



**City of Apopka
Planning Commission
Meeting Agenda
May 13, 2014**

5:01 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 meeting held April 8, 2014, at 5:01 p.m.

IV. PUBLIC HEARING:

1. CHANGE OF ZONING – Country Crossings, LLC, from R-1AA to Planned Unit Development (Residential), for property located north of West Lester Road and west of Vick Road. (Parcel ID #: 28-20-29-0000-00-028)

V. SITE PLANS:

1. REVISED FINAL DEVELOPMENT PLAN – Belmonte Reserve Subdivision, owned by K Hovnanian Belmonte Reserve, LLC, c/o Heather Himes, Esq., Akerman, LLP and the engineer is The Civil Design Group, Inc., c/o William C. Fogle; property located south of Lester Road and east of Stoneywood Way at North Fairway Drive. (Parcel ID No. 32-20-28-0000-00-006)
2. FINAL DEVELOPMENT PLAN – Taco Bell, owned by Special K Enterprises, LLC, c/o James P. Whelan; the engineer is Cornelison Engineering & Design, Inc., c/o Craig L. Cornelison, P.E., property located at 1154 Rock Springs Road (formerly Brusters Ice Cream). (Parcel ID # 33-20-28-0000-00-117)

VI. OLD BUSINESS:

1. LAND DEVELOPMENT CODE AMENDMENT – Amending the City of Apopka Code of Ordinances, Part III, Land Development Code, Article III – Overlay Zones, to create a Small Lot Overlay Zoning District.

(Tabled at the March 11, 2014 and Continued at the April 8, 2014, Planning Commission meetings.)

VII. NEW BUSINESS:

VIII. ADJOURNMENT:

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

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

Backup material for agenda item:

- 1 Approve minutes of the Planning Commission meeting held April 8, 2014, at 5:01 p.m.

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON APRIL 8, 2014, AT 5:01 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

MEMBERS PRESENT: Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan

ABSENT: Orange County Public Schools (Non-voting)

OTHERS PRESENT: R. Jay Davoll, P.E. – Community Development Director/City Engineer, David Moon, AICP - Planning Manager, Jimmy Dunn, Ed Hampden, Hang Ju Chon, Jason Gilkey, and Jeanne Green – Community Development Department Office Manager/Recording Secretary.

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

APPROVAL OF MINUTES: Chairperson Hooks asked if there were any corrections or additions to the March 11, 2014 minutes. With no one having any corrections or additions, he asked for a motion to approve the minutes of the Planning Commission meeting held March 11, 2014.

Motion: **James Greene made a motion to approve the Planning Commission minutes from the March 11, 2014 meeting, and Mallory Walters seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (7-0).**

COMPREHENSIVE PLAN - SMALL SCALE – FUTURE LAND USE AMENDMENT – JEFFREY B. RANDAZZO – David Moon, AICP, Planning Manager, stated this is a request to recommend approval of the Small Scale Future Land Use change from “County” Rural (1 du/1 ac) to “City” Residential High Density (1-15 du/ac) for the property owned by Jeffrey B. Randazzo. The applicant is Tallman Development Company, c/o Ed Hampden. The property is located north of S.R. 414, the Apopka Expressway, and Keene Road, east of Stanford Road and west of South Sheeler Avenue. The existing zoning is “County” A-1 and the proposed zoning is “City” R-3. The existing maximum allowable development is 3 units and the proposed maximum allowable development is 53 units. The proposed development is residential. The tract size is 3.5 +/- acres. The staff report and its findings are to be incorporated into and made a part of the minutes.

The subject parcel was annexed into the City of Apopka on April 2, 2014, through the adoption of Ordinance No. 2352. The proposed Small-Scale Future Land Use Amendment is being requested by the applicant, Tallman Development. The applicant has the subject parcel under contract to purchase. Although under separate corporate names, the adjacent parcels are owned by entities that also own Tallman Development. Abutting to the north and to the east, respectively, are parcels approximately forty-five (45) acres in size. By pulling the Randazzo parcel into the larger parcel, Tallman Development will create a more compact development site at its southwestern corner of its proposed future residential development.

Pursuant to Florida law, properties containing less than ten acres are eligible to be processed as a small-scale amendment. Such process does not require review by State planning agencies.

A request to assign an R-3 zoning category to the Property is being processed in conjunction with this future land use amendment request for a Residential High designation. The zoning application covers approximately 3.5 acres.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this land use change as indicated in the Land Use Report.

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON APRIL 8, 2014, AT 5:01 P.M.

The existing and proposed use of the property is consistent with the Residential High Future Land Use designation and the City's proposed R-3 Zoning designation. Site development cannot exceed the intensity allowed by the Future Land Use policies.

Staff has notified Orange County Public Schools (OCPS) of the proposed Future Land Use Map Amendment. The Future Land Use change to Residential High Density represents a higher impact on public school capacity than that created by the County Future Land Use assigned to the property. This Future Land Use amendment is subject to school capacity enhancement review; however, the applicant will address capacity enhancement with OCPS for the entire development project. School concurrency will apply at the time of a subdivision plan application.

The Joint Planning Agreement (JPA) requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on March 7, 2014.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and recommends approval of the change in Future Land Use from "County" Rural (1 du/1 ac) to "City" Residential High (0-15 du/ac) for the property owned by Jeffrey B. Randazzo.

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.

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

Motion: Ben Dreiling made a motion to recommend approval of the Future Land Use amendment from "County" Rural (1 du/1 ac) to "City" Residential High Density (0-15 du/ac) for the property located north of S.R. 414, the Apopka Expressway, and Keene Road, east of Stanford Road and west of South Sheeler Avenue, owned by Jeffrey B. Randazzo, subject to the information and findings in the staff report; and Melvin Birdsong seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (7-0).

CHANGE IN ZONING – JEFFREY B. RANDAZZO – Mr. Moon stated this is a request to recommend approval of the Change in Zoning from "County" A-1 to "City" R-3 for the property owned by Jeffrey B. Randazzo. The applicant is Tallman Development Company, c/o Ed Hampden. The property is located north of S.R. 414, the Apopka Expressway, and Keene Road, east of Stanford Road and west of South Sheeler Avenue. The existing Future Land Use is "County" Rural (1 du/1 ac) and the proposed Future Land Use "City" Residential High Density (0-15 du/ac). The existing maximum allowable development is 3 units and the proposed maximum allowable development is 53 units. The proposed development is residential. The tract size is 3.5 +/- acres. The staff report and its findings are to be incorporated into and made a part of the minutes.

The subject parcel was annexed into the City of Apopka on April 2, 2014, through the adoption of Ordinance No. 2352. The proposed Change of Zoning is being requested by the applicant, Tallman Development. The applicant has the subject parcel under contract to purchase. Although under separate corporate names, the adjacent parcels are owned by entities that also own Tallman Development. Abutting to the north and to the east, respectively, are parcels approximately forty-five (45) acres in size. By pulling the Randazzo parcel into the larger parcel, Tallman Development will create a more compact development site at its southwestern corner of its proposed future residential development.

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON APRIL 8, 2014, AT 5:01 P.M.

A request to assign a “City” Residential High (0-15 du/ac) Future Land Use category to the Property is being processed in conjunction with this change of zoning for an R-3 designation. The zoning application covers approximately 3.5 acres. The property owner intends to use the site for a residential development.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this change of zoning as indicated in the Zoning Report.

The proposed R-3 zoning designation is consistent with the proposed Residential High (0-15 du/ac) future land use designation and the existing use of the property. Site development cannot exceed the intensity allowed by the Future Land Use policies.

Staff has notified OCPS of the proposed Change of Zoning. The Change of Zoning to R-3 represents a higher impact on public school capacity than that created by the current zoning designation assigned to the property; however, the applicant will address capacity enhancement with OCPS for the entire development project. This Change of Zoning is subject to school capacity enhancement review. School concurrency will apply at the time of a subdivision plan application.

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 March 7, 2014.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and recommends approval of the change in zoning from “County” A-1 to “City” R-3 for the property owned by Jeffrey B. Randazzo.

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 Chairperson Hooks, Mr. Moon stated the adjacent properties to the north and east are zoned R-3 as well, and owned by Ed Hampden.

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

Motion: Ben Dreiling made a motion to recommend approval of the Future Land Use amendment from “County” A-1 to “City” R-3 for the property located north of S.R. 414, the Apopka Expressway, and Keene Road, east of Stanford Road and west of South Sheeler Avenue, owned by Jeffrey B. Randazzo, subject to the information and findings in the staff report; and Mallory Walters seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (7-0).

COMPREHENSIVE PLAN - SMALL SCALE – FUTURE LAND USE AMENDMENT – ROBERT ROACH – Mr. Moon stated this is a request to recommend approval of the Small Scale Future Land Use change from “County” Rural (1 du/10 ac) to “City” Residential High Density (1-15 du/ac) for the property owned by Robert Roach. The applicant is Tallman Development Company, c/o Ed Hampden. The property is located north of S.R. 414, the Apopka Expressway, and Keene Road, and west of South Sheeler Avenue. The existing zoning is “County” A-1 and the proposed zoning is “City” R-3. The existing maximum allowable development is 1 unit and the proposed maximum allowable development is 22 units. The proposed development is residential. The tract size is 1.5 +/- acres. The staff report and its findings are to be incorporated into and made a part of the minutes.

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON APRIL 8, 2014, AT 5:01 P.M.

The subject parcel was annexed into the City of Apopka on April 2, 2014, through the adoption of Ordinance No. 2351. The proposed Small-Scale Future Land Use Amendment is being requested by the applicant, Tallman Development. The applicant has the subject parcel under contract to purchase. Although under separate corporate names, the adjacent parcels are owned by entities that also own Tallman Development. Abutting to the north and to the west, respectively, are parcels approximately forty-five (45) acres in size. By pulling the Roach parcel into the larger parcel, Tallman Development will create a more compact development site at its southwestern corner of its proposed future residential development.

Pursuant to Florida law, properties containing less than ten acres are eligible to be processed as a small-scale amendment. Such process does not require review by State planning agencies.

A request to assign an R-3 zoning category to the Property is being processed in conjunction with this future land use amendment request for a Residential High designation. The zoning application covers approximately 3.5 acres. The property owner intends to use the site for a residential development.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this land use change as indicated in the Land Use Report.

The existing and proposed use of the property is consistent with the Residential High Future Land Use designation and the City's proposed R-3 Zoning designation. Site development cannot exceed the intensity allowed by the Future Land Use policies.

Staff has notified OCPS of the proposed Future Land Use Map Amendment. The Future Land Use change to Residential High Density represents a higher impact on public school capacity than that created by the County Future Land Use assigned to the property. This Future Land Use amendment is subject to school capacity enhancement review; however, the applicant will address capacity enhancement with OCPS for the entire development project. School concurrency will apply at the time of a subdivision plan application.

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 March 7, 2014.

The Development Review Committee finds the proposed amendment consistent with the Comprehensive Plan and recommends approval of the change in Future Land Use from "County" Rural (1 du/10 ac) to "City" Residential High (0-15 du/ac) for the property owned by Robert Roach.

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.

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

Motion: Mallory Walters made a motion to recommend approval of the Future Land Use amendment from "County" Rural (1 du/10 ac) to "City" Residential High Density (0-15 du/ac) for the property located north of S.R. 414, the Apopka Expressway, and Keene Road, and west of South Sheeler Avenue, owned by Robert Roach, subject to the information and findings in the staff report; and Teresa Roper seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (7-0).

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON APRIL 8, 2014, AT 5:01 P.M.

CHANGE IN ZONING – ROBERT ROACH – Mr. Moon stated this is a request to recommend approval of the Change in Zoning from “County” A-1 to “City” R-3 for the property owned by Robert Roach. The applicant is Tallman Development Company, c/o Ed Hampden. The property is located north of S.R. 414, the Apopka Expressway, and Keene Road, and west of South Sheeler Avenue. The existing Future Land Use is “County” Rural (1 du/10 ac) and the proposed Future Land Use “City” Residential High Density (0-15 du/ac). The existing maximum allowable development is 1 unit and the proposed maximum allowable development is 22 units. The proposed development is residential. The tract size is 1.5 +/- acres. The staff report and its findings are to be incorporated into and made a part of the minutes.

The subject parcel was annexed into the City of Apopka on April 2, 2014, through the adoption of Ordinance No. 2351. The proposed Change of Zoning is being requested by the applicant, Tallman Development. The applicant has the subject parcel under contract to purchase. Although under separate corporate names, the adjacent parcels are owned by entities that also own Tallman Development. Abutting to the north and to the east, respectively, are parcels approximately forty-five (45) acres in size. By pulling the Roach parcel into the larger parcel, Tallman Development will create a more compact development site at its southwestern corner of its proposed future residential development.

A request to assign a Residential High (0-15 du/ac) Future Land Use category to the Property is being processed in conjunction with this change of zoning for an R-3 designation. The zoning application covers approximately 1.5 acres. The property owner intends to use the site for a residential development.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this change of zoning as indicated in the Zoning Report.

The proposed R-3 zoning designation is consistent with the proposed Residential High (0-15 du/ac) future land use designation and the existing use of the property. Site development cannot exceed the intensity allowed by the Future Land Use policies.

Staff has notified Orange County Public Schools (OCPS) of the proposed Change of Zoning. The Change of Zoning to R-3 represents a higher impact on public school capacity than that created by the current zoning designation assigned to the property; however, the applicant will address capacity enhancement with OCPS for the entire development project. This Change of Zoning is subject to school capacity enhancement review. School concurrency will apply at the time of a subdivision plan application.

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 March 7, 2014.

The Development Review Committee finds the proposed amendment consistent with the Change of Zoning and recommends approval of the change in Future Land Use from “County” A-1 to “City” R-3 for the property owned by Robert Roach.

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.

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

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON APRIL 8, 2014, AT 5:01 P.M.

Motion: Melvin Birdsong made a motion to recommend approval of the Future Land Use amendment from “County” A-1 to “City” R-3 for the property located north of S.R. 414, the Apopka Expressway, and Keene Road, and west of South Sheeler Avenue, owned by Robert Roach, subject to the information and findings in the staff report; and James Greene seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (7-0).

CHANGE IN ZONING – DEBRA L. JONES, STEVEN P. GILL, AND APOPKA GILKEY, LLC, C/O JASON GILKEY – Mr. Moon stated this is a request to recommend approval of the Change of Zoning R-1AA and Planned Unit Development (PUD/R-2) to Planned Unit Development (PUD/R-2) for the properties owned by Debra L. Jones, Steven P. Gill, and Apopka Gilkey, LLC, c/o Jason Gilkey. The properties are located east of Plymouth Sorrento Road, south of Schopke Road. The future land use is Residential Low (0-5 du/ac). The existing maximum allowable development is 56 residential units and the proposed maximum allowable development is 62 residential units. The proposed development is a single family subdivision with minimum lot sizes of 8,625 sq. ft. The lots adjacent to Plymouth Sorrento Road are proposed to have lot sizes of 8,400 sq. ft. The tract size 14.7 +/- acres.

The subject property was annexed into the City of Apopka on September 3, 1997, through the adoption of Ordinance No. 1104 (Parcel ID # 06-21-28-7172-15-090); and on December 16, 1998, through the adoption of Ordinance No. 1195 (Parcel ID # 06-21-28-7172-15-130). The proposed zoning change is compatible with the character of the surrounding area.

A change of zoning application for the Apopka Gilkey LLC parcel from R-1AA to PUD/R-2 was approved by the City on November 6, 2013 through the adoption of Ordinance No. 2335. Since the adoption of that rezoning ordinance, new information has emerged that Orange County will need thirty feet (30’) of additional right-of-way on each side of Plymouth Sorrento Road to construct a four-lane divided road within the next ten years. In addition, Apopka Gilkey LLC proposes to acquire the 3.5 acre parcel that abuts to the south owned by Debra L. Jones and Steven P. Gill.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this zoning change as indicated in the Zoning Report.

The PUD recommendations are that the zoning classification of the aforementioned properties be designated as Planned Unit Development (PUD), as defined in the Apopka Land Development Code, and with the following Master Plan provisions be subject to the following provisions:

- A. The uses permitted within the PUD district shall be: single family homes and associated accessory uses or structures consistent with land use and development standards established for the R-2 zoning category except where otherwise addressed in this ordinance.
- B. Master Plan requirements, as enumerated in Section 2.02.18 K. of the Apopka Land Development Code, not addressed herein are hereby deferred until the submittal and review of the Preliminary Development Plan submitted in association with the PUD district.
- C. If a preliminary Development Plan associated with the PUD district has not been approved by the City within two years after approval of these Master Plan provisions, the approval of the Master Plan provisions will expire. At such time, the City Council may:

- 1. Permit a single six-month extension for submittal of the required Preliminary Development Plan;

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON APRIL 8, 2014, AT 5:01 P.M.

