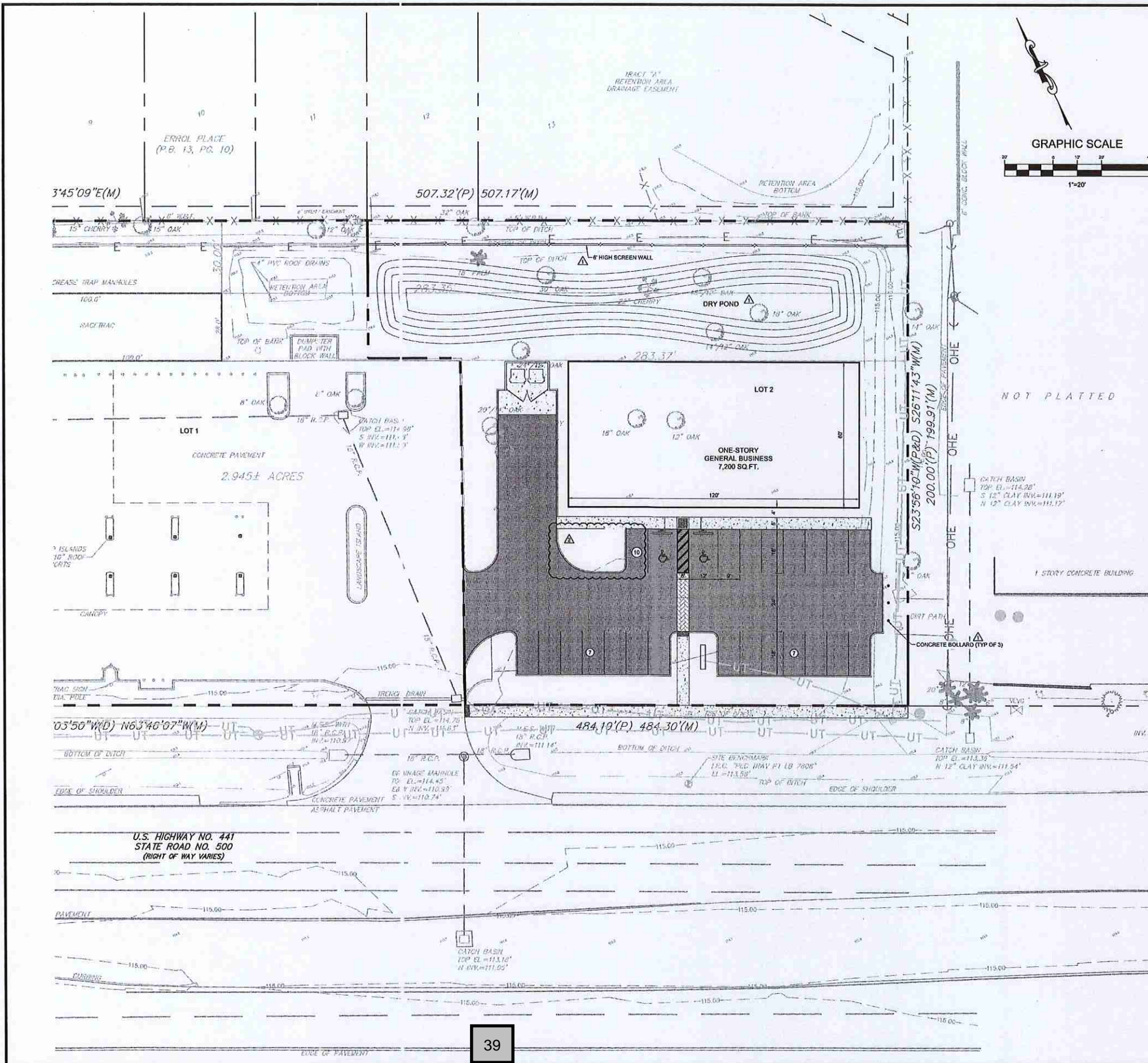
RACETRAC PETROLEUM, INC.
 3225 CUMBERLAND BLVD, SUITE 100
 ATLANTA, GA 30339
 (770) 431-7600

THIS MATRIX HAS BEEN PROVIDED FOR INFORMATIONAL PURPOSES. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY PERMITS, ERECTION, TRENCHING AND BACKFILL, AND OTHER INCIDENTALS TO MEET OR EXCEED THE SPECIFICATIONS OF THE ITEMS LISTED.



<p>THESE PLANS ARE SUBJECT TO FEDERAL COPYRIGHT LAWS. ANY USE OF SAME WITHOUT THE EXPRESS WRITTEN CONSENT OF RACETRAC PETROLEUM, INC. IS PROHIBITED.</p>	
<p>RaceTrac RACETRAC PETROLEUM, INC. 3225 CUMBERLAND BOULEVARD, SUITE 100 ATLANTA, GA 30339 (770) 431-6000</p>	
<p>MASTER SITE PLAN RACETRAC #577 WEST APOPKA 1305 W. ORANGE BLOSSOM TRAIL APOPKA, FL ORANGE COUNTY</p>	
DATE	06/27/17
SCALE	1"=30'
DRAWN-BY	SCP
PROJECT NUMBER	024-090
<p>C-2 SHEET NO.</p>	
<p>TANNATH DESIGN, INC. 2484 ROSE SPRING DRIVE ORLANDO, FLORIDA 32825 (407) 382-9878 www.tannathdesign.com FL. CERT. OF AUTH. #27199</p>	
REVISED PER CITY COMMENTS	BRP 03/01/16
ISSUED FOR PERMITTING	BRP 02/13/16
REVISIONS	BY DATE
NO	





SITE DATA

PROPERTY LOCATION: 1305 W. ORANGE BLOSSOM TRAIL
 PARCEL ID: 05-21-28-0000-00-039
 LOCAL MUNICIPALITY: CITY OF APOPKA
 FUTURE LAND USE: COMMERCIAL
 CURRENT ZONING: PLANNED UNIT DEVELOPMENT (PUD)
 PROPOSED USE: GENERAL BUSINESS ESTABLISHMENTS
 PROJECT AREA (LOT 2): 0.895 AC
 MIN. OPEN SPACE: 25%
 MAX. FAR: 0.25

PARKING REQUIRED
 GENERAL BUSINESS: 7,200 SQ. FT. X (1 SPACE PER 300 SQ. FT.) = 24 SPACES
 TOTAL PARKING REQUIRED: 24 SPACES

PARKING PROVIDED
 STANDARD PARKING SPACES: 22 SPACES
 HANDICAPPED PARKING SPACES: 2 SPACES
 TOTAL PARKING PROVIDED: 24 SPACES

LOADING ZONE REQUIRED
 COMMERCIAL: 7,200 SQ. FT. X (1 SPACE PER 10,000 SQ. FT.) = 1 SPACE
 LOADING ZONE PROVIDED STANDARD: 1 SPACE

BUILDING SETBACKS
 FRONT (SOUTH): 10'
 SIDE (WEST): 10'
 SIDE (EAST): 10'
 REAR (NORTH): 10'

LANDSCAPE BUFFERS
 FRONT (SOUTH): 10'
 SIDE (WEST): 8'
 SIDE (EAST): 8'
 REAR (NORTH): 10'

BUILDING HEIGHT
 MAXIMUM: 35'

SOILS

SOIL NUMBER	NAME	USDA TEXTURE	HYDROLOGIC GROUP
4	CANDLER	FINE SAND	A
7	CANDLER	URBAN	A
21	LAKE	FINE SAND	A

SOILS DATA FROM USDA NRCS ONLINE SOILS SURVEY DATED APRIL 5, 2011

FLOOD ZONE
 THE SITE IS LOCATED IN FLOOD ZONE X, NOT A SPECIAL FLOOD AREA, PER FEMA F.I.R.M. PANEL 120550201E, DATED SEPT 25, 2009, ORANGE COUNTY/CITY OF APOPKA, FLORIDA.

WETLANDS
 THERE ARE NO WETLANDS ON THE SUBJECT PROPERTY.

VEGETATION
 THE SITE IS CURRENTLY A GRASS FIELD.

- GENERAL SITE NOTES:**
- ALL LANDSCAPE AREAS, INCLUDING BUFFERYARDS, SHALL BE DESIGNED TO MEET CITY OF APOPKA LANDSCAPE AND FLORIDA FRIENDLY REQUIREMENTS AT TIME OF PDP SUBMITTAL. ADDITIONAL LANDSCAPING TO BE PROVIDED ALONG THE WEST AND SOUTH PROPERTY LINES TO SUPPLY SCREENING OF THE DUMPSTER AND PARKING FROM THE R.O.W.
 - EXISTING TREES SHALL BE MAINTAINED TO THE GREATEST EXTENT POSSIBLE AND PROTECTED DURING CONSTRUCTION.
 - AN ARBOR CLEARING/TREE REMOVAL APPLICATION APPROVAL WILL BE REQUIRED PRIOR TO ANY TREE REMOVAL.
 - ENVIRONMENTAL ANALYSIS AND TRAFFIC IMPACT STUDY TO BE PROVIDED WITH PDP SUBMITTAL.
 - SITE LIGHTING AND BUILDING ELEVATIONS TO BE PROVIDED WITH PDP SUBMITTAL.

OVERALL PROPERTY AREAS

LOT	USE	AREA (SQ. FT.)	AREA (ACRES)
LOT 1	COMMERCIAL/CONVENIENCE STORE	128,283	2.96
LOT 2	COMMERCIAL/GENERAL BUSINESS	38,999	0.895

OPEN SPACE, FAR, BUILDING HEIGHT AND SETBACKS FOR OVERALL PROPERTY AS SHOWN ABOVE AND IN ACCORDANCE WITH PD (LOT 1 AREA NOT SHOWN IN ANY OTHER CALCULATIONS HEREON)

AREA CALCULATIONS

SITE AREA	SQ. FT.	ACRES	PERCENTAGE
TOTAL SITE	38,998.98	0.90	100%
IMPERVIOUS AREA			
BUILDING	7,200.00	0.43	18.48%
SIDEWALK	823.02	0.02	2.11%
PAVEMENT	10,822.00	0.25	27.75%
TOTAL IMPERVIOUS AREA	18,845.02	0.43	48.32%
PERVIOUS AREA			
DRY POND*	8,355.33	0.19	21.3%
OPEN SPACE*	13,798.59	0.32	35.38%
TOTAL PERVIOUS AREA	20,153.92	0.48	51.68%

* ALL OPEN SPACE MEETS THE REQUIREMENTS OF COMMON OPEN SPACE

- CONDITIONS OF APPROVAL:**
- THE USES PERMITTED WITHIN THE PUD DISTRICT ARE POI, CH, C-1, AND AUTOMOTIVE FUEL SALES, WHICH IS C-2 DISTRICT PERMISSIBLE USE.
 - 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:
 - SIGNAGE SHALL COMPLY WITH THE CITY'S SIGN CODES UNLESS OTHERWISE APPROVED THROUGH A MASTER SIGN PLAN.
 - ILLUMINATION PLAN SHALL BE PROVIDED WITH THE PRELIMINARY OR FINAL DEVELOPMENT PLAN.
 - NO OUTSIDE ACTIVITIES INCLUDING BUT NOT LIMITED TO, OUTSIDE STORAGE OF PARTS, VENDING MACHINES, SUPPLIES, MERCHANDISE OR MATERIALS.
 - THE C-1 ZONING STANDARDS SHALL APPLY TO THE DEVELOPMENT OF THE SUBJECT PROPERTY UNLESS OTHERWISE ESTABLISHED HEREIN THIS ORDINANCE.
 - A CROSS ACCESS EASEMENT SHALL BE ILLUSTRATED IN THE PRELIMINARY AND FINAL DEVELOPMENT PLANS AND THE PLAT THAT CONNECT THE U.S. 441 ENTRANCE TO THE EASTERN BOUNDARY OF THE PROJECT, ALLOWING FOR FUTURE CONNECTION TO THE VICTORIA PLAZA.
 - THE PARCEL SPLIT SHALL OCCUR THROUGH A PLAT AT THE TIME OF THE FINAL DEVELOPMENT PLAN APPLICATION.
- ORDINANCE NO. 2292 IS RESCINDED AND REPLACED.
- PREVIOUSLY REQUESTED WAIVERS:**
- WAIVER REQUEST: LOC 2021323 REQUIRES AREAS ADJACENT TO NONRESIDENTIAL USES OR DISTRICTS SHALL PROVIDE A MINIMUM FIVE-FOOT LANDSCAPED BUFFERYARD. THE APPLICANT IS REQUESTING A JOINT 5 FEET WIDE LANDSCAPE BUFFER BETWEEN LOT 1 AND 2 IN LIEU OF THE REQUIRED FIVE FEET ON EACH PARCEL. JUSTIFICATION: BOTH SITES ARE COMMERCIAL USE AND THERE WILL BE SUBSTANTIAL LANDSCAPING WITHIN THE 5' BUFFER, INCLUDING 7 EA CRABE MYRTLE 7/2" MIN CALIPER 8' MINIMUM HEIGHT, 48 EA SWEET WYBURNUM HEDGE 24" MINIMUM HEIGHT 36" O.C. AND PARSONS JUNIPER 24" O.C. THE HANDLE PORTION OF THE RACE TRAC PARCEL (AKA LOT 1 NOW MARATHON) WILL BE LEFT AS OPEN SPACE.
 - WAIVER REQUEST: LOC 8050004.A REQUIRES THE MINIMUM REQUIREMENTS FOR MAINTENANCE BERMS ARE TEN FEET AROUND POND PERIMETER. THE APPLICANT IS REQUESTING A REDUCTION IN WIDTH OF THE MAINTENANCE BERM OF 10 FEET WITH FENCING TO 5 FEET FOR LOT 2. JUSTIFICATION: THE PROPOSED CONCRETE WALL IS SET BACK 10' FROM THE PROPERTY LINE, DUE TO AN EXISTING EASEMENT. AN ADDITIONAL 10' BERM ON THE SITE SIDE OF THE WALL WOULD TAKE UP ADDITIONAL ROOM FOR RECHARGE OF THE STORMWATER PONDS, NECESSARY TO MEET THE GOALS AND OBJECTIVES OF THE CITY OF APOPKA COMPREHENSIVE PLAN. THE PROPOSED POND IS DRY AND WILL ALLOW FOR MAINTENANCE AND UPKEEP FROM INSIDE THE POND.

NO.	REVISIONS	BY	DATE
1	ISSUED FOR PERMITTING	BRP	12/07/17
2	REVISED PER CITY COMMENTS	BRP	02/13/18
3	REVISED PER CITY COMMENTS	BRP	03/14/18

TANNATH DESIGN, INC.
 2404 ROSE SPRING DRIVE
 APOPKA, FLORIDA 32625
 (407) 882-9875
 (407) 208-1425 fax
 www.tannathdesign.com
 FL CERT. OF AUTH. #27199

THESE PLANS ARE SUBJECT TO FEDERAL COPYRIGHT LAWS. ANY USE OF SAME WITHOUT THE EXPRESS WRITTEN PERMISSION OF RACETRAC PETROLEUM, INC. IS PROHIBITED.

RaceTrac
 RACETRAC PETROLEUM, INC.
 3225 CUMBERLAND BOULEVARD, SUITE 100
 ATLANTA, GA 30338
 (770) 431-6000

SITE PLAN

RACETRAC #577 WEST APOPKA
 1305 W. ORANGE BLOSSOM TRAIL
 APOPKA, FL
 ORANGE COUNTY

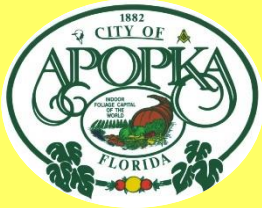
DATE: 06/27/17
 SCALE: 1"=20'
 DRAWN-BY: SCP
 PROJECT NUMBER: 024-090

C-1
 SHEET NO.



Backup material for agenda item:

2. VARIANCE – To approve a variance of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.02.15. (g)(3), to allow a 30 foot wide landscape buffer in lieu of required 50 foot wide buffer for property owned by Little Brownie Properties, Inc., c/o Peter Wood, President, and located at 1350 Sheeler Avenue. (Parcel ID #: 15-21-28-3960-00-010)



CITY OF APOPKA PLANNING COMMISSION

- PUBLIC HEARING
- SITE PLAN
- SPECIAL REPORTS
- OTHER: Variance

MEETING OF: April 10, 2018
 FROM: Community Development
 EXHIBITS: Vicinity Map
 Aerial Map
 Zoning Map
 Application
 Site Plan

SUBJECT: BUFFER VARIANCE REQUEST – 1350 SHEELER AVENUE

REQUEST: APPROVE A VARIANCE OF THE APOPKA CODE OF ORDINANCES, PART III, LAND DEVELOPMENT CODE, ARTICLE II, SECTION 2.02.15. (G)(3), TO ALLOW A 30 FOOT WIDE LANDSCAPE BUFFER IN LIEU OF REQUIRED 50 FOOT WIDE BUFFER

SUMMARY:

OWNER: Little Brownie Properties, Inc.; Peter Wood (President)
 LOCATION: 1350 Sheeler Avenue
 PARCEL ID #: 15-21-28-3960-00-010
 LAND USE: Industrial
 ZONING: I-1 (Restricted Industrial)
 EXISTING USE: Warehouse
 TRACT SIZE: 21.15 +/- Acres

FUNDING SOURCE: N/A

DISTRIBUTION

Mayor Kilsheimer	Finance Director	Public Services Director
Commissioners	HR Director	Recreation Director
City Administrator	IT Director	City Clerk
Community Development Director	Police Chief	Fire Chief

VARIANCE REQUEST SUMMARY: Section 2.02.15 (G)(3) – Setback Widths, requires a 50 foot wide buffer where an I-1 Industrial Zoning District abuts a residential use or district. Little Brownie Properties proposes to demolish a few small buildings interior to the site and construct a new building near the southern property line next to an established residential neighborhood. To accommodate internal traffic flow within the Little Brown Property, the building is proposed to be placed closer to the southern property line. To accomplish this, a required 50 foot wide landscape buffer will need to be reduced to thirty feet. Presently, no buffer exists. A 30 foot-wide buffer, though not as wide as the Code requirement, will improve existing buffering to residential homes to the south.

Variance Request - Code Standard, Sec. 2.02.15(G)(3) - Setback Width - Areas adjacent to residential uses or districts shall provide a minimum of 50-foot landscaped bufferyard.

- *Applicant Request* - Allow 30' setback from residential subdivision adjacent to the southern property boundary.

VARIANCE PROCESS: Per Land Development Code Section 10.02.00, the Planning Commission must follow two steps to approve a variance:

Step 1: Section 10.02.02.A, Limitations on Granting Variances. The Planning Commission “shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape topographical conditions, or other physical or environment conditions that are unique to the specific property involved.” This is known as a physical hardship. If the Planning Commission makes this determination, then it must take action on the seven variance criteria set forth in Section 10.02.02.B.

Step 2: Section 10.02.02.B, Required Findings. Once a “physical hardship” has been determined, the Planning Commission shall not vary from the requirements of any provision of the LDC unless it makes a positive finding, based on substantial competent evidence, on the seven variance criteria.

APPLICABLE CITY CODES:

1. Section 2.02.15(G)(3) – Areas adjacent to residential uses or districts shall provide a six-foot-high masonry wall within a minimum of 50-foot landscaped bufferyard.

Variance Hardship Determination (Step 1): The first step of the variance determination process is to determine if a hardship occurs pursuant to Section 10.02.02.A, “whether the need for the proposed variance arises out of the physical surroundings, shape topographical conditions, or other physical or environment conditions that are unique to the specific property involved.”

Applicant’s Response. Because of physical surroundings, topography conditions, and physical conditions (buildings, truck docks, driveways, etc.) that have been in place for many decades, it has posed practical challenges specific to this property.

Staff Response. No objection.

Seven Variance Criteria Findings (Step 2): If the Planning Commission accepts the hardship in Paragraph A. above, the second step is to make a finding on the seven criteria below. The Planning Commission must make a positive finding, based on substantial competent evidence, on each of the following seven criteria:

1. There are practical difficulties in carrying out the strict letter of the regulation [in] that the requested variance relates to a hardship due to characteristics of the land and not solely on the needs of the owner.

Applicant's Response: Current conditions and operations of the site, which were built prior to the current owner's purchase of the property, require a significant amount of space for tractor-trailers to back into south facing bays north of the proposed building. Carrying out the setback to the strict letter of the regulation (50' setback) for the proposed building will create unsafe maneuvering for the tractor trailers and a reduction in the setback to 30' will put the proposed building at the same setback of the two existing building it will be replacing. In addition, elevation differences between the properties to the south and our property will reduce the effects of a masonry wall.

Staff's Response: No objection.

2. The variance request is not based exclusively upon a desire to reduce the cost of developing the site.

Applicant's Response: The request is based on the desire to enhance the property and the properties around it. The reduction in the setback is based solely on operation of the site and not cost.

Staff's Response: No objection. However, Planning staff recommends a condition that no outdoor storage or vehicle parking occur anywhere within thirty feet of the southern property line of the subject Property; and no overnight parking of trucks or trailers shall occur in front of the building facing Sheeler Avenue.

3. The proposed variance will not substantially increase congestion on surrounding public streets.

Applicant's Response: Although the replacement of two smaller buildings with a large building can potentially increase traffic, it will, in no way, impact it enough to increase congestion on the surrounding public streets.

Staff's Response: No objection.

4. The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.

Applicant's Response: As stated before, the new building is intended to enhance the property and the properties around it by moving the property to flex spacing instead of trucking.

Staff's Response: City staff does not hold professional expertise to address property values.

5. The effect of the proposed variance is in harmony with the general intent of this code and the specific intent of the relevant subject area(s) of the code.

Applicant's Response: The proposed variance will result in better conditions for the property with a larger building acting as a buffer from existing truck activity within the site. In addition, we are committed to enhancing the buffer planting requirements adjacent to the building. We feel these items are in harmony with the general intent of the code.

Staff Response: No objection.

6. Special conditions and circumstances do not result from the actions of the applicant.

Applicant's Response: All buildings on the site were built prior to the current owner's procurement of the property, so special conditions and circumstances do not result from the actions of the applicant.

Staff Response: No objection.

