



**City of Apopka
Planning Commission
Meeting Agenda
November 10, 2015
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 regular meeting held October 13, 2015, at 5:01 p.m.
- 2 Approve minutes of the Planning Commission special meeting held October 28, 2015, at 5:01 p.m.

IV. PUBLIC HEARING:

1. COMPREHENSIVE PLAN – LARGE SCALE – FUTURE LAND USE AMENDMENT – Owned by Diane Reid-Goolsby; Debra Reid-Wilbarger; and Daniel Joshua Reid, from "County" Rural (0-1 du/10 ac) to "City" Mixed Use (15 du/ac; 1.00 FAR); and recommend approval to transmit to the Florida Department of Economic Opportunities for review, for property located west of Plymouth Sorrento Road, south of West Kelly Park Road. (Parcel ID #s: 13-20-27-0000-00-010; 13-20-27-0000-00-031; 13-20-27-0000-00-039; 13-20-27-0000-00-040; 13-20-27-0000-00-041; 13-20-27-0000-00-042; 13-20-27-0000-00-043; 13-20-27-0000-00-044; 13-20-27-0000-00-049)
2. COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – Owned by the City of Apopka, from Parks/Recreation to Industrial, for property located north of East Cleveland Street, west of Sheeler Avenue. (Parcel ID #: 15-21-28-0000-00-080)
3. CHANGE OF ZONING – Owned by the City of Apopka, from PR (Parks/Recreation) to I-1 (Restricted Industrial), for property located north of East Cleveland Street, west of Sheeler Avenue. (Parcel ID #: 15-21-28-0000-00-080)
4. CHANGE OF ZONING/ MASTER SITE PLAN – Raynor Shine Recycling Solutions LLC, owned by Raynor Apopka Land Management, LLC; Engineer is American Civil Engineering Co., c/o John Herbert, P.E., from "County" I-4 (ZIP) and "City" I-1 to "City" Planned Unit Development (PUD/I-2), for property located at 100 & 126 Hermit Smith Road. (Parcel ID #s: 01-21-27-0000-00-026; 01-21-27-0000-00-080)

- 5. COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – Owned by Technology Property, LLC; applicant is Robinson Forges Realty International, c/o Lou Forges, from “County” Rural (0-1 du/5 ac) to “City” Commercial (Max. FAR 0.25), for property located west of Clarcona Road, south of West Keene Road. (Parcel ID #s: 27-21-28-6024-00-005; 27-21-28-6024-00-006; 27-21-28-6024-00-007)
- 6. CHANGE OF ZONING – Owned by Technology Property, LLC; applicant is Robinson Forges Realty International, c/o Lou Forges, from “County” P-D (ZIP) to “City” C-3 (Wholesale Commercial), for property located west of Clarcona Road, south of West Keene Road. (Parcel ID #s: 27-21-28-6024-00-005; 27-21-28-6024-00-006; 27-21-28-6024-00-007)
- 7. PLANNED UNIT DEVELOPMENT MASTER SITE PLAN - 1ST AMENDMENT – RaceTrac/AutoZone – Owned by RaceTrac Petroleum, Inc.; applicant is AutoZone Stores, LLC; engineer is CPH Engineering, Inc., c/o Joshua D. Lockhart, P.E., property located north of U.S. 441 (a.k.a. Orange Blossom Trail) and east of Errol Parkway. (Parcel ID No. 05-21-28-0000-00-031)
(Item to be continued to the Special Planning Commission meeting to be held Tuesday, November 24, 2015, at 5:01 p.m.)

V. SITE PLANS:

- 1. PRELIMINARY DEVELOPMENT PLAN – COPART - Owned by Copart, Inc.; engineer is Burkett Engineering, c/o William E. Burkett, P.E., property located at 3351 West Orange Blossom Trail. (Parcel ID #: 01-21-27-0000-00-032)
(Item to be continued to the Special Planning Commission Meeting to be held Tuesday, November 24, 2015, at 5:01 p.m.)

VI. OLD BUSINESS:

VII. NEW BUSINESS:

VIII. ADJOURNMENT:

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

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

Backup material for agenda item:

- 1 Approve minutes of the Planning Commission regular meeting held October 13, 2015, at 5:01 p.m.

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON OCTOBER 13, 2015, AT 5:01 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

MEMBERS PRESENT: Melvin Birdsong, Tony Foster, Jeremiah Jaspon, Linda Laurendeau, and Pam Toler

ABSENT: James Greene, Robert Ryan, Orange County Public Schools (Non-voting)

OTHERS PRESENT: R. Jay Davoll, P.E. - Public Services Director/Community Development Director, David Moon, AICP - Planning Manager, Rogers Beckett - Special Projects Coordinator, Kyle Wilkes - Planner II, Robert Sargent - Public Information Officer, Andrew Hand, Esq., Steve Thomes, Carmen Hunter, Ed Velazquez, George Kramer, Rob Cash, Sandy Brower, Suzanne Kidd, Marc Stehli, Kent Brower, Jose Molina, Richard Berglund, Alice Nolan, Teresa Sargeant, Angie McCain, and Jeanne Green – Community Development Department Office Manager/Recording Secretary.