2. Allow the PUD zoning designation to remain on the property pending resubmittal of new Master Plan provisions and any conditions of approval; or
 3. Rezone the property to a more appropriate zoning classification.
- D. Unless otherwise approved by City Council through an alternative development guideline for the master site plan, the following PUD development standards shall apply to the development of the subject property:
1. The maximum number of single family homes allowed in this PUD is forty-seven (47). Duplexes will not be allowed.
 2. Minimum lot area for a single family home shall be 8,625 sq. ft. Lots with a rear-yard facing Plymouth Sorrento Road are allowed a minimum lot size of 8,400 square feet.
 3. Wrought-iron style fences shall not be allowed within subdivision buffer tracts placed along Plymouth Sorrento Road or Schopke Road. A brick or masonry wall will not be required where the subject property abuts lands used for agriculture purposes or assigned an agriculture zoning category; but in lieu thereof the City may require a six-foot high vinyl or wood screen fence.
 4. Minimum livable area for a single family dwelling unit is 1,500 sq. ft.
 5. Unless otherwise addressed within the PUD development standards, the R-2 zoning standards will apply to the subject property.
 6. Unless otherwise approved by City Council, road access to any residential development occurring within the subject property shall not occur from Plymouth Sorrento Road.
 7. A thirty-foot wide tract along the western property line shall be reserved for future right-of-way (ROW) for Plymouth Sorrento Road. In the event the ROW reservation is not dedicated to the City of Apopka, the ROW shall be valued according to the zoning in effect prior to the effective date of the zoning ordinance (i.e., R-1AAA for 10.82 acres and R-1AA for the remaining 3.88 +/-acres).
 8. A ten-foot wide landscape buffer with a six-foot high masonry wall shall be placed eastward of the land reserved for future right-of-way.
 9. Common open space shall be provided at a minimum of twenty percent (20%) of the subject property, as set forth in and according to Section 2.02.18.D of the Land Development Code (2014). Any lot area exceeding 7,500 sq. ft. will qualify toward meeting the minimum open space requirement, as will the buffers and park areas. Land reserved for future road right-of-way for Plymouth-Sorrento Road will not be counted as towards meeting the open space requirement.
 10. Planted pine currently existing on the northern parcel may be harvested for silviculture purposes. If harvested for timber product, planted pine shall not be subject to the City's arbor mitigation standards.
 11. If a school capacity enhancement determination has not been approved by Orange County Public Schools within six months of the effective date of this ordinance, the Master Plan

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON APRIL 8, 2014, AT 5:01 P.M.

provisions shall expire. An application for a preliminary development plan or master site plan shall not be processed by the City until school capacity enhancement determination or mitigation agreement has been obtained from Orange County Public Schools.

12. At the time both parcels are under the same ownership, the owner shall consolidate the two parcels into one parcel by filing a parcel combination application through the Orange County Property Appraiser's Office.

The proposed PUD rezoning is consistent with the Future Land Use Designation of Residential Low Density (up to five units per acre) that is assigned to the property. Site development cannot exceed the densities allowed by the Future Land Use policies. Development standards for the proposed PUD zoning category establish a minimum lot area standard of 8,625 sq. ft. except for lots with a rear yard abutting Plymouth Sorrento Road are allowed a minimum lot area standard of 8,400 sq. ft..

The proposed zoning will potentially allow the development of more lots than can be generated by the zoning currently assigned to the subject property. Therefore, the rezoning application is subject to school capacity enhancement. A school capacity enhancement agreement shall be obtained from Orange County Public Schools prior to the change of zoning becoming effective.

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 7, 2014.

The Development Review Committee recommends approval of the change in Zoning from R-1AA and Planned Unit Development (PUD/R-2) to Planned Unit Development (PUD/R-2) for the properties owned by Debra L. Jones; Steven P. Gill; and Apopka Gilkey, LLC, c/o Jason Gilkey.

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

In response to a question by Chairperson Hooks, Mr. Davoll stated that Planned Unit Developments are required to have 20% as common or open space.

Mr. Moon stated that square footage of any parks, dry retention areas as open space, and buffers at the perimeter of a project are counted towards that 20%.

Jason Gilkey, Apopka Gilkey, LLC, 9220 Bonita Beach Road, Suite 206, Bonita Springs, Florida, stated that they are required to set aside 1.5 lots for a park site and retention. The location and size of the retention will be determined by the engineer.

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

Motion: Mallory Walters made a motion to recommend approval of the Change in Zoning from R-1AA and Planned Unit Development (PUD/R-2) to Planned Unit Development (PUD/R-2) for the properties located east of Plymouth Sorrento Road, south of Schopke Road, owned by Debra L. Jones, Steven P. Gill, and Apopka Gilkey, LLC, c/o Jason Gilkey, subject to the information and findings in the staff report, and James Greene seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (7-0).

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON APRIL 8, 2014, AT 5:01 P.M.

AMENDMENT TO THE CODE OF ORDINANCES, PART III, LAND DEVELOPMENT CODE, ARTICLE III – OVERLAY DISTRICTS – Item tabled at the March 11, 2014 meeting. Staff request continuance until the May 13, 2014, Planning Commission meeting.

Action: **The Planning Commission agreed to continue the amendment to the Code of Ordinances, Part III, Land Development Code, Article III to establish Section 3.04.00 – Small Lot Overlay Zoning District until the May 13, 2014 Planning Commission meeting.**

FINAL DEVELOPMENT PLAN/PLAT – POE RESERVE SUBDIVISION – Jay Davoll, P.E., Community Development Director/City Engineer, stated this is a request to recommend approval of the Final Development Plan/Plat for Poe Reserve Subdivision. The owner is Nancy Poe, c/o Floriday Properties, Inc. The applicant/engineer is June Engineering Consultants, Inc., c/o Jeffrey A. Sedloff and Jimmy Dunn. The property is located south of North Orange Blossom Trail, west of S.R. 451. The future land use is Residential Low (0-5 du/ac) and the zoning designation for Parcels 05-21-28-0000-00-030 and 08-21-28-0000-00-026 is R-1 and for Parcels 08-21-28-0000-00-027 and 08-21-28-0000-00-046 is R-3. The existing use is vacant land and the proposed use is a single family residential subdivision with 81 lots. The tract size is 26.30 +/- acres that are developable and the density is 3.08 units per gross acre.

The Poe Reserve Final Development Plan/Plat proposes 81 single family lots within 26.3 +/- acres. Approximately half of the property is zoned R-1 residential and the other half is zoned R-3 residential. While the R-3 zoning category allows single family lots with a minimum lot width of 70 feet and a minimum lot area of 7,500 sq. ft., the entire project area proposes a minimum lot width of 75 feet and a minimum lot area of 8,000 sq. ft. – the standards for the R-1 zoning category. A brick wall within a five foot buffer easement is required adjacent to the railroad right-of-way and appears on the Final Development plan.

Thirteen lots will front Lake Doe Boulevard and have driveway access to this road. Lot 13 fronts Lake Doe Boulevard and will have a buffer tract and six foot high buffer wall along its side and rear yard line along Ralph Poe Drive. The remaining lots access internal streets that connect to Lake Doe Boulevard. Removal of the cul-de-sac and extension of Ralph Poe Drive will allow potential future access to Marshall Lake Road. A future access to Marshall Lake Road will promote better emergency response times as well as promote the distribution of vehicle trips generated from Poe Reserve. Furthermore, the primary access to Poe Reserve occurs from Lake Doe Boulevard, which crosses an active railroad track. If the road is blocked by railroad activity, then an access to Lake Marshall Road will allow an alternative route for residential of Poe Reserve as well as emergency response.

The stormwater management system includes an on-site retention area. A dry stormwater pond is located within Tract “D.” The design meets the City’s Land Development Code requirements.

The developer is providing a 0.75 acre (37,662.8 sq. ft.) active tot lot (Tract “J”). Also being provided is a 0.18 acre (7,883.62 sq. ft.) passive park (Tract “B”). The equipment provided in Tract “J” consists of park benches, picnic tables and a tot lot structure.

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON APRIL 8, 2014, AT 5:01 P.M.

Buffers are provided consistent with the Land Development Code or as addressed within the Waiver Request. More trees will be planted than are proposed to be removed. A buffer wall and landscape tract is proposed adjacent to Lake Doe Boulevard north of Ralph Poe Drive, as well as along the northern perimeter of Lot 55. An entrance feature is proposed at the western end of Ralph Poe Drive. Regarding a brick wall along S.R. 429, DRC's position is that a wall is not necessary and should be waived because the raised elevation of S.R. 429 and the expressway retention pond screen the highway from Poe Reserve. And as the highway elevation is higher than the subdivision, noise will be projected upward from future residential homes. See further explanation under waiver requests.

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

| | |
|---------------------------------|------|
| Total inches on-site: | 8583 |
| Total number of specimen trees: | 20 |
| Total inches removed: | 4688 |
| Total inches retained: | 3233 |
| Total specimen inches retained: | 662 |
| Total inches required: | 4004 |
| Total inches replaced: | 955 |
| Total inches post development: | 4850 |

In addition to the 98 inches that will be replaced by new plantings within the park, open space, and around the retention pond. Each lot will have three trees and street trees will be planted every thirty-five feet.

The applicant requests a waiver of the City of Apopka Code of Ordinance, Part III, Land Development Code, Article II, Section 2.02.05.H.1 - Developments shall provide a minimum six-foot high brick, stone or decorative block finished wall adjacent to all external roadways, erected inside a minimum ten-foot landscaped bufferyard. The applicant is requesting the City waive the requirement for a brick wall along S.R. 451, formerly known as S.R. 429.

Staff Response to the request is as follows: Regarding a brick wall along S.R. 429 (S.R. 451), DRC's position is that a wall is not necessary and should be waived because the raised elevation of S.R. 429 (S.R. 451) and the expressway retention pond screen the highway from Poe Reserve; and as the highway elevation is higher than the subdivision, noise will be projected upward from future residential homes. Additionally, fences installed within the rear yard of lots abutting S.R. 451 shall be uniform in color, height, and vinyl material. The CCR Document shall include this condition.

No development activity or clearing or grading can occur until such time that a concurrency mitigation agreement has been approved by Orange County Public Schools (OCPS). On March 31, 2014, OCPS provided an e-mail that states: "The Poe Property has some issues with its concurrency determination and we are requesting that the final plat approval be postponed until such time as an agreement is finalized."

The County was notified at the time of the land use amendment and rezoning application for this property, and coordination occurred with County planning staff regarding impact on adjacent parcels.

Several items are in the process of being resolved. Staff requests the following conditions be a part of the recommendation of approval:

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON APRIL 8, 2014, AT 5:01 P.M.

1. There is a 10 foot Duke Energy easement along the northern property line. Per the February 26, 2014 letter from Duke Energy, the easement can be released. This shall be recorded prior to recording of the plat.
2. Several of the 13 lots along Lake Doe Boulevard have power pole guide wires extending onto the front yards. The developer must coordinate with the City and Duke Energy to resolve this possible safety issue.

The Development Review Committee recommends approval of the Poe Reserve Final Development Plan/Plat, subject to approval of the waiver of the brick wall requirement along S.R. 429, and 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 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.

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

Motion: Mallory Walters made a motion to recommend approval of the Poe Reserve Subdivision Final Development Plan/Plat and request to waive the requirement of a wall along S.R. 451 (f.k.a. S.R. 429) due to the raised elevation of the highway and the screening provided by the Expressway retention pond from Poe Reserve subject to: (1) No development activity or clearing or grading can occur until such time that a concurrency mitigation agreement has been approved by Orange County Public Schools (OCPS); (2) fences installed within the rear yard of lots abutting S.R. 451 shall be uniform in color, height, and vinyl material and the Covenants, Codes, and Restrictions Document shall include this condition; (3) the execution and recording of the Duke Energy easement along the northern property line; (4) resolution of the Duke Energy guide wires extending into the front yards of 13 lots along Lake Doe Boulevard; and (5) the findings in the staff report. Teresa Roper seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (7-0).

OLD BUSINESS:

Planning Commission: None.
Public: None.

NEW BUSINESS:

Planning Commission: None.
Public: None.

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON APRIL 8, 2014, AT 5:01 P.M.

ADJOURNMENT: The meeting was adjourned at 5:36 p.m.

Steve Hooks, Chairperson

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

Backup material for agenda item:

1. CHANGE OF ZONING – Country Crossings, LLC, from R-1AA to Planned Unit Development (Residential), for property located north of West Lester Road and west of Vick Road. (Parcel ID #: 28-20-29-0000-00-028)



CITY OF APOPKA PLANNING COMMISSION

| | | |
|--|-----------|-----------------------|
| <input checked="" type="checkbox"/> PUBLIC HEARING | DATE: | May 13, 2014 |
| <input type="checkbox"/> ANNEXATION | FROM: | Community Development |
| <input type="checkbox"/> PLAT APPROVAL | EXHIBITS: | Zoning Report |
| <input type="checkbox"/> OTHER: | | Vicinity Map |
| | | Adjacent Zoning Map |
| | | Adjacent Uses Map |

SUBJECT: COUNTRY CROSSINGS, LLC

PARCEL ID NUMBER: 29-20-28-0000-00-028

Request: CHANGE OF ZONING
FROM: R-1AA (RESIDENTIAL)
TO: PUD (RESIDENTIAL)

SUMMARY

OWNER/APPLICANT: Country Crossings, LLC, c/o Mark Crone

LOCATION: North of West Lester Road, west of Vick Road

EXISTING USE: Vacant Land

CURRENT ZONING: R-1AA

PROPOSED DEVELOPMENT: Residential subdivision up to 25 single-family lots

LAND USE: Residential Low Suburban (Max. 3.5 du/ac) (Residential)

TRACT SIZE: 8.16 +/- Acres

MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: 29 Dwelling Units
PROPOSED: 25 Dwelling Units

DISTRIBUTION

Mayor Kilsheimer
Commissioners (4)
CAO Richard Anderson
Community Dev. Dir.

Finance Dir.
HR Director
IT Director
Police Chief

Public Ser. Dir. (2)
City Clerk
Fire Chief

ADDITIONAL COMMENTS:

The subject parcel was annexed into the City of Apopka on April 7, 2004, through the adoption of Ordinance No. 1636. The proposed Change of Zoning is being requested by the owner/applicant.

The applicant intends to develop the subject property single family residential subdivision. The proposed zoning map amendment does not authorize or imply approval of the subdivision of the subject property. Any proposed subdivision of the property will require review and approval of a development plan in accordance with the City of Apopka's Land Development Code and Development Design Guidelines.

On March 7, 2007 the City Council approved a final development plan for this property that proposed a total of nineteen (19) single family lots with a typical minimum lot area of 12,500 sq.ft. and a minimum livable house area of 1,800 square feet. (The minimum livable area for R-1AA zoning district is 1,700 sq. ft.). The final development plan expired and is no longer valid. As only 19 lots were proposed in the previous subdivision plan, a park was not required per the Land Development Code. If more than 19 residential lots are proposed within the master site plan and preliminary development Plan, a park must be included within the subdivision plan, as set forth within the Land Development Code. The previously approved Country Crossing Estates final development plan expired on September 7, 2008.

Only one road access point is feasible through a connection from Mt. Logan Drive, which is located within the Springs Ridge residential community.

In conjunction with state requirements, staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this change of zoning (see attached Zoning Report).

PUD RECOMMENDATIONS:

The recommendations are that the zoning classification of the aforementioned properties be designated as Planned Unit Development (PUD), as defined in the Apopka Land Development Code, and with the following Master Plan provisions are subject to the following provisions:

- A. The uses permitted within the PUD district shall be: single family homes and associated accessory uses or structures consistent with land use and development standards established for the R-1AA zoning category except where otherwise addressed in this ordinance.
- B. Master Plan requirements, as enumerated in Section 2.02.18 K. of the Apopka Land Development Code, not addressed herein are hereby deferred until the submittal and review of the Preliminary Development Plan submitted in association with the PUD district.
- C. If a preliminary Development Plan associated with the PUD district has not been approved by the City within two years after approval of these Master Plan provisions, the approval of the Master Plan provisions will expire. At such time, the City Council may:
 - 1. Permit a single six-month extension for submittal of the required Preliminary Development Plan;
 - 2. Allow the PUD zoning designation to remain on the property pending resubmittal of new Master Plan provisions and any conditions of approval; or

3. Rezone the property to a more appropriate zoning classification.
- D. Unless otherwise approved by City Council through an alternative development guideline for the master site plan, the following PUD development standards shall apply to the development of the subject property:
1. The maximum number of single family homes allowed in this PUD is twenty-five (25).
 2. Any lot abutting an existing platted lot that has a width of eighty-five (85) feet or greater, shall have a minimum lot width standard of eighty-five (85) feet and a minimum lot area standard of 10,200 square feet.
 3. Any lot abutting an existing platted lot with a width less than eighty-five (feet), and for all interior lots within the PUD, the minimum lot width standard is seventy-five (75) feet and the minimum lot area standard is 8,250 square feet. An interior lot for purposes of this PUD is one that does not abut the western or northern boundary of the PUD.
 4. Pertaining to paragraph 2 and 3, any portion of a proposed lot that has fifty (50) percent or more of its rear lot line abutting an existing platted lot with a width of eight-five (85) feet or greater, the minimum lot width shall be no less than eighty-five (85) feet.
 5. The minimum livable area for a house shall be 1,700 square feet.
 6. Unless otherwise addressed within the PUD development standards, the R-1AA zoning standards will apply to the subject property.
 7. The long narrow tract extending eastward from the northeast corner of the PUD shall be owned and maintained by the property owner association.
 8. If the PUD property is incorporated into the Spring Ridge property owners association, the park requirement will be waived. Otherwise, a compact park area not less than 8,250 square feet shall be included within the master site plan.

COMPREHENSIVE PLAN COMPLIANCE: The proposed Change of Zoning designation is consistent with the City's proposed Future Land Use designation. Site development cannot exceed the intensity allowed by the Future Land Use policies or as set forth in the PUD ordinance.

SCHOOL CAPACITY REPORT:

Staff has notified Orange County Public Schools (OCPS) of the proposed Zoning Map Amendment. The development will not

ORANGE COUNTY NOTIFICATION:

The property is surrounded by properties that are within the City limits of Apopka; therefore the notice requirements in the JPA do not apply.

PUBLIC HEARING SCHEDULE:

May 13, 2014 – Planning Commission (5:01 pm)
May 21, 2014 – City Council (8:00 pm) - 1st Reading
June 4, 2014 – City Council (1:30 pm) - 2nd Reading

DULY ADVERTISED:

25, 2014 – Public Notice and Notification
23, 2014 – Ordinance Heading Ad

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the Change in Zoning from R-1AA (Residential) to PUD (Residential) for the property owned by Country Crossings, LLC, subject to the PUD development standards recommended in the staff report.