7. That the variance granted is the minimum variance which will make possible the reasonable use of the land, building or structure. The proposed variance will not create safety hazards and other detriments to the public.

Applicant's Response: As noted above, this variance will make possible the reasonable use of the land due to existing conditions and will reduce any potential safety hazards with existing operations currently within the site.

Staff Response: No objection.

RECOMMENDATION ACTION:

Planning Commission Role: Based on the information provided by the applicant at the hearing for the variance requested, Planning Commission must first determine that sufficient substantially competent information indicates “whether a need for the proposed variance arises out of the physical surroundings, shape topographical conditions, or other physical or environment conditions that are unique to the specific property involved.” If so, then the Planning Commission must find that substantially competent information occurs to accept each of the seven variance criteria.

Planning Commission has authority to take final action. Approve, deny, or approve with conditions.

If Planning Commission approves the Variance, the following language is recommended:

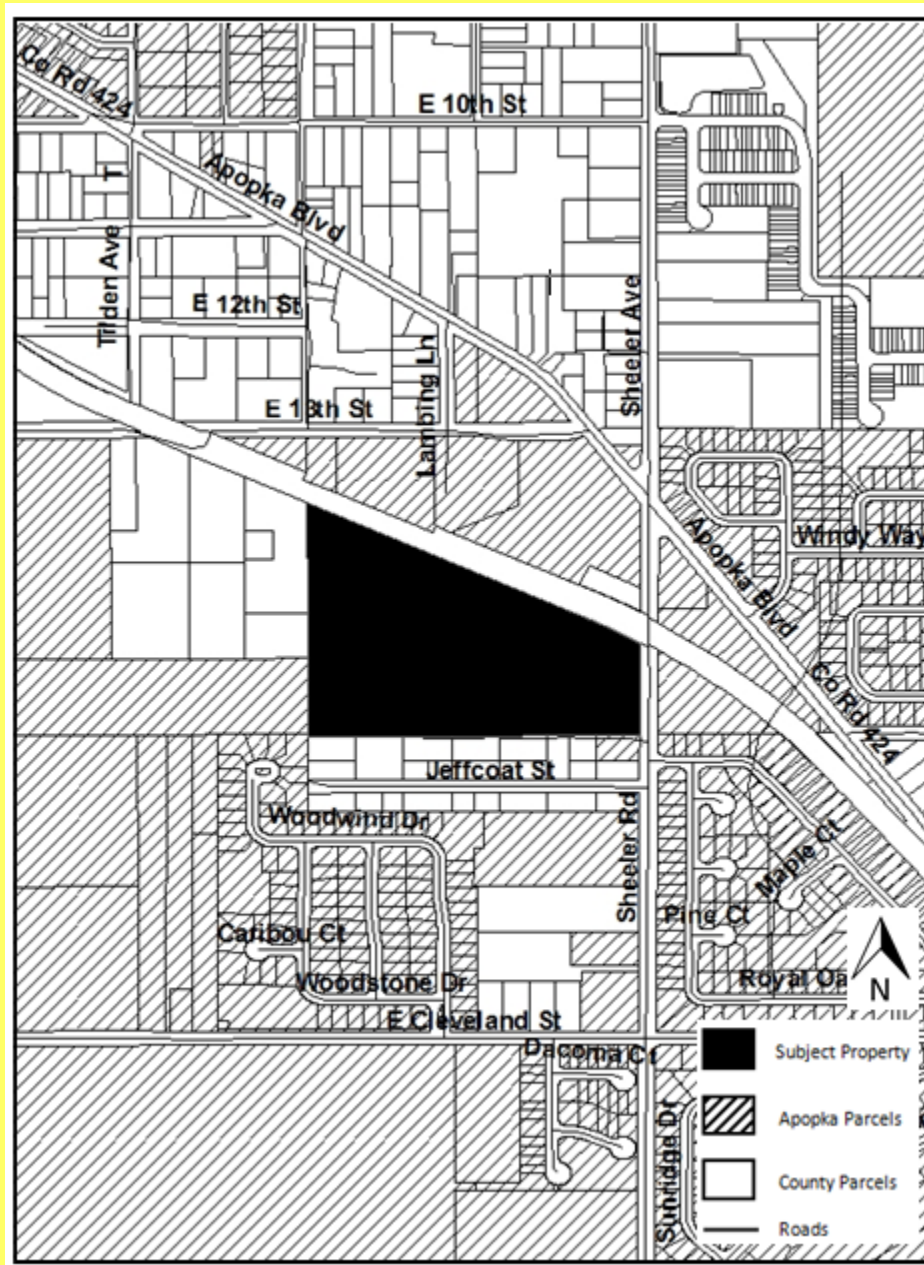
Approve a variance from Section 2.02.15 (G)(3), Land Development Code, to allow a 20 foot reduction from the required 50 foot wide landscape buffer along the southern property line along the approximately 1,281.2 feet of the southern parcel line, measured westward from the Sheeler Avenue right-of-way. The variance shall expire at the time the site redevelops, allowing conformance to the buffer requirements applicable at that time.

Planning Commission Role: Planning Commission has the authority to approve, deny, or approve with conditions the requested variance.

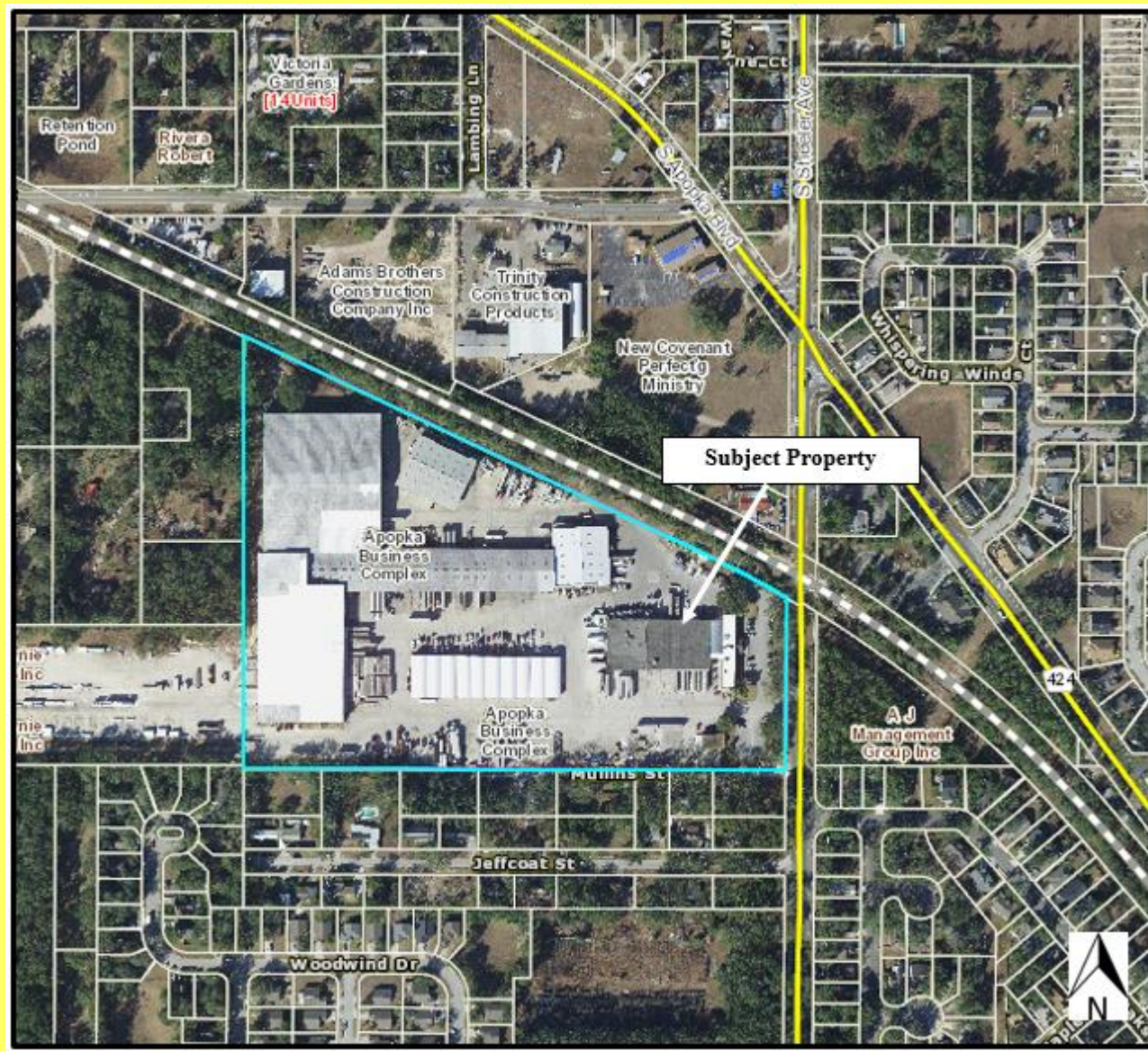
Note: This item is considered Quasi-Judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

Owner: Little Brownie Properties Inc. c/o Peter Wood (President)
Applicant: Stephen Allen, P.E.
Parcel I.D. No: 15-21-28-3960-00-010
Location: 1350 Sheeler Avenue
Total Acres: 21.15 +/- Acres

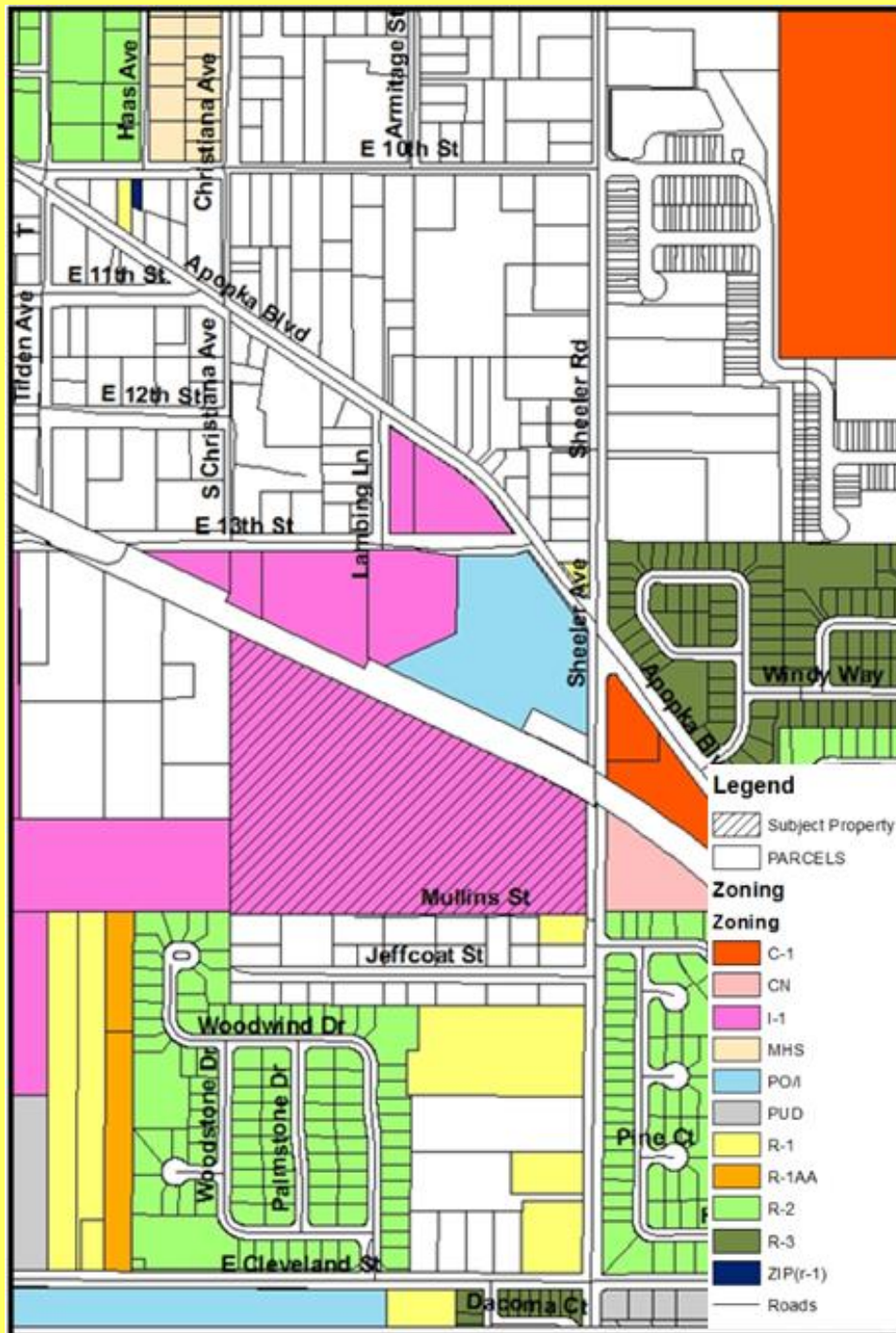
VICINITY MAP



AERIAL MAP



ZONING MAP

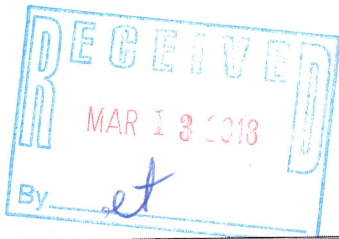




City of Apopka
 Community Development Department
 120 E. Main Street, 2nd Floor, Apopka, Florida 32703
 407-703-1739 - Phone -- 407-703-1791 - Fax

- FOR OFFICIAL USE ONLY -	
DATE SUBMITTED:	3-13-18
FEE PAID: \$	300.00
CHECK #:	1757
RECEIPT #:	96203

APPLICATION FOR VARIANCE



PUBLIC HEARING	
Check Applicable Request	
<input checked="" type="checkbox"/>	Variance
<input type="checkbox"/>	Appeal
<input type="checkbox"/>	Other

Owner(s) Information					
Name:	LITTLE BROWNIE PROPERTIES, INC				
Street Address:	1350 SHEELER AVE				
City:	APOPKA	State:	FL	Zip:	32703
Phone:		Fax:		E-mail:	
Petitioner Information					
Name:	STEPHEN ALLEN, PE % CIVILCORP ENGINEERING, INC.				
Street Address:	630 N WYMORE RD, STE 310				
City:	MAITLAND	State:	FL	Zip:	32751
Phone:	407-516-0437	Fax:		E-mail:	SALLEN@CIVILCORPENGL.COM
Property Information					
Parcel I.D. #(s):	15-21-28-3960-00-010				
Existing Land Use:	INDUSTRIAL	Existing Zoning:	I-1		
Existing Use:	INDUSTRIAL / WAREHOUSE	Proposed Use:	INDUSTRIAL / WAREHOUSE		
Legal Description:	LOTS 1-4, JEFFCOAT HEIGHT				
Identify Abutting Roads:	SHEELER AVE				
Size (acres):	21.15	Number of Lots:	4		

VAR18-02

ADJACENT PROPERTY:					
Direction	Jurisdiction		Land Use	Zoning	Present Use
	Circle One				
North	<u>City</u>	County	INSTITUTIONAL / PUBLIC USE	PO/I	CHURCH + COMMERCIAL
	City	County			
East	<u>City</u>	County	RES LOW	CW	VACANT
	City	County			
South	City	<u>County</u>	LOW-MEDIUM RES	R-1	SINGLE FAMILY
	City	County			
West	City	<u>County</u>	LOW-MEDIUM RES	R-1	SINGLE FAMILY
	City	County			

Date of last request for Public Hearing before the Planning Commission: NONE KNOWN

Action Requested:

Action Taken:

TYPE OF VARIANCE OR REQUEST:

This is a request for: TO REDUCE SETBACK FROM 50' TO 30' AND ENHANCE LANDSLAPE BUFFERING REQUIREMENTS IN LIEU OF MASOTURY WALL ALONG THE SOUTH PROPERTY LINE IN AREA OF PROPOSED BUILDING

As set forth in the Land Development Code, Section(s): 2.02.15 (G)(3)

Hardship Determination: Provide writted response to the seven criteria provided

Additional Information:

Empty space for additional information.

OWNER(S) NAME: LITTLE BROWNIE PROPERTIES

CERTIFICATION AND SIGNATURE

The owner(s) of the property **MUST** provide proof of ownership by deed or by submitting a letter of authorization (power of attorney) with deed attached if the application is submitted by any applicant other than the owner.

OWNER'S AUTHORIZATION IS REQUIRED AT THE TIME APPLICATION IS SUBMITTED. THIS IS A REQUIREMENT BY THE PLANNING COMMISSION.

I/We hereby certify that, to the best of my (our) knowledge and belief, all information contained herein and all information supplied with this application is true and accurate.

I/We, the undersigned owner(s) for the Planning Commission action on the above described property in the City of Apopka, Florida, do hereby agree to Indemnify and Hold Harmless the City of Apopka, Florida, its elected officials, officers, agents, and assigns for any and all damages, attorney fees and costs incurred by said City in any instance in which the City must expend funds and/or defend its decisions regarding the granting of the above referenced application.

By: Linda Roche
Owner(s) of Record (Signature)

By: _____
Owner(s) of Record (Signature)


STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me on this 28 day of Feb, 2018, by Linda Roche who is personally known to me or has produced FI DL as Identification and who did / did not (circle one) take an oath.

Katie Richards
Notary Public (Signature)

My Commission Expires: 2/9/21

Katie Richards
Notary Public (Print Name)

 Katie Richards
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG071251
Expires 2/9/2021

CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

CivilCorp Engineering, Inc.
630 N Wymore Rd, Ste 310
Maitland, FL 32701
407-516-0437

SUNTRUST BANK
ACH RT 061000104
63-215/631

1757

3/13/2018

PAY TO THE ORDER OF City of Apopka \$ ****300.00**

Three Hundred and 00/100 DOLLARS

PROTECTED AGAINST FRAUD

City of Apopka
120 E Main St
Apopka, FL 32703

MEMO

Variance Application Parcel No. 15-21-28-3960-00-0

BR

⑈001757⑈ ⑆063102152⑆ 1000139002264⑈

© 2014 INTUIT INC. 1-800-433-8310



Details on Back
Intuit® CheckLock™ Secure Check

NOTES

RECEIPT

DATE 3-13-18 NO. 096203

RECEIVED FROM CivilCorp Engineering Inc.

ADDRESS Three hundred & 26th Ave

\$ 300.00

FOR Variance - Little Brownie Properties Inc.
1350 Sheela Ave.

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	
AMT. PAID	<u>300.00</u>	CHECK	<u>1757</u>
BALANCE DUE		MONEY ORDER	

BY Edith Jory

©2001 REDIFORM © 81808

ATTACHMENT “A”

Applicant’s Demonstration of a Hardship Variance Application

Pursuant to Section 10.02.02.B. of the Apopka Land Development Code, an applicant requesting a variance must address in writing the seven criteria listed below.

Required findings. The [Planning Commission] shall not vary the requirements of any provision of this code unless the board makes a positive finding, based on substantial competent evidence, on each of the following:

1. There are practical difficulties in carrying out the strict letter of the regulation [in] that the requested variance relates to a hardship due to characteristics of the land and not solely on the needs of the owner.
2. The variance request is not based exclusively upon a desire to reduce the cost of developing the site.
3. The proposed variance will not substantially increase congestion on surrounding public streets.
4. The proposed variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.
5. The effect of the proposed variance is in harmony with the general intent of this code and the specific intent of the relevant subject area(s) of the code.
6. Special conditions and circumstances do not result from the actions of the applicant.
7. That the variance granted is the minimum variance which will make possible the reasonable use of the land, building or structure. The proposed variance will not create safety hazards and other detriments to the public.

Parcel No. 15-21-28-3960-00-010
Variance Hardship Determination

Pursuant to Section 10.02.02.B. of the Apopka Land Development Code, we are requesting a variance from Section 2.02.15(G)(3) of the Apopka Land Development Code to reduce the 50' setback requirement to 30' and eliminate the 6' high masonry wall requirement in favor of enhanced buffering requirements based on the following criteria:

1. Current conditions and operations of the site, which were built prior to the current owner's purchase of the property, require a significant amount of space for tractor-trailers to back into south facing bays north of the proposed building. Carrying out the setback to the strict letter of the regulation (50' setback) for the proposed building will create unsafe maneuvering for the tractor-trailers and a reduction in the setback to 30' will put the proposed building at the same setback of the two existing buildings it will be replacing. In addition, elevation differences between the properties to the south and our property will reduce the effects of a masonry wall.
2. The request is based on the desire to enhance the property and the properties around it. The reduction in the setback is based solely on operation of the site and not cost.
3. Although the replacement of two smaller buildings with a larger building can potentially increase traffic, it will in no way impact it enough to increase congestion on the surrounding public streets.
4. As stated above, the new building is intended to enhance the property and the properties around it by moving the property to flex spacing instead of trucking.
5. The proposed variance will result in better conditions for the property with a larger building acting as a buffer from existing truck activity within the site. In addition, we are committed to enhancing the buffer planting requirements adjacent to the building. We feel these items are in harmony with the general intent of the code.
6. All buildings on the site were built prior to the current owner's procurement of the property, so special conditions and circumstances do not result from the actions of the applicant.
7. As noted above, this variance will make possible the reasonable use of the land due to existing conditions and will reduce any potential safety hazards with existing operations currently within the site.

WARRANTY DEED FROM CORPORATION TO CORPORATION

This Warranty Deed Made and executed the 19th day of December A. D. 1983 by J & P PROPERTIES, INC., a Florida corporation

a corporation existing under the laws of Florida, and having its principal place of business at hereinafter called the grantor, to

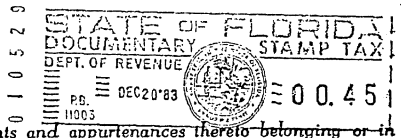
LITTLE BROWNIE PROPERTIES, INC. a corporation existing under the laws of the State of Florida, with its permanent postoffice address at 1350 Sheeler Road, Apopka, Florida hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth: That the grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in County, Florida, viz:

45 See Attached Exhibit A

There is no consideration given for the execution of this deed in excess of \$10.00.



Together with all the tenements, hereditaments and appurtenances thereto belonging or in any-wise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances

In Witness Whereof the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST: Secretary J. & P. PROPERTIES, INC.