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

APPOINTMENT OF CHAIR PRO TEM:

MOTION: Melvin Birdsong made a motion to appoint Tony Foster as the Chair Pro Tem for the October 13, 2015, Planning Commission meeting and Linda Laurendeau seconded the motion. Aye votes were cast by Melvin Birdsong, Tony Foster, Jeremiah Jaspon, Linda Laurendeau, and Pam Toler (5-0).

APPROVAL OF MINUTES: Chair Pro Tem Foster asked if there were any corrections or additions to the special meeting minutes of August 25, 2015, at 5:01 p.m. minutes.

Motion: Melvin Birdsong made a motion to approve the Planning Commission minutes from the special meeting held on August 25, 2015, meeting at 5:01 and seconded by Pam Toler. Aye votes were cast by Melvin Birdsong, Tony Foster, Jeremiah Jaspon, Linda Laurendeau, and Pam Toler (5-0). (Vote taken by poll.)

ANNOUNCEMENTS

1. Jay Davoll, P.E., announced his transition to the position of Public Services Director and has relocated to the Public Services compound on Cleveland Street. He stated that in the interim of finding a replacement for the Community Development Director position he has been asked to continue in that capacity in a limited manner.
2. David Moon, AICP, Planning Manager, stated that the applicant for Item 3 on the agenda, Ever Meadow Small Scale Land Use Amendment, has requested a continuance for this item. Further discussion to follow later in the meeting.

SWEARING-IN - Mr. Hand swore-in staff, the petitioners, and affected parties.

MINOR FINAL DEVELOPMENT PLAN – PLYMOUTH SOUTH POWER SUBSTATION - Chair Pro Tem Foster stated this is a request to recommend approval of the Minor Final Development Plan for the Plymouth South Power Substation owned by Duke Energy. The applicant is Poulos & Bennett, LLC, and the property is located at 620 Superior Commerce Boulevard.

Chair Pro Tem Foster asked if there were any affected parties in attendance that wished to speak. No one spoke.

MINUTES OF THE PLANNING COMMISSION SPECIAL MEETING HELD ON AUGUST 25, 2015, AT 5:01 P.M.

Chair Pro Tem Foster asked if the Commission members had any ex parte communications to divulge regarding this item. None.

Staff Presentation: David Moon, AICP, Planning Manager, stated this is a request to recommend approval of the Minor Final Development Plan for the Duke Energy Plymouth South Power Substation. The owner/applicant is Duke Energy, Inc. and the engineer is Poulos & Bennett, LLC, c/o Ricardo A. Ortiz, P.E. The property is located at 620 Superior Commerce Boulevard (south of West Orange Ave, east of S.R. 429 and west of Superior Commerce Boulevard). The land use is Industrial and the zoning is I-1. The existing use is vacant land and the proposed use is a power substation. The tract size is 2.16 +/- acre (94,089 sq. ft.) and the building size is 1,051 sq. ft.

This proposed Power Substation is located in the heart of Apopka's planned industrial center at S.R. 429/Wekiva Parkway. Proximity of electrical substation is an important consideration when industrial businesses are considering site selection for a new facility. Closer proximity to a power station results in fewer interruptions caused breaks in electric line. It is needed to serve future new industrial and commercial uses near the S.R. 429 interchange with U.S. 441.

The Duke Energy - Plymouth South Power Substation - (Minor) Final Development Plan proposes a High Density Substation with 4 feeders and 3 transmission lines. A preliminary development plan is not required for projects less than 10,000 square feet.

The site will be serviced by an on-site irrigation well and on-site stormwater management system designed according to standards set forth in the Land Development Code.

The site has a standard ten (10) foot wide side-yard landscape buffer with a twenty-five (25) foot wide landscape buffer along Superior Commerce Boulevard. The applicant has provided a detailed landscape and irrigation plan for the property. The planting materials and irrigation system design are consistent with the water-efficient landscape standards set forth in Ordinance No. 2069. There is no tree bank mitigation fee payment required for this site.

A total of 3 parking spaces are provided for utility vehicles servicing the site; with access occurring from a driveway connecting to Superior Commerce Boulevard.

Waiver Request: The applicant is requesting a waiver from section 4.6 and 4.7 of the Development Design Guidelines; which does not allow chain link or barb wire in areas visible from the road and requires utility equipment to be totally screened from view of principal streets. Where fences are intended to screen areas from public view, they shall be constructed of brick, masonry, wrought iron, stone or other decorative materials.