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

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

| <i>Direction</i> | <i>Future Land Use</i> | <i>Zoning</i> | <i>Present Use</i> |
|------------------|----------------------------------|---------------|--------------------|
| North (City) | Res. Low Suburban (0 -3.5 du/ac) | PUD | Oak Hill Reserve |
| East (City) | Res. Low Suburban (0 -3.5 du/ac) | PUD | Spring Ridge |
| South (City) | Res. Low Suburban (0 -3.5 du/ac) | PUD | Spring Ridge |
| West (City) | Res. Low Suburban (0 -3.5 du/ac) | PUD | Oak Hill Reserve |

LAND USE &

TRAFFIC COMPATIBILITY:

The property is located north of West Lester Road and west of Vick Road. Lester Road will be reconstructed and extended from Vick Road to Rock Springs Road during the next year. The Lester Road extension is anticipated to be completed by June 2014. Access to the PUD can only occur from Mt. Logan Drive.

The proposed PUD zoning and residential density is consistent with the Residential Low Suburban (0-3.5 du/ac) Future Land Use category. Development Plans shall not exceed the density allowed in the adopted Future Land Use designation. Development standards recommended for the PUD limit development to a maximum of 25 lots. After application of the Land Development Code and proposed PUD development standards, actual lot yield will likely be less.

Most lots within the Oak Hill Reserve community that abut the PUD have a lot typical lot width of 95 feet. Among these lots, the lot size typically runs from 12,600 to 14,500 square feet. A few pie shaped lots abutting the northern PUD boundary are larger. Three lots in Oak Hill Reserve that abut the southwestern edge of the PUD have a lot width of 75 feet and a lot size of 8,200 to 9,500 square feet. Within the Spring Ridge community to the south of the PUD, the typical lot width and lot size area 8,200 to 9,300 square feet.

PROPOSED PUD DISTRICT REQUIREMENTS:

- Minimum Site Area: 10,200 sq. ft. at north and west perimeter: 8,250 sq. ft. at southwest perimeter and site interior
- Minimum Lot Width: 85 ft. – north and west perimeter
75 ft. – southwest perimeter and site interior
- Front Setback: 25 ft.
- Side Setback: 10 ft.
- Rear Setback: 20 ft.
- Corner Setback: 25 ft.
- Minimum Living Area: 1,700 sq. ft.

**BUFFERYARD
REQUIREMENTS:**

As the proposed development is not adjacent to arterial and collector roads, a buffer wall is not required. Nor is a landscape buffer required at the perimeter of the PUD where it abuts single family residential zoning.

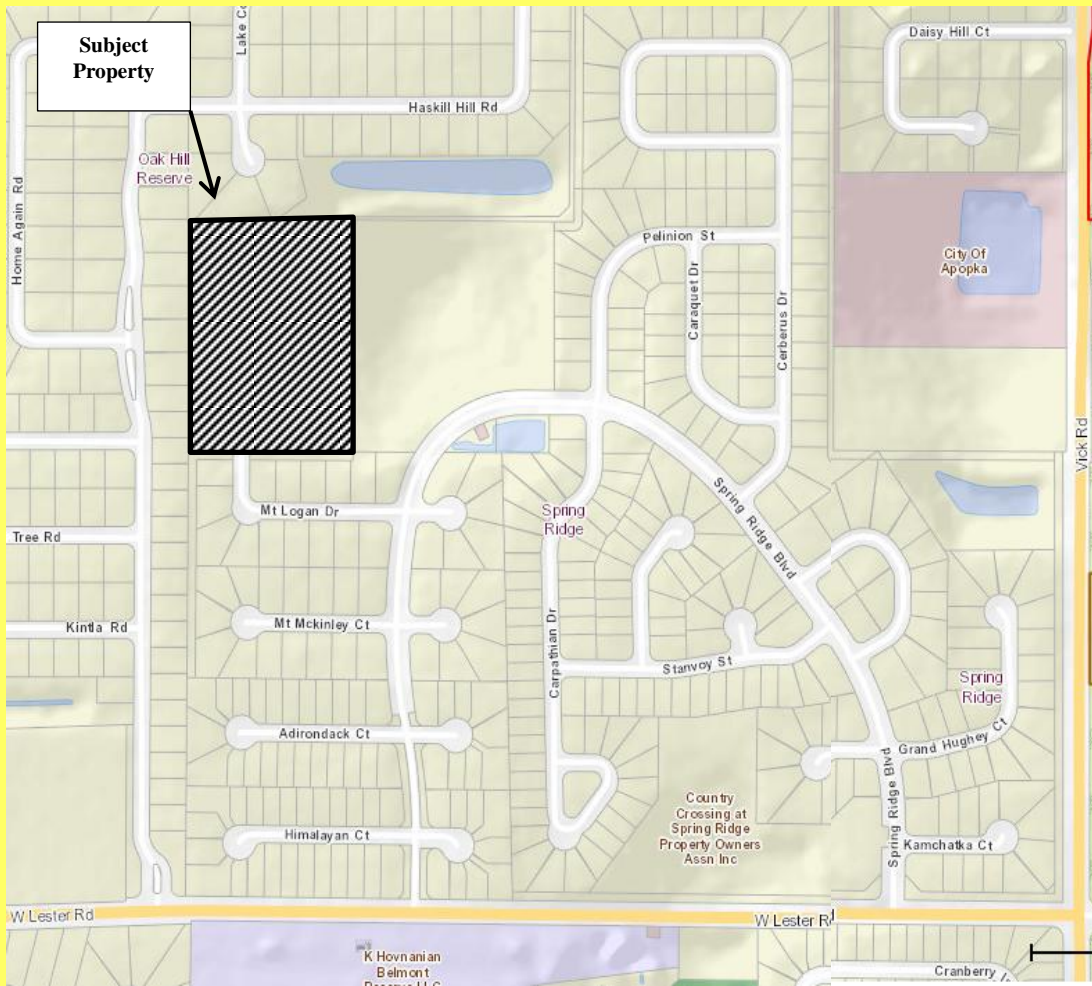
ALLOWABLE USES:

Single-family residential homes, including customary accessory structures and uses.

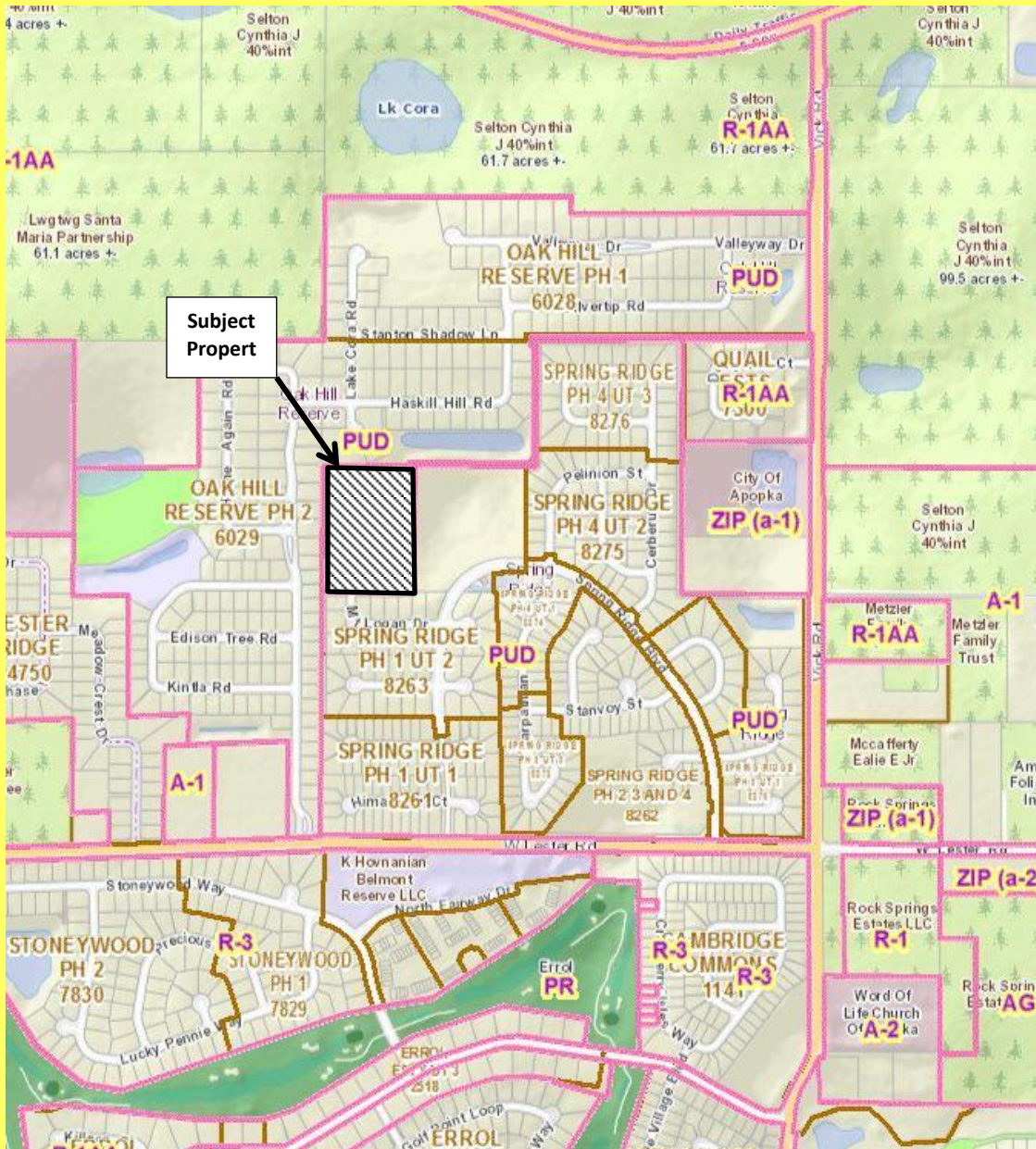
Country Crossings, LLC
8.16 +/- Acres
Existing Maximum Allowable Development: 29 Dwelling Units
Proposed Maximum Allowable Development: 25 Dwelling Units
Proposed Zoning Change
From: R-1AA
To: PUD (Residential)
Parcel ID #: 29-20-28-0000-00-028



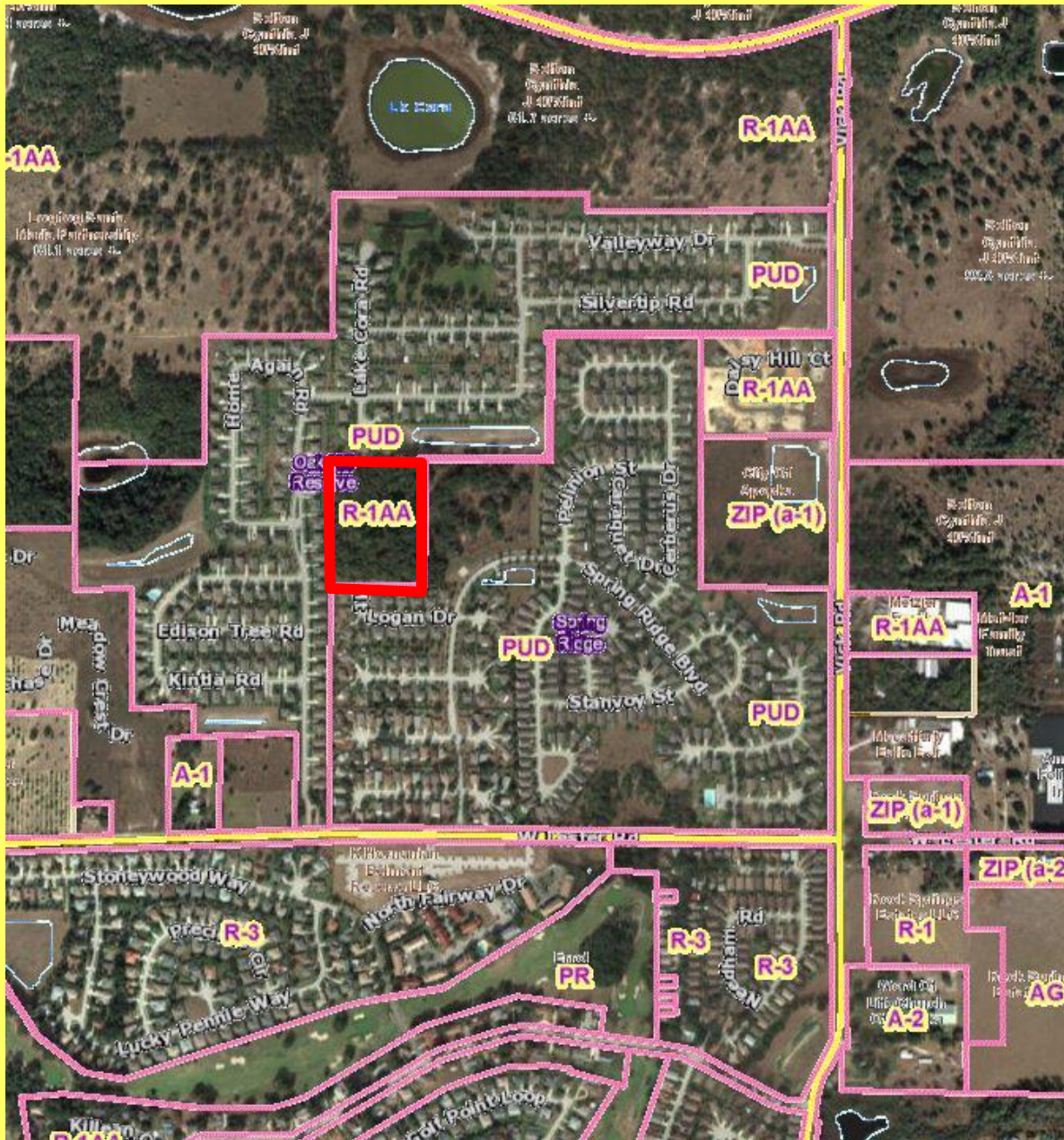
VICINITY MAP



ADJACENT ZONING



ADJACENT USES



Backup material for agenda item:

REVISED FINAL DEVELOPMENT PLAN – Belmonte Reserve Subdivision, owned by K Hovnanian Belmonte Reserve, LLC, c/o Heather Himes, Esq., Akerman, LLP and the engineer is The Civil Design Group, Inc., c/o William C. Fogle; property located south of Lester Road and east of Stoneywood Way at North Fairway Drive. (Parcel ID No. 32-20-28-0000-00-006)



CITY OF APOPKA PLANNING COMMISSION

| | | | |
|-------------------------------------|-----------------|-------------|--------------------------------|
| <input type="checkbox"/> | CONSENT AGENDA | MEETING OF: | May 13, 2014 |
| <input checked="" type="checkbox"/> | PUBLIC HEARING | FROM: | Community Development |
| <input type="checkbox"/> | SPECIAL REPORTS | EXHIBITS: | Vicinity Map |
| <input type="checkbox"/> | OTHER: | | Revised Final Development Plan |
| | | | Landscape Plan |
| | | | Building Elevations |

SUBJECT: BELMONTE RESERVE REVISED FINAL DEVELOPMENT PLAN

Request: RECOMMEND APPROVAL OF THE BELMONTE RESERVE REVISED FINAL DEVELOPMENT PLAN

SUMMARY:

OWNER: K Hovnanian Belmont Reserve, LLC
c/o Heather Himes, Esq., Akerman, LLP

ENGINEER: The Civil Design Group, Inc., c/o William C. Fogle

LOCATION: South of Lester Road and Northeast of Stoneywood Way and North Fairway Drive

LAND USE: Residential High (0-15 du/ac)

ZONING: R-3

EXISTING USE: Vacant land

PROPOSED USE: Attached multi-family town-home development: 14 buildings/78 fee-simple ownership lots

TRACT SIZE: 8.27 total site acres

DENSITY: 9.33 du/ac

RELATIONSHIP TO ADJACENT PROPERTIES:

| DIRECTION | LAND USE | ZONING | PRESENT USE |
|--------------|--|--------|-------------------------------|
| North (City) | Residential Low Suburban (0-3.5 du/ac) | PUD | SFR – Spring Ridge |
| East (City) | Residential High (0-15 du/ac) | R-3 | Retention – Cambridge Commons |
| South (City) | Residential High (0-15 du/ac) | R-3 | Townhomes |
| West (City) | Residential High (0-15 du/ac) | R-3 | SFR – Stoneywood Subdivision |

DISTRIBUTION

| | | |
|----------------------|--------------|---------------------|
| Mayor Kilsheimer | Finance Dir. | Public Ser. Dir (2) |
| Commissioners (4) | HR Director | City Clerk |
| CAO Richard Anderson | IT Director | Fire Chief |
| Community Dev. Dir. | Police Chief | |

ADDITIONAL COMMENTS:

The Final Development Plan for BELMONTE RESERVE, which consisted of 78 townhomes units, was approved by City Council on October 4, 2006. A pre-construction meeting was convened on February 5, 2007, at which time construction began on the site. A final walk through was conducted on January 28, 2009, to review the construction activity and created a small list of items that needed to be completed in order to accept the project. This list of items was never completed and a Certificate of Acceptance was not issued. Until recently, the site remained in the same condition as noted in the January 28, 2009, final walkthrough punch list letter.

The applicant has submitted the BELMONTE RESERVE Revised Final Development Plan with the following changes: name of owner; addition of hardship criteria table and variance requests; revised parking and open space calculations; lot sizes; and changes to building footprint.

The BELMONTE RESERVE proposes to continue the development of 78 attached townhome units/lots. Each unit/lot will be sold as “fee-simple,” i.e., title goes to the resident for the lot and building unit, but the overall community (internal roads, club house, retention, etc.) is owned and governed by the Homeowner’s Association. The project is to be developed in a single phase. This proposed development will have no affiliation or involvement with the existing Greenbrook Villas town homes to the south.