Signed, sealed and delivered in the presence of: *Phil W. Watson* *Linda Rossel*

By: *John E. Brown* President

STATE OF Florida COUNTY OF Orange

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared John E. Brown

well known to me to be the President and respectively of the corporation named as grantor in the foregoing deed, and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation. WITNESS my hand and official seal in the County and State last aforesaid this 19th day of December A. D. 1983

Linda Rossel Notary Public State of Florida at Large My Commission expires Oct. 29, 1987

This Instrument prepared by PHIL W. WATSON Address AKERMAN, SENTERFITT & EIDSON 17TH FLOOR CNA BUILDING - P. O. BOX ORLANDO, FLORIDA

EXHIBIT A

PARCEL NO. 1

Begin at the SE corner of Lot 4, Jeffcoat Heights, as recorded in Plat Book "R", Page 129 of the Public Records of Orange County, Florida and run West along the South line of said Lot 4 a distance of 523.62 feet; thence North and perpendicular to said South line a distance of 564.58 feet to the North line of Lot 1, also being the Southerly Right of Way line the S.A.L. Railroad; thence Southeasterly along the North line of said Lot 1 and the Southerly Right of Way line of said S.A.L. Railroad a distance of 287.02 feet to the P.C. of a curve concave Southwesterly; thence run along the arc of said curve a distance of 300.07 feet to the West Right of Way line of Sheeler Road and also the NE corner of said Lot 1; thence run South along the West Right of Way line of Sheeler Road a distance of 405.00 feet to the Point of Beginning.

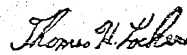
PARCEL NO. 2

Lots 1, 2, 3 and 4, Jeffcoat Heights, as recorded in Plat Book "R", Page 129 of the Public Records of Orange County, Florida, and more particularly described as follows:

Begin at the SE corner of Lot 4, Jeffcoat Heights, as recorded in Plat Book "R", Page 129, of the Public Records of Orange County, Florida, said point also being on the West Right of Way line of Sheeler Road; run thence West along the South line of said Lot 4 a distance of 1281.56 feet to the SW corner of said Lot 4; thence North along the West line of Lots 1 through 4 a distance of 1020.2 feet to the NW corner of Lot 1 of said Jeffcoat Heights; said point being on the Southerly Right of Way line of the S.A.L. Railroad; thence Southeasterly along the North line of said Lot 1 and Southerly Right of Way line of said S.A.L. Railroad a distance of 1123.84 feet to the P.C. of a curve concave Southwesterly; thence run along the arc of said curve a distance of 300.07 feet to the West Right of Way line of Sheeler Road and also the NE corner of said Lot 1; thence run South along the West Right of Way line of Sheeler Road a distance of 405.00 feet to the Point of Beginning--Less the following described parcel to-wit--

Begin at the SE corner of Lot 4, Jeffcoat Heights, as recorded in Plat Book "R", Page 129 of the Public Records of Orange County, Florida, and run West along the South line of said Lot 4 a distance of 523.62 feet; thence North and perpendicular to said South line a distance of 564.58 feet to the North line of Lot 1, also being the Southerly Right of Way line the S.A.L. Railroad; thence Southeasterly along the North line of said Lot 1 and the Southerly Right of Way line of said S.A.L. Railroad a distance of 287.02 feet to the P.C. of a curve concave Southwesterly; thence run along the arc of said curve a distance of 300.07 feet to the West Right of Way line of Sheeler Road and also the NE corner of said Lot 1; thence run South along the West Right of Way line of Sheeler Road a distance of 405.00 feet to the Point of Beginning.

RECORDED & RECORD VERIFIED



County Comptroller, Orange Co., Fla.

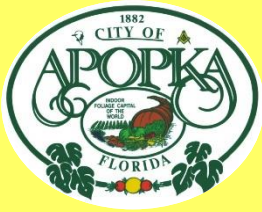
APPLICATION FEES		
Variance:	Single Family Lot	\$150.00
	All other	\$300.00
Appeal to the City Council:		\$150.00

GENERAL INFORMATION	
1.	Submittal deadline, first working day of each month.
2.	This Petition requires a Public Hearing.
3.	Public Hearing procedures as set forth in the Apopka Municipal Code shall be followed.
4.	No portion of the submittal fee will be refunded after petition has been submitted.
5.	The applicant, or a representative, must be present at the public hearing. The Planning Commission, at its discretion, may defer action or take decisive action on any application. If you are not present, the Planning Commission <u>MAY</u> deny your request.
6.	No permit shall be issued on this request until thirty (30) days after approval by the Planning Commission, and then only if no appeal has been made to the City Council.
7.	Appeals from the decision of the Planning Commission may be made to the City Council within thirty (30) days from the date of that decision. Any aggrieved party may appeal.
8.	Costs incurred in addition to established fees for advertising, City Attorney, postage or consultant expenses must be paid to the City.

ITEMS REQUIRED FOR SUBMITTAL	
1.	An application for public hearing must be accompanied by the filing fee.
2.	Completed typed hold harmless agreement and notarized signature of all owners of record.
3.	Legal Title opinion or certification as to Fee Simple Title Owner(s).
4.	Current Survey of subject property with Legal Description and Vicinity Map.
5.	One typed list of property owners who own property within 300' of the subject property. Include their name, address, and property identification number from the latest County tax assessment roll, with County tax map identifying property (format provided by City).
6.	Written response to hardship criteria listed in Attachment "A."
7.	If Applicant is not the owner of record of the subject property, a Power of Attorney shall be submitted with application.
8.	Any additional information which may be useful to or required by the City.

Backup material for agenda item:

1. PLAT – Vistas at Water's Edge, Phase 1 – Property owned by M/I Homes of Orlando, LLC, and located south of Hooper Farms Road, west and north of Binion Road, and west of Harmon Road



CITY OF APOPKA PLANNING COMMISSION

PUBLIC HEARING
 SITE PLAN
 SPECIAL REPORTS
 OTHER: Plat

MEETING OF: April 10, 2018
FROM: Community Development
EXHIBITS: Vicinity Map
Final Development Plan
Plat

SUBJECT: PLAT – VISTAS AT WATER’S EDGE, PHASE 1

REQUEST: RECOMMEND APPROVAL OF THE VISTAS AT WATER’S EDGE, PHASE 1 PLAT

SUMMARY:

OWNER/APPLICANT: M/I Homes of Orlando, LLC
PROJECT ENGINEER: Madden, Moorhead & Stokes, Inc. c/o David Stokes, P.E.
LOCATION: South of Hooper Farms Road, west and north of Binion Road, and west of Harmon Road
EXISTING USE: Vacant land
FUTURE LAND USE: Mixed-Use (Maximum 15 du/ac)
ZONING: Mixed-EC
PROPOSED DEVELOPMENT: Single-Family Residential Subdivision (80 Lots; typical lots widths range from 60 feet to 75 feet; lots range from a minimum of 7,500 square feet to 24,000 square feet.)
PROPOSED DENSITY: 1.90 du/ac
TRACT SIZE: 75.24 +/- acres
DEVELOPABLE AREA: 74.254 +/- acres
OPEN SPACE: 21.52 acres

FUNDING SOURCE: N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Mixed Use	Mixed-EC	Hooper’s Landscape Nursery
East (City)	Mixed Use	Mixed-EC	Vacant land
South (City)	Institutional/Public Use	R-3	Vacant Land
West (City)	Rural	A-2	St Johns River Water Management District

Project Use: On May 17, 2017 the City Council approved a Final Development Plan and Plat for the Vistas at Water’s Edge, which proposed the development of 143 single family residential lots and 21.52 acres of active and passive recreation space. The Final Development Plan and Plat detailed the subdivision being constructed in one phase with public streets. In 2017, M/I Homes bought the property and submitted a revised Final Development Plan and Plat detailing construction of a gated development in two phases with private streets that are proposed to be owned and maintained by a yet to be established homeowners association. Subdivision infrastructure is in the process of being constructed.

M/I Homes is requesting approval of the Plat for Phase 1 of the Vistas at Water’s Edge, which proposes all internal roadways as private instead of publicly owned and maintained. The Phase 1 plat is for 80 single-family residential lots. The plat for Phase 2 will be submitted in the future. Located within the Mixed-EC zoning district, the proposed subdivision provides a diversity of lot widths and lots sizes for both phases as follows:

Lot Widths (Typical)	Number	Percentage
60	93	66
65	6	4
70	32	22
75	12	8

The proposed minimum living area, in aggregate of 2,000 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, the developer will be requested to establish criteria to assure a 2,000 square foot 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	5’
Rear	20’
Corner	25’

*Front-entry garage must be setback 30 feet.

Access: Ingress/egress access points for the development will be via full access onto Binion Road that is gated, and a secondary gated emergency and pedestrian access point west of lot 55 connecting to Binion Road is provided.

Stormwater: There are two (2) retention ponds designed to meet the City’s Land Development Code requirements.

Recreation: Per Section 2.02.20.H.4a of the Land Development Code, developments made up of less than 300 units shall be required to construct a minimum total of 2,000 square feet of facility or facilities for a Neighborhood Activity Center. The developer is providing 21.52 acres of active and passive recreation space and is proposing to construct a 1,720 square foot clubhouse with swimming pool, picnic area and yoga lawn within the active recreational space. Up to 25% of the Neighborhood Activity Center may be in open type facilities. The developer agreed to place a 30-foot wide landscape buffer along Binion Road and to construct an 11-foot wide multi-use trail. The trail will be dedicated to the City as part of the East Shore Trail System. Furthermore, the Master Plan/PDP included passive parks (aka landscaped focal points) at strategic locations to break up long rows of homes and also provide views of Lake Apopka.

Buffer/Tree Program: The applicant has provided a thirty (30) foot wide landscape buffer along Binion Road with an eleven (11) foot wide multi-use trail. The applicant has proposed to use a combination of decorative precast and wrought-iron style fence material Binion Road.

The site has previously been cleared and infrastructure has been constructed. The following is a summary of the tree replacement program for this project that was previously agreed to prior to the May 2017 City Council approvals:

Total inches on-site:	2592
Total number of specimen trees:	29
Total inches removed:	1725
Total inches retained:	867
Total inches replaced:	1725
Total Inches (Post Development):	2592

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

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


PUBLIC HEARING SCHEDULE:
April 10, 2018 - Planning Commission, 5:30 p.m.
May 2, 2018 - City Council, 1:30 p.m.

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the Vistas at Waters Edge, Phase 1 Plat subject to the final review by the City surveyor and city engineer prior to recording the plat.

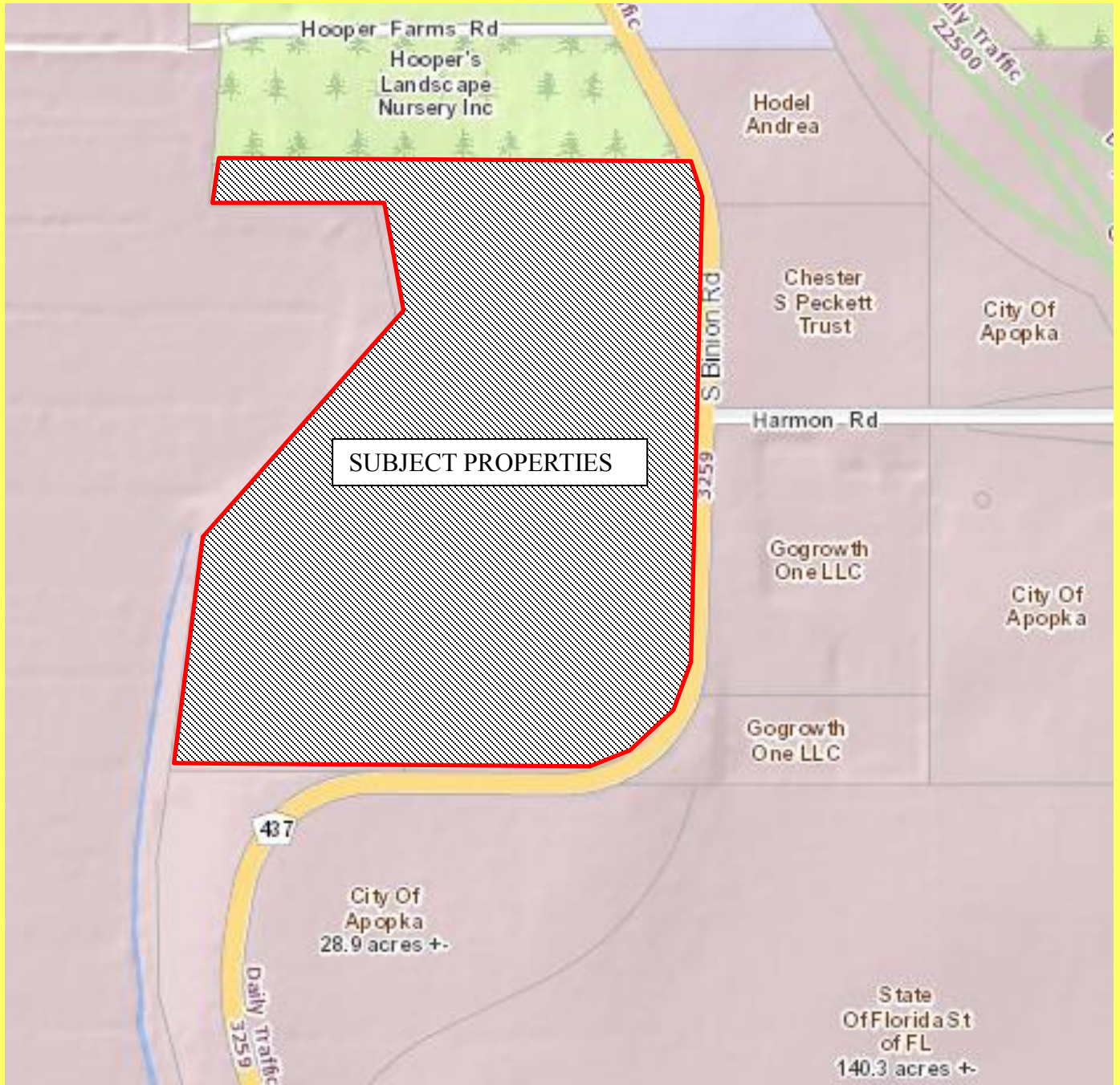
Recommended Motion: Recommend approval of the Vistas at Waters Edge, Phase 1 Plat, subject to the Conditions of Approval and final review by the City surveyor and city engineer prior to recording the plat.

Planning Commission Role: 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.

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

Application: Vistas at Waters Edge - Master Plan/Preliminary Development Plan
Owner Applicant: M/I Homes of Orlando, LLC
Project Engineer: Madden, Moorhead, Stokes, Inc., c/o David A. Stokes, P.E.
Parcel ID No.s: 19-21-28-0000-00-011, 19-21-28-0000-00-021 & 19-21-28-0000-022
Total Acres: 75.24 +/-

VICINITY MAP



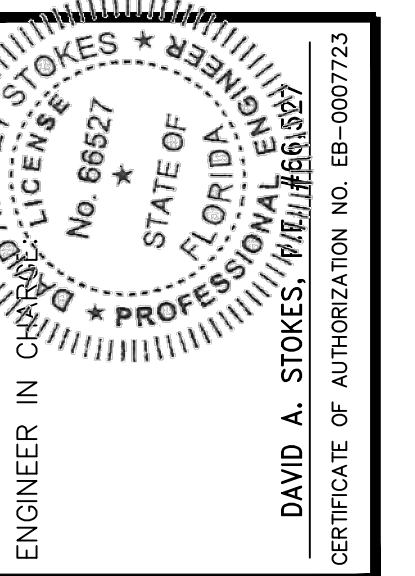
AERIAL MAP





OVERALL SITE PLAN
FOR
VISTAS AT WATERS EDGE
FLORIDA
CITY OF APOPKA

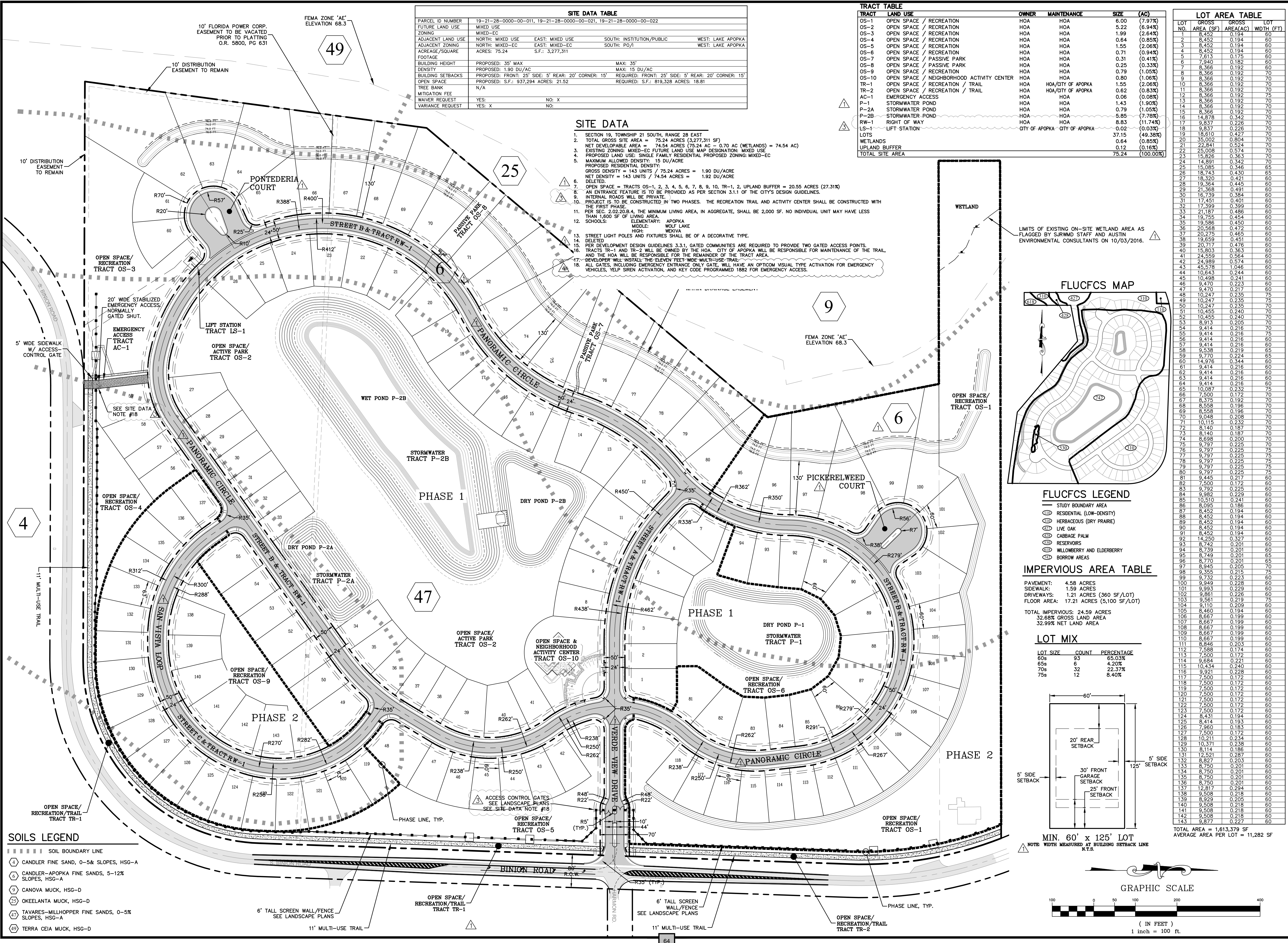
EQUITY WATERS EDGE, LLC
2255 GLADES RD. SUITE 324 EAST
BOCA RATON, FL 33431
(321) 624-4725



NO.	REVISIONS	DATE
1	ISSUED PER CITY OF APOPKA COMMENTS	
2	ISSUED PER CITY OF APOPKA COMMENTS	
3	ISSUED PER CITY OF APOPKA COMMENTS	
4	ISSUED PER CITY OF APOPKA COMMENTS	
5	ISSUED PER CITY OF APOPKA COMMENTS	
6	ISSUED PER CITY OF APOPKA COMMENTS	
7	ISSUED PER CITY OF APOPKA COMMENTS	
8	ISSUED PER CITY OF APOPKA COMMENTS	
9	ISSUED PER CITY OF APOPKA COMMENTS	
10	ISSUED PER CITY OF APOPKA COMMENTS	
11	ISSUED PER CITY OF APOPKA COMMENTS	

JOB # 15074
DATE: 09/15/16
SCALE: 1"=100'
DESIGNED BY: RJS
DRAWN BY: RJS
APPROVED BY: DAS

OV-1



SITE DATA TABLE

PARCEL ID NUMBER	19-21-28-0000-00-011, 19-21-28-0000-00-021, 19-21-28-0000-00-022
FUTURE LAND USE	MIXED-EC
ZONING	MIXED-EC
ADJACENT ZONING	NORTH: MIXED USE EAST: MIXED USE SOUTH: INSTITUTION/PUBLIC WEST: LAKE APOPKA
ADJACENT ZONING	NORTH: MIXED-EC EAST: MIXED-EC SOUTH: PO/I WEST: LAKE APOPKA
ACREAGE/SQUARE FOOTAGE	ACRES: 75.24 S.F.: 3,277,311
BUILDING HEIGHT	PROPOSED: 35' MAX MAX: 35'
DENSITY	PROPOSED: 1.90 DU/AC MAX: 15 DU/AC
BUILDING SETBACKS	PROPOSED: FRONT: 25' SIDE: 5' REAR: 20' CORNER: 15' REQUIRED: FRONT: 25' SIDE: 5' REAR: 20' CORNER: 15'
OPEN SPACE	PROPOSED: S.F.: 937,294 ACRES: 21.52 REQUIRED: S.F.: 819,326 ACRES: 18.81
TREE BANK MITIGATION FEE	N/A
WAVIER REQUEST	YES: NO: X
VARIANCE REQUEST	YES: X NO:

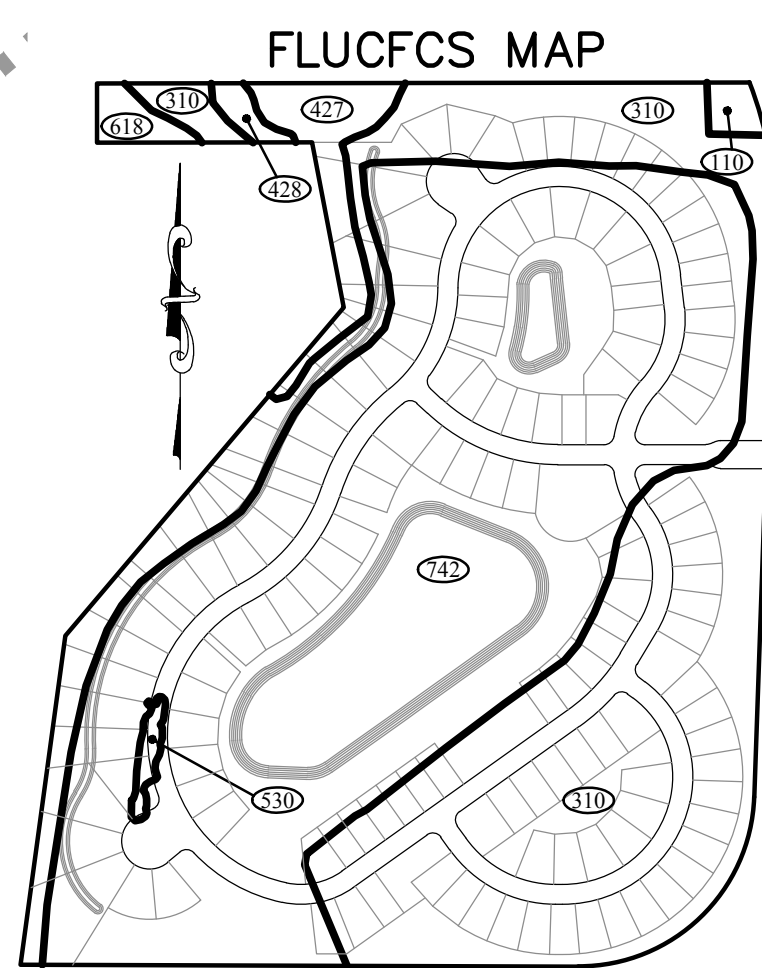
- ### SITE DATA
- SECTION 19, TOWNSHIP 21 SOUTH, RANGE 28 EAST
 - TOTAL GROSS SITE AREA = 75.24 ACRES (3,277,311 SF)
 - NET DEVELOPABLE AREA = 74.54 ACRES (75.24 AC - 0.70 AC (WETLANDS) = 74.54 AC)
 - EXISTING ZONING: MIXED-EC FUTURE LAND USE MAP DESIGNATION: MIXED USE PROPOSED LAND USE: SINGLE FAMILY RESIDENTIAL PROPOSED ZONING: MIXED-EC
 - MAXIMUM ALLOWED DENSITY: 15 DU/ACRE PROPOSED RESIDENTIAL DENSITY: GROSS DENSITY = 143 UNITS / 75.24 ACRES = 1.90 DU/ACRE NET DENSITY = 143 UNITS / 74.54 ACRES = 1.92 DU/ACRE
 - OPEN SPACE = TRACTS OS-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, TR-1, 2, UPLAND BUFFER = 20.55 ACRES (27.31%)
 - AN ENTRANCE FEATURE IS TO BE PROVIDED AS PER SECTION 3.1.1 OF THE CITY'S DESIGN GUIDELINES.
 - INTERNAL ROADS WILL BE PRIVATE.
 - PROJECT IS TO BE CONSTRUCTED IN TWO PHASES. THE RECREATION TRAIL AND ACTIVITY CENTER SHALL BE CONSTRUCTED WITH THE FIRST PHASE.
 - PER SEC. 2.02.203.4, THE MINIMUM LIVING AREA, IN AGGREGATE, SHALL BE 2,000 SF. NO INDIVIDUAL UNIT MAY HAVE LESS THAN 1,600 SF OF LIVING AREA.
 - SCHOOLS: APOPKA ELEMENTARY; WOLF LAKE MIDDLE; NEKIVA HIGH
 - STREET LIGHT POLES AND FIXTURES SHALL BE OF A DECORATIVE TYPE.
 - DELETED
 - PER DEVELOPMENT DESIGN GUIDELINES 3.3.1, GATED COMMUNITIES ARE REQUIRED TO PROVIDE TWO GATED ACCESS POINTS. TRACTS TR-1 AND TR-2 WILL BE OWNED BY THE HOA. CITY OF APOPKA WILL BE RESPONSIBLE FOR MAINTENANCE OF THE TRAIL, AND THE HOA WILL BE RESPONSIBLE FOR THE REMAINDER OF THE TRACT AREA.
 - DEVELOPER WILL INSTALL THE ELEVEN FEET WIDE MULTI-USE TRAIL.
 - ALL GATES, INCLUDING EMERGENCY ENTRANCE ONLY GATE, WILL HAVE AN OPTICOM VISUAL TYPE ACTIVATION FOR EMERGENCY VEHICLES, YELP SIREN ACTIVATION, AND KEY CODE PROGRAMMED 1882 FOR EMERGENCY ACCESS.

TRACT TABLE

TRACT	LAND USE	OWNER	MAINTENANCE	SIZE (AC)
OS-1	OPEN SPACE / RECREATION	HOA	HOA	6.00 (7.97%)
OS-2	OPEN SPACE / RECREATION	HOA	HOA	5.22 (6.94%)
OS-3	OPEN SPACE / RECREATION	HOA	HOA	1.99 (2.64%)
OS-4	OPEN SPACE / RECREATION	HOA	HOA	0.84 (0.85%)
OS-5	OPEN SPACE / RECREATION	HOA	HOA	1.55 (2.06%)
OS-6	OPEN SPACE / RECREATION	HOA	HOA	0.71 (0.94%)
OS-7	OPEN SPACE / PASSIVE PARK	HOA	HOA	0.31 (0.41%)
OS-8	OPEN SPACE / PASSIVE PARK	HOA	HOA	0.25 (0.33%)
OS-9	OPEN SPACE / RECREATION	HOA	HOA	0.79 (1.05%)
OS-10	OPEN SPACE / NEIGHBORHOOD ACTIVITY CENTER	HOA	HOA	0.80 (1.06%)
TR-1	OPEN SPACE / RECREATION / TRAIL	HOA	HOA/CITY OF APOPKA	1.55 (2.06%)
TR-2	OPEN SPACE / RECREATION / TRAIL	HOA	HOA/CITY OF APOPKA	0.62 (0.83%)
AC-1	EMERGENCY ACCESS	HOA	HOA	0.06 (0.08%)
P-1	STORMWATER POND	HOA	HOA	1.41 (1.80%)
P-2A	STORMWATER POND	HOA	HOA	0.79 (1.05%)
P-2B	STORMWATER POND	HOA	HOA	5.85 (7.78%)
RW-1	RIGHT OF WAY	HOA	HOA	8.83 (11.74%)
LS-1	LIFT STATION	CITY OF APOPKA	CITY OF APOPKA	-0.02 (0.03%)
WETLANDS				37.15 (49.38%)
UPLAND BUFFER				0.64 (0.85%)
TOTAL SITE AREA				75.24 (100.00%)

LOT AREA TABLE

LOT NO.	GROSS AREA (SF)	GROSS AREA (AC)	WIDTH (FT)
1	8,452	0.194	60
2	8,452	0.194	60
3	8,452	0.194	60
4	8,452	0.194	60
5	7,613	0.175	60
6	7,940	0.182	60
7	8,366	0.192	60
8	8,366	0.192	60
9	8,366	0.192	60
10	8,366	0.192	60
11	8,366	0.192	60
12	8,366	0.192	60
13	8,366	0.192	60
14	8,366	0.192	60
15	8,366	0.192	60
16	14,816	0.342	70
17	9,837	0.226	70
18	9,837	0.226	70
19	18,610	0.427	70
20	35,002	0.804	70
21	22,841	0.524	70
22	25,008	0.574	70
23	19,896	0.363	70
24	14,891	0.342	70
25	15,085	0.346	65
26	18,743	0.430	60
27	18,320	0.421	60
28	19,364	0.445	60
29	21,368	0.491	60
30	16,749	0.384	60
31	17,451	0.401	60
32	17,399	0.399	60
33	21,187	0.486	60
34	19,755	0.454	60
35	19,586	0.450	60
36	20,568	0.472	60
37	20,214	0.465	60
38	19,659	0.451	60
39	20,717	0.476	60
40	15,803	0.363	60
41	24,559	0.564	60
42	24,989	0.574	60
43	45,638	1.046	60
44	10,843	0.244	60
45	10,498	0.241	60
46	9,470	0.223	60
47	9,470	0.217	60
48	10,247	0.235	75
49	10,247	0.235	75
50	10,455	0.240	70
51	10,455	0.240	70
52	10,455	0.240	70
53	8,913	0.205	70
54	9,414	0.216	60
55	9,414	0.216	60
56	9,414	0.216	60
57	9,414	0.216	60
58	9,538	0.219	65
59	9,770	0.224	65
60	14,978	0.344	60
61	9,414	0.216	60
62	9,414	0.216	60
63	9,414	0.216	60
64	9,414	0.216	60
65	10,087	0.232	75
66	7,500	0.172	70
67	8,375	0.192	70
68	8,375	0.192	70
69	8,558	0.196	70
70	9,048	0.208	70
71	10,115	0.232	70
72	8,140	0.187	70
73	8,140	0.187	70
74	8,698	0.200	70
75	9,797	0.225	70
76	9,797	0.225	75
77	9,797	0.225	75
78	9,797	0.225	75
79	9,797	0.225	75
80	9,797	0.225	75
81	9,445	0.217	60
82	7,500	0.172	60
83	9,792	0.225	60
84	9,982	0.229	60
85	10,510	0.241	60
86	8,095	0.186	60
87	8,452	0.194	60
88	8,452	0.194	60
89	8,452	0.194	60
90	8,452	0.194	60
91	8,452	0.194	60
92	14,250	0.327	60
93	8,742	0.201	60
94	8,739	0.201	60
95	8,749	0.201	60
96	8,770	0.201	60
97	8,945	0.205	70
98	9,255	0.215	75
99	9,255	0.223	80
100	9,949	0.228	60
101	9,993	0.229	60
102	9,861	0.228	60
103	9,561	0.219	75
104	9,110	0.209	60
105	8,460	0.194	60
106	8,667	0.199	60
107	8,667	0.199	60
108	8,667	0.199	60
109	8,667	0.199	60
110	8,667	0.199	60
111	8,846	0.203	60
112	7,588	0.174	60
113	7,500	0.172	60
114	9,684	0.221	60
115	10,434	0.240	60
116	9,921	0.228	60
117	7,500	0.172	60
118	7,500	0.172	60
119	7,500	0.172	60
120	7,500	0.172	60
121	7,500	0.172	60
122	7,500	0.172	60
123	7,500	0.172	60
124	8,431	0.194	60
125	8,414	0.193	60
126	7,960	0.183	60
127	7,500	0.172	60
128	10,211	0.234	60
129	10,371	0.238	60
130	8,114	0.186	60
131	12,521	0.287	60
132	8,827	0.203	60
133	8,750	0.201	60
134	8,750	0.201	60
135	8,750	0.201	60
136	8,750	0.201	60
137	12,817	0.294	60
138	9,508	0.218	60
139	8,929	0.205	60
140	9,508	0.218	60
141	9,508	0.218	60
142	9,508	0.218	60
143	9,877	0.227	60



FLUCFCS LEGEND

- STUDY BOUNDARY AREA
- RESIDENTIAL (LOW-DENSITY)
- HERBACEOUS (DRY PRAIRIE)
- LIVE OAK
- CABBAGE PALM
- RESERVOIRS
- WILLOWBERRY AND ELDERBERRY
- BORROW AREAS

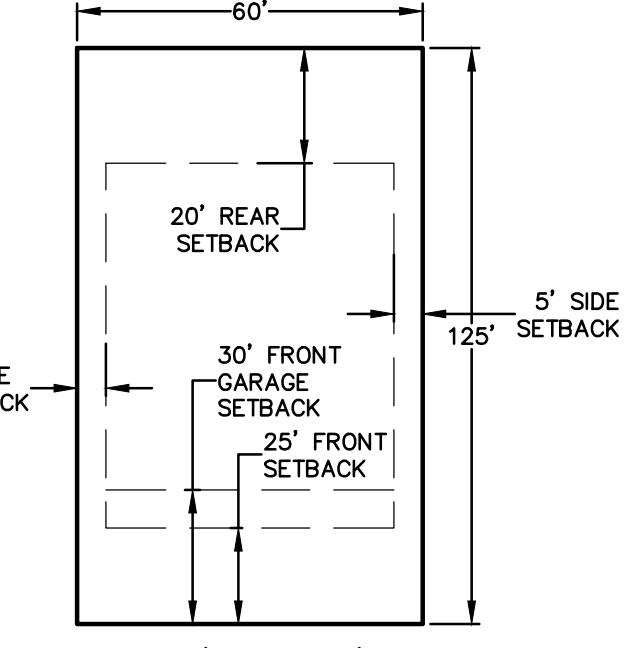
IMPERVIOUS AREA TABLE

PAVEMENT: 4.58 ACRES
SIDEWALK: 1.59 ACRES
DRIVEWAYS: 1.21 ACRES (360 SF/LOT)
FLOOR AREA: 17.21 ACRES (5,100 SF/LOT)

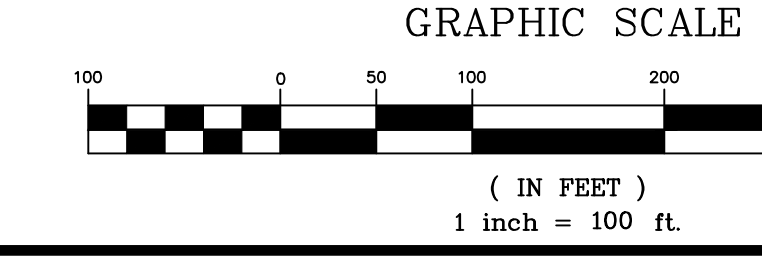
TOTAL IMPERVIOUS: 24.59 ACRES
32.68% GROSS LAND AREA
32.99% NET LAND AREA

LOT MIX

LOT SIZE	COUNT	PERCENTAGE
60s	93	65.03%
65s	6	4.20%
70s	32	22.37%
75s	12	8.40%



MIN. 60' x 125' LOT
NOTE: WIDTH MEASURED AT BUILDING SETBACK LINE



SOILS LEGEND

- SOIL BOUNDARY LINE
- CANDLER FINE SAND, 0-5% SLOPES, HSG-A
- CANDLER-APOPKA FINE SANDS, 5-12% SLOPES, HSG-A
- CANOVA MUCK, HSG-D
- OKEELANTA MUCK, HSG-D
- TAVARES-MILHOPPER FINE SANDS, 0-5% SLOPES, HSG-A
- TERRA CEIA MUCK, HSG-D

6' TALL SCREEN WALL/FENCE SEE LANDSCAPE PLANS

OPEN SPACE/ RECREATION/TRAIL TRACT TR-1

11' MULTI-USE TRAIL

6' TALL SCREEN WALL/FENCE SEE LANDSCAPE PLANS

OPEN SPACE/ RECREATION/TRAIL TRACT TR-2

VISTAS AT WATERS EDGE PHASE 1

SHEET 1 OF 9

PLAT BOOK ____ PAGE ____

A PORTION OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 28 EAST
CITY OF APOPKA, ORANGE COUNTY, FLORIDA

SURVEYOR'S NOTES:

- Bearings shown hereon are assumed and based on the North-South mid section line of Section 19-21-28 being an assumed bearing of South 00°07'22" East for angular designation only.
- All lot lines intersecting curves are radial, unless otherwise noted non-radial (N.R.).
- All platted utility easements shall also be easements for the construction, installation, maintenance, and operation of cable television and data services; provided, however, no such construction, installation, maintenance, and operation of cable television services shall interfere with the facilities and services of an electric, telephone, gas, or other public utility. In the event a cable television company damages the facilities of a public utility, it shall be solely responsible for the damages. This section shall not apply to those private easements granted to or obtained by a particular electric, telephone, gas, or other public utility. Such construction, installation, maintenance, and operation shall comply with the National Electrical Safety Code as adopted by the Florida Public Service Commission.
- Tracts OS-1, OS-2, OS-3, OS-4, OS-5, and OS-6 (Open Space / Recreation Tracts) shall be owned and maintained by the VISTAS AT WATERS EDGE Homeowners Association, Inc. (the "Association").
- Tracts OS-7 and OS-8 (Open Space / Passive Park Tracts) shall be owned and maintained by the Association.
- Tracts OS-10 (Open Space / Neighborhood Activity Center Tract) shall be owned and maintained by the Association.
- Tracts TR-1, TR-2 and TR-3 (Open Space/Recreation/Trail Tracts) shall be owned by the Association and maintained by the Association and the City of Apopka.
- Tract AC-1 (Emergency Access Tract) subject to an access easement dedicated to the City of Apopka and shall be owned and maintained by the Association.
- Tracts P1, P2A and P2B (Stormwater Pond Tracts) shall be owned and maintained by the Association with an easement dedicated to the City of Apopka for emergency operation and maintenance of the stormwater conveyance system. The City of Apopka is not responsible for the maintenance of the stormwater conveyance system.
- Tract LS-1 (Lift Station Tract) shall be deeded to and maintained by the City of Apopka.
- Tracts M-1, M-2 and M-3 (Landscape Median Tracts) shall be owned and maintained by the Association.
- All Lots are subject to a 10.00 foot drainage and utility easement adjacent to private rights-of-way, unless otherwise noted.
- All Lots are subject to a 5.00 foot side yard drainage and utility easement, unless otherwise noted.
- All Lots are subject to a 7.50 foot rear yard drainage and utility easement, unless otherwise noted.
- The 30.00 foot drainage easement within Lots 62 through 80 and Tracts OS-7 and OS-8 are dedicated to and maintained by the Association. No construction, clearing, grading or alteration by the individual Lot owners is permitted without prior approval by the Association or any other applicable jurisdictional agencies.
- Tract OS-3 is subject to a 20.00 utility easement and a 5.00 foot drainage and utility easement adjacent to Tract LS-1 dedicated to the City of Apopka, Florida.
- Tracts FD-1 and FD-2 shall be owned and maintained by M/I HOMES OF ORLANDO LLC, its successors and/or assigns.
- Tract RW-1, Private right-of-way, shall be owned and maintained by the Association.
- This plat contains 80 Lots.

LEGAL DESCRIPTION

A parcel of land comprising a portion of Section 19, Township 21 South, Range 28 East, Orange County, Florida.
Being more particularly described as follows:

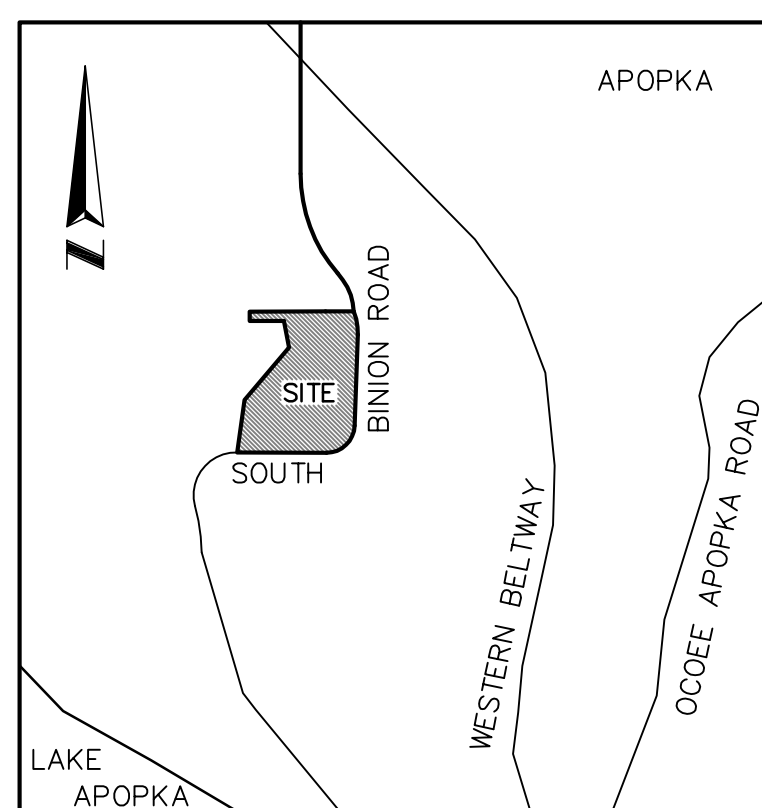
COMMENCE at the North 1/4 corner of aforesaid Section 19; thence run South 00°07'22" East along the North-South midsection line of said Section 19 for a distance of 415.79 feet to the POINT OF BEGINNING; thence departing said North-South mid section line run North 89° 54' 28" East for a distance of 442.06 feet to a point on the West right-of-way line of South Binion Road, CR 437 according to Road Plat Book 1, Page 40, also being a point on a non tangent curve concave Southwesterly having a radius of 915.37 feet with a chord bearing of South 09° 38' 58" East and a chord distance of 370.45 feet; thence run the following four (4) courses along said West right-of-way line; Southeasterly along the arc of said curve through a central angle of 23° 20' 56" for a distance of 373.03 feet to a point of tangency; thence run South 02° 01' 30" West for a distance of 1420.27 feet to a point on a non tangent curve concave Northwesterly having a radius of 438.33 feet with a chord bearing of South 46° 06' 00" West and a chord distance of 609.80 feet thence run Southwesterly along the arc of said curve through a central angle of 88° 08' 57" for a distance of 674.37 feet to a point on a non tangent line; thence run North 89° 49' 30" West along the Northerly right-of-way line of South Binion Road and the Westerly extension thereof for a distance of 1392.18 feet; thence departing aforesaid West right-of-way line and the Westerly extension thereof run North 07° 44' 23" East for a distance of 829.33 feet; thence run North 40° 18' 28" East for a distance of 1075.00 feet; thence run North 10° 57' 42" West for a distance of 419.48 feet; thence run South 89° 55' 18" West for a distance of 536.64 feet; thence run North 00° 07' 22" West for a distance of 147.87 feet; thence run North 89° 54' 20" East a distance of 1187.22 feet to the POINT OF BEGINNING.