Response: The applicant is proposing a 7' high chain link fence with 3 strands of barb wire. The chain link fence is proposed for the following safety reasons: 1) to allow visual sightlines into the facility in case of injury to personnel; and 2) to promote air circulation through the yard to reduce temperature inside the yard for personnel.

- Staff does not object to this waiver request.

The Development Review Committee recommends approval of the Duke Energy – Plymouth South Power Substation Final Development Plan and does not object to the waiver request, 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.

Petitioner Presentation: Marc Stehli, Poulos & Bennett, LLC, 2602 East Livingston Street, Orlando, stated that they are in concurrence with the staff recommendations.

In response to a question by Ms. Toler, Rob Cash, Duke Energy, 3300 Exchange Place, Lake Mary, stated that, while he was not familiar with the substation located at the intersection of Rock Springs Road and Welch Road, this substation would be small and not as tall as what Ms. Toler described.

Affected Party Presentation: None.

Chair Pro Tem Foster opened the meeting for public hearing. With no one wishing to speak, Chair Pro Tem Foster closed the public hearing.

Motion: Pam Toler made a motion to recommend approval of the Minor Final Development Plan and waiver request for the Plymouth South Power Substation, owned by Duke Energy and located at 620 Superior Commerce Boulevard. Jeremiah Jaspon seconded the motion. Aye votes were cast by Melvin Birdsong, Tony Foster, Jeremiah Jaspon, Linda Laurendeau, and Pam Toler (5-0). (Vote taken by poll.)

SUBDIVISION REPLAT – COOPER PALMS COMMERCE PARK FOR LOTS 7 & 9 - Chair Pro Tem Foster stated this is a request to recommend approval of the subdivision replat of Cooper Palms Commerce Park for Lots 7 & 9 owned by Property Industrial Enterprises, Inc., c/o Michael Cooper. Property located south of 1st Street, north of 3rd Street, east of South Bradshaw Road, and west of South Hawthorne Avenue.

Chair Pro Tem Foster asked if there were any affected parties in attendance that wished to speak. No one spoke.

Chair Pro Tem Foster asked if the Commission members had any ex parte communications to divulge regarding this item. None.

Staff Presentation: Mr. Moon stated this is a request to recommend approval of the Cooper Palms Commerce Park Replat of Lots 7 & 9. The owner/applicant is Property Industrial Enterprises, Inc., c/o Michael Cooper. The surveyor is Nieto-Whittaker Surveying, LLC, c/o Ralph A. Nieto, P.S.M. The property is located south of 1st Street, east of South Bradshaw Road, and west of S. Hawthorne Avenue. The future land use is Industrial and the zoning is Planned Unit Development (PUD/I-1). The existing use is a platted subdivision for industrial, commercial and office uses. The proposed use is a replat of a portion of the Cooper Palms Commerce Park affecting Lots 7, 9, 10, 11, 26 and Tracts A & B. The tract size is 4.95 +/- Acres.

Owners of lots within the Cooper Palms Commerce Park Plat request approval of a modification to the existing plat to address changes to their development plans for the property. The change is necessary to accommodate a business that desires to locate\expand within the City of Apopka. Changes to the plat are not substantial and involve the shifting of lot lines to accommodate proposed development of

MINUTES OF THE PLANNING COMMISSION SPECIAL MEETING HELD ON AUGUST 25, 2015, AT 5:01 P.M.

lots 7,9,10, 11, 26 and portions of tracts A & B. All property owners affected by the modification are applicants of the replat application. Development of all lots appearing within the Cooper Palms Commerce Park Replat 7 & 9 are subject to zoning and development standards set forth in the assigned PUD zoning (Ordinance No. 2346).

The Development Review Committee recommends approval of the Cooper Palms Commerce Park Replat of Lots 7 & 9, subject to corrections of scrivener errors on the Plat and 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.

Petitioner Presentation: None.

Affected Party Presentation: None.

Chair Pro Tem Foster opened the meeting for public hearing. With no one wishing to speak, Chair Pro Tem Foster closed the public hearing.

Motion: Melvin Birdsong made a motion to recommend approval of the Cooper Palms Commerce Center Replat of Lots 7 & 9, owned by Property Industrial Enterprises, LLC, c/o Michael Cooper and located south of 1st Street, east of South Bradshaw Road, and west of S. Hawthorne Avenue, subject to the correction of scrivener errors on the plat and the findings of the staff report. Jeremiah Jaspon seconded the motion. Aye votes were cast by Melvin Birdsong, Tony Foster, Jeremiah Jaspon, Linda Laurendeau, and Pam Toler (5-0). (Vote taken by poll.)