The Project Site Details Include:

- Proposed minimum living area of 1,670 square feet (1,350 square feet required by code)
- Maximum 2-story building height.
- Of the proposed town home buildings, 4 will be designed with 4-units, the remaining buildings will contain 6-units.
- No outside storage of RV, boats, trailers, etc. will be allowed.
- A community pool and club house will be provided for the residents.

Each unit will provide 2 parking spaces for resident/guest parking. The parking for the units will be via a single car garage and one driveway space. A total of 281 parking spaces have been proposed (156 required by code). Individual golf carts will not be allowed, a condition that is self-imposed by the developer.

The project is planned as a gated community with access off Lester Road and North Fairway Drive. The entrance gates will be equipped with OPTICON devices for emergency vehicle access.

A six-foot high brick wall with columns and landscaping is already in place along Lester Road and Stonewood Way. A six-foot high ornamental metal fence with brick columns is North Fairway Drive.

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

| | |
|------------------------|-----|
| Total inches on-site: | 99 |
| Total inches removed: | 56 |
| Total inches replaced: | 446 |

LANDSCAPE PLANS: The applicant will revise the landscape plan to add cathedral oak along the interior side of the Lester Road brick wall and Stoneywood subdivision, to achieve a spacing of a canopy tree every 35 linear feet.

SCHOOL CAPACITY REPORT: The property is exempt from school concurrency as the infrastructure has already been substantially completed within a previously approved project.

ORANGE COUNTY NOTIFICATION: The County was notified at the time of the land use amendment and rezoning application for this property, and coordination occurred with County planning staff regarding impact on adjacent parcels.

VARIANCE REQUEST: The applicant has proposed the following variance request:

1. LDC Section 2.02.07.G.a) – Five-foot encroachment into 25 Setback. Multifamily dwelling units for front, side, corner, and rear yards shall all be a minimum of 25 feet from the property line. The applicant requests a variance for all perimeter lots to allow the encroachment of covered porches and second (2nd) floor building extensions into the 25’ setback. Buildings will meet the 25 foot setback. The City previously approved the Belmont Reserve final development plan with the buildings lot lines set back 20 feet the property line. The five foot variance previously approved by the City is being documented within the final development plan. The applicant has agreed to prohibit metal or vinyl covered patios, and to require any covered patios facing Lester Road to be constructed of materials and colors compatible with those used for the building. **Staff does not object to this variance.**
2. LDC Section 2.02.07 G(3)(a). Lot 68 was previously approved with a seven foot encroachment into the 25 foot building set back. The proposed plan revisions recognize the variance that was previously approved with the original final development plan. **Staff does not object to this variance.**
3. LDC 2.02.07G(3)(a). The pool location was previously approved at current location. The plan revisions is documenting the variance needed to accommodate the approved pool location. **Staff does not object to this variance.**
4. LDC 2.02.07.H.(5). The proposed dumpster enclosure is located within the required ten (10) feet wide landscape buffer yard. The applicant is requesting a variance of nine (9) feet to place the dumpster enclosure within one (1) foot of the western property line abutting Stoneywood subdivision. **Staff does not support this variance request.**

PUBLIC HEARING SCHEDULE:

May 13, 2014 - Planning Commission, 5:01 p.m.

May 21, 2014 - City Council, 8:00 p.m.

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the BELMONTE RESERVE REVISED FINAL DEVELOPMENT PLAN, subject to approval of the four variances requests.

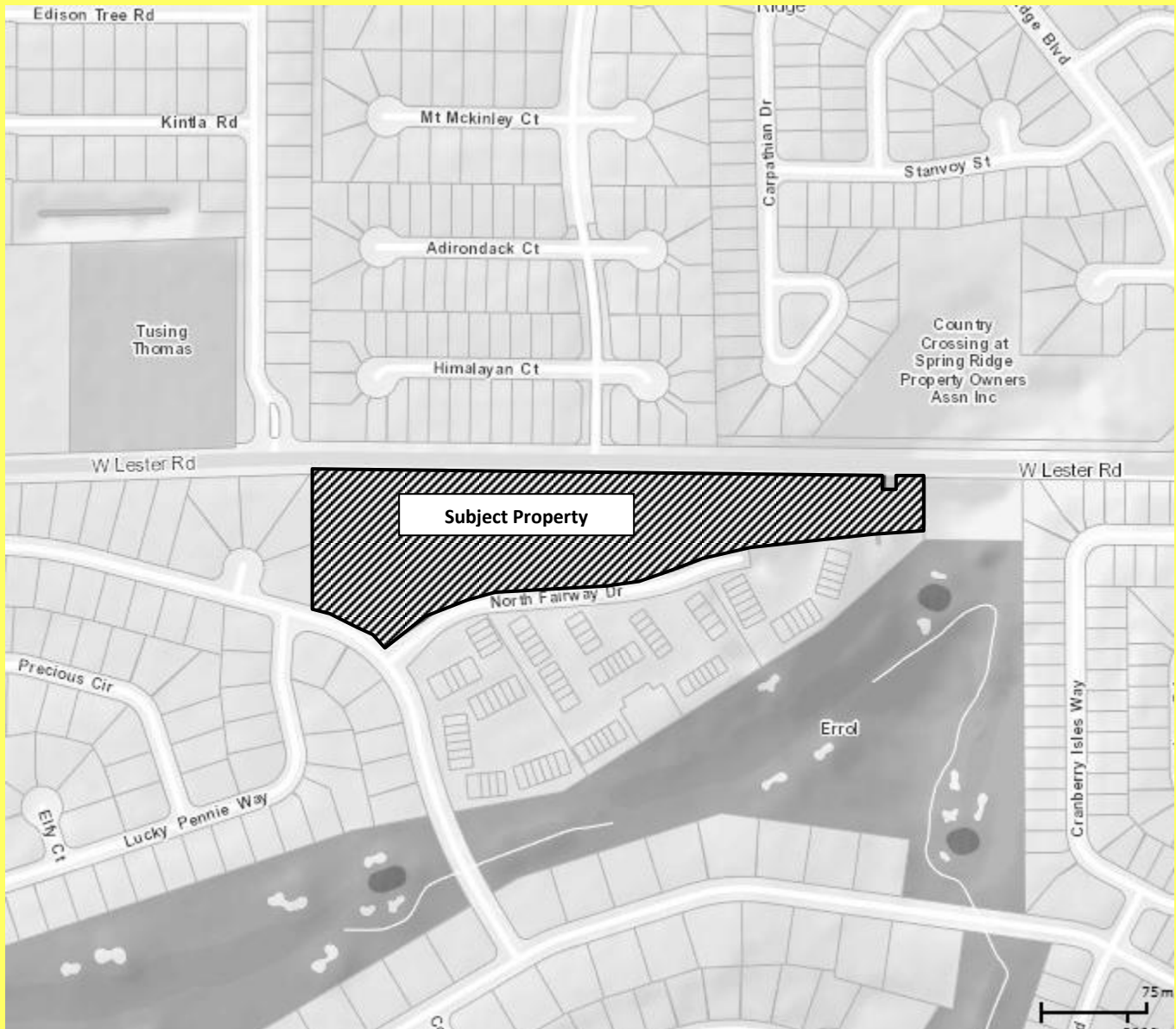
Planning Commission Recommendation: The role of the Planning Commission for this development application is to advise the City Council to approve, deny, or approve with conditions based on consistency with the Comprehensive Plan and Land Development Code.

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

K Hovnanian Belmont Reserve, LLC, c/o Heather Himes, Esq., Akerman, LLP
The Civil Design Group, Inc., c/o William C. Fogle
BELMONTE RESERVE
8.27 +/- Acres
14 buildings/78 fee-simple ownership lots
Parcel ID #s: 32-20-28-0000-00-006



VICINITY MAP



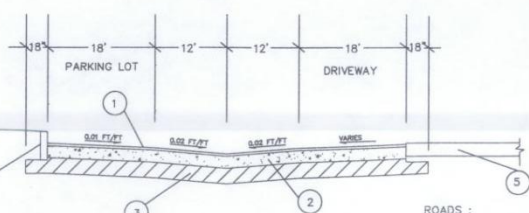
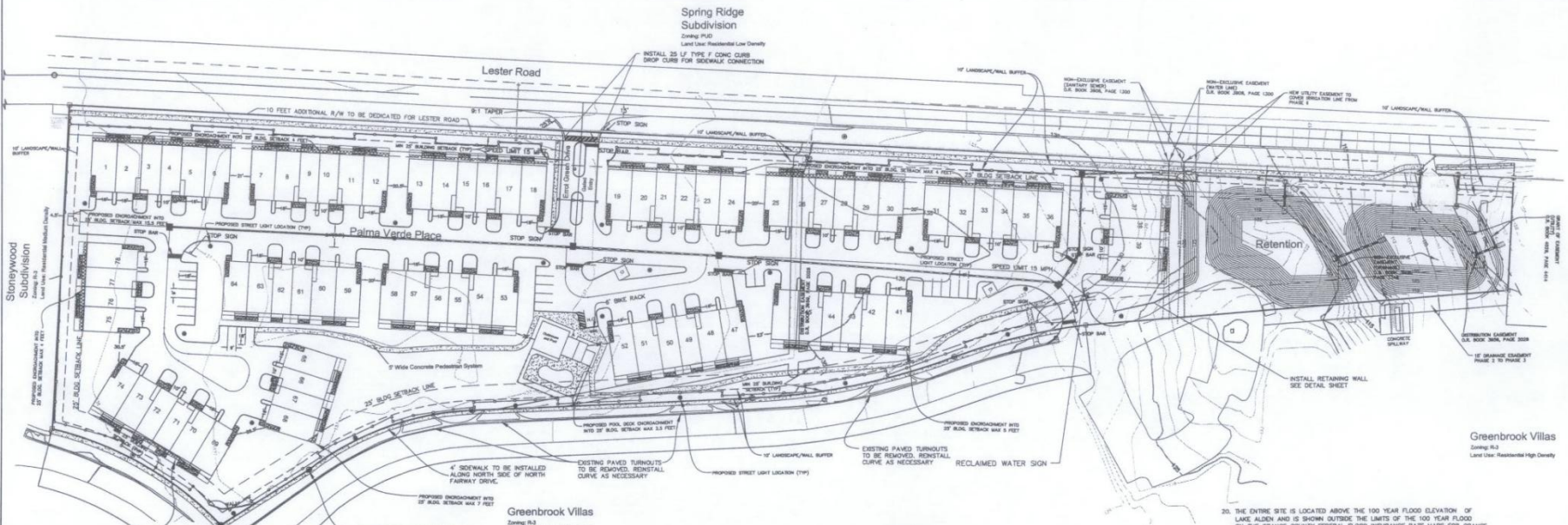
PROPOSED DEED RESTRICTIONS:

- HOMESOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR OPERATIONS AND MAINTENANCE OF COMMON AREAS, INTERNAL STREETS, DRAINAGE SYSTEMS, EXTERIOR WALL LIGHTING AND LANDSCAPING, AND RECLAIMED WATER IRRIGATION SYSTEMS. HOMESOWNERS ASSOCIATION WILL ASSASSIUM EACH PROPERTY OWNER TO COVER OPERATIONS AND MAINTENANCE COSTS. HOME OWNERS ASSOCIATION WILL HAVE THE AUTHORITY TO USE PROPERTY TO COLLECT OPERATIONAL AND MAINTENANCE FEES. ALL COMMON AREAS TO BE OWNED BY HOMESOWNERS ASSOCIATION.
- NO RV'S BOATS OR TRAILERS WILL BE PERMITTED TO BE STORED ONSITE.
- NO GOLF CARTS WILL BE ALLOWED TO BE STORED ONSITE.
- ALL LOT OWNERSHIP WILL BE FEE SIMPLE FOR EACH UNIT WITH ACCESS TO THE COMMON AREAS GRANTED TO EACH UNIT.
- NO ADDITIONAL FENCES, POOLS, SPAS, SHEDS OR OTHER ACCESSORY STRUCTURES WILL BE PERMITTED WITHOUT FIRST RECEIVING APPROVAL BY THE HOMESOWNERS ASSOCIATION.
- ALL EQUIPMENT (INCLUDING ROOF TOP) AND UTILITY BOXES TO BE FULLY SCREENED
- DETAILED INFORMATION ON EXISTING CONTROL STRUCTURE AND PROJECT OUTFALLS TO BE INCLUDED WITH FINAL ENGINEERING PLANS.
- SEWER & POTABLE WATER SYSTEMS TO BE OWNED BY THE CITY OF APOPKA UTILITIES DEPARTMENT. UTILITY EASEMENTS ARE TO BE DEDICATED TO THE CITY OF APOPKA TO COVER ALL SEWER & POTABLE WATER SYSTEM INSTALLATIONS ON THIS SITE.

GENERAL NOTES:

- ALL EQUIPMENT (INCLUDING ROOF TOP) WATER MAINS, BACKFLOW PREVENTERS, AND UTILITY BOXES MUST BE FULLY SCREENED (INCLUDING BACK OF BUILDINGS)

A metal screen room or metal covered porch shall not be affixed to any dwelling. A screened room or roof of a covered porch shall have materials and colors compatible with the architecture of the dwelling.



- ROADS:**
- RESIDENTIAL PAVEMENT SECTION
 - ① 1" A.C.S.C. TYPE S-B (F.D.O.T.)
 - ② 1/2" LIMEROCK BASE COURSE
 - ③ 12" COMPACTED SUBGRADE TO 80% PROCTOR ASSHTD T-180.
 - ④ 6x16" CONCRETE CURB
 - ⑤ 4" GARAGE FLOOR

SITE DATA:

- TOTAL ACRES: 8.36 AC - PARCEL # 32-20-28-0000-00-006
- EXISTING ZONING: R-3 - FUTURE LAND USE: RESIDENTIAL HIGH DENSITY 15 DU/ACRE
- OPEN SPACE: FOR R-3 ZONING MINIMUM OPENSPACE REQUIRED IS 30%
OPENSPACE REQUIRED = 3.31 ACRES
OPENSPACE PROVIDED = 4.30 ACRES
- DENSITY: 5.33 DWELLING UNITS/ACRE
- INTENDED USE: TOWNHOUSE DEVELOPMENT - FEE SIMPLE OWNERSHIP
- MINIMUM LOT AREA: 1,000 S.F.
- SETBACKS:
 - FORMER: 25 FEET
 - BLDG. FRONT TO FRONT 50 FEET
 - BLDG. REAR TO REAR 50 FEET
 - BLDG. SIDE TO SIDE 20 FEET
 - MINIMUM LIVING AREA WILL BE 1670 SQUARE FEET
 - MAXIMUM BUILDING HEIGHT: TWO (2) STORIES (26 FEET)
- PROJECTED SCHOOL POPULATION: 19
- POTABLE WATER AND RECLAIMED WATER TO BE PROVIDED BY CITY OF APOPKA
- SANITARY SEWER SERVICE TO BE PROVIDED BY CITY OF APOPKA
- TELEPHONE SERVICE TO BE PROVIDED BY CENTURY LINK
- ELECTRIC SERVICE TO BE PROVIDED BY DUKE ENERGY
- DETENTION POND OWNERSHIP & MAINTENANCE TO BE BY HOMESOWNERS ASSOCIATION WITH EASEMENTS DEDICATED TO THE CITY OF APOPKA.
- ON SITE VEGETATION: SITE MOSTLY CLEARED WITH PATCHES OF OAKS, PALMS, AND CHERRY TREES. SEE SURVEY FOR LOCATION OF TREES 8" AND LARGER.
- ON SITE SOILS:
 - 78 UNITS * 5.2 TRIPS/UNIT = 406 TRIPS
 - 5 CANTLEIR FINE SAND - 0 TO 5% SLOPES
 - 5 CANTLEIR FINE SAND - 5 TO 12% SLOPES
- AVERAGE DAILY TRAFFIC:

- THE ENTIRE SITE IS LOCATED ABOVE THE 100 YEAR FLOOD ELEVATION OF LAKE ALLEN AND IS SHOWN OUTSIDE THE LIMITS OF THE 100 YEAR FLOOD ON THE ORANGE COUNTY FEDERAL FLOOD INSURANCE RATE MAPS FOR ORANGE COUNTY.
- PARKING CALCULATIONS:
 - A) PARKING REQUIRED = 78 UNITS * 2 SPACES/UNIT = 156 SPACES
 - B) TOTAL REGULAR SIZE PARKING PROVIDED = 288
 - HANDICAP SPACES PROVIDED = 1 SPACES
 - TOTAL SPACES PROVIDED = 289 SPACES
- SITE LIGHTING IS PROPOSED TO BE DESIGNED AND INSTALLED BY PEGGY ENERGY.
- FIRE FLOW DETERMINATION
 - COMBUSTIBLE CONTENTS CLASSIFICATION: COMBUSTIBLE
 - SBC BUILDING TYPE: VI
 - UNDEVELOPED AREA: 600 SQ-FT
 - FIRE FLOW REQUIRED (TAKEN FROM NFPA CALCULATION TABLE) = 600 GPM
 - FIRE HYDRANT PLACEMENT AND ALLOWABLE FIRE FLOW CALCULATIONS
 - 3 HYDRANTS WITHIN 300 LF (AT 1000 GPM/HYDRANT) = 0 GPM
 - 3 HYDRANTS WITHIN 301-600 LF (AT 870 GPM/HYDRANT) = 1340 GPM
 - 0 HYDRANTS WITHIN 601-1000 LF (AT 250 GPM/HYDRANT) = 0 GPM
 - TOTAL FIRE FLOW PROVIDED OF 1340GPM EXCEEDS FIRE FLOW REQUIRED OF 600 GPM
- SEE SURVEY FOR LOCATION OF ALL TREES GREATER THAN 8" DIAMETER.
- IMPERVIOUS AREA CALCULATIONS FOR PROJECT
 - EXISTING % IMPERVIOUS = 0.0 ACRES/8.36 ACRES = 0.0 % IMPERVIOUS
 - PROPOSED % IMPERVIOUS = 3.85 ACRES/8.36 ACRES = 46 % IMPERVIOUS
- FOR LANDSCAPE AND PERIMETER WALL DESIGN SEE LANDSCAPE.
- ALL UNITS WILL BE SOLD FEE SIMPLE FOR PRIVATE OWNERSHIP WITH ACCESS GRANTED TO EACH LOT OVER COMMON AREAS.
- PARKING AND STREET LIGHTING WILL BE DESIGNED AND INSTALLED BY PROGRESS ENERGY CORP. THE DECORATIVE FIGURE (STYLE A) AND DECORATIVE POLE (1/2" SMOOTH BLACK CONCRETE POST) HAVE BEEN SELECTED TO BE USED FOR THIS PROJECT. LIGHTS ARE ALSO TO BE INSTALLED ALONG THE NORTH SIDE OF NORTH FAIRWAY DRIVE. PROPOSED STREET LIGHT LOCATIONS ARE SHOWN ON THIS SHEET.
- A 6 FOOT HIGH ALUMINUM SECURITY FENCE TO BE INSTALLED AROUND RETENTION PONDS.
- ALL ROADWAY ENTRANCE GATES TO BE EQUIPPED WITH OPT COM ACCESS FOR EMERGENCY ACCESS.