Containing 75.24 acres

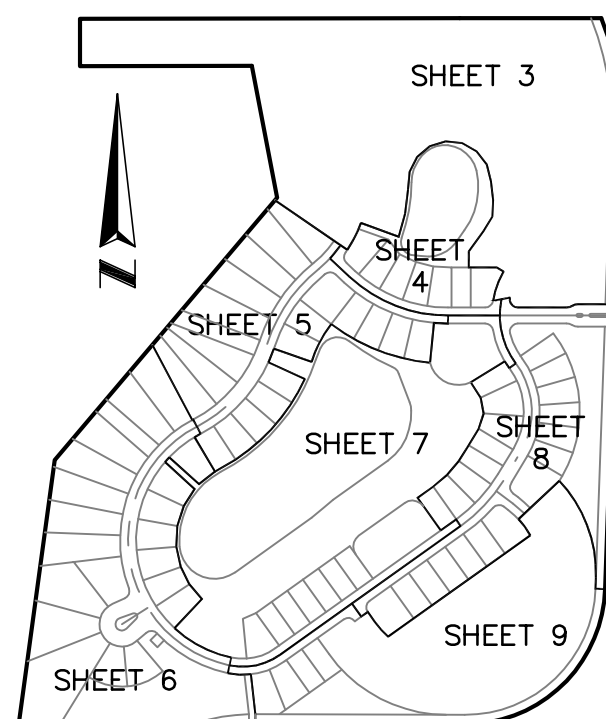
Building setback information according to engineers plans prepared by Madden, Moorhead & Stokes, Inc.

Front.....25.00'
Side.....5.00'
Rear.....20.00'
Corner.....25.00'

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



VICINITY MAP (not to scale)



KEY MAP (not to scale)

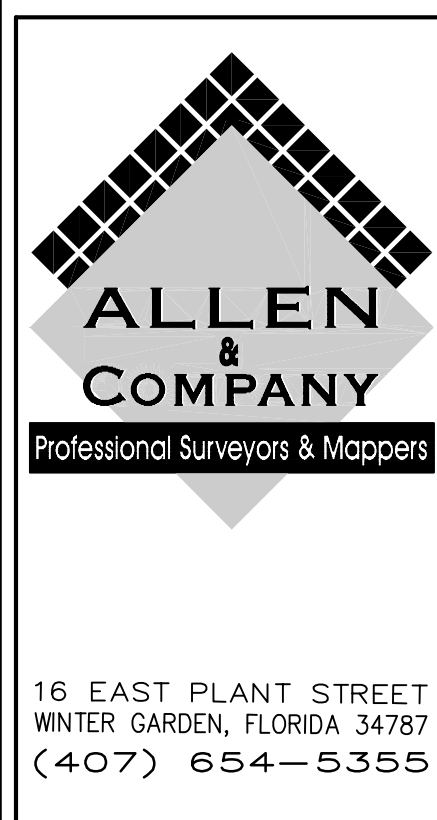
SHEET INDEX

- SHEET 1 of 9 - legal description, Surveyor's notes, legend & dedication
- SHEET 2 OF 9 - boundary information
- 3 through 9 of 9 - geometry

LEGEND:

- L.B. denotes licensed business
- U.E. denotes utility easement
- R/W denotes right-of-way
- denotes change in direction along right-of-way lines
- C.C.R. # denotes Certified Corner Record Number
- N.R. denotes non-radial (see note 2)
- denotes set 4" x 4" concrete monument LB 6723 permanent reference monument (PRM)
- denotes drainage easement
- D.U.E. denotes drainage and utility easement
- CR denotes County Road
- D.B. denotes Deed Book
- P.C.C. denotes point of compound curvature
- denotes point of reverse curvature

- S.T.E. denotes street tree easement
- N.T. denotes non tangent
- denotes set nail & disk LB 6723 permanent control point (PCP)
- denotes centerline
- LLC denotes limited liability company
- PG(S). denotes page(s)
- P.C. denotes point of curvature
- P.T. denotes point of tangency
- P.I. denotes point of intersection
- P.B. denotes Plat Book
- R.P. denotes radius point
- R denotes radius
- Δ denotes central angle
- L denotes arc length
- CH denotes chord length
- CB denotes chord bearing



CERTIFICATE OF APPROVAL BY CITY ENGINEER

Examined and Approved: _____ Date: _____
Richard Earp

CERTIFICATE OF APPROVAL BY APOPKA PLANNING COMMISSION

Examined and Approved: _____ Date: _____
Chairman

CERTIFICATE OF REVIEW BY REVIEWING SURVEYOR

Pursuant to Section 177.081, Florida Statutes, I have reviewed this plat for conformity to Chapter 177 Part 1 of the Florida Statutes and that said plat complies with the technical requirements of that chapter; provided however, that my review does not include field verification of any of the coordinates, points or measurements shown on this plat.

Signed: _____
Printed Name: Bruce Ducker, PSM Date: _____
Registration Number 5966
Southeastern Surveying and Mapping Corp

QUALIFICATION STATEMENT OF SURVEYOR AND MAPPER

KNOW ALL MEN BY THESE PRESENTS, that I the undersigned, being a licensed surveyor and mapper, do hereby certify that on April 13, 2016 I completed the survey of the lands as shown in the foregoing plat or plan; that said plat is a true and correct representation of the lands surveyed and platted and was prepared under my direction and supervision; that permanent reference monuments have been placed as shown thereon; and this plat complies with all the survey requirements of Chapter 177, Florida Statutes; and that said land is located in the City of Apopka, Orange County, Florida.

By: _____ Date: _____
James L. Rickman P.S.M. # 5633 Allen & Company Licensed Business # 6723
16 East Plant Street, Winter Garden, Florida 34787

VISTAS AT WATERS EDGE PHASE 1

D E D I C A T I O N

THIS is to certify that the undersigned, M/I HOMES OF ORLANDO, LLC, a Florida limited liability company hereafter referred to as "Owner" is the lawful owner of the lands described in the caption hereon, and that it has caused the same to be surveyed, and this plat, made in accordance with said survey, is hereby adopted as the true and correct plat of said lands. No part of said lands, except as noted on the face of this plat, is dedicated to the City of Apopka or to the public. None of the property designated "Common Area" on this plat is required for public use; and such "Common Area" is not and will not be a part of the County system of public roads. Said "Common Area" is instead part of the "Common Area" created by this plat and will be subject to the declaration of covenants, conditions, and restrictions for Vistas at Waters Edge Homeowners Association, Inc. as recorded in Official Records Book _____.

Page _____ (herein after referred to as the "Declaration"). Said "Common Area" shall remain private and the sole and exclusive property of Owner its successors and assigns. Owner does hereby grant to the present and future owners of lots (1 through 80) and their guests, invitees, domestic help, and to delivery, pick-up and fire protection services, police and other authorities of law, United States mail carriers, representatives of utilities, holders of mortgage liens on such lands, and such other persons as owner, its successor and assigns, may from time to time designate the non-exclusive and perpetual right of ingress and egress over and across the roads and sidewalks, as they may from time to time be constructed on Tract RW-1 of the "Common Area". The Owner, in recording this plat has created the Common Area" shown hereon, which common area is a portion of the "Common Area" described in the declaration. Said "Common Area" is not dedicated to the use and enjoyment of the general public, but its use is reserved for the common use and enjoyment of the property owners of VISTAS AT WATERS EDGE PHASE 1. The nature and extent of, and the reservations and restrictions on such common use and enjoyment are more fully set forth in the Declaration. Tract RW-1 is subject to a dedicated utility easement to the City of Apopka for maintaining water, sewer and reclaim water lines.

NOTWITHSTANDING the foregoing: An emergency access easement to the private storm drainage system over Tract RW-1 and over all drainage easements shown on this plat is hereby dedicated to the City of Apopka for emergency maintenance purposes in the event inadequate maintenance of the storm drainage system creates a hazard to the public health, safety, and general welfare. The emergency access easement granted above does not impose any obligation, burden, responsibility or liability upon the City of Apopka to enter upon the subject property and take any action to repair or maintain the private drainage system. A non-exclusive easement through, over, under and across the common area and all noted utility easements is hereby dedicated for use by all public utilities for the purpose of constructing, maintaining and replacing their respective facilities servicing the lands encompassed by this plat.

IN WITNESS WHEREOF, the undersigned, M/I HOMES OF ORLANDO, LLC a Florida limited liability company, has caused these presents to be executed and acknowledged by its undersigned Officer thereunto duly authorized on this ____ day of _____ 2018.

By: M/I HOMES OF ORLANDO, LLC, a Florida limited liability company

WITNESSES: _____
Printed Name of Witness: Daniel Kaiser, Vice President
Printed name Title

STATE OF FLORIDA COUNTY OF SEMINOLE

I HEREBY CERTIFY, that on this day, before me personally appeared Daniel Kaiser, as Vice President of M/I HOMES OF ORLANDO, LLC, a Florida limited liability company who is () personally known to me or () produced _____ as identification, and did/did not take an oath, the individual and officer described in and who executed the foregoing conveyance and acknowledged the execution thereof to be his free act and deed as such officer thereunto duly authorized.

WITNESS my hand and official seal this ____ day of _____ 2018.

Signature of Notary Public _____
Printed Name of Notary Public _____
Notary Public state of Florida _____
My Commission Expires: _____
Commission Number: _____

CERTIFICATE OF APPROVAL BY MUNICIPALITY

THIS IS TO CERTIFY, that on _____ the foregoing plat was approved by the Municipality.

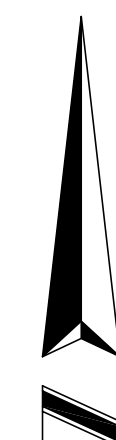
Mayor _____
Attest: _____
City Clerk

CERTIFICATE OF COUNTY COMPTROLLER

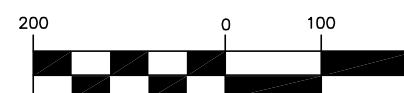
I HEREBY CERTIFY, that the foregoing plat was recorded in the Orange County Official Records on _____ as File No. _____
County Comptroller in and for Orange County, Florida.
By: _____

VISTAS AT WATERS EDGE PHASE 1

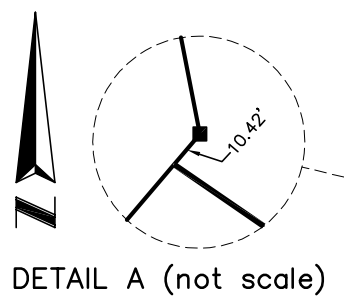
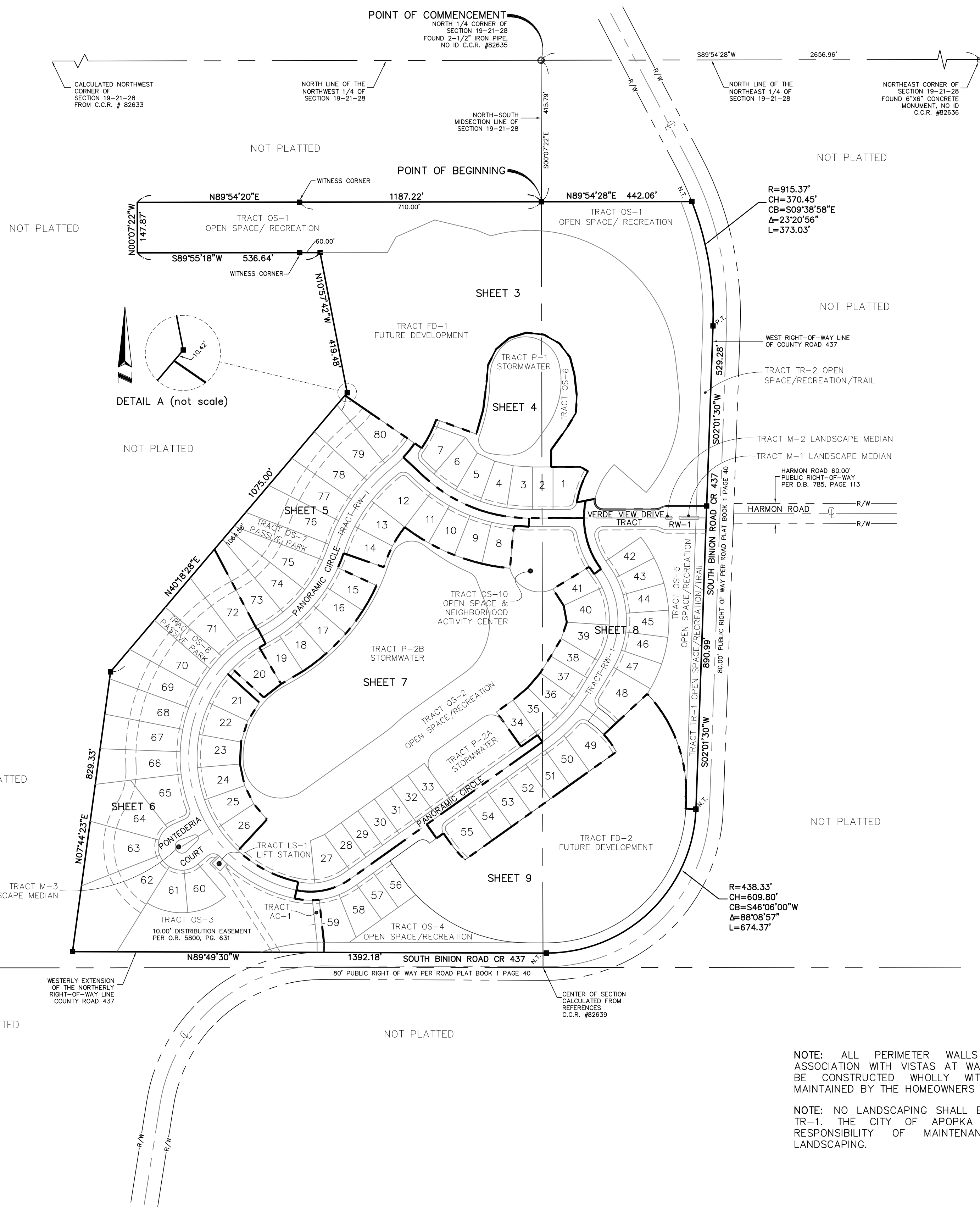
A PORTION OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 28 EAST
CITY OF APOPKA, ORANGE COUNTY, FLORIDA



GRAPHIC SCALE



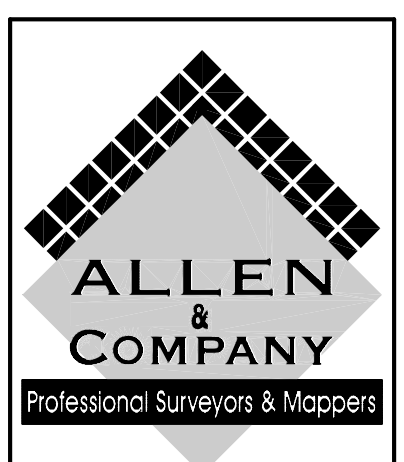
(IN FEET)
1 inch = 200 ft.



- SHEET INDEX**
- SHEET 1 of 9 – legal description, Surveyor’s notes, legend & dedication
 - SHEET 2 of 9 – boundary information
 - 3 through 9 of 9 – geometry

NOTE: ALL PERIMETER WALLS BEING CONSTRUCTED IN ASSOCIATION WITH VISTAS AT WATERS EDGE PHASE 1 SHALL BE CONSTRUCTED WHOLLY WITHIN TRACTS OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

NOTE: NO LANDSCAPING SHALL BE PERMITTED WITHIN TRACT TR-1. THE CITY OF APOPKA DOES NOT ASSUME ANY RESPONSIBILITY OF MAINTENANCE OR OWNERSHIP OF LANDSCAPING.



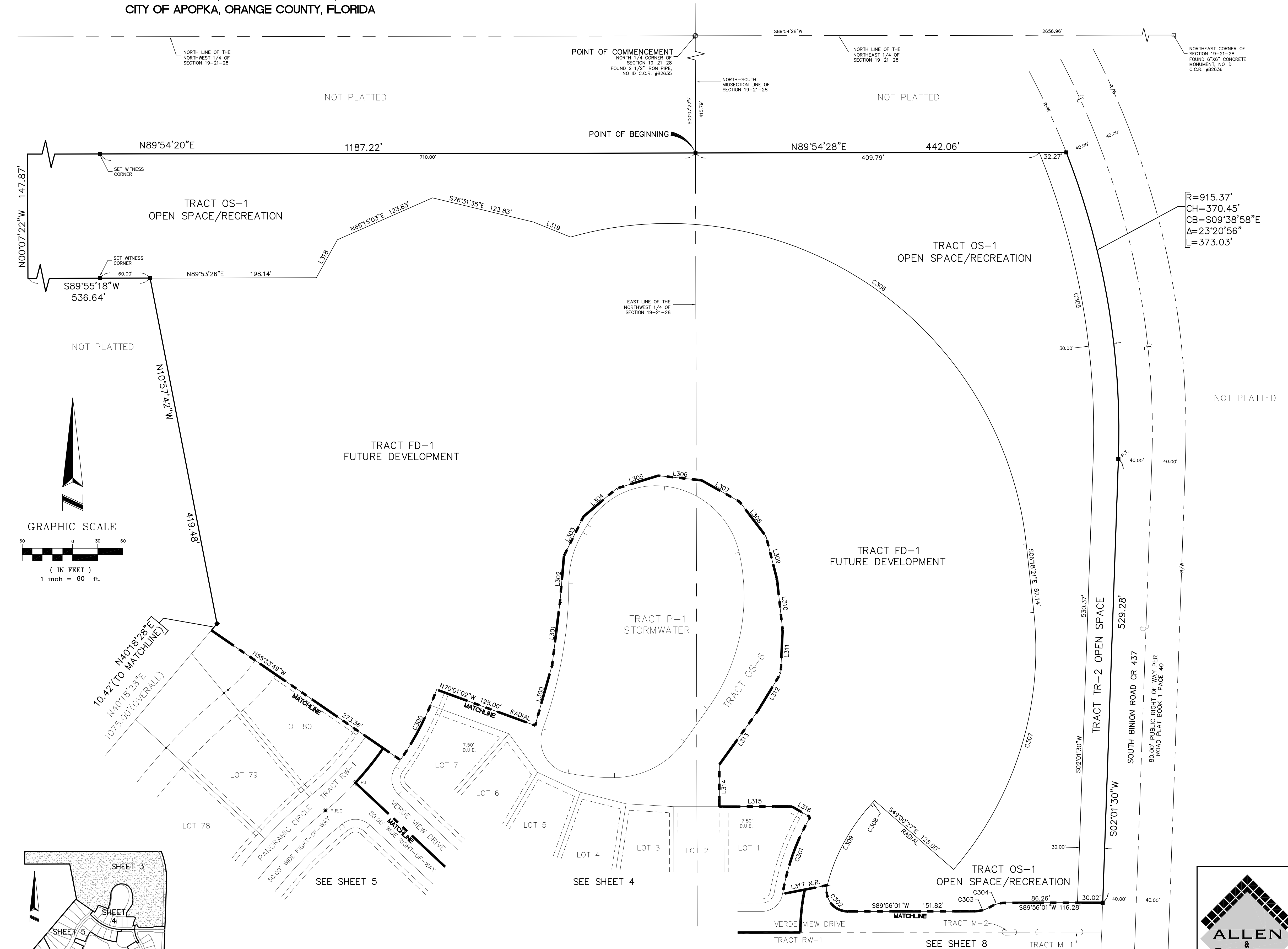
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355

VISTAS AT WATERS EDGE PHASE 1

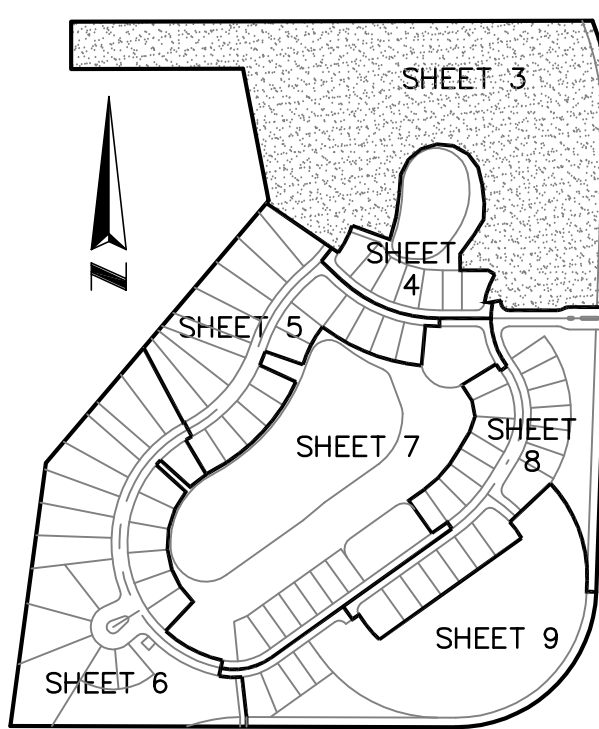
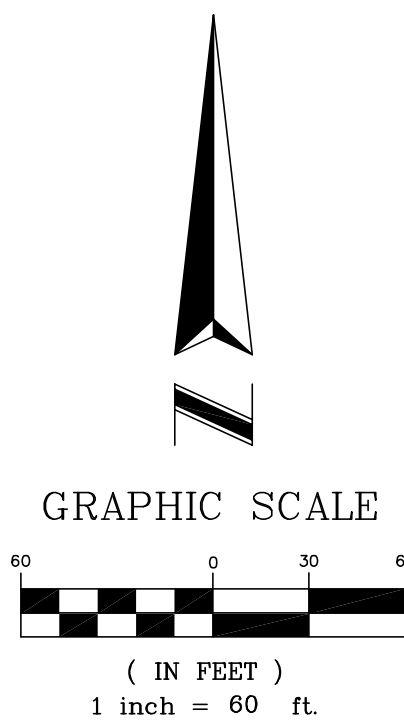
A PORTION OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 28 EAST
CITY OF AOPKA, ORANGE COUNTY, FLORIDA