COMPREHENSIVE PLAN - SMALL SCALE – FUTURE LAND USE AMENDMENT – EVER MEADOW – Mr. Moon stated that, as mentioned at the beginning of the meeting, the applicant has requested that this item be continued until the December 8, 2015, Planning Commission meeting. Staff does not object to this request. The applicant is aware that, due to the timing, they will be required to re-notice the surrounding property owners as if this were a new application.

Chair Pro Tem Foster opened the meeting for public hearing. With no one wishing to speak, Chair Pro Tem Foster closed the public hearing.

Motion: Melvin Birdsong made a motion to continue the Comprehensive Plan – Small Scale Future Land Use amendment for Ever Meadow until the December 8, 2015, Planning Commission meeting. Linda Laurendeau seconded the motion.

Richard Berglund, 1220 Legg Drive, Apopka, expressed his concern regarding this property going from a residential category to commercial and requested information on what the applicant was planning for this property.

Chair Pro Tem Foster re-opened the meeting for public hearing.

Mr. Moon stated that this request, at the time it is presented at the December 8th meeting, will only be the consideration of the future land use change. There will be no site plans presented that would be

MINUTES OF THE PLANNING COMMISSION SPECIAL MEETING HELD ON AUGUST 25, 2015, AT 5:01 P.M.

associated with this property. He explained that future land use designations are more general and broad in nature. Zoning categories are more specific and the zoning change for this property will have a separate hearing.

George Kramer, Littlejohn Engineering Associates, Inc., 1615 Edgewater Drive, Orlando, stated that they are still considering what uses will be most appropriate for the site. He stated that they are looking for to working with the neighbors to ensure that whatever use is designated to the property will be an appropriate one.

With no one else wishing to speak, Chair Pro Tem Foster closed the public hearing.

Restated Motion: Melvin Birdsong made a motion to continue the Comprehensive Plan Small Scale Future Land Use amendment for Ever Meadow until the December 8, 2015, Planning Commission meeting. Linda Laurendeau seconded the motion. Aye votes were cast by Melvin Birdsong, Tony Foster, Jeremiah Jaspon, Linda Laurendeau, and Pam Toler (5-0). (Vote taken by poll.)

OLD BUSINESS: None.

NEW BUSINESS: None.

ADJOURNMENT: The meeting was adjourned at 5:40 p.m.

Tony Foster, Chair Pro Tem

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

Backup material for agenda item:

- 2 Approve minutes of the Planning Commission special meeting held October 28, 2015, at 5:01 p.m.

MINUTES OF THE PLANNING COMMISSION SPECIAL MEETING HELD ON OCTOBER 28, 2015, AT 5:01 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.

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

ABSENT: Jeremiah Jaspon, Pamela Toler, Orange County Public Schools (Non-voting)

OTHERS PRESENT: David Moon, AICP - Planning Manager, , Debbie Horton, and Jeanne Green – Community Development Department Office Manager/Recording Secretary.

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

SWEARING-IN - Mr. Hand swore-in staff, the petitioners, and affected parties.

FINAL DEVELOPMENT PLAN – PLYMOUTH SOUTH POWER SUBSTATION - Chairperson Greene stated this is a request to recommend approval of the Final Development Plan for Cooper Palms Commerce Park, Lot 9 – Fun Planners, owned by Property Industrial Enterprises, Inc., c/o Michael Cooper and located south of 1st Street, north of 3rd Street, east of South Bradshaw Road and west of South Hawthorne Avenue.

Chairperson Greene asked if there were any affected parties in attendance that wished to speak. No one spoke.

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. None.

Staff Presentation: David Moon, AICP, Planning Manager, stated this is a request to recommend approval of the Final Development Plan for the Cooper Palms Commerce Center, Lot 9 – Fun Planners. The owner/applicant is Property Industrial Enterprises, LLC, c/o Michael R. Cooper and the engineer is Ali Tehrani, P.E. The property is located at 330 and 340 Cooper Palms Parkway (south of 1st Street and east of Bradshaw Road). The land use is Industrial and the zoning is Planned Unit Development (PUD/I-1). The existing use is vacant land and the proposed use is an industrial warehouse (35,375 sq. ft.) with an office complex (3,800 sq. ft.). The tract size is 2.64 +/- acre and the building size is 39,175 sq. ft.

The Fun Planners - Final Development Plan proposes a 39,175 square foot industrial warehouse and office complex extending 51 feet in height. The property has a PUD zoning that allows the maximum building height not to exceed 75 feet.

A total of 89 parking spaces are provided, of which four are reserved as a handicapped parking space. Access to the site is provided by a private roadway Cooper Palms Parkway.

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

Stormwater run-off and drainage will be accommodated by a master stormwater drainage system. The master stormwater management system is designed according to standards set forth in the Land Development Code.

The applicant is providing a twenty-five foot landscape buffer with a six-foot high masonry wall along the southern boundary of the site abutting the residential area. The applicant has provided a detailed landscape and irrigation plan for the property. The planting materials and irrigation system design are consistent with the water-efficient landscape standards set forth in Ordinance No. 2069.