CIVIL DESIGN GROUP
 ENGINEERS SURVEYORS PLANNERS
 8889 Charles E. Young Road
 ORLANDO, FLORIDA

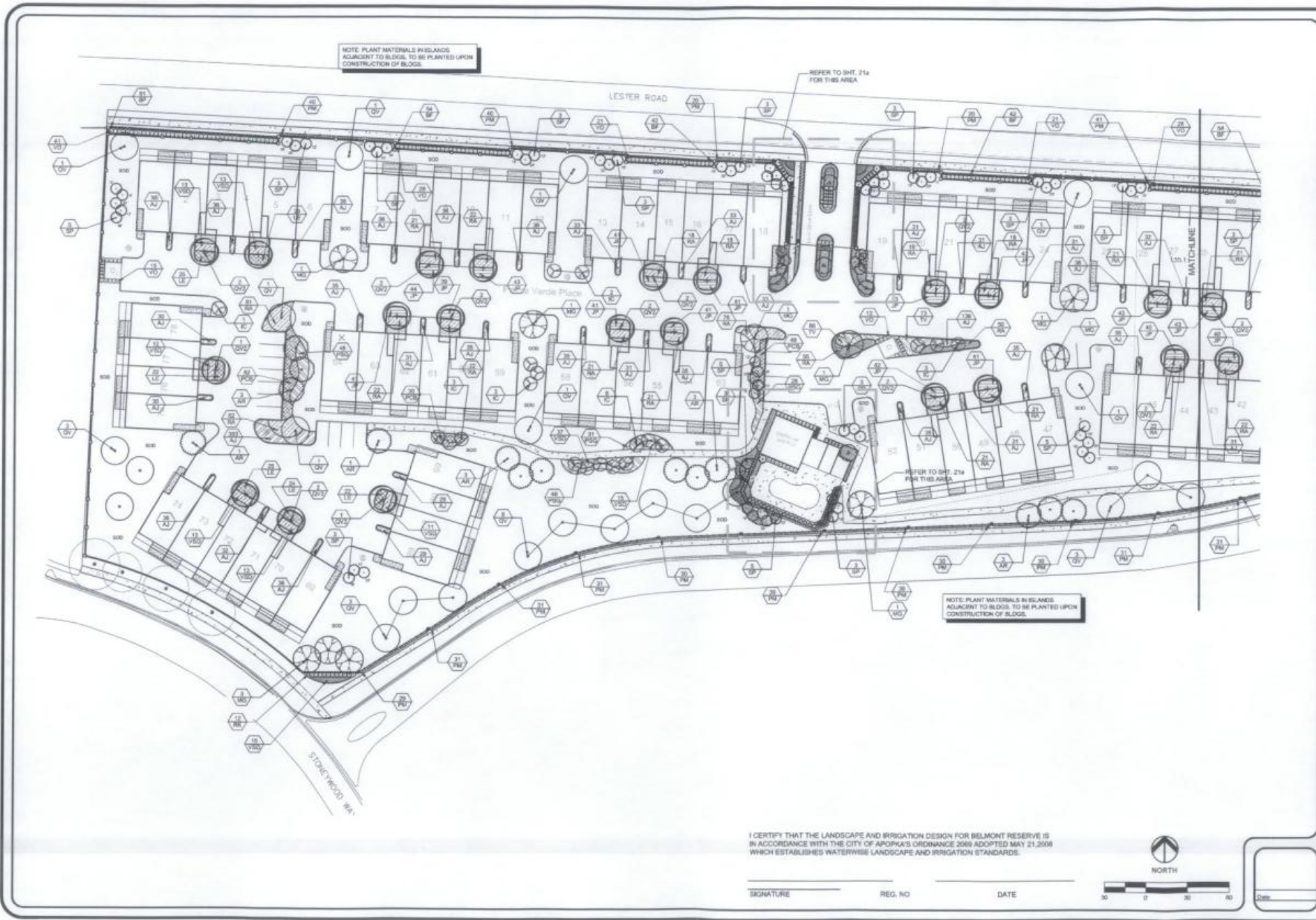
Phone (407) 876-3988 Fax (407) 876-4276

SITE PLAN

BELMONTE RESERVE
 Florida
 City of Apopka

DATE: 11/23/18
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 SCALE: AS SHOWN

3 of 19



daly design group inc.
 Land Planning, Landscape Architecture, Project Management, Development Consulting
 813 N Pennsylvania Ave., Weller Park, FL 32789 (407) 740-7373 www.dalydesign.com

| | | |
|------|-------------|----|
| DATE | DESCRIPTION | BY |
| | | |
| | | |
| | | |

Landscape Plan
 K. Hovanian Homes
 Belmont Reserve
 Apopka, Florida



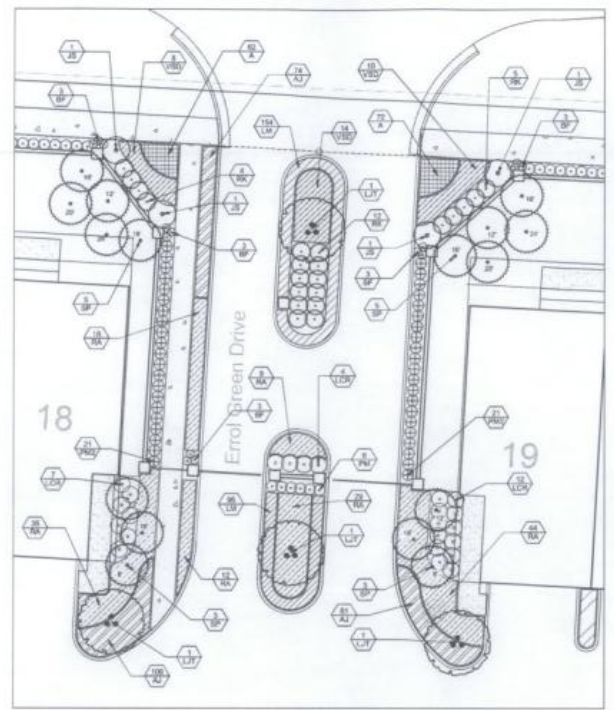
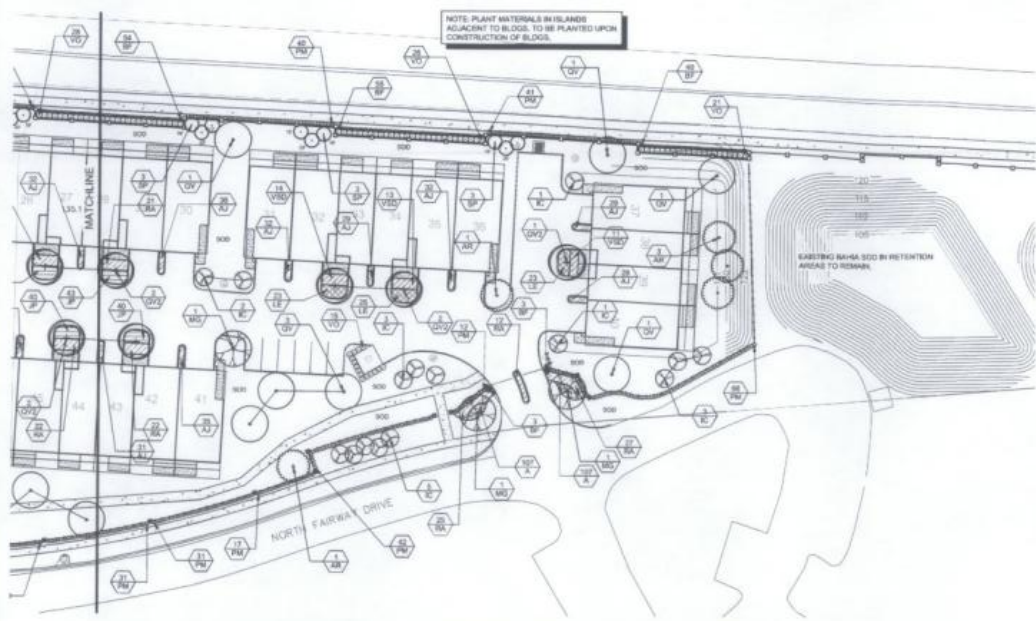
I CERTIFY THAT THE LANDSCAPE AND IRRIGATION DESIGN FOR BELMONT RESERVE IS IN ACCORDANCE WITH THE CITY OF APOPKA'S ORDINANCE 2009 ADOPTED MAY 21, 2009 WHICH ESTABLISHES WATERWISE LANDSCAPE AND IRRIGATION STANDARDS.

SIGNATURE _____ REG. NO. _____ DATE _____

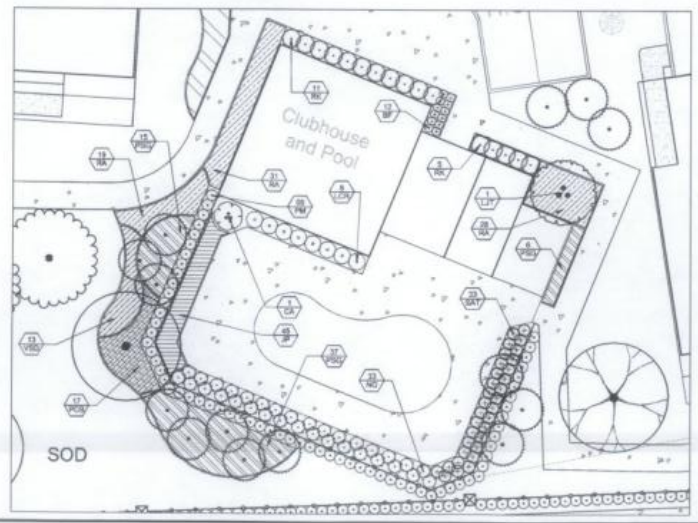


Date _____

REGULATIONS
 1406
 SCALE
 1"=30'
 DATE
 May 2014
 SHEET
 21



ENTRY LANDSCAPE
SCALE 1"=10'



CLUBHOUSE/POOL LANDSCAPE
SCALE 1"=10'

I CERTIFY THAT THE LANDSCAPE AND IRRIGATION DESIGN FOR BELMONT RESERVE IS IN ACCORDANCE WITH THE CITY OF APOPKA'S ORDINANCE 2008 ADOPTED MAY 21, 2008 WHICH ESTABLISHES WATERWISE LANDSCAPE AND IRRIGATION STANDARDS.

SIGNATURE _____ REG. NO. _____ DATE _____



daly design group inc.
Landscape Architecture, Project Management, Development Consulting
913 N Pennsylvania Ave., Winter Park, FL 32789 (407) 740-7232 www.dalydesign.com

| REV. | DATE | DESCRIPTION | BY |
|------|------|-------------|----|
| | | | |
| | | | |
| | | | |

Landscape Plan
K Hovarian Homes
Belmont Reserve
Apopka, Florida



PROJECT NO. 1408
SCALE 1"=30'
DATE May 2014
SHEET 21a



UNIT-B UNIT-A UNIT-C UNIT-C UNIT-A UNIT-B

FRONT ELEVATION



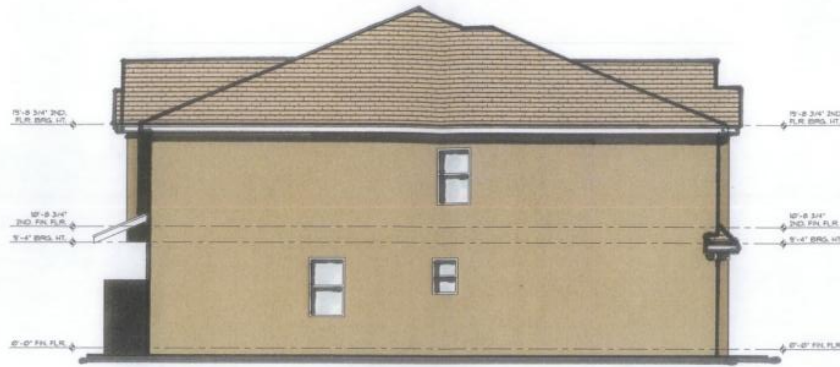
UNIT-B UNIT-A UNIT-C UNIT-C UNIT-A UNIT-B

REAR ELEVATION

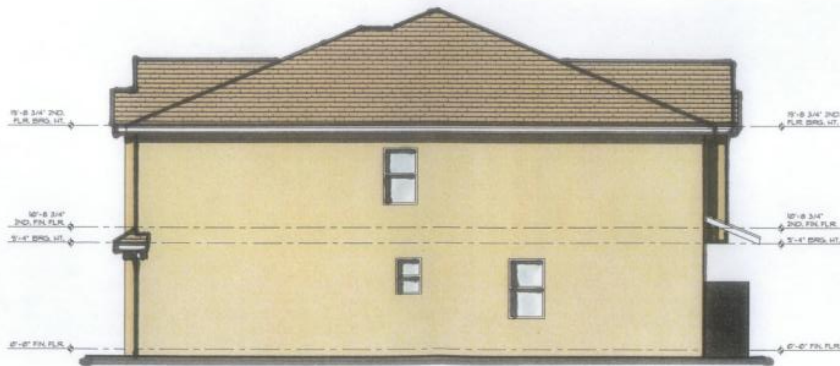
Belmont Reserve: Multi-Family Model

Corporate Product Development 02/28/14





LEFT ELEVATION



RIGHT ELEVATION

Backup material for agenda item:

2. FINAL DEVELOPMENT PLAN – Taco Bell, owned by Special K Enterprises, LLC, c/o James P. Whelan; the engineer is Cornelison Engineering & Design, Inc., c/o Craig L. Cornelison, P.E., property located at 1154 Rock Springs Road (formerly Brusters Ice Cream). (Parcel ID # 33-20-28-0000-00-117)



CITY OF APOPKA PLANNING COMMISSION

PUBLIC HEARING
 ANNEXATION
 PLAT APPROVAL
 OTHER:

MEETING OF: May 13, 2014
FROM: Community Development
EXHIBITS: Vicinity Map
Site/Landscape Plans
Window/Speaker Exhibit
Building Elevations

PROJECT: TACO BELL – 1154 ROCK SPRINGS ROAD

REQUEST: RECOMMEND APPROVAL OF THE TACO BELL – 1154 ROCK SPRINGS ROAD FINAL DEVELOPMENT PLAN

SUMMARY:

OWNER/APPLICANT: Special K Enterprises, LLC, c/o James P. Whelan
ENGINEER: Cornelison Engineering & Design, Inc., c/o Craig L. Cornelison, P.E.
LOCATION: 1154 Rock Springs Road
(West of Rock Springs Road, north of Nancy Lee Lane)
PARCEL ID #: 33-20-28-0000-00-117
LAND USE: Commercial
ZONING: C-1
EXISTING USE: Vacant ice cream shop (formerly Bruster’s Ice Cream Shop)
PROPOSED USE: Drive-Thru Restaurant
TRACT SIZE: 0.76 +/- acre (33,158 sq. ft.)
BUILDING SIZE: 2,153 sq. ft.

DISTRIBUTION

| | | |
|----------------------|--------------|---------------------|
| Mayor Kilsheimer | Finance Dir. | Public Ser. Dir (2) |
| Commissioners (4) | HR Director | City Clerk |
| CAO Richard Anderson | IT Director | Fire Chief |
| Community Dev. Dir. | Police Chief | |

RELATIONSHIP TO ADJACENT PROPERTIES:

| <i>Direction</i> | <i>Future Land Use</i> | <i>Zoning</i> | <i>Present Use</i> |
|------------------|------------------------------------|---------------|-------------------------|
| North (City) | Commercial | C-1 | Warehouse |
| East (City) | Res. Very Low Suburban (0-2 du/ac) | R-1AAA | Vacant Land |
| South (City) | Commercial | C-1 | Shopping Center/Bank |
| West (City) | Res. Low-Medium (0-10 du/ac) | A-1 (ZIP) | Single Family Residence |

ADDITIONAL COMMENTS:

The TACO BELL – 1154 ROCK SPRINGS ROAD Final Development Plan proposes a 2,153 square foot restaurant with a drive-thru. To accommodate the new restaurant, the existing 1,366 square foot building will be demolished. Access to the site will use the same driveway access to Rock Springs Road that was used for the former Bruster’s Ice Cream.

STORMWATER: Stormwater run-off and drainage will be accommodated by on-site retention. The on-site stormwater management system is designed according to standards set forth in the Land Development Code

BUFFER/TREE PROGRAM: A ten foot landscape buffer is provided along Rock Springs Road, and the landscape buffers along the north and south parcel lines follow the previous buffers approved for the Bruster’s Ice Cream store.