SHEET 3 OF 9

PLAT BOOK _____ PAGE _____



R=915.37'
CH=370.45'
CB=S09°38'58"E
Δ=23°20'56"
L=373.03'



LINE	LENGTH	BEARING
L300	75.00'	S15°40'54"W
L301	75.00'	S07°04'45"W
L302	55.82'	S04°59'51"W
L303	51.95'	S26°24'39"W
L304	51.95'	S49°38'30"W
L305	51.95'	S72°52'21"W
L306	51.95'	N83°53'47"W
L307	51.95'	N60°39'56"W
L308	51.95'	N37°26'05"W
L309	53.22'	N14°18'28"W

LINE	LENGTH	BEARING
L310	60.00'	N06°18'21"W
L311	52.06'	N02°24'52"E
L312	51.42'	N31°09'47"E
L313	80.00'	N35°40'22"E
L314	50.00'	N00°03'59"W
L315	86.60'	S89°56'01"W
L316	25.00'	N60°03'59"W
L317	54.31'	S78°52'30"W
L318	51.89'	N29°01'40"E
L319	47.68'	S68°00'07"E

CURVE	RADIUS	LENGTH	CHORD	BEARING		DELTA
				BEARING	DELTA	
C300	375.00'	94.60'	94.35'	N27°12'35"E	14°27'13"	
C301	275.00'	97.94'	97.42'	S19°43'50"W	20°24'21"	
C302	25.00'	45.59'	39.53'	S37°49'40"E	104°28'39"	
C303	35.00'	18.94'	18.71'	N74°25'56"E	31°00'10"	
C304	35.00'	18.94'	18.71'	S74°25'56"W	31°00'10"	
C305	885.37'	372.49'	369.74'	N10°01'39"W	24°06'18"	
C306	429.00'	745.07'	654.89'	N56°03'36"W	99°30'30"	
C307	400.00'	330.21'	320.91'	N17°20'36"E	47°17'54"	
C308	275.00'	6.77'	6.77'	N41°41'52"E	01°24'38"	
C309	225.00'	109.92'	108.83'	S28°24'25"W	27°59'31"	

SHEET INDEX
SHEET 1 of 9 - legal description, Surveyor's notes, legend & dedication
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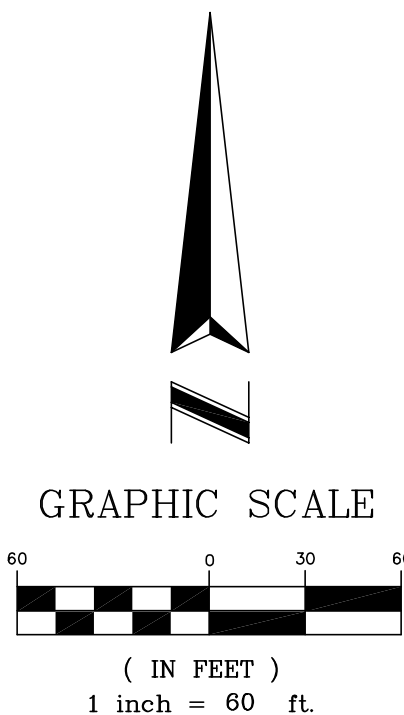
ALLEN & COMPANY
Professional Surveyors & Mappers
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355

VISTAS AT WATERS EDGE PHASE 1

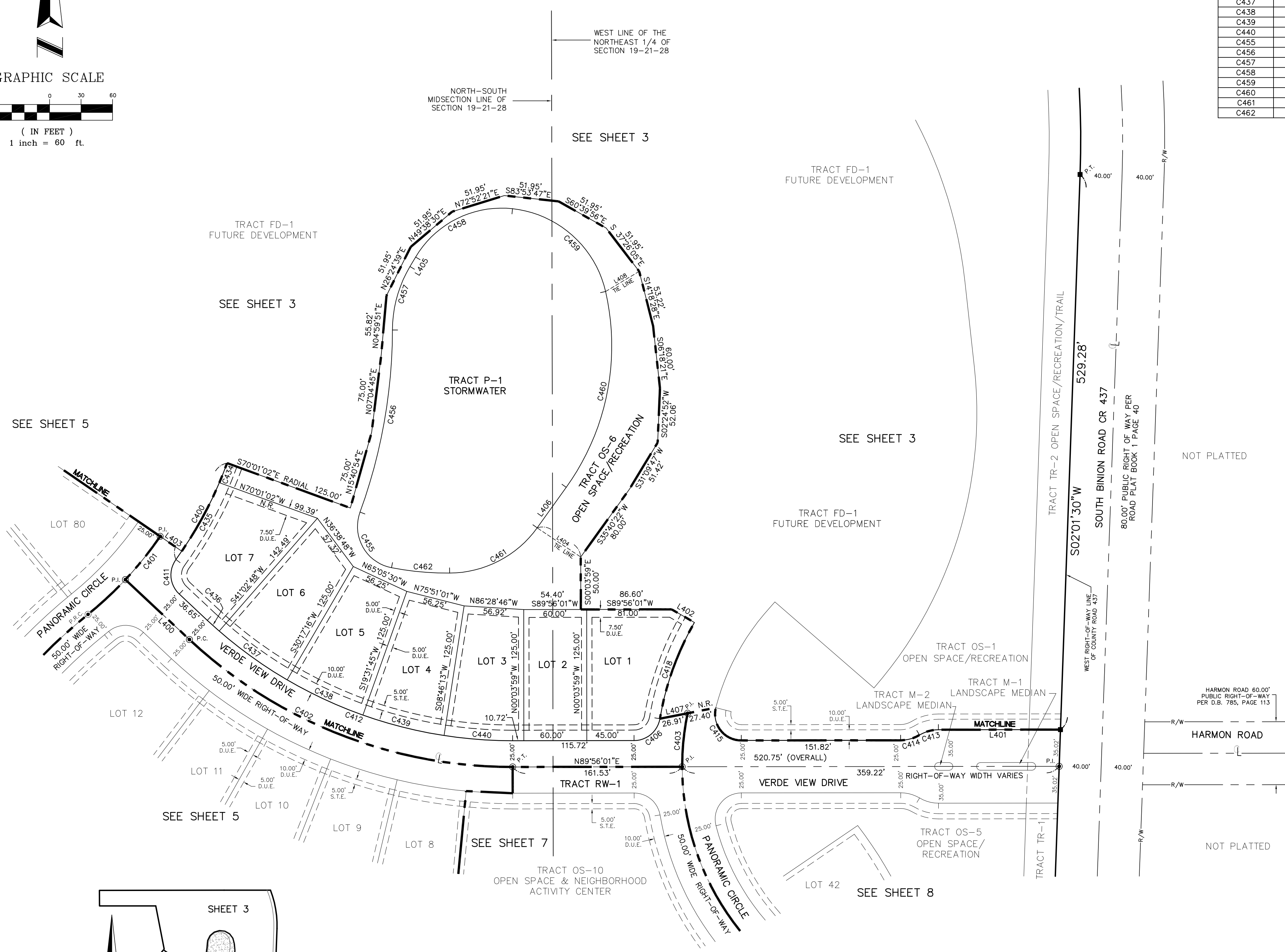
A PORTION OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 28 EAST
CITY OF APOPKA, ORANGE COUNTY, FLORIDA

SHEET 4 OF 9

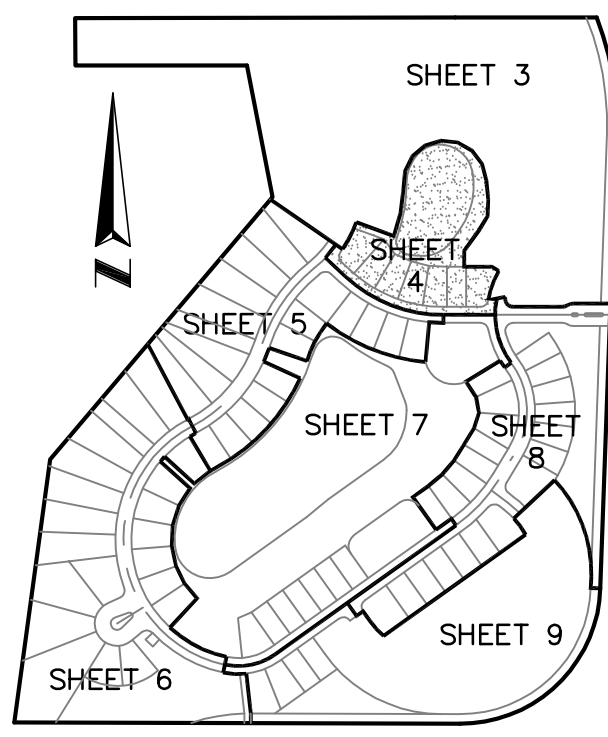
PLAT BOOK _____ PAGE _____



CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C400	375.00'	104.33'	103.99'	N27°57'10"E	15°56'23"
C401	350.00'	52.94'	52.89'	N38°46'12"E	08°40'01"
C402	450.00'	339.05'	331.09'	S68°28'54"E	43°10'11"
C403	250.00'	51.36'	51.27'	S05°49'06"W	11°46'11"
C406	25.00'	35.08'	32.27'	N49°43'50"E	80°24'21"
C411	25.00'	36.14'	33.07'	S05°29'14"E	82°49'09"
C412	425.00'	320.22'	312.70'	S68°28'54"E	43°10'11"
C413	35.00'	18.94'	18.71'	S74°25'56"W	31°00'10"
C414	35.00'	18.94'	18.71'	N74°25'56"E	31°00'10"
C415	25.00'	45.59'	39.53'	S37°49'40"E	104°28'39"
C418	275.00'	97.94'	97.42'	S19°43'50"W	20°24'21"
C434	375.00'	20.01'	20.01'	N21°30'41"E	03°03'26"
C435	375.00'	84.32'	84.14'	N29°28'53"E	12°52'57"
C436	425.00'	15.26'	15.26'	S47°55'30"E	02°03'24"
C437	425.00'	79.80'	79.69'	S54°19'58"E	10°45'32"
C438	425.00'	79.80'	79.69'	S65°05'30"E	10°45'32"
C439	425.00'	79.80'	79.69'	S75°51'01"E	10°45'32"
C440	425.00'	65.55'	65.48'	S85°38'53"E	08°50'12"
C455	40.00'	69.24'	60.92'	S29°32'42"E	99°11'05"
C456	510.00'	177.18'	176.29'	N10°05'42"E	19°54'18"
C457	119.00'	63.49'	62.74'	S15°25'40"W	30°34'14"
C458	95.34'	109.07'	103.22'	S63°29'08"W	65°32'42"
C459	102.47'	126.61'	118.71'	N48°20'40"W	70°47'42"
C460	231.19'	196.19'	190.35'	N11°21'46"E	48°37'11"
C461	103.42'	97.48'	93.91'	N62°40'37"E	54°00'30"
C462	285.06'	55.63'	55.54'	S84°43'41"E	11°10'54"



LINE TABLE		
LINE	LENGTH	BEARING
L400	83.51'	S46°53'48"E
L401	116.28'	S89°56'01"W
L402	25.00'	N60°03'59"W
L403	25.00'	N55°33'49"W
L404	49.96'	S56°13'41"E
L405	10.48'	N30°42'47"E
L406	47.52'	S35°40'22"W
L407	54.31'	N78°52'30"E
L408	37.35'	N59°02'15"E



KEY MAP (not to scale)

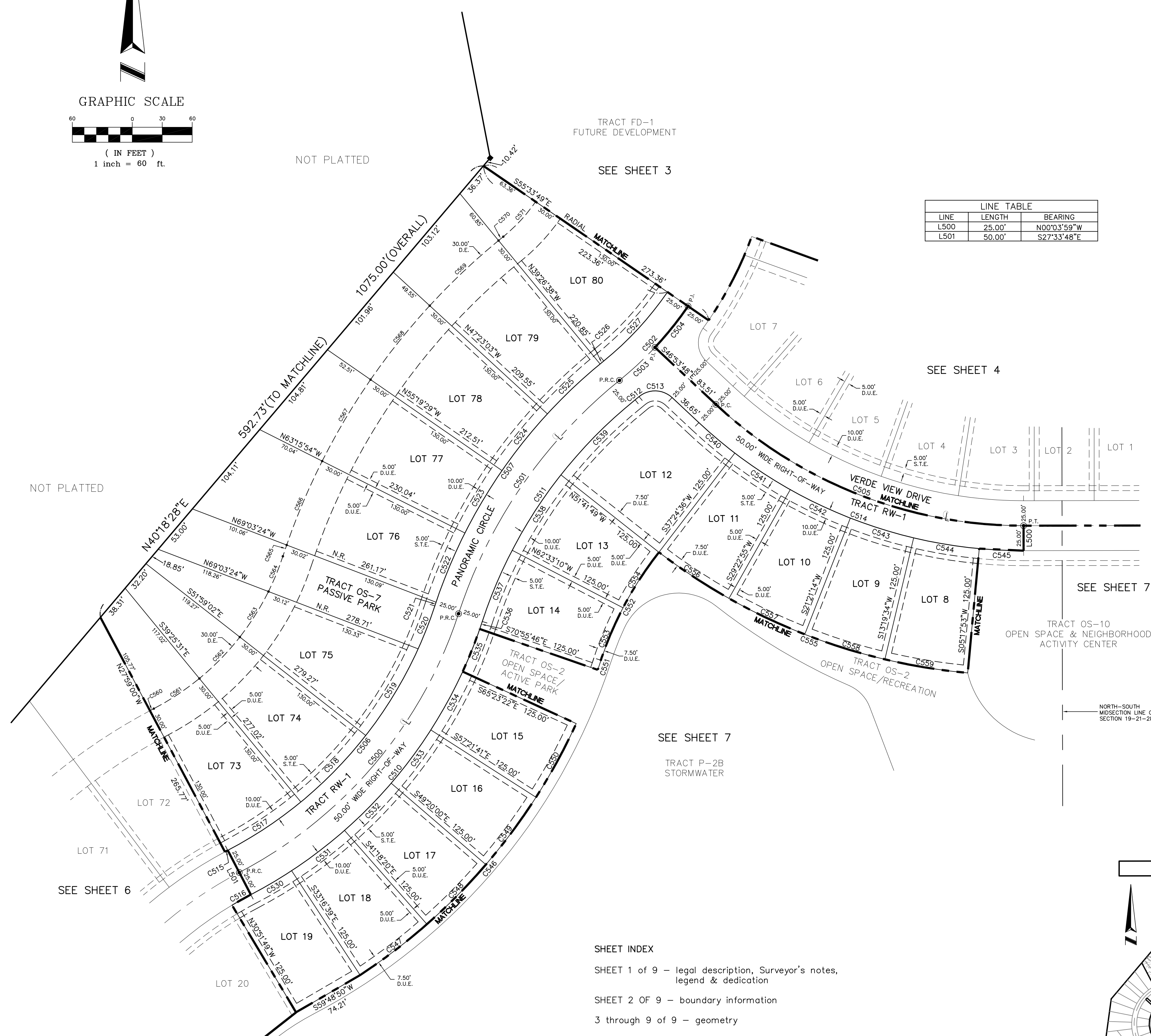
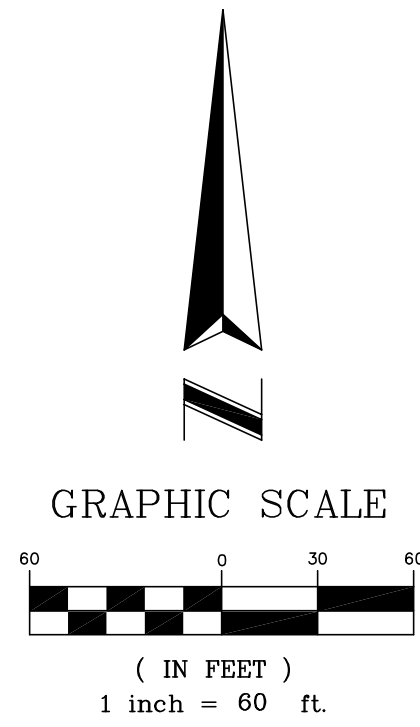
SHEET INDEX
 SHEET 1 of 9 - legal description, Surveyor's notes, legend & dedication
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VISTAS AT WATERS EDGE PHASE 1

A PORTION OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 28 EAST
CITY OF APOPKA, ORANGE COUNTY, FLORIDA

SHEET 5 OF 9

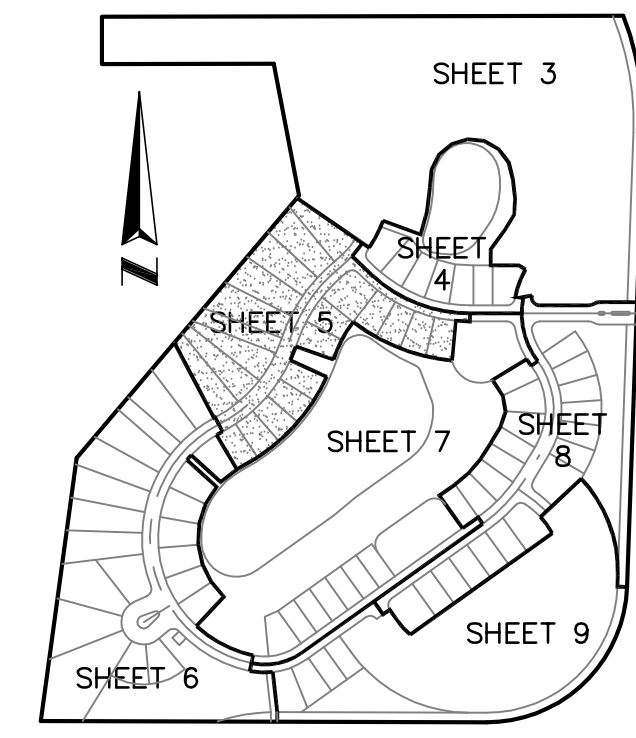
PLAT BOOK _____ PAGE _____



LINE	LENGTH	BEARING
L500	25.00'	N00°03'59"W
L501	50.00'	S27°33'48"E

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C500	450.00'	348.17'	339.55'	N40°16'17"E	44°19'51"
C501	500.00'	287.63'	283.68'	S34°35'10"W	32°57'37"
C502	350.00'	101.59'	101.23'	N42°45'05"E	16°37'47"
C503	350.00'	48.64'	48.60'	N47°05'05"E	07°57'46"
C504	350.00'	52.94'	52.89'	N38°46'12"E	08°40'01"
C505	450.00'	339.05'	331.09'	S68°28'54"E	43°10'11"
C506	425.00'	328.83'	320.69'	N40°16'17"E	44°19'51"
C507	525.00'	302.01'	297.87'	S34°35'10"W	32°57'37"
C510	475.00'	367.52'	358.42'	N40°16'17"E	44°19'51"
C511	475.00'	273.25'	269.50'	S34°35'10"W	32°57'37"
C512	375.00'	5.12'	5.12'	N50°40'30"E	00°46'56"
C513	25.00'	36.14'	33.07'	N88°18'23"W	82°49'09"
C514	475.00'	357.89'	349.49'	S68°28'54"E	43°10'11"
C515	425.00'	3.12'	3.12'	S62°13'36"W	00°25'13"
C516	375.00'	21.60'	21.60'	S60°47'12"W	03°18'01"
C517	425.00'	87.99'	87.83'	N56°30'21"E	11°51'43"
C518	425.00'	93.16'	92.97'	N44°17'44"E	12°33'31"
C519	425.00'	101.63'	101.38'	N31°09'58"E	13°42'02"
C520	425.00'	46.06'	46.04'	N21°12'39"E	06°12'35"
C521	525.00'	3.96'	3.96'	S18°19'20"W	00°25'58"
C522	525.00'	75.10'	75.04'	S22°38'12"W	08°11'47"
C523	525.00'	72.76'	72.70'	S30°42'18"W	07°56'25"
C524	525.00'	72.76'	72.70'	S38°38'44"W	07°56'25"
C525	525.00'	72.76'	72.70'	S46°35'09"W	07°56'25"
C526	525.00'	4.67'	4.67'	S50°48'40"W	00°30'36"
C527	325.00'	94.33'	94.00'	N42°45'05"E	16°37'47"
C530	475.00'	47.37'	47.35'	N59°34'47"E	05°42'51"
C531	475.00'	66.55'	66.50'	N52°42'31"E	08°01'41"
C532	475.00'	66.55'	66.50'	N44°40'50"E	08°01'41"
C533	475.00'	66.55'	66.50'	N36°39'09"E	08°01'41"
C534	475.00'	66.55'	66.50'	N28°37'29"E	08°01'41"
C535	475.00'	45.93'	45.91'	N21°50'26"E	05°32'24"
C536	475.00'	8.00'	8.00'	N18°35'18"E	00°57'53"
C537	475.00'	77.44'	77.36'	S22°46'35"W	09°20'29"
C538	475.00'	90.00'	89.86'	S32°52'31"W	10°51'22"
C539	475.00'	105.81'	105.59'	S44°41'05"W	12°45'47"
C540	475.00'	47.20'	47.18'	S49°44'36"E	05°41'36"
C541	475.00'	66.55'	66.50'	S56°36'15"E	08°01'41"
C542	475.00'	66.55'	66.50'	S64°37'55"E	08°01'41"
C543	475.00'	66.55'	66.50'	S72°39'36"E	08°01'41"
C544	475.00'	66.55'	66.50'	S80°41'17"E	08°01'41"
C545	475.00'	44.47'	44.46'	S87°23'03"E	05°21'52"
C546	600.00'	336.28'	331.89'	N40°40'00"E	32°06'43"
C547	600.00'	84.07'	84.00'	N52°42'31"E	08°01'41"
C548	600.00'	84.07'	84.00'	N44°40'50"E	08°01'41"
C549	600.00'	84.07'	84.00'	N36°39'09"E	08°01'41"
C550	600.00'	84.07'	84.00'	N28°37'29"E	08°01'41"
C551	600.00'	10.10'	10.10'	N18°35'18"E	00°57'53"
C552	350.00'	123.38'	122.74'	S28°12'16"W	20°11'50"
C553	350.00'	57.06'	57.00'	S22°46'35"W	09°20'29"
C554	350.00'	66.32'	66.22'	S32°52'31"W	10°51'22"
C555	600.00'	336.28'	331.89'	S68°38'46"E	32°06'43"
C556	600.00'	84.07'	84.00'	S66°36'15"E	08°01'41"
C557	600.00'	84.07'	84.00'	S64°37'55"E	08°01'41"
C558	600.00'	84.07'	84.00'	S72°39'36"E	08°01'41"
C559	600.00'	84.07'	84.00'	S80°41'17"E	08°01'41"
C560	585.00'	4.29'	4.29'	S62°13'36"W	00°25'13"
C561	265.00'	54.86'	54.76'	N56°30'21"E	11°51'43"
C562	265.00'	58.09'	57.97'	N44°17'44"E	12°33'31"
C563	265.00'	53.93'	53.83'	N32°11'11"E	11°39'34"
C564	265.00'	38.16'	38.13'	N22°13'53"E	08°15'03"
C565	685.00'	11.89'	11.89'	S18°36'11"W	00°59'41"
C566	685.00'	91.27'	91.21'	S22°55'04"W	07°38'04"
C567	685.00'	94.93'	94.86'	S30°42'18"W	07°56'25"
C568	685.00'	94.93'	94.86'	S38°38'44"W	07°56'25"
C569	685.00'	94.93'	94.86'	S46°35'09"W	07°56'25"
C570	685.00'	6.10'	6.10'	S50°48'40"W	00°30'36"
C571	165.00'	47.89'	47.72'	N42°45'05"E	16°37'47"