Total inches on-site:	0
Total number of specimen trees:	0
Total inches removed	0
Total inches retained:	0
Total inches required:	345
Total inches replaced:	345
inches post development:	345

The Development Review Committee recommends approval of the Final Development Plan for Fun Planners owned by Property Industrial Enterprises, LLC, c/o Michael R. Cooper, subject to the findings of this staff report.

Recommend approval of the Final Development Plan for Fun Planners owned by Property Industrial Enterprises, LLC, c/o Michael R. Cooper, subject to the findings of this staff report.

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

Petitioner Presentation: In response to a question by Mr. Foster, Debbie Thornton, Michael R. Cooper Construction, 517 Cooper Oaks Court, Apopka, stated that Fun Planners have sold their building at 626 Cooper Industrial Parkway to Collins Manufacturing because they wanted a larger building which could be accommodated at Cooper Palms Commerce Park.

In response to questions by Mr. Ryan, Ms. Thornton stated that Fun Planners plan corporate events and themed parties. They setup the entire event, hose, and cleanup after the event. They will have offices and a very large storage warehouse with loading docks. The items such as tables, chairs, props, etc. will be stored in the warehouse. They currently have 10 to 12 fulltime employees and will use as many as 80 outside contractors for their events. Within the next couple of years they are looking to employ 15 plus fulltime employees. There will be no public access to the building. The construction meets or exceeds City Codes.

Affected Party Presentation: None.

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

Motion: Robert Ryan made a motion to recommend approval of the Final Development Plan for Cooper Palms Commerce Park, Lot 9 – Fun Planners, owned by Property Industrial Enterprises, Inc., c/o Michael Cooper and located south of 1st Street, north of 3rd Street, east of South Bradshaw Road and west of South Hawthorne Avenue. Melvin Birdsong seconded the motion. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, Tony Foster, and Linda Laurendeau (5-0). (Vote taken by poll.)

OLD BUSINESS: None.

NEW BUSINESS: None.

ADJOURNMENT: The meeting was adjourned at 5:11 p.m.

James Greene, Chairperson

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

Backup material for agenda item:

1. COMPREHENSIVE PLAN – LARGE SCALE – FUTURE LAND USE AMENDMENT – Owned by Diane Reid-Goolsby; Debra Reid-Wilbarger; and Daniel Joshua Reid, from “County” Rural (0-1 du/10 ac) to “City” Mixed Use (15 du/ac; 1.00 FAR); and recommend approval to transmit to the Florida Department of Economic Opportunities for review, for property located west of Plymouth Sorrento Road, south of West Kelly Park Road. (Parcel ID #s: 13-20-27-0000-00-010; 13-20-27-0000-00-031; 13-20-27-0000-00-039; 13-20-27-0000-00-040; 13-20-27-0000-00-041; 13-20-27-0000-00-042; 13-20-27-0000-00-043; 13-20-27-0000-00-044; 13-20-27-0000-00-049)



**CITY OF APOPKA
PLANNING COMMISSION**

X PUBLIC HEARING
ANNEXATION
PLAT APPROVAL
OTHER:

DATE: November 10, 2015
FROM: Community Development
EXHIBITS: Land Use Report
Vicinity Map
Adjacent Zoning Map
Adjacent Uses Map
WPIVP¹ Map
WPIVP Character Districts
Comp Plan Objectives
Interlocal Agreement

SUBJECT: COMPREHENSIVE PLAN – LARGE SCALE - FUTURE LAND USE AMENDMENT – REID-GOOLSBY & REID-WILBARGER

PARCEL ID NUMBERS: 13-20-27-0000-00-010; -031; -039; - 040; -041; -042; -043; -044;-049

**Request: LARGE SCALE - FUTURE LAND USE AMENDMENT
FROM: “COUNTY” RURAL (0-1 DU/10 AC)
TO: “CITY” MIXED USE (15 DU/AC; 1.00 FAR)**

SUMMARY

OWNER/APPLICANT: Diane Reid-Goolsby, Debra Reid-Wilbarger & Daniel Joshua Reid, c/o Diane Reid-Goolsby

LOCATION: West of Plymouth Sorrento Road, south of West Kelly Park Road

EXISTING USE: Single-family homes, manufactured home, church, grazing/pasture land and accessory structures.

CURRENT ZONING: “County” A-1 (ZIP)

PROPOSED DEVELOPMENT: None

PROPOSED ZONING: TBD

TRACT SIZE: 44.26 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: 4 Units
PROPOSED: TBD (Max. 664 dwelling units & 1,927,965 sq. ft.)