PARKING AND ACCESS: A total of 23 parking space are provided, of which two are handicapped parking space. A single driveway to Rock Springs Road uses the same access created for the former Bruster’s Ice Cream store.

EXTERIOR ELEVATIONS: Design of the building exterior meets the intent of the City’s Development Design Guidelines.

SIGNAGE: The monument sign proposed near the driveway entrance meets the City’s sign code but must be moved to three to four feet towards the interior of the parcel to accommodate the necessary line-of-sight at the driveway cross bar at Rock Springs Road. Prior to commencing site construction, the applicant’s engineer shall certify that the monument sign location meets an acceptable line-of-site distance and sight triangle.

Menu board signs shall not exceed six feet in height nor 30 square feet of sign area. The menu board signs shall be supported from the grade to the bottom of the sign having or appearing to have a solid base similar to and complementary to the development's monument sign. The design, materials, and finish of a menu board sign shall match those of the buildings on the same lot. One menu board sign is permitted per drive-thru lane or drive-in station. No other commercial or promotional signs, including snipe-type signs, shall be located along the drive-thru lanes. The Taco Bell Logo’s shown on the post supporting the clearance bar and drive –thru canopy will need to be removed. Applicant must resubmit menu board plans that are consistent with the City code.

WAIVER REQUEST: The Brewster’s Ice Cream Store was approved with the condition that operating hours were limited to 6:30 a.m. to 1:30 a.m. The drive-through service was previously not allowed to operate after 12:00 am (midnight) and open at 6:30 am. All customer service for the Brewster’s Ice Cream Store occurs through exterior service windows and did not include interior seating. As the Taco Bell proposes all interior customer seating, conditions no longer warrant a limitation on the hours of operation. Staff supports removal of the operating hour limitation. Further, a residential home existing adjacent to the subject parcel, but has been converted to an office use.

- **Staff does not object to this waiver request.**

VARIANCE REQUEST: The Brewster’s Ice Cream Store received a variance to allow a drive-through service area less than 200 feet from a residential area. Since the construction of the Brewster’s store, a residential home to the west of the subject parcel was converted to an office use. Property on the east side of Rock Springs Road is assigned a residential future land use and zoning, but is undeveloped. This residentially zoned, undeveloped property is within 200 feet of the Taco Bell site, measured property line to property line. The City previously approved the variance for the Brewster’s store. Moving the drive-through further to the west will impact the applicant’s ability to provide adequate driveway width and buffer width to the rear of the property.

- **Staff does not object to this variance request as it was previously approved for the Brewster’s Ice Cream Store.**

PUBLIC HEARING SCHEDULE:

May 13, 2014 - Planning Commission (5:01 pm)
May 21, 2014 - City Council (8:00 pm)

RECOMMENDED ACTION:

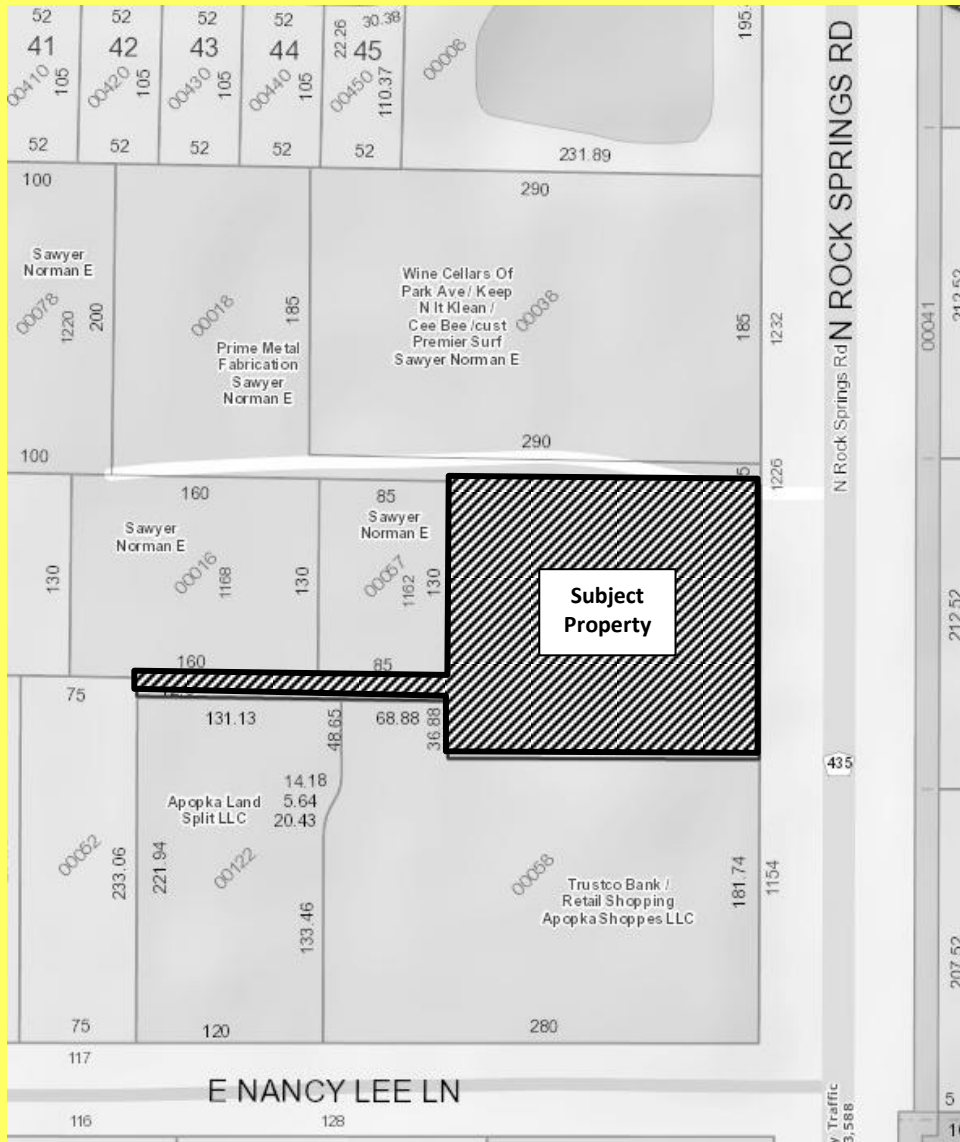
The **Development Review Committee** recommends approval of the TACO BELL – 1154 ROCK SPRINGS ROAD Final Development Plan, the waiver request for hours of operation and the variance for the drive-through distance to a residentially zoned property, subject to the findings of this staff report.

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: Final Development Plan
Owner: Special K Enterprises, LLC, c/o James P. Whelan
Engineer: Cornelison Engineering & Design, Inc., c/o Craig L. Cornelison, P.E.
Parcel I.D. No: 33-20-28-0000-00-117
Location: 1154 Rock Springs Road
Total Acres: 0.87 +/- Acre



VICINITY MAP



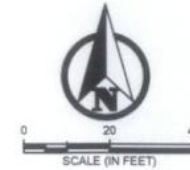
SAWYER NORMAN E
1232 ROCK SPRINGS RD
33-20-28-0000-00-038
PROPERTY USE: 4800 - WAREHOUSING
ZONING: C-3

APOKA SHOPPES LLC
1134 ROCK SPRINGS RD
33-20-28-0000-00-057
PROPERTY USE: 1800 - COMMUNITY SHOPPING
ZONING: C-1

ROCK SPRINGS ROAD
COUNTY ROAD 435

KWUN KYUNG MIN TR
1233 ROCK SPRINGS RD
34-20-28-9500-00-070
PROPERTY USE: 0001 - VACANT RESIDENTIAL
ZONING: R-1AA

POINT OF BEGINNING
ALL OF THE ABOVE ALSO BEING DESCRIBED AS FOLLOWS



SITE DATA

SITE AREA: 33,158 SF (0.76 AC)
PARCEL I.D. NUMBER: 33-20-28-0000-00-117
EXISTING ZONING: C1 (COMMERCIAL RETAIL)
FUTURE LAND USE DESIGNATION: COMMERCIAL
EXISTING USE: BRUSTERS ICE CREAM (FAST FOOD WITH DRIVE THRU)
PROPOSED USE: FAST FOOD RESTAURANT WITH DRIVE THRU
TOTAL BUILDING AREA: 2,153 SF (0.049 AC) - EXTERIOR FOOTPRINT INCL. COLUMNS
MAXIMUM ALLOWED FAR: 0.25
PROPOSED FAR: 0.065
MAXIMUM ALLOWED BUILDING HEIGHT: 30'
PROPOSED BUILDING HEIGHT: 23'-7-1/2" (1 STORY)
FLOOD ZONE: X - DOES NOT LIE WITHIN A DESIGNATED FLOOD ZONE (PANEL 120950D1107) SEPT. 25, 2009)
PROJECTED NUMBER OF EMPLOYEES: 40, 8 EMPLOYEES ON LARGEST SHIFT
ANTICIPATED HOURS OF OPERATION: 6:30AM 1:30AM SUNDAY THROUGH THURSDAY
6:30AM TO 4:00AM FRIDAY AND SATURDAY

PERVIOUS AREAS:
BUILDING AREA: 2,153 SF 6.5%
PERVIOUS AREA: 12,877 SF 38.8%
IMPERVIOUS AREA (EXCLUDES BLDG.): 18,128 SF 54.7%
TOTAL ACREAGE: 33,158 SF 100%

IMPERVIOUS AREA CALCULATIONS:
EXISTING IMPERVIOUS AREA = 20,300 SF (61.2%)
PROPOSED IMPERVIOUS AREA = 20,281 SF (61.2%)
NET REDUCTION IN IMPERVIOUS AREA = 19 SF

REQUIRED PARKING:
1 SPACE PER 4 SEATS + 1/75 SF OF PATRON AREA (NOT USED FOR PATRON SEATING)
PROPOSED SEATS = 40
PROPOSED PATRON AREA NOT USED FOR PATRON SEATING = 360 SF
PARKING REQUIRED = 40 SEATS / 4 + 360 SF / 75 = 15
PARKING REQUIRED = 15 SPACES

PROVIDED PARKING:
STANDARD SPACES PROVIDED: 21 SPACES
ACCESSIBLE SPACES PROVIDED: 2 SPACE
TOTAL SPACES PROVIDED: 23 SPACES

REQUIRED BUILDING SETBACKS:
FRONT: 50' FROM CENTERLINE OR 10' FROM PROPERTY LINE
SIDE: 10'
REAR: 10' OR 30' FROM RESIDENTIAL

REQUIRED LANDSCAPE BUFFERS:
FRONT: 10' FROM PROPERTY LINE
SIDE: 5' FROM PROPERTY LINE
REAR: 10' FROM PROPERTY LINE

NOTES:

- A REGISTERED LAND SURVEYOR SHALL REPLACE SURVEY MONUMENTS OR BENCHMARKS, WHICH HAVE TO BE DISTURBED BY THIS WORK, UPON COMPLETION OF WORK.
- HANDICAP PARKING SPACES SHALL BE MARKED BY THE INTERNATIONAL HANDICAP SYMBOL AND EACH SPACE SHALL BE PROVIDED WITH A SIGN STATING "PARKING BY DISABLED PERMIT ONLY." ALL HANDICAP ACCESS POINTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH APPLICABLE HANDICAP CODES.
- ALL CONSTRUCTION SHALL CONFORM TO THE SPECIFICATIONS AND STANDARDS OF THE CITY OF APOKA AND THE FLORIDA DEPARTMENT OF TRANSPORTATION.
- PRIOR TO STARTING CONSTRUCTION, THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION OF ANY ITEM SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED ALL PLANS AND ANY OTHER DOCUMENTATION FROM ALL OF THE PERMITTING AND ANY OTHER REGULATORY AUTHORITIES.
- CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF ALL SETBACKS AND/OR EASEMENTS BEFORE BEGINNING CONSTRUCTION.
- UNLESS OTHERWISE INDICATED ON PLANS, ALL PARKING LOT DIMENSIONS ARE TO THE FACE OF THE CURB AND/OR CENTER OF STRIPING.
- ALL BUILDING DIMENSIONS ARE TO THE EXTERIOR FACE OF CMU WALL.
- EXISTING LIGHT POLES SHALL REMAIN AND BE RE-USED.
- MAINTENANCE OF TRAFFIC (MOT) SET UP MUST BE SUPERVISED BY A CERTIFIED MOT PERSON.
- AS-BUILT PLANS CERTIFIED BY A LICENSED SURVEYOR ARE REQUIRED BY CONTRACTOR AT TIME OF COMPLETION. GRADING, UTILITY, AND STORMWATER AS-BUILTS ARE REQUIRED TO THE ENGINEER IN BOTH SIGNED AND SEALED PAPER FORMAT AS WELL AS ELECTRONIC AUTOCAD FORMAT. AT A MINIMUM, THE GRADING AS-BUILTS ARE TO INCLUDE ALL CENTERLINE HIGH POINTS AND LOW POINTS, CHANGES IN GRADE, INTERSECTIONS, PAVEMENT AND SIDEWALK GRADES AT H.C. RAMP, HANDICAP PARKING SPACES AND ACCESS ASILES, HANDICAP PATHS OF TRAVEL, AND ALL GRADES AS INDICATED ON THE PLANS. GRADING AND DRAINAGE PLANS, UTILITY AND STORMWATER AS-BUILTS SHALL INCLUDE LOCATIONS (HORIZONTAL AND VERTICAL) OF ALL APPURTENANCES, INCLUDING, BUT NOT LIMITED TO PIPES, MANHOLES, VALVES, ETC.
- ALL PROPOSED SIDEWALKS & HANDICAP RAMPS SHALL BE CONSTRUCTED IN ACCORDANCE WITH APPLICABLE HANDICAP CODE. CONTRACTOR SHALL IMMEDIATELY NOTIFY ENGINEER OF ANY DEVIATIONS.
- SIGNAGE SHALL BE SUBMITTED AND PERMITTED SEPARATELY.
- NO OBSTRUCTION SHALL BE PLACED WITHIN ANY SIGHT DISTANCE TRIANGLE.
- FOR ALL ONSITE RAMPS (OUTSIDE FOOT RIGHT OF WAY) REFERENCED PER FOOT INDEX 304, DETECTABLE WARNING (TRUNCATED DOMES) ARE NOT REQUIRED PER ADA GUIDELINES AND THE FLORIDA ACCESSIBILITY CODE.
- ALL DISTURBED AREAS IN FOOT RIGHT-OF-WAY SHALL BE SOODED.

LEGEND

- LANDSCAPE BUFFER
- BUILDING SETBACK
- PROPERTY LINE
- LOT LINE
- SCREEN WALL
- CONCRETE
- PROPOSED ASPHALT
- 1" ASPHALT OVERLAY
- ASPHALT OVERLAY - DEPTH VARIES
- INDICATES DIRECTION OF TRAFFIC FLOW (FOR INFORMATION ONLY)
- INDICATES NUMBER OF PARKING SPACES IN ROW

REVISED D/T LANE, PARKING, AND DUMPSTER



PLOT DATE: 4-17-14

TACO BELL
1134 ROCK SPRINGS ROAD
APOKA, FLORIDA 32712



SITE PLAN

C04
OF 10

PLOT DATE: 4-17-14

12144.120

- 3/27/14 PER CITY COMMENTS
- 4/14/14 PER CITY COMMENTS

CONTRACT DATE: 01.30.2014
BUILDING TYPE: MED-40 NI-CMU
PLAN VERSION: DEC 13-A
SITE NUMBER: 310105
ENTITY NUMBER: 423662

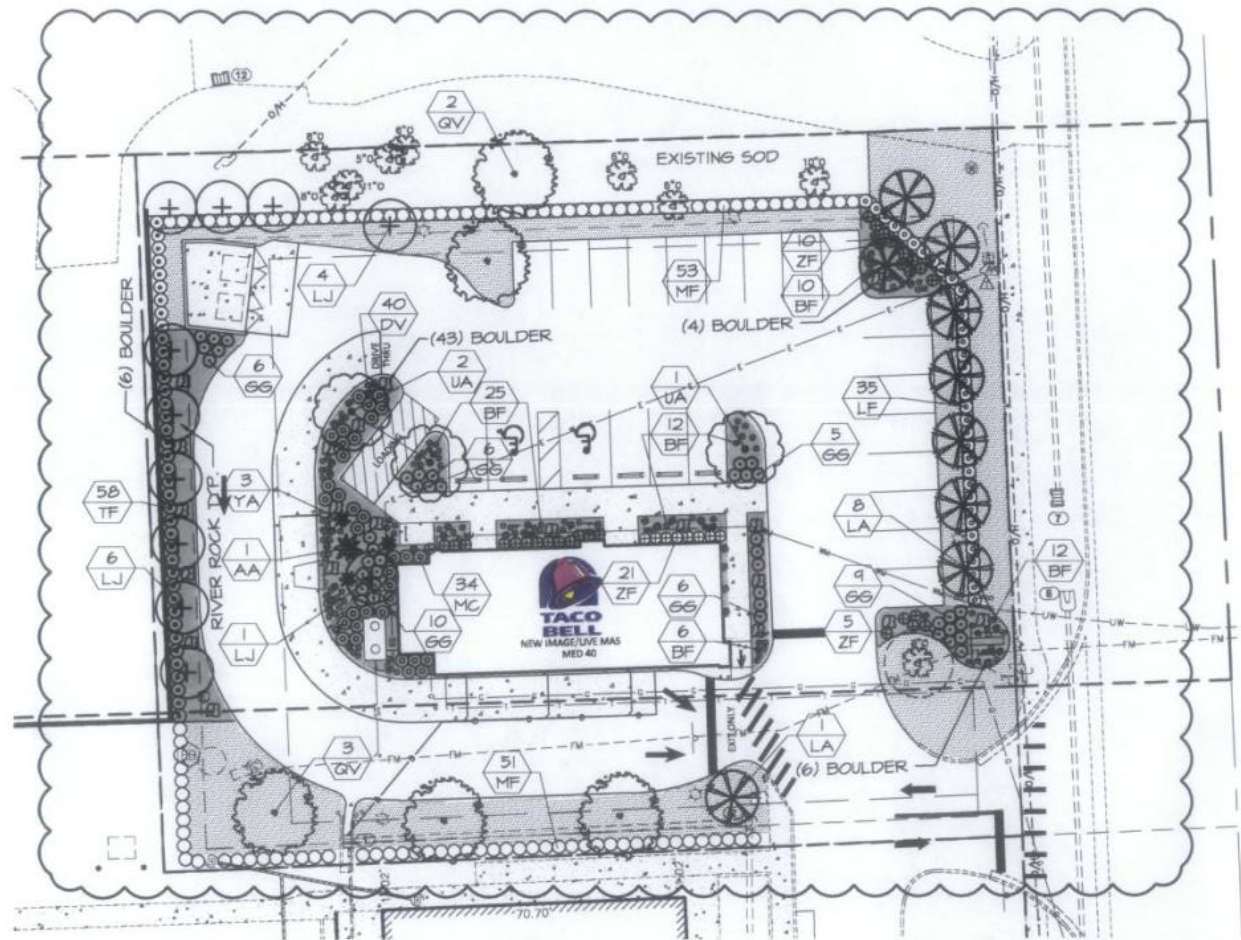
TACO BELL
1134 ROCK SPRINGS ROAD
APOKA, FLORIDA 32712