SHEET INDEX
 SHEET 1 of 9 – legal description, Surveyor’s notes, legend & dedication
 SHEET 2 of 9 – boundary information
 3 through 9 of 9 – geometry



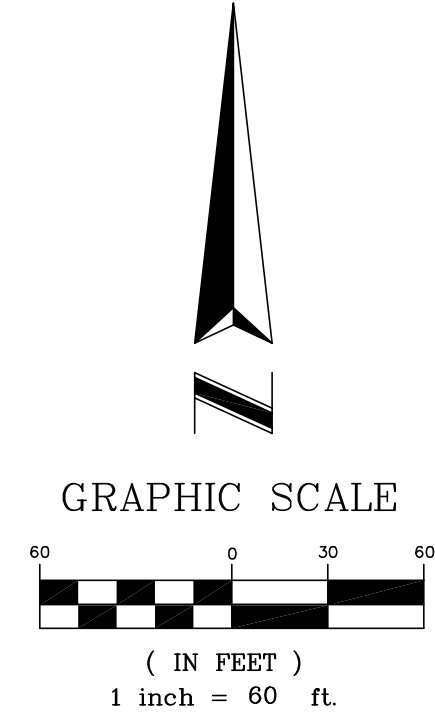
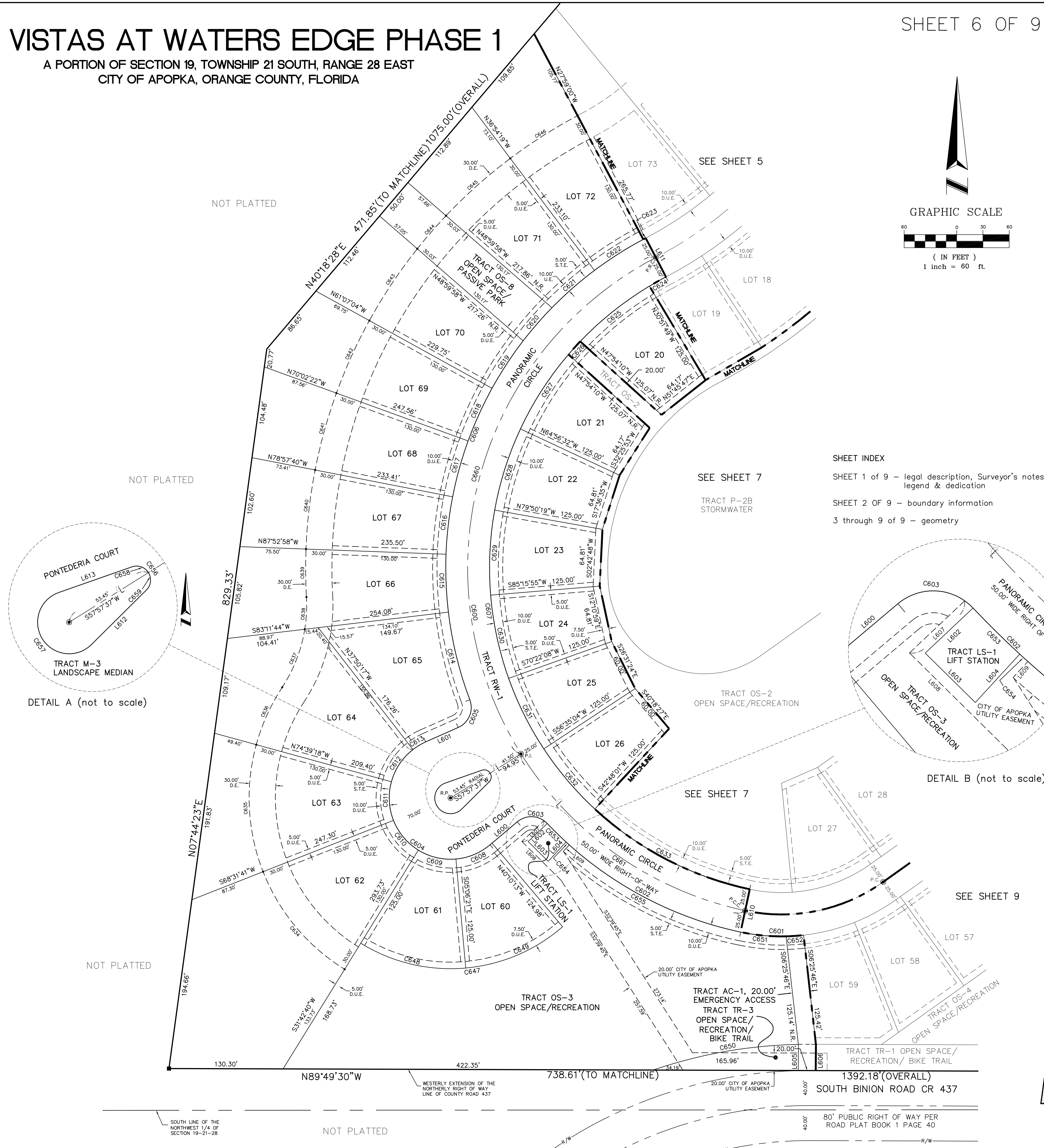
KEY MAP (not to scale)

VISTAS AT WATERS EDGE PHASE 1

A PORTION OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 28 EAST
CITY OF APOPKA, ORANGE COUNTY, FLORIDA

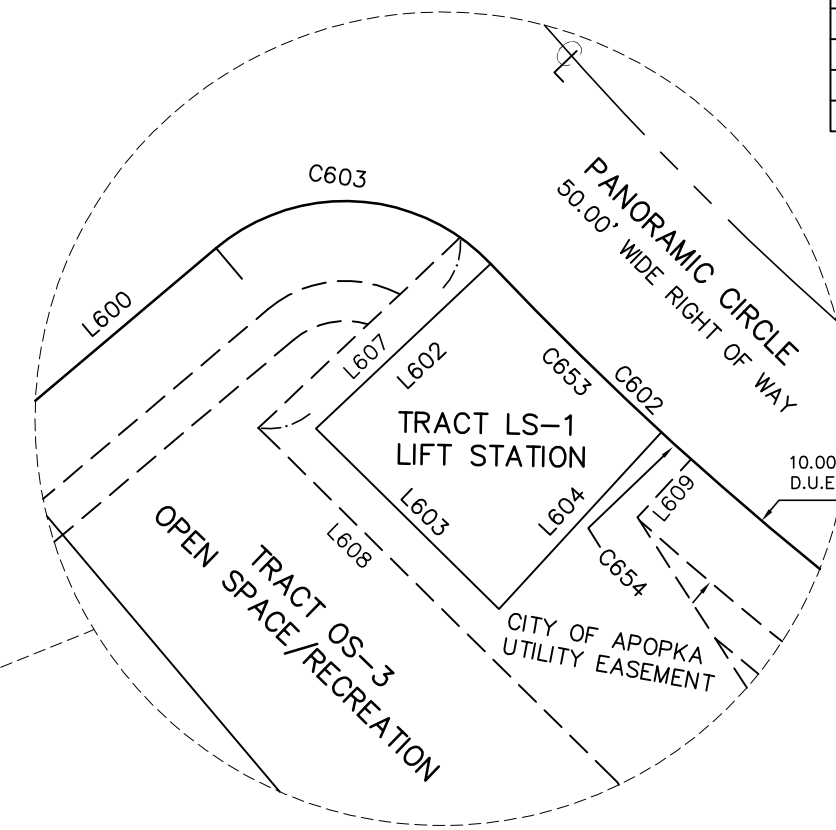
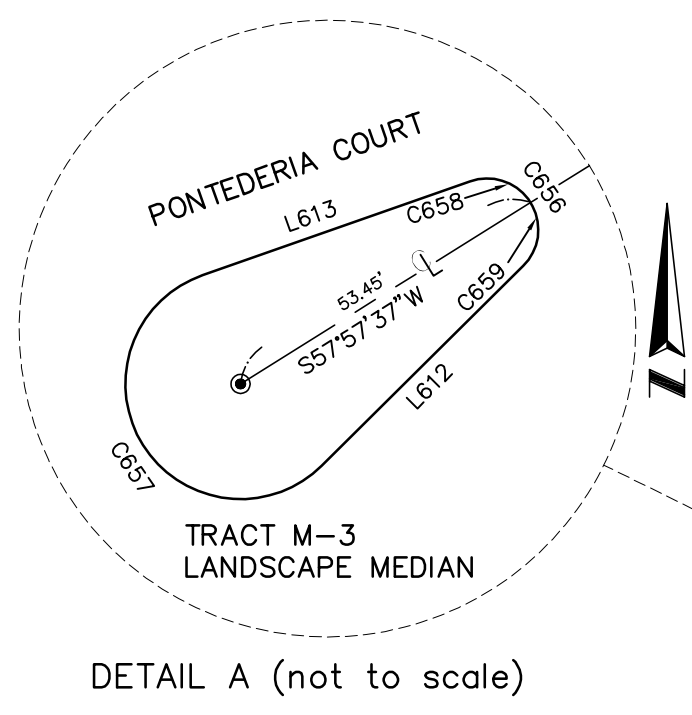
SHEET 6 OF 9

PLAT BOOK _____ PAGE _____

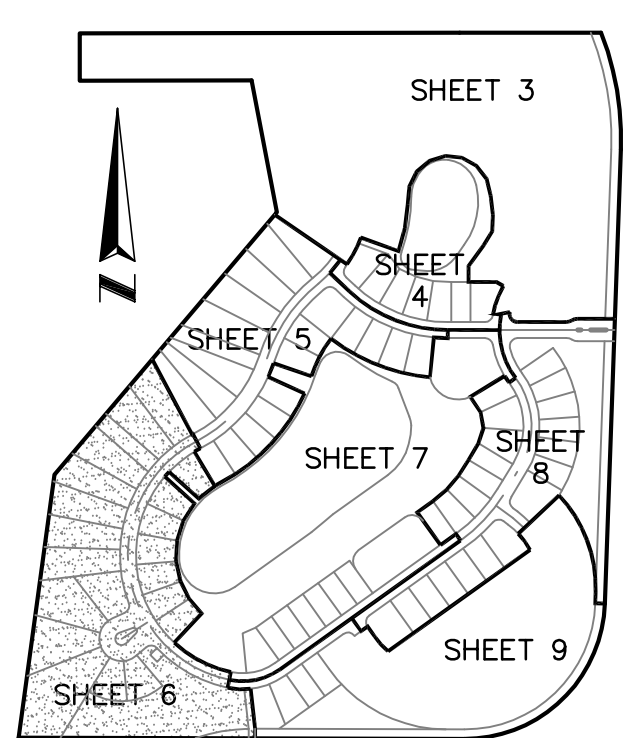


CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C600	400.00'	980.51'	752.82'	S07°47'15"E	140°26'54"
C601	225.00'	72.33'	72.02'	S87°13'14"E	18°25'05"
C602	425.00'	257.07'	253.17'	S60°41'00"E	34°39'24"
C603	25.00'	37.88'	34.36'	N86°45'45"W	86°48'55"
C604	70.00'	239.78'	138.59'	S32°02'23"E	196°15'40"
C605	25.00'	37.88'	34.36'	N22°41'00"E	86°48'55"
C606	425.00'	616.86'	564.12'	S20°51'22"W	83°09'40"
C607	375.00'	919.23'	705.77'	S07°47'15"E	140°26'54"
C608	70.00'	42.84'	42.17'	N67°11'33"E	35°03'51"
C609	70.00'	44.98'	44.21'	S76°41'51"E	36°49'01"
C610	70.00'	44.98'	44.21'	S39°52'50"E	36°49'01"
C611	70.00'	44.98'	44.21'	S03°03'49"E	36°49'01"
C612	70.00'	44.98'	44.21'	S33°45'12"W	36°49'01"
C613	70.00'	17.02'	16.98'	S59°07'35"W	13°55'44"
C614	425.00'	103.25'	103.00'	S13°45'52"E	13°55'12"
C615	425.00'	66.18'	66.11'	S02°20'37"E	08°55'18"
C616	425.00'	66.18'	66.11'	S06°34'41"W	08°55'18"
C617	425.00'	66.18'	66.11'	S15°29'59"W	08°55'18"
C618	425.00'	66.18'	66.11'	S24°25'17"W	08°55'18"
C619	425.00'	64.88'	64.81'	S33°15'19"W	08°44'46"
C620	425.00'	50.03'	50.00'	S41°00'02"W	06°44'40"
C621	425.00'	64.70'	64.63'	S48°44'02"W	08°43'19"
C622	425.00'	66.18'	66.11'	S57°33'20"W	08°55'18"
C623	425.00'	3.12'	3.12'	S62°13'36"W	00°25'33"
C624	375.00'	21.60'	21.60'	S60°41'12"W	03°18'01"
C625	375.00'	101.52'	101.21'	S51°22'51"W	15°30'40"
C626	375.00'	20.00'	20.00'	S42°05'50"W	03°03'22"
C627	375.00'	101.52'	101.21'	S32°48'49"W	15°30'40"
C628	375.00'	97.50'	97.22'	S17°36'35"W	14°53'47"
C629	375.00'	97.50'	97.22'	S02°42'48"W	14°53'47"
C630	375.00'	97.50'	97.22'	S12°10'59"E	14°53'47"
C631	375.00'	90.22'	90.00'	S26°31'24"E	13°47'03"
C632	375.00'	90.22'	90.00'	S40°18'27"E	13°47'03"
C633	375.00'	201.66'	199.24'	S62°36'20"E	30°48'43"
C634	230.00'	147.79'	145.26'	S39°52'50"E	36°49'01"
C635	230.00'	147.79'	145.26'	S03°03'49"E	36°49'01"
C636	230.00'	72.18'	71.88'	S24°20'06"W	17°58'48"
C637	170.00'	71.66'	71.13'	N21°14'56"E	24°09'08"
C638	170.00'	36.86'	36.79'	N02°57'59"E	12°25'26"
C639	585.00'	54.81'	54.79'	S00°34'01"W	03°22'06"
C640	585.00'	91.09'	91.00'	S06°34'41"W	08°55'18"
C641	585.00'	91.09'	91.00'	S15°29'59"W	08°55'18"
C642	585.00'	91.09'	91.00'	S24°25'17"W	08°55'18"
C643	585.00'	98.72'	98.61'	S33°43'01"W	09°40'09"
C644	585.00'	50.02'	50.00'	S41°00'02"W	04°53'55"
C645	585.00'	98.48'	98.36'	S48°16'21"W	09°38'42"
C646	585.00'	91.09'	91.00'	S57°33'20"W	08°55'18"
C647	195.00'	247.53'	231.24'	N85°20'44"E	72°43'52"
C648	195.00'	125.30'	123.16'	S76°41'51"E	36°49'01"
C649	195.00'	122.23'	120.24'	N66°56'13"E	35°54'51"
C650	548.34'	169.23'	168.55'	S79°58'33"W	17°40'56"
C651	225.00'	52.30'	52.18'	S84°40'14"E	13°19'06"
C652	225.00'	20.03'	20.02'	N86°07'13"E	05°05'59"
C653	425.00'	30.01'	30.00'	S45°22'39"E	04°02'43"
C654	425.00'	5.00'	5.00'	S47°44'14"E	00°40'27"
C655	425.00'	222.06'	219.55'	S63°02'34"E	29°56'14"
C656	8.00'	21.58'	15.61'	N32°02'23"W	154°34'36"
C657	18.00'	64.54'	35.12'	S32°02'23"E	205°25'24"
C658	8.00'	10.79'	9.99'	N70°41'02"W	77°17'18"
C659	8.00'	10.79'	9.99'	N06°36'16"E	77°17'18"

SHEET INDEX
SHEET 1 of 9 – legal description, Surveyor's notes, legend & dedication
SHEET 2 OF 9 – boundary information
3 through 9 of 9 – geometry



LINE TABLE		
LINE	LENGTH	BEARING
L600	40.67'	N49°49'47"E
L601	40.67'	S66°05'27"W
L602	30.02'	S46°38'42"W
L603	32.12'	S45°22'39"E
L604	30.02'	N44°25'59"E
L605	28.86'	S00°16'05"W
L606	30.00'	S00°16'05"W
L607	34.69'	N46°38'42"E
L608	62.98'	S45°22'39"E
L609	9.88'	N42°35'59"E
L610	50.00'	N11°59'19"E
L611	50.00'	S27°33'48"E
L612	44.33'	N45°14'56"E
L613	44.33'	S70°40'19"W



16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355

VISTAS AT WATERS EDGE

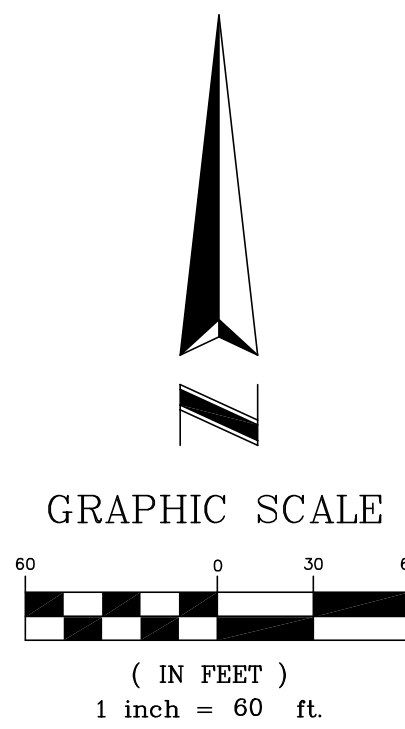
A PORTION OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 28 EAST
CITY OF APOPKA, ORANGE COUNTY, FLORIDA