DISTRIBUTION:

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

C:\Comm Dev\PLANNING ZONING\COMPREHENSIVE PLAN\2015\Goolsby & Wilbarger\Planning Commission 11 10 15\1 Reid-Goolsby_Reid-Wilbarger LS FLUM

¹ WPIVP – Wekiva Parkway Interchange Vision Plan

ADDITIONAL COMMENTS: The subject parcels were annexed into the City of Apopka on May 20, 2015, through Ordinances 2423 – 2432. Presently, the subject properties do not have a “city” future land use designation or “city” zoning classification assigned. The applicant requests a future land use designation of “city” Mixed Use.

The subject properties, adjacent to the future Wekiva Parkway and the Wekiva Parkway/Kelly Park Road interchange, must comply with various Objectives 18 – 20 and related policies within the Future Land Use Element of the Comprehensive Plan. The applicant is requesting the Mixed Use future land use designation to be compliant with these objectives and policies, and market the property mixed-use development.

COMPREHENSIVE PLAN COMPLIANCE: The proposed use of the property is consistent with the Mixed Future Land Use designation. If the proposed future land use designation is adopted, the site would require a change of zoning consistent with the Mixed Use future land use designation, as well as be consistent with Policies 18.2 of the Comprehensive Plan Future Land Use Element, the site must comply with the intent and standards set forth in a form-based code/overlay for properties within the Wekiva Parkway Interchange Vision Plan as described in Policies 18.3 and 20.4 listed below. Site development cannot exceed the intensity allowed by the Future Land Use policies. Planning & Zoning staff determines that the below policies support a Mixed Use FLUM designation at the subject site:

Future Land Use Element

1. **Policy 3.1.r** The primary intent of the Mixed Use land use category is to allow a mixture of residential, office, commercial, industrial, recreation, institutional and public facilities uses to serve the residential and non-residential needs of special areas of the City. The mix of land uses may occur on a single parcel or multiple parcels ...

The designation of a mixed use category may occur only in certain areas of the city, including “land anticipated for inclusion within the Wekiva Parkway Interchange Land Use Plan...” These properties are within the 1-mile radius of the Wekiva Parkway Interchange depicted on the Wekiva Parkway Interchange Vision Plan Map located within the Future Land Use Element of the Apopka Comprehensive Plan.

2. **Policy 18.1** The City shall implement the Wekiva Parkway Interchange Vision Plan, which guides the location of a range of uses, such as residential, office, commercial, industrial, recreation, public and institutional, at various densities and intensities around the proposed interchange.

The proposed Mixed Use Future Land Use Designation allows for residential densities and non-residential uses and intensities to implement the Wekiva Parkway Interchange Vision Plan, consistent with Objective 18 and related policies.

3. **Policy 18.2** Prior to rezoning any property within a one-mile radius of the interchange Study Area, the City shall amend its LDC to incorporate development standards that will implement the Vision Plan.

This future land use amendment does not include a corresponding proposed zoning category because the City has yet to adopt development standards or form-based code consistent with this policy. Future densities/intensities and design character for the subject properties will be regulated at the time of rezoning once Wekiva Parkway Interchange Vision Plan design standards and form-based code are adopted.

4. **Policy 20.4** Prior to approving the first development plan with the Wekiva Parkway Interchange vision Plan Area, the City shall adopt the Wekiva Parkway Interchange Form-Based Cod establishing the design and development standards for the Wekiva Parkway Interchange Vision Plan Area.

The subject properties will be required to comply with the above policy should the development submit a development plan to ensure consistency with the Comprehensive Plan and Wekiva Parkway Interchange Vision Plan.

5. **Policy 20.9** Development within the Wekiva Parkway Interchange Plan Area shall be assigned a Mixed-Use Interchange future land use designation and shall accomplish an overall mix of residential and non-residential uses as outline in Policy 3.1.r. Assignment of the Mixed-Use Interchange Land Use future land use designation shall require an amendment to the Comprehensive Plan.

The applicant’s request for a Mixed Use future land use designation is consistent with this policy, as well as the intent of the Wekiva Parkway Interchange Vision Plan area, which intends to concentrate a mixture of land uses with varying densities and intensities within one mile of the Wekiva Parkway Interchange.

6. **Policy 20.3.** The annexation, land use change, and subsequent development of lands located within the Wekiva Parkway Interchange Plan Area for Apopka and the Wekiva Interchange Land Use Plan Overlay for the County shall be consistent with the adopted Interlocal Agreement between Orange County and the City of Apopka regarding Wekiva Interchange Land Use Plan Overlay.

Transportation Element

1. **Policy 4.2** The City of Apopka shall promote, through the implementation of programs such as mixed-use land development, projects that support reduced travel demand, short trip lengths and balanced trip demand.

The Mixed Use future land use designation allows for a mixture of land use types such as residential and non-residential, which promotes shorter trip lengths, concentrated development to reduce travel demand.

SCHOOL CAPACITY REPORT: After the transmittal hearing, the applicant will submit to Orange County Public School an application for school capacity determination. Prior to the adoption hearing for the Future Land Use amendment, the applicant must obtain an approved school capacity determination or school capacity mitigation agreement from the Orange County School Board. Affected schools: Apopka High School; Wolf Lake Middle School; and Zellwood Elementary.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2015.

PUBLIC HEARING SCHEDULE:
November 10, 2015 – Planning Commission (5:01 pm)
December 16, 2015 – City Council (7:00 pm) - 1st Reading & Transmittal

DULY ADVERTISED:
October 30, 2015 – Public Notice and Notification
TBD – Ordinance Heading & Public Notice ¼ Page Ad w/Map

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval to transmit a change in Future Land Use from “County” Rural (0-1 du/10 ac) to “City” Mixed Use for the property owned by Diane Reid-Goolsby, Debra Reid-Wilbarger & Daniel Joshua Reid, subject to the information and findings 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.

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Rural (0-1 du/10 ac)	A-1	Nursery and S.R. 429 (future Wekiva Parkway alignment and interchange)
East (County)	Rural (0-1 du/10 ac)	A-1	Single-family and manufactured homes
South (City and County)	“County” Rural (0-1 du/10 ac) and “City” Residential Very Low Suburban (0-2 du/ac)	“County” A-1 and “City” A-1 (ZIP) and A-2 (ZIP)	Vacant, Single-family homes & grazing
West (City)	Mixed Use	A-1 (ZIP)	S.R. 429 (future Wekiva Parkway alignment)

The property has access from the east from Plymouth Sorrento Road.

II. LAND USE ANALYSIS

The subject properties are located within the one-mile radius of the Wekiva Parkway Interchange Plan Area boundary, making a request for a Mixed Use future land use designation consistent with the Comprehensive Plan policies listed above, as well as the general future land use character of the surrounding area.

The properties are bordered to the west by the proposed alignment for the Wekiva Parkway, as well as within ¼-mile proximity to the Wekiva Parkway Interchange at West Kelly Park Road. Parcels to the west and northwest of the subject properties have a future land use designation of Mixed Use, several of which are located within the Kelly Park Crossing Development of Regional Impact (DRI).

Properties to the east and south of the subject properties include a mixture of single-family and agricultural uses. Many of these properties, however, area also located within the one-mile radius of the Wekiva Parkway Interchange Area, and would also be subject to the aforementioned policies that promote a mixed-use future land use designation.

The proposed Mixed Use future land use designation is consistent with the general future land use character of the surrounding area.

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

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on May 20, 2015. The subject property is located within the “Northwest Area” of the JPA. The proposed FLUM Amendment request for a change from “County” Rural (0-1 du/10 ac) to “City” Mixed Use is consistent with the terms of the JPA (Second Amendment). Diane Reid-Goolsby, Debra Reid-Wilbarger & Daniel Joshua Reid, c/o Diane Reid-Goolsby, is the applicant of the proposed future land use amendment and proposed change of zoning for the Property, and has been notified of the hearing schedule.

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

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

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

Analysis of the character of the Property: The Property is used currently for single-family and manufactured homes, as well as grazing and a church. The dominant soil, #5 Candler Fine Sand, and has a 0-12 percent slope.

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

CALCULATIONS:

ADOPTED: 4 Unit(s) x 2.659 p/h = 10 persons

PROPOSED: 664 Unit(s) x 2.659 p/h = 1,765 persons

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

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

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

Sanitary Sewer Analysis

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

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

2. Projected total demand under existing designation: 784 GPD
3. Projected total demand under proposed designation: 418,339 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 81 GPD/Capita
6. Projected LOS under proposed designation: 81 GPD/Capita
7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

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

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

City of Apopka

2. Projected total demand under existing designation: 840 GPD
3. Projected total demand under proposed designation: 525,033 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 177 GPD/Capita
6. Projected LOS under proposed designation: 177 GPD/Capita
7. Improved/expansions already programmed or needed as a result of the proposed amendment: None
8. Parcel located within the reclaimed water service area: Yes

Solid Waste

1. Facilities serving the site: City of Apopka
2. If the site is not currently served, please indicate the designated service provider:
City of Apopka
3. Projected LOS under existing designation: 4 lbs./cap/day
4. Projected LOS under proposed designation: 2 lbs./day/1000 SF
5. Improved/expansions already programmed or needed as a result of the proposed amendment: None

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

Infrastructure Information

Water treatment plant permit number: CUP No. 3217

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

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

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

Availability of distribution lines to serve the property: Yes

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

Drainage Analysis

1. Facilities serving the site: None
2. Projected LOS under existing designation: 100 year - 24 hour design storm event.
3. Projected LOS under proposed designation: 100 year - 24 hour design storm event.

4. Improvement/expansion: On-site retention/detention pond

Recreation

1. Facilities serving the site; LOS standard: City of Apopka Parks System; 3 AC/1000 capita
2. Projected facility under existing designation: 0.03 AC
3. Projected facility under proposed designation: 5.295 AC
4. Improvement/expansions already programmed or needed as a result of the proposed amendment: None. Standards set forth in the City's Land Development Code will require any development plans to provide parkland and recreation facilities and open space for residents residing with the new development.

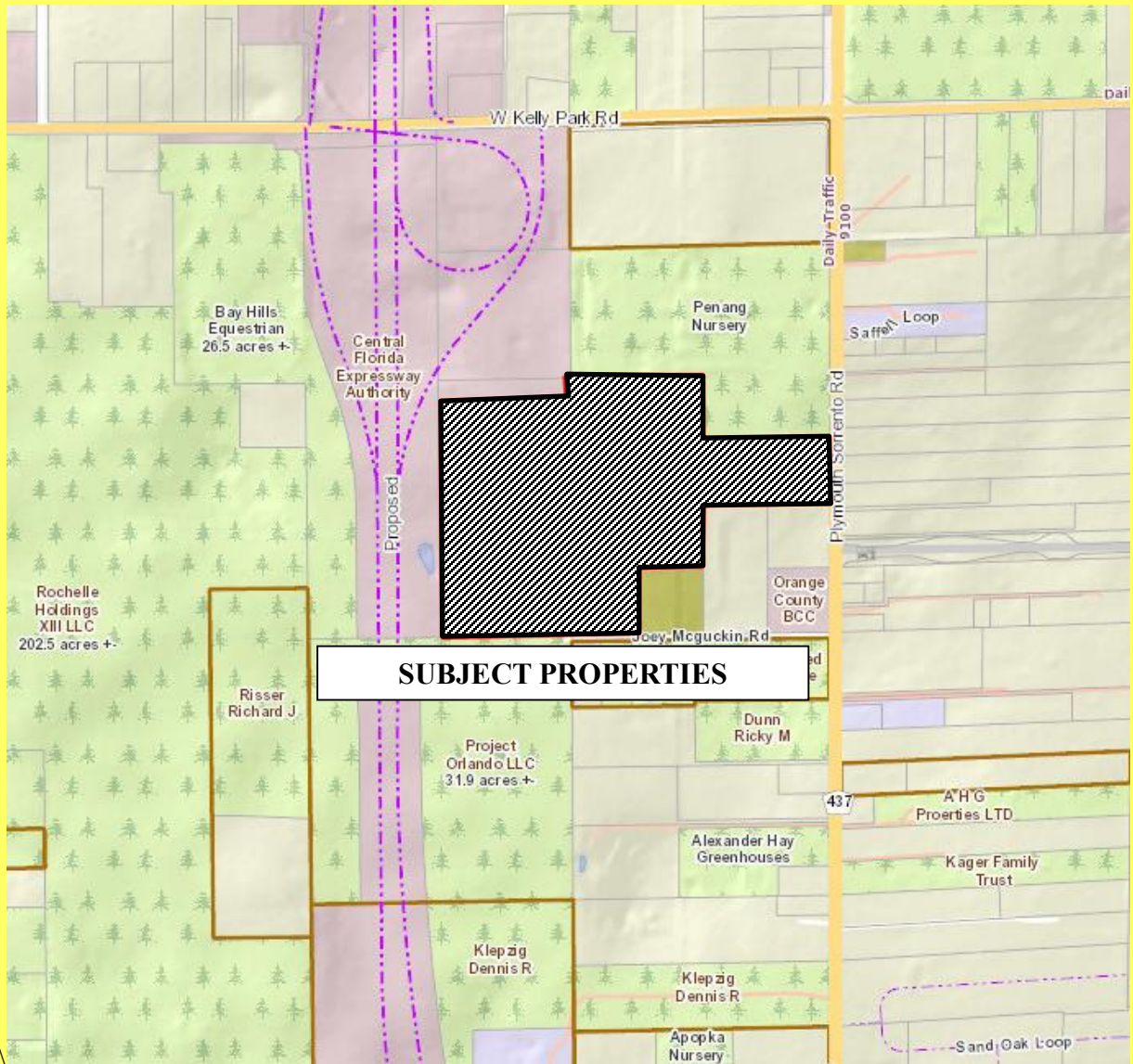
This initial review does not preclude conformance with concurrency requirements at the time of development approval.

Diane Reid-Goolsby & Debra Reid Wilbarger
Property Owner
44.26 +/- Acres
Proposed Large Scale Future Land Use Amendment:
From: "County" Rural (0 – 1 du\10 ac)
To: "City" Mixed Use
Proposed Change of Zoning:
From: "County" A-1 (ZIP)
To: To Be Determined Later