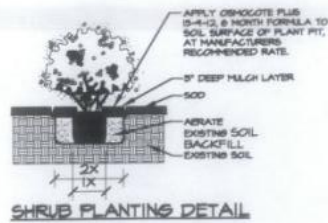
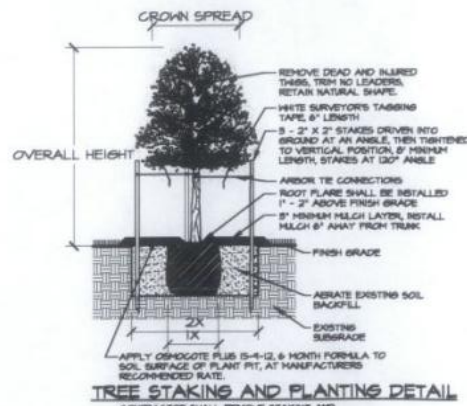
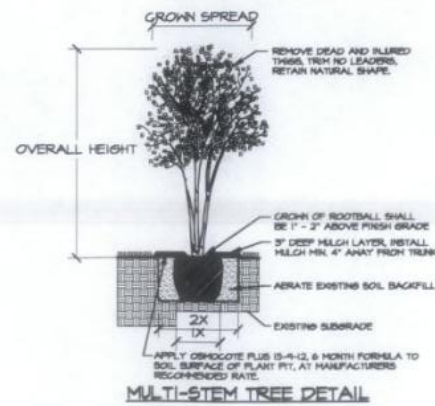
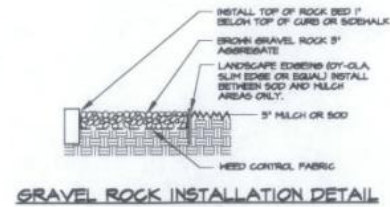
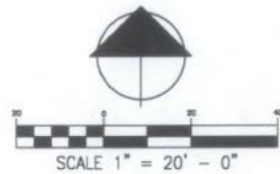
SITE PLAN

C04
OF 10

PLOT DATE: 4-17-14



NORTH



PLANT MATERIAL LIST

| SYMBOL | QUANTITY | BOTANICAL NAME | COMMON NAME | SPECIFICATIONS | SPACINGS |
|--------|----------|----------------------------------|------------------------|---|----------|
| QV | 5 | QUERCUS VIRGINIANA 'SOLN PP1205' | CATHEDRAL LIVE OAK | 16' HT X 7' SPD, 4" DBH, RPS | AS SHOWN |
| UA | 3 | ULMUS ALATA | WINGED ELM | 14' HT X 7' SPD, 3" DBH, RPS | AS SHOWN |
| LA | 4 | LASERSTROEMIA INDICA | GRAPE MYRTLE 'YASKOBE' | 10' HT X 5' SPD, MULTI-TRUNK, 3 STEMS @ 1" GALIPER EACH STEM, 45 GALLON | AS SHOWN |
| LJ | 11 | LIGUSTRUM JAPONICA | TREE-FORM LIGUSTRUM | 10' HT X 5' SPD, MULTI-TRUNK, 3 STEMS @ 1" GALIPER EACH STEM, 45 GALLON | AS SHOWN |
| AA | 1 | AGAVE AMERICANA 'MARGINATA' | VAR. CENTURY PLANT | 36" HT X 36" SPD, 7 GALLON | AS SHOWN |
| YA | 3 | YUCCA ALOIFOLIA | SPANISH BAYONET | 36" HT X 36" SPD, 7 GALLON | AS SHOWN |
| GG | 42 | GALPHIMIA FRAGILIS | THRYSALLIS | 36" HT X 30" SPD, 7 GALLON | AS SHOWN |
| ZF | 36 | ZAMIA FLORIDANUM | COONTIE | 18" HT X 18" SPD, 7 GALLON | AS SHOWN |
| LF | 35 | LEUCOPHYLLUM FRUTESCENS | TEXAS SAGE | 36" HT X 36" SPD, 7 GALLON | 36" OC |
| MC | 34 | MAHLENBERGIA CAPILLARIS | MANLY GRASS | 24" HT X 24" SPD, 3 GALLON | 36" OC |
| TF | 50 | TRIPSACUM DACTYLOIDES | FAKANHATCHEE GRASS | 24" HT X 24" SPD, 3 GALLON | 36" OC |
| MF | 104 | MYRCIANTHES FRAGRANS | SIMPSON'S STOPPER | 24" HT X 24" SPD, 3 GALLON | 36" OC |
| BF | 65 | BULBINE FRUTESCENS | DESERT CANDLES | 8" HT X 8" SPD, 1 GALLON | AS SHOWN |
| DV | 40 | DIETES VEGETA | WHITE AFRICAN IRIS | 10" HT X 10" SPD, 1 GALLON | AS SHOWN |
| | 54 | RED GRANITE BOULDER | | DESERT SAND COLOR, 12" - 36" | AS SHOWN |
| | 3,000 SF | BROWN RIVER ROCK | | 3" AGGREGATE GRAVEL | AS SHOWN |

NOTE: ALL PROPOSED TREES ARE MEASURED AT 54" ABOVE THE SOIL.

LANDSCAPE INSTALLATION NOTES

- 1) ALL PLANT MATERIALS SHALL BE FLORIDA #1 OR BETTER AS GIVEN IN GRADES AND STANDARDS FOR NURSERY PLANTS, FEBRUARY 1998 EDITION, PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.
- 2) LOCATION OF PLANTS ON THE PLAN ARE DIAGRAMMATIC - SEE THE LANDSCAPE ARCHITECT FOR QUESTIONS ON EXACT LOCATIONS. THE PLANT MATERIALS LIST IS PROVIDED FOR THE CONVENIENCE OF THE LANDSCAPE CONTRACTOR. SHOULD THERE BE ANY DISCREPANCY BETWEEN THE PLANT LIST AND THE PLAN, THE PLAN SHALL PREVAIL.
- 3) IT IS THE LANDSCAPE CONTRACTOR'S RESPONSIBILITY TO INSURE THAT ALL PLANT BED AREAS HAVE PROPER DRAINAGE FOR OPTIMUM GROWTH OF LANDSCAPE MATERIAL BEFORE INSTALLATION BEGINS.
- 4) THE CONTRACTOR SHALL INSURE THAT ALL PLANTING ISLANDS AND OTHER AREAS SHALL BE CLEAN OF TRASH, CONSTRUCTION DEBRIS, OR OTHER WASTE MATERIALS TO A DEPTH OF 24" PRIOR TO LANDSCAPE INSTALLATION.
- 5) ALL PLANT BEDS AND TREE RINGS SHALL BE TREATED WITH A PRE-EMERGENT HERBICIDE AND THEN TOP-DRESSED WITH 3" DEEP FLORI MULCH OR BROWN RIVER ROCK AS SHOWN. ALL NEW TREES SHALL HAVE A TREE RING WITH A MINIMUM OF 24' RADIUS, ALL NEW TREES AND SHALL BE STAKED.
- 6) NEW SOD SHALL BE ARGENTINE BAHIA SOD @ 6,000 SF IN THE LOCATIONS SHOWN ON THE PLAN. CONTRACTOR SHALL DETERMINE EXACT QUANTITIES IN THE FIELD. SOD AREAS SHALL BE MAINTAINED BY THE CONTRACTOR FROM THE TIME OF INSTALLATION TO THE TIME OF FINAL ACCEPTANCE.
- 7) TREES SHRUBS, AND GROUND COVER SHALL BE INSTALLED USING THE FOLLOWING PROCEDURE: PLANT PITS SHALL BE EXCAVATED TO TWICE THE DIAMETER OF THE PLANT ROOT BALL. AERATE EXISTING SOIL BEFORE BACKFILLING PIT. ADD AGRIFORM FERTILIZER TABLETS TO EACH PLANT PIT, AS PER THE SPECIFICATIONS.
- 8) TREE INSTALLATION: ALL REQUIRED TREES SHALL BE INSTALLED 1" - 2" ABOVE FINISH GRADE. TREES INSTALLED OR BURIED TOO DEEP SHALL BE RESET TO THIS STANDARD. REMOVE THE TOP 1/3 OF THE WIRE BASKETS ON ALL B & B STOCK.

LANDSCAPE REQUIREMENTS

MINIMUM TREE REQUIREMENT
 1 TREES PER 8,000 SF OF SITE
 33,143 / 8,000 = 4 TREES

FOUNDATION REQUIREMENT
 850 SF PROVIDED

INTERIOR REQUIREMENT
 1 TREE PER 10 PARKING SPACES
 5 - 1 EXISTING TREES = 4 TREES REQUIRED
 4 TREES PROVIDED

PERIMETER REQUIREMENTS
 WEST - CONTINUOUS HEDGE 36" OC, 24" HT.
 140 LF/30 = 5 TREES
 6 TREES PROVIDED

NORTH - CONTINUOUS HEDGE 36" OC, 24" HT.
 160 LF/30 = 5 TREES - 0 EXISTING = 0 TREES

EAST - CONTINUOUS HEDGE 36" OC, 24" HT.
 122 LF/30 = 4 TREES
 1 TREES PROVIDED

SOUTH - CONTINUOUS HEDGE 36" OC, 24" HT.
 120 LF/30 = 4 TREES
 4 TREES PROVIDED

TOTAL TREES REQUIRED = 17 @ 3" GALIPER = 51 INCHES

PROPOSED TREES

5 LIVE OAK, 4" DBH = 20"
 3 WINGED ELM, 3" DBH = 9"
 9 GRAPE MYRTLE, 3" GALIPER = 21"
 11 LIGUSTRUM, 3" GALIPER = 33"
 28 TREES, 84 INCHES PROVIDED
 84" - 51" = 36" TOWARD TREE REPLACEMENT INCHES.

TREE MITIGATION

REPLACEMENT TREES
 8" OAK + 8" OAK + 6" OAK + 6" OAK + 6" OAK =
 34 REPLACEMENT INCHES REQUIRED.
 36 INCHES PROVIDED

SYMBOL LEGEND



LANDSCAPE AND IRRIGATION DESIGN

I CERTIFY THAT THE LANDSCAPE AND IRRIGATION DESIGN FOR THIS PROJECT IS IN ACCORDANCE WITH THE CITY OF APOPKA'S ORDINANCE 2069A ADOPTED MAY 21, 2008 WHICH ESTABLISHES WATERWISE LANDSCAPE AND IRRIGATION STANDARDS.

SIGNATURE _____ REG. NO. _____ DATE _____

L. ALYSON LUTTER
 PLA

NO. LA 0001183



ANDERSON LESNIAK LIMITED, INC.
 landscape architects
 4921 S. WESTSHORE BOULEVARD
 TAMPA, FLORIDA 33611
 (813) 831-9900 FAX (813) 831-5485
 www.andersonlesniak.com
 andersonlesniak@andersonlesniak.com

- △ PER CITY COMMENTS 3/28/14
- △ PER CITY COMMENTS 4/07/14
- △ PER CITY COMMENTS 4/14/14
- △
- △
- △
- △
- △
- △

CONTRACT DATE: 01/30/2014
 BUILDING TYPE: MED-40 NI cnu
 PLAN VERSION: DEC 13-A
 SITE NUMBER: 310105
 ENTITY NUMBER: 423662

TACO BELL
 1154 ROCK SPRINGS ROAD
 APOPKA, FLORIDA 32712



LANDSCAPE PLAN

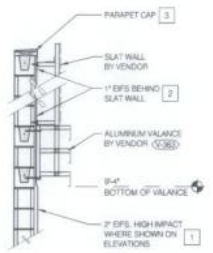
L1

PLAT DATE: 4-14-14

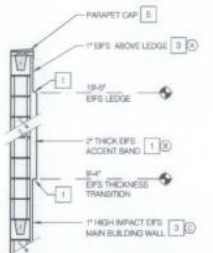
RECEIVED
MAR 28 2014
By



RIGHT SIDE ELEVATION 1/4" = 1'-0" A



SLAT WALL COLOR TRANSITION N.T.S. I



EIFS THICKNESS COLOR TRANSITION N.T.S. G

MISCELLANEOUS
 A. SEE SHY AT 1 WINDOW TYPES FOR WINDOW ELEVATIONS.
 B. SEE SCOPE OF WORK FOR RESPONSIBILITIES.
 C. HIGH IMPACT MESH SHALL BE USED WHERE NOTED.
 D. THE PAINT COLORS SHOWN ARE COLOR REFERENCES FOR THE EIFS SUPPLIER.
 E. EIFS TEXTURE SHALL BE FINE.

SEALERS: REFER TO SPEC:
 A. SEALANT AT ALL WALL AND ROOF PENETRATIONS.
 B. SEALANT AT ALL WINDOW AND DOOR FRAMES AT HEAD AND JAMB. DO NOT SEAL SILL & WINDOW.
 C. APPLY NEOPRENE GASKET (GOVT.) BETWEEN BUILDING & CANOPY/TRELIS.

LEGEND:
 A. VENDOR SCOPE INCLUDES SUPPLY AND INSTALLATION OF AWARDS, CANOPIES, AND SIGNAGE.
 B. DENOTES 2" THICK EIFS.

VERTICAL DIMENSIONS:
 A. REQUEST CLEAR OPENING WIDTH TO ENSURE COORDINATION WITH STANDARD SIGNAGE BUILDING ELEMENTS DIMENSIONS.

GENERAL NOTES F

| QTY | ITEM DESCRIPTION | ELEC |
|-----|--------------------------------|------|
| 1 | TACO BELL DRIVE THRU CANOPY | X |
| 1 | SLAT WALL AND ALUMINUM VALANCE | |

CANOPY AND BLDG. ACCENT SCHED. N.T.S. E

| QTY | ITEM DESCRIPTION | ELEC |
|-----|--|------|
| 3 | TACO BELL LETTERS 12" HIGH WHITE FLAT FACED | X |
| 1 | TACO BELL BELL SIGN 4'-10 1/2" W x 4'-4 1/4" H | X |
| | LED LAMPING | |

SIGN SCHEDULE N.T.S. C

| SYMBOL | AREA | MANUFACTURER | COLOR | ALTERNATE MFR. | ALTERNATE COLOR | CONTACT INFORMATION |
|--------|-------------------------------|---------------------|---|------------------|---|--|
| 1 | MAIN BUILDING COLOR | SHERWIN WILLIAMS | SW 6102 "CAMEL BACK" | LOTUSAN | NAB-0011 | SHERWIN WILLIAMS: BRAD HARRINGTON, 215-341-5558 (PHONE), BRAD.HARRINGTON@SHERWIN.COM |
| 2 | WALL COLOR BEHIND SCREEN WALL | SHERWIN WILLIAMS | SW 6831 "CLIMATE" | | | |
| 3 | ACCENT COLOR | SHERWIN WILLIAMS | SW 2652 "ROCKWOOD CLAY" | LOTUSAN | NAB-0015 | EIFS CONTACT: STEVE CORNE, TM SALES@EIFS, 800-426-2758 (PHONE), 321-476-0247 (FAX), TJSALZ@EIFS.COM (OWNER REPRESENTATIVE WILL IDENTIFY IF LOTUSAN PAINT WILL BE USED) |
| 4 | SLAT WALL AND VALANCE COLOR | VENDOR | SW 7034 "STATUS BRONZE" (EQUAL) | | | |
| 5 | PARAPET CAP COLOR | DUROLAST | MEDIUM BRONZE (FACTORY FINISH) | SHERWIN WILLIAMS | SW 7096 "IRON GRE" | DUROLAST: LEE COBB, 800-434-3876 (PHONE) |
| 6 | STONE WALL | BORAL - VERSA STONE | TIGHT CUT - "FLUM CREEK" | OWENS CORNING | VERNETTA STONE WALL: GENE GUEZDOR, 262-915-4073 (PHONE) | ALTERNATE: OWENS CORNING, KATHY MANNON, 888-315-5881 (PHONE), KATHY.MANNON@OWENSCORNING.COM |
| 7 | STOREFRONT WINDOWS | TBD | "DARK BRONZE" | | | |
| 8 | PIPE BOLLARDS | STREET SMART | YELLOW - 1/2" THICK PLASTIC COVER (SUB POSTMAN COM) OR EQUAL | | | |
| 9 | PARAPET BACK ROOFING | DUROLAST | "THE COLOR SHALL BE FACTORY COLORED TRIM" EQUAL ALTERNATE ALLOWED | | | DUROLAST: LEE COBB, 800-434-3876 (PHONE) |

EXTERIOR FINISH SCHEDULE H

- BUILDING SIGN. SEE SCOPE OF WORK.
- DRIVE THRU WINDOW. SEE SHEET A1.0 AND A1.1.
- ROOF BEYOND.
- STOREFRONT TYPICAL.
- DOUBLE DOOR.
- SWITCH GEAR. PAINT TO MATCH WALL.
- ARCHITECTURAL ALUMINUM VALANCE BY VENDOR.
- LIGHT SCIENCE: ALIGN BOTTOM OF FIXTURES MOUNTING BRACKET WITH CHANGE IN EIFS THICKNESS (CEILING OF BRACKET AT 9'-5").
- ASSUME CUT LAKE SURFACE IS 6" BELOW THE FINISH FLOOR. REFER TO GRADING & SITE PLAN.
- 2" EIFS TO TERMINATE AT TOP OF WINDOW HEIGHT. PROVIDE 1" EIFS ABOVE THAT POINT. SLOPE TRANSITION AWAY FROM BUILDING 1:12.
- EIFS (TYP). SEE 2 & 4/6.2.
- PARAPET CORING. IF DURO-LAST EDGE TRIM IS USED, USE THE DURO-LAST PRE-FINISHED EDGE TRIM. SEE DETAIL 2/6.0.
- CO2 FILLER VALVE & COVER. SEE DETAIL 2/6.2 3M.
- EIFS REVEAL JOINT.

- GAS SERVICE.
- WALL SHALL BE FINISHED PRIOR TO INSTALLATION OF SWITCH GEAR.
- SCUPPER, COLLECTOR, AND VERTICAL DOWNPOLIT IF MFL. PAINT TO MATCH ADJACENT WALL.
- OVERFLOW SCUPPER.
- RTU BEYOND. PAINT TO MATCH MAIN BUILDING COLOR.
- BREAK METAL COVER OVER WOOD STUDS TO MATCH STOREFRONT. SEE 3 & 7/6.1.
- HIGH IMPACT EIFS WHERE SHOWN ON ELEVATIONS. SEE 2/6.2.
- ALUMINUM SLAT WALL BY VENDOR.
- BOLLARD.
- DURO-LAST SINGLE MEMBRANE ROOFING OR EQUAL.
- IF THE DURO LAST PARAPET CAP TRIM IS USED IT SHALL NOT BE PAINTED. RETURN ALUMINUM LOUVERS BACK TO FACE OF BUILDING.

KEY NOTES D



12144.120

CONTRACT DATE: 03.20.13
 BUILDING TYPE: LIVE MASS MED 40
 PLAN VERSION: March 2013
 SITE NUMBER: 310108
 STORE NUMBER: 425982

TACO BELL
 1154 ROCK SPRING RD.
 APOPKA, FL



EXTERIOR ELEVATIONS

A4.0

PLOT DATE:



RIGHT SIDE ELEVATION 1/4" = 1'-0" A



FRONT ELEVATION 1/4" = 1'-0" C



REAR ELEVATION 1/4" = 1'-0" B



12144.120

CONTRACT DATE: 06.06.09
 BUILDING TYPE: LIVE MAS MED #0
 PLAN VERSION: March 2013
 SITE NUMBER: 310106
 STORE NUMBER: 429667

TACO BELL
 115A ROCK SPRINGS RD.
 APOPKA, FL



EXTERIOR ELEVATIONS

A4.1

PLOT DATE:

Backup material for agenda item:

1. LAND DEVELOPMENT CODE AMENDMENT – Amending the City of Apopka Code of Ordinances, Part III, Land Development Code, Article III – Overlay Zones, to create a Small Lot Overlay Zoning District.

(Tabled at the March 11, 2014 and Continued at the April 8, 2014, Planning Commission meetings.)



**CITY OF APOPKA
PLANNING COMMISSION**

| | |
|-------------------------------------|------------------------------------|
| <u> </u> CONSENT AGENDA | MEETING OF: May 13, 2014 |
| <u> </u> PUBLIC HEARING | FROM: Community Development |
| <u> </u> SPECIAL REPORTS | EXHIBITS: Exhibit "A" |
| <u> X </u> OTHER: Workshop | TDC Letter |

SUBJECT: AMENDING ARTICLE III OF THE CITY’S LAND DEVELOPMENT CODE, CREATING A SMALL LOT OVERLAY ZONING DISTRICT.

Request: DISCUSSION ON THE AMENDMENT TO ARTICLE III OF THE CITY’S LAND DEVELOPMENT CODE, CREATING A SMALL LOT OVERLAY ZONING DISTRICT.

SUMMARY:

Attached Exhibit “A” is a revised amendment to the City’s Land Development Code establishing an Overlay Zoning District related to small lot development within the City of Apopka. The purpose of the Small Lot Overlay Zoning District is to provide flexibility for a dynamic housing market; implement Comprehensive Plan policies that promote housing diversity; provide transition between lower density residential areas and more intense development such as commercial, office, industrial or other non-residential land uses, to provide transition between lower density residential areas and limited access highways; to create an increase in development options for properties assigned medium and high density future land use designations; to promote infill development while preserving the character of the existing residential neighborhoods; and to promote diversity in the size and type of new residential developments thereby providing housing opportunities for various family sizes. The Overlay District delineates permitted uses and prohibitions or limitations on certain uses, as well as certain design standards.

As proposed, the Small Lot Overlay District is only eligible for properties that are assigned both a Residential High Density (0 – 15 un/ac) and an R-3 zoning category. Also, the development site must be a minimum of ten acres but not more than eighty acres. DRC has reviewed the proposed Small Lot Overlay District.

Based on the discussion at the March 11, 2014 meeting, the Planning Commission requested staff to coordinate additional review with the development community and the item was tabled. At the April 8, 2014, meeting, staff requested that the item be continued until the May meeting to allow more time for the development community’s review.

FUNDING SOURCE: N/A

RECOMMENDATION ACTION:

Planning staff has worked with the development community and prepared this revised development option for the Planning Commission to consider. Several developers or homebuilders have asked the City to consider development options that accommodate smaller residential lot sizes. If after review by the Planning Commission, it is determined that this development option meets the desired vision and goals of the City, the Development Review Committee will schedule the amendment to Article III of the City’s Land Development Code.

DISTRIBUTION:

| | | |
|-------------------------|------------------|--------------------------|
| Mayor Kilsheimer | Finance Director | Fire Chief |
| Commissioners (4) | HR Director | Public Ser. Director (2) |
| CAO/Richard Anderson | IT Director | City Clerk |
| Community Dev. Director | Police Chief | |

Key: New text shown as underlined and deleted text shown as ~~strikethrough~~.

EXHIBIT “A”

DRAFT

CITY OF APOPKA

3.04.00 - SMALL LOT OVERLAY ZONING DISTRICT

[Add new Section to Article III of the City’s Land Development Code]

Section 3.04.00 - Small Lot Overlay Zoning District

Section 3.04.01 – Definition

Small Lot: For purposes of Section 3.04.00, a lot with a width of less than 70 feet or an area less than 7,000 sq. ft. that accommodates a single family, duplex, or townhome dwelling unit.

Section 3.04.02 - Purpose

The purposes of the Small Lot Overlay District to:

1. Provide flexibility for a dynamic housing market;
2. Implement Comprehensive Plan policies that promote housing product diversity;
3. Provide transition between lower density residential areas and more intensely development commercial, office, industrial or other non-residential land uses, or limited access highways;
4. Create increase development options for property assigned a high density future land use designations;
5. Promote infill development while preserving the character of the existing residential neighborhoods; and
6. Promotes diversity in the size and type of new residential developments to provide housing opportunities for various family sizes.

Section 3.04.03 – Applicability

1. The regulations of this section apply to all properties within the small lot overlay district delineated within a zoning ordinance, and shall apply to new development and redevelopment occurring therein.
2. Those parcels that are split by the Overlay District line shall be considered to be wholly within the boundary of the Overlay District if the majority of the acreage is located within the Overlay District.

DRAFT
CITY OF APOPKA
3.04.00 - SMALL LOT OVERLAY ZONING DISTRICT

Section 3.04.04 - Location Criteria

1. A Small Lot Overlay District shall comply with each of the following location criteria:
 - a. Property must be assigned a Residential High Future Land Use Designation and an R-3 zoning category.
 - b. A Small Lot Overlay District shall not be located within a half mile from another Small Lot Overlay District. This minimum separation distance is waived if at least fifty percent (50%) of the residential lands within a half mile radius of the Overlay District are assigned a zoning district that requires a minimum single-family residential lot size of 8,000 sq. ft. or larger.
 - c. Property comprising a Small Lot Overlay District shall be contiguous and generally compact.
2. A boundary line of a Small Lot Overlay District must satisfy one (1) of the following location criteria:
 - a. Located within a half mile from a commercial, office, or industrial use center comprising more than ten acres;
 - b. Located within a half mile from an entrance to a limited access highway, or abutting a limited access highway.

Section 3.04.05 - Development Standards

1. Unless otherwise addressed within Section 3.04.00, the development standards established for the R-3 zoning district shall apply.
2. Minimum and Maximum Area Requirements. The Small Lot Overlay District shall comprise a minimum of fifteen (15) acres but shall not exceed a maximum of eighty (80) acres.
3. Housing Types and Mix. For development proposing a small lot width of less than seventy (70) feet, a diversity of lot size or housing types shall be provided. If single family or duplex lots are proposed with a width less than fifty (50) feet, at least one-half (½) of the lots shall have a minimum width equal to or greater than fifty (50) feet.
4. Common Open Space.
 - a. A minimum of thirty percent (30%) of the developable land shall be placed in useable open space. The common open space must be arranged to maximize usability.
 - b. For small lots with a front entry garage and a lot width less than fifty (50) feet wide, no more than twelve such lots shall occur in a row without separation from a common open space area.
5. Landscape Bufferyard. Minimum buffer width adjacent to a local or collector road shall be fifteen (15) feet and twenty (20) feet adjacent to an arterial road.

DRAFT
CITY OF AOPKA
3.04.00 - SMALL LOT OVERLAY ZONING DISTRICT

6. Vehicle Access Points.

- a. ~~All lots with a width less than fifty (50) feet (including townhome and duplex dwellings) shall have vehicle access points via a rear alley.~~ All townhome and duplex dwelling lots shall have vehicle access points via a rear alley; no less than two thirds of the single family lots with a width less than fifty (50) feet shall have vehicle access points via a rear alley.
- b. All small lot, duplex and townhome lots shall include a two-car enclosed garage
- c. A minimum of four parking spaces shall be provided for each single family, duplex or townhome unit unless other determined through a parking study that fewer parking spaces are demanded. The parking study must be accepted by the city engineer and approved by City Council. If a lot is unable to accommodate a minimum of four parking spaces, up to two (2) parking spaces may be placed within parking lots or on-street parking spaces located outside the street travel lane.
- d. Where on-street parking is provided in front of a dwelling, vehicle access to a garage must occur from a rear alley.

7. Building Setbacks

| | Min. Lot width (feet) ⁽¹⁾ | Min. Yard Setbacks (feet) | | | | Maximum Lot Coverage (%) |
|-----------|--------------------------------------|---------------------------|---------------------|---------------------|--------|--------------------------|
| | | Front ⁽²⁾ | Rear ⁽³⁾ | Side ⁽⁴⁾ | Corner | |
| Small Lot | 40 | 15/10 | 20 | 4 min./10 total | 15 | 75% |
| Small Lot | 50 | 20 | 20 | 5 | 20 | 70% |
| Small Lot | 60 | 20 | 20 | 5 | 20 | 70% |
| Townhome | 18, 20, 22, 25 | 15/10 | 15 | ⁽⁵⁾ | 15 | 80% |

- 1) Width of a single family or duplex lot shall not be less than forty (40) feet along any point of the length of the lot.
- 2) Setback to primary structure/setback to porch.
- 3) Setback to primary structure.
- 4) Side yard setback is zero where duplex and townhome walls separate dwelling unit.
- 5) Twenty feet between buildings.

8. Garage Setbacks

- a. Front-entry garage: 30 feet.
- b. Rear-entry garage: Same as primary structure.

DRAFT
CITY OF AOPKA
3.04.00 - SMALL LOT OVERLAY ZONING DISTRICT

9. Individual townhome buildings shall have no more than six dwellings. Apartment buildings abutting or near single family dwellings shall not exceeding 12 dwellings units. Apartment building mass shall be limited to size and character that is compatible with nearby single family and townhome buildings.
10. Each single family, duplex, or townhome dwelling unit shall be placed within its own lot.
11. Along an Overlay District perimeter, small lots shall not abut existing platted residential lots with a lot width of seventy five (75) feet or greater unless a ten (10) foot buffer tract with a six-foot high buffer wall, or alternatively a twenty (20) foot landscape bufferyard is provided.

Section 3.04.06 - Design Guidelines

1. Subdivision design and site layout avoids the appearance of a long row of homes. Open space and street pattern shall be designed to establish breaks between housing rows.
2. Subdivision design occurs in a block form with design similar housing types grouped together. Streets are interconnected and cul-de-sacs discouraged.
3. Front facades of buildings facing an abutting common area typically have the front walls following a similar building line.
4. Streets and alleyways are designed to accommodate turning movements for large utility and emergency vehicles.
5. Subdivision and street design allow for efficient garbage and utility service. Right-of-way and streets are designed to provide sufficient space for sanitation vehicles to access refuse containers. Where on-street parking is provided outside travel lanes, development plans demonstrate that sanitation service vehicles are able to efficient serve refuse containers within driveways or other locations.
6. Pedestrian systems are an integral part of each development.

Section 3.04.07 - Architecture

1. Maximum number of bedrooms allowed for a house constructed on a small lot is four (4) and three (3) bedrooms for duplex, townhome or apartment. Single family, duplex, and townhome dwellings shall have a minimum of two bedrooms. No more than twenty-percent (20%) of apartment units shall have one-bedroom or a suite design.
2. Duplexes, townhomes and apartment buildings must be designed to architecturally blend with the surrounding single-family dwellings.
3. Front building entrance shall be featured with a porch, portico, or similar entry-feature. A porch must have a minimum depth of five (5) feet and must be designed to accommodate at least two humans.

DRAFT
CITY OF APOPKA
3.04.00 - SMALL LOT OVERLAY ZONING DISTRICT

4. The rear of any residential building facing a public street or adjacent established residential neighborhood shall be treated with the same architectural quality as the front façade regarding fenestration, articulation and roofline. Substantial window areas shall overlook streets.
5. Single family and duplex limited to two stories; townhome and apartment buildings abutting or near single family residential shall be limited to two stories.
6. Architectural exterior elevations shall vary among all housing types but have color unified schemes to create diversity in exterior appearances and style.
7. A front entry garage does not extend in front of the front wall. If a useable front porch is provided, then the garage may extend as far as the porch but no further than the front yard setback.

Section 3.04.08 - Accessory Structures

1. No sheds or similar outdoor storage facilities are allowed within a small residential lot.
2. No swimming pools or recreational facilities within a small lot.
3. Metal, vinyl, or other similar materials shall not be used for patios, porticos or porches that extend beyond the wall of the primary residential structure.
4. Fences shall not be allowed within yards abutting common areas unless fence is a height of four feet or less with a gate that leads to a walkway. Fences located at the rear or side yard of lots less than fifty (50) feet wide shall be wrought-iron rate style fences to avoid appearance of clutter. A fence within a rear yard shall not exceed the height of the any abutting common area wall.

Section 3.04.09 - Utilities

Air conditioning units or similar utilities located shall be placed behind the residential building and screened from view from a street.

Section 3.04.10 - Review Process

Application for a Small Lot Overlay District shall follow the same review process as a change of zoning. A master site plan shall accompany the zoning application for the Overlay District and shall address the requirements of Section 2.02.18.K.

Section 3.04.11 – Maintenance

All common areas and yard area within any lot with a width less than fifty (50) feet shall be maintained the Property Owners Association unless another maintenance program is approved by the City Council. Any shared residential driveways shall be maintained by the Property Owners Association. All parking space adjacent to/outside the travel lanes shall be maintained by the Property Owners Association.

To: David Moon, City of Apopka
From: Ed Hampden
RE: Small Lot Overlay District
Date: March 21, 2014

This memo asks you and DRC to allow for a limited number of front loaded 40' lot product into the overall mix of small lot product that is proposed in the Small Lot Overlay District language.

Attached is a suggested revision to the language in Section E. 6. a. that would accommodate such homebuilding product.

There is a portion of the homebuyer market that prefers to have a home offering functional backyards for family events and gatherings over a house with a nice front porch, but whose backyard is primarily garage and alley.

The street elevations of the new 40' building product produced by today's homebuilders (see attachments) shows how attractive the front loaded 40' house product is and how it can be intermingled with alley loaded product.

The City's appropriate concern about regulating on-street parking is met by the proposed thirty foot setback requirement to the face of the garage door, which will ensure adequate parking space for two full size cars or pickup trucks in front of the garage door. This requirement helps to keep parked cars outside the ROW and prevents cars from crowding onto the sidewalks. Also, any concern about the ongoing appearance of the streetscape is handled by the requirement to have front yard landscape maintenance remain the responsibility of the HOA.

This developer recognizes and advocates the benefits of alley loaded townhome and SF home product in a small lot subdivision, and requests that a portion of the 40' lot product be allowed to be front loaded. This is a request to expand the diversity of home product made available to the marketplace and to promote additional flexibility in land planning within a Small Lot Overlay District. Both requests are consistent with the purposes described in Section B of the proposed amendment.

Thank you for your consideration and please call me with any questions or concerns.

EPA