SHEET 7 OF 9

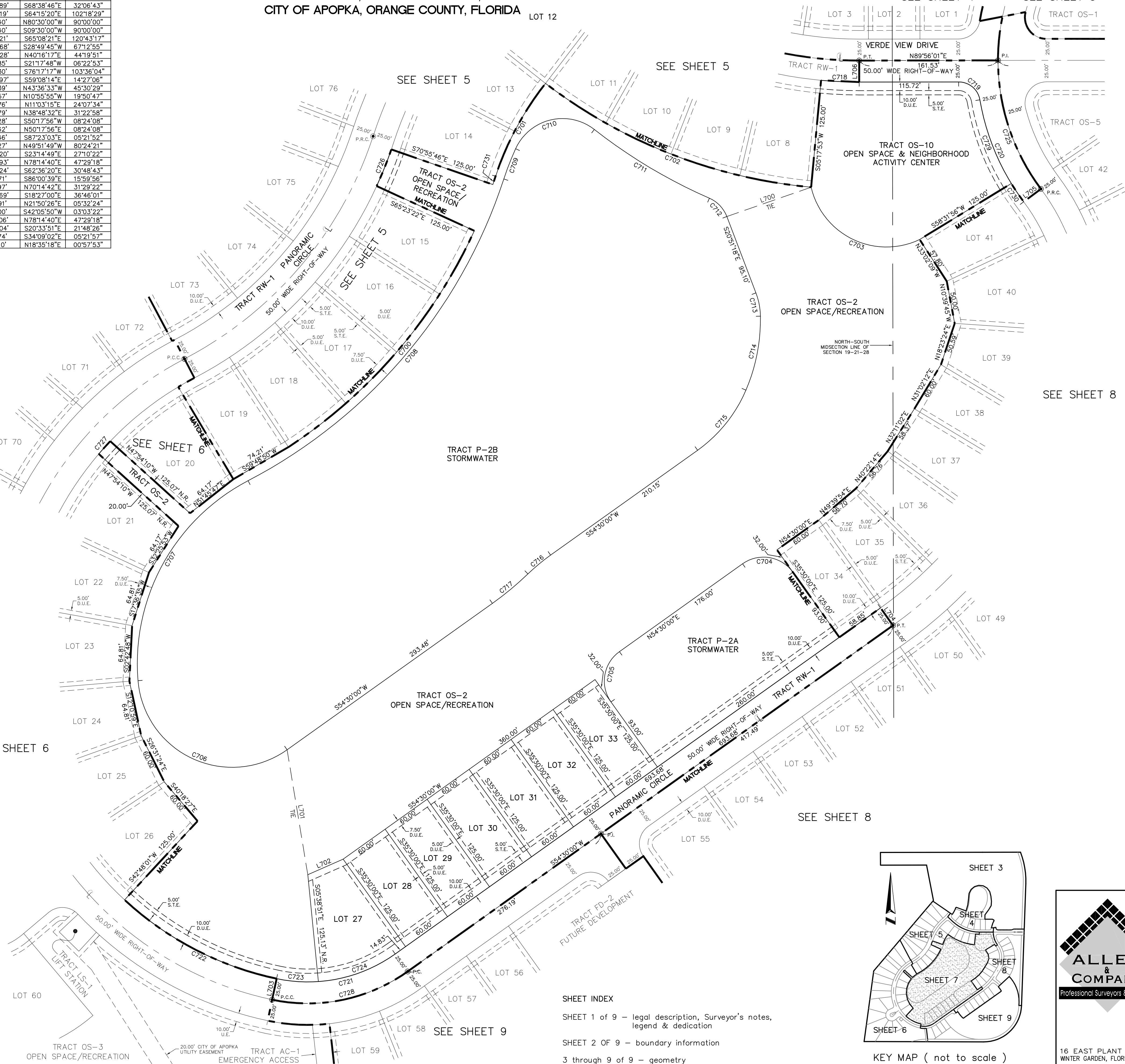
PLAT BOOK _____ PAGE _____

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C700	600.00'	336.28'	331.89'	N40°40'00"E	32°06'43"
C701	350.00'	123.38'	122.74'	S28°12'16"W	20°11'50"
C702	600.00'	336.28'	331.89'	S68°38'46"E	32°06'43"
C703	90.00'	160.71'	140.19'	S64°15'20"E	102°18'29"
C704	42.00'	65.97'	65.97'	N80°30'00"W	90°00'00"
C705	42.00'	65.97'	65.97'	S09°30'00"W	90°00'00"
C706	110.00'	231.77'	191.21'	S65°08'21"E	120°43'17"
C707	240.00'	281.55'	265.68'	S28°49'45"W	67°12'55"
C708	610.00'	471.97'	460.28'	N40°16'17"E	44°19'51"
C709	340.00'	37.87'	37.85'	S21°17'48"W	06°22'53"
C710	60.00'	108.49'	94.30'	S76°17'17"W	103°36'04"
C711	620.00'	156.38'	155.97'	S59°08'14"E	142°27'06"
C712	38.00'	30.18'	29.39'	N43°36'33"W	45°30'29"
C713	60.00'	27.71'	27.57'	N10°55'55"W	19°50'47"
C714	209.97'	88.42'	87.76'	N11°03'15"E	24°07'34"
C715	166.00'	90.92'	89.79'	N38°48'32"E	31°22'58"
C716	234.00'	34.32'	34.28'	S50°17'56"W	08°24'08"
C717	366.00'	53.67'	53.62'	N50°17'56"E	08°24'08"
C718	475.00'	44.47'	44.46'	S87°23'03"E	05°21'52"
C719	25.00'	35.08'	32.27'	N49°51'49"W	80°24'21"
C720	275.00'	130.42'	129.20'	S23°14'49"E	27°10'22"
C721	175.00'	145.05'	140.93'	N78°14'40"E	47°29'18"
C722	375.00'	201.66'	199.24'	S62°36'20"E	30°48'43"
C723	175.00'	48.87'	48.71'	S86°00'39"E	15°59'56"
C724	175.00'	96.18'	94.97'	N70°14'42"E	31°29'22"
C725	250.00'	160.43'	157.69'	S18°27'00"E	36°46'01"
C726	475.00'	45.93'	45.91'	N21°50'26"E	05°32'24"
C727	375.00'	20.00'	20.00'	S42°05'50"W	03°03'22"
C728	200.00'	165.77'	161.06'	N78°14'40"E	47°29'18"
C729	275.00'	104.67'	104.04'	S20°33'51"E	21°48'26"
C730	275.00'	25.75'	25.74'	S34°09'02"E	05°21'57"
C731	600.00'	10.10'	10.10'	N18°35'18"E	00°57'53"

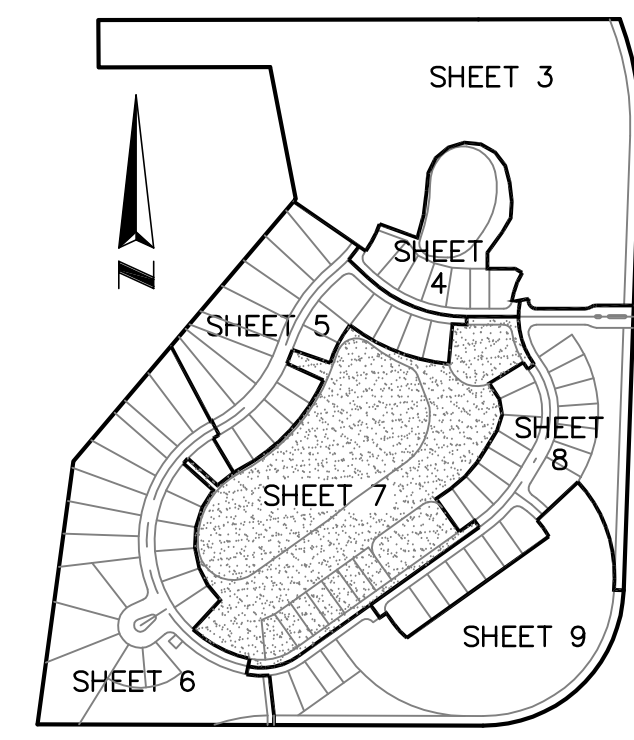
LINE TABLE		
LINE	LENGTH	BEARING
L700	103.85'	N70°49'58"E
L701	147.35'	S09°23'51"E
L702	44.94'	N66°21'38"E
L703	25.00'	N11°59'19"E
L704	25.00'	S35°30'00"E
L705	25.00'	N53°10'00"E
L706	25.00'	N00°03'59"W



SEE SHEET 6



SHEET INDEX
 SHEET 1 of 9 - legal description, Surveyor's notes, legend & dedication
 SHEET 2 of 9 - boundary information
 3 through 9 of 9 - geometry



KEY MAP (not to scale)

ALLEN & COMPANY
Professional Surveyors & Mappers

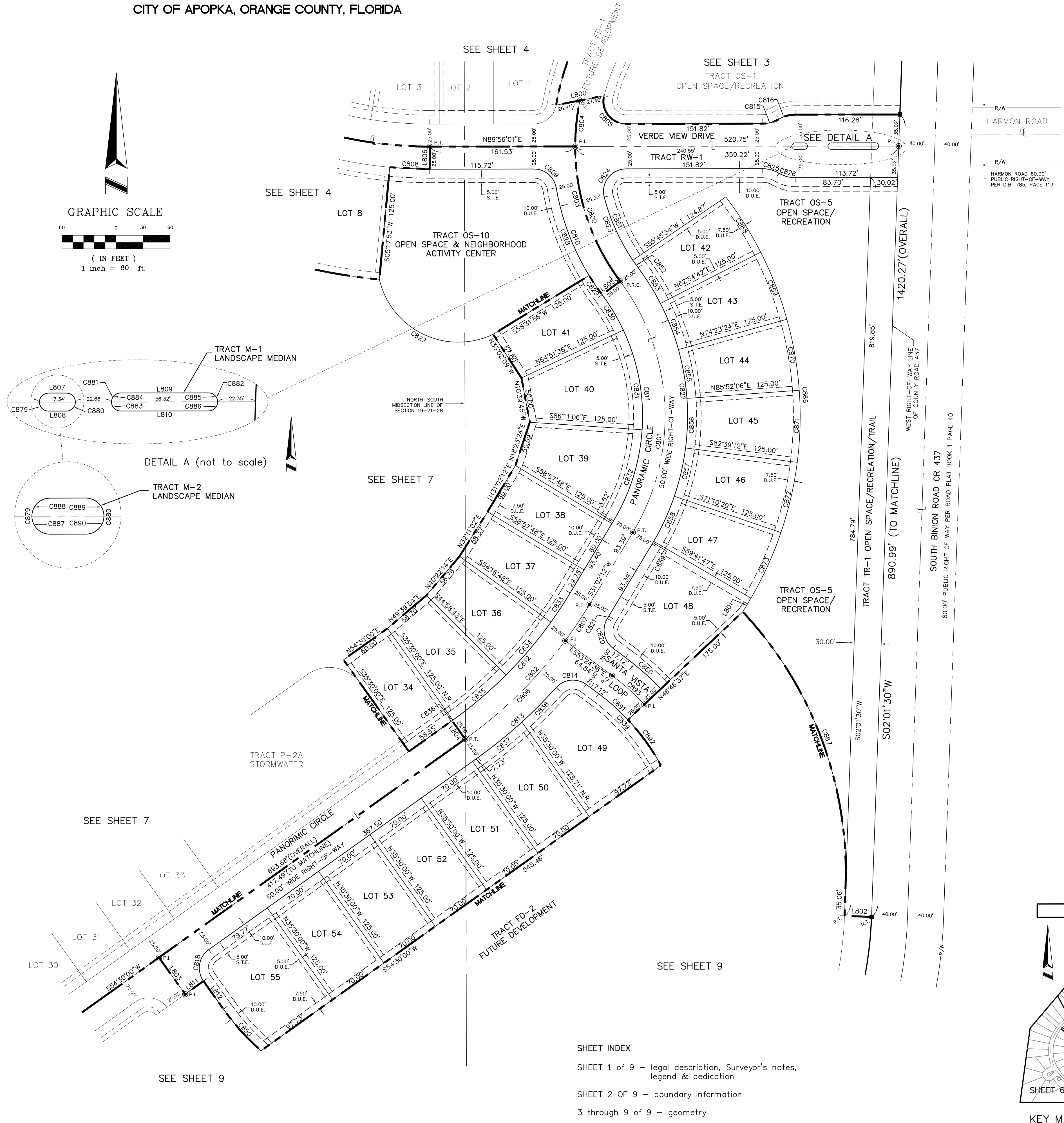
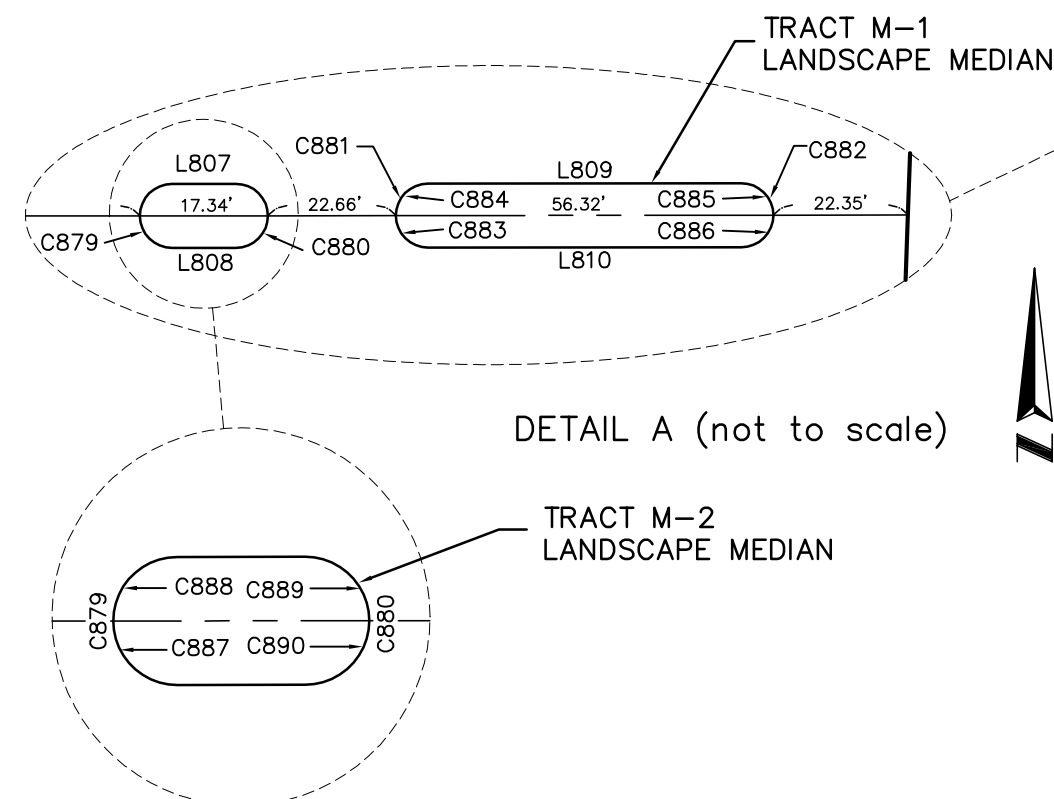
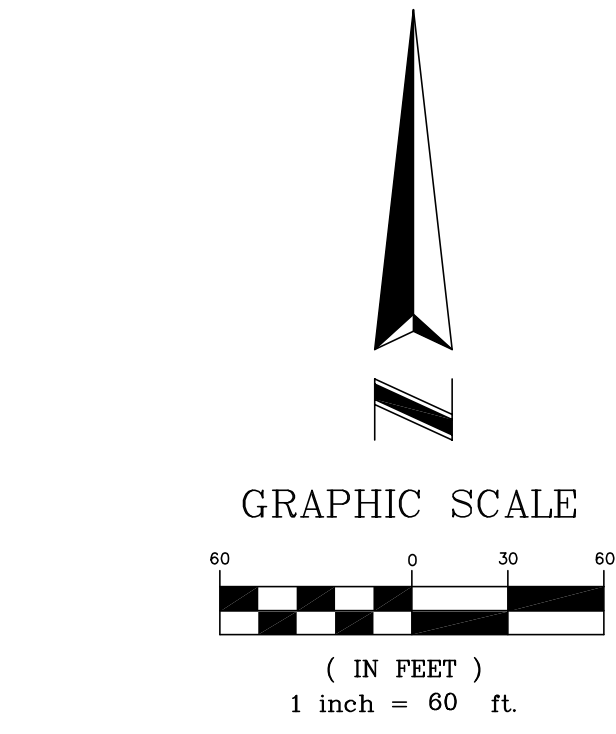
16 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355

VISTAS AT WATERS EDGE PHASE 1

A PORTION OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 28 EAST
CITY OF APOPKA, ORANGE COUNTY, FLORIDA

SHEET 8 OF 9

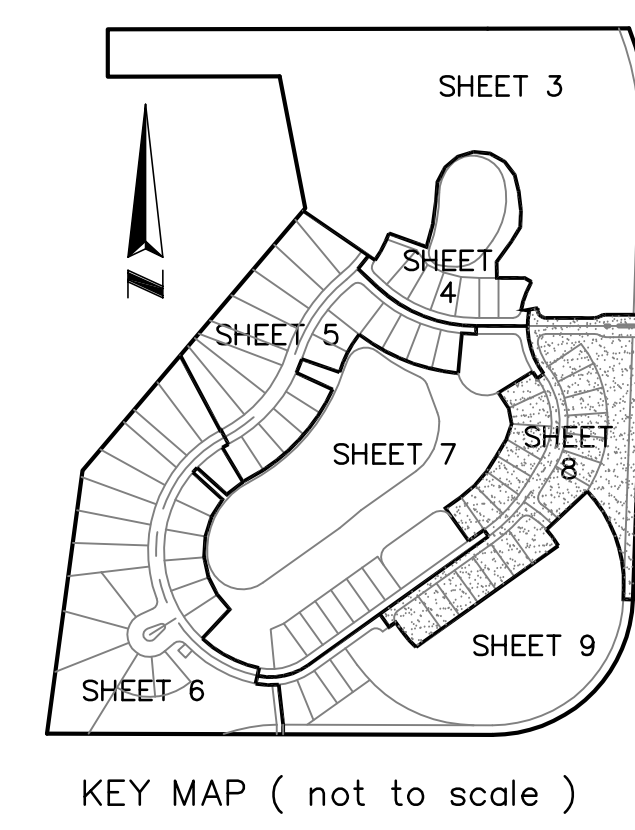
PLAT BOOK _____ PAGE _____



CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C800	250.00'	160.43'	157.69'	S18°27'00"E	36°46'01"
C801	250.00'	296.14'	279.13'	N02°53'54"W	67°52'12"
C802	500.00'	204.76'	203.33'	N42°46'06"E	23°27'49"
C803	250.00'	211.78'	205.51'	S12°33'54"E	48°32'12"
C804	250.00'	51.36'	51.27'	S05°49'06"W	11°46'11"
C805	25.00'	45.59'	39.53'	S37°49'40"E	104°28'39"
C806	500.00'	156.30'	155.66'	N45°32'42"E	17°54'37"
C807	500.00'	48.46'	48.44'	N33°48'48"E	05°33'12"
C808	475.00'	44.47'	44.46'	S87°23'03"E	05°21'52"
C809	25.00'	35.08'	32.27'	N49°51'49"W	80°24'21"
C810	275.00'	130.42'	129.20'	S23°14'49"E	27°10'22"
C811	225.00'	266.52'	251.21'	N02°53'54"W	67°52'12"
C812	475.00'	194.52'	193.16'	N42°46'06"E	23°27'49"
C813	525.00'	116.32'	116.08'	N48°09'11"E	12°41'39"
C814	25.00'	36.99'	33.71'	S84°11'53"W	84°47'03"
C815	35.00'	18.94'	18.71'	N74°25'56"E	31°00'10"
C816	35.00'	18.94'	18.71'	S74°25'56"W	31°00'10"
C818	25.00'	39.27'	35.36'	S09°29'56"W	90°00'09"
C820	25.00'	36.99'	33.71'	S11°01'05"E	84°47'03"
C821	525.00'	3.09'	3.09'	N31°12'19"E	00°20'16"
C822	275.00'	325.75'	307.04'	N02°53'54"W	67°52'12"
C823	225.00'	87.53'	86.98'	S25°41'19"E	22°17'22"
C824	25.00'	45.59'	39.53'	S37°41'41"W	104°28'39"
C825	35.00'	18.94'	18.71'	N74°33'55"W	31°00'10"
C826	35.00'	18.94'	18.71'	S74°33'55"E	31°00'10"
C827	90.00'	160.71'	140.19'	S64°15'20"E	102°18'29"
C828	275.00'	104.67'	104.04'	S20°33'51"E	21°48'26"
C829	275.00'	25.75'	25.71'	S34°09'02"E	08°21'57"
C830	225.00'	45.92'	45.84'	N30°59'12"W	11°41'36"
C831	225.00'	113.71'	112.50'	N10°39'45"W	28°57'18"
C832	225.00'	106.90'	105.90'	N17°25'33"E	27°13'18"
C833	475.00'	38.83'	38.82'	N33°22'42"E	04°41'00"
C834	475.00'	77.11'	77.03'	N40°22'14"E	09°18'05"
C835	475.00'	77.44'	77.35'	N49°41'30"E	09°20'26"
C836	475.00'	1.15'	1.15'	N54°25'52"E	00°08'18"
C837	525.00'	62.42'	62.38'	N51°05'38"E	06°48'44"
C838	525.00'	53.90'	53.87'	N44°44'49"E	05°52'55"
C839	245.00'	106.15'	105.33'	N40°59'50"W	24°49'31"
C850	275.00'	62.31'	62.18'	S41°59'37"E	12°58'57"
C851	225.00'	77.35'	76.97'	S24°23'32"E	19°41'47"
C852	225.00'	10.18'	10.18'	S35°32'13"E	02°35'35"
C853	275.00'	46.77'	46.72'	N31°57'39"W	09°44'43"
C854	275.00'	55.09'	55.00'	N21°20'57"W	11°28'42"
C855	275.00'	55.09'	55.00'	N09°52'15"W	11°28'42"
C856	275.00'	55.09'	55.00'	N01°36'27"E	11°28'42"
C857	275.00'	55.09'	55.00'	N13°05'10"E	11°28'42"
C858	275.00'	55.09'	55.00'	N24°33'52"E	11°28'42"
C859	275.00'	3.52'	3.52'	N30°40'12"E	0°43'59"
C860	295.00'	52.45'	52.38'	N48°18'59"W	10°11'13"
C866	400.00'	473.23'	446.11'	N03°35'22"W	67°47'09"
C867	423.33'	331.71'	323.31'	N20°40'33"W	44°49'56"
C868	400.00'	72.56'	72.47'	N32°17'07"W	10°23'39"
C869	400.00'	80.13'	80.00'	N21°20'57"W	11°28'42"
C870	400.00'	80.13'	80.00'	N09°52'15"W	11°28'42"
C871	400.00'	80.13'	80.00'	N01°36'27"E	11°28'42"
C872	400.00'	80.13'	80.00'	N13°05'10"E	11°28'42"
C873	400.00'	80.13'	80.00'	N24°33'52"E	11°28'42"
C879	3.67'	11.53'	7.34'	S00°03'59"E	180°00'00"
C880	3.67'	11.53'	7.34'	N00°03'59"W	180°00'00"
C881	3.67'	11.53'	7.34'	S00°03'59"E	180°00'00"
C882	3.67'	11.53'	7.34'	N00°03'58"W	180°00'02"
C883	3.67'	5.76'	5.19'	S45°03'59"E	90°00'00"
C884	3.67'	5.76'	5.19'	S44°56'01"W	90°00'00"
C885	3.67'	5.76'	5.19'	N45°03'59"W	90°00'00"
C886	3.67'	5.76'	5.19'	N44°56'02"E	90°00'02"
C887	3.67'	5.76'	5.19'	S45°03'59"E	90°00'00"
C888	3.67'	5.76'	5.19'	S44°56'01"W	90°00'00"
C889	3.67'	5.76'	5.19'	N45°03'59"W	90°00'00"
C890	3.67'	5.76'	5.19'	N44°56'01"E	90°00'00"
C891	245.00'	43.56'	43.50'	N48°18'59"W	10°11'13"
C892	245.00'	62.59'	62.42'	N35°54'14"W	14°38'18"
C893	270.00'	48.01'	47.94'	N48°18'59"W	10°11'13"

LINE TABLE		
LINE	LENGTH	BEARING
L800	27.40'	N78°52'30"E
L801	17.66'	S30°55'49"W
L802	30.00'	S87°58'30"E
L803	50.00'	S35°30'09"E
L804	25.00'	S35°30'09"E
L805	25.00'	N63°10'00"E
L806	25.00'	N00°03'59"W
L807	10.00'	S89°56'01"W
L808	10.00'	N89°56'01"E
L809	48.98'	S89°56'01"W
L810	48.98'	N89°56'01"E
L811	25.00'	S54°30'10"W
L812	38.22'	S35°30'09"E

SHEET INDEX
SHEET 1 of 9 - legal description, Surveyor's notes, legend & dedication
SHEET 2 of 9 - boundary information
3 through 9 of 9 - geometry



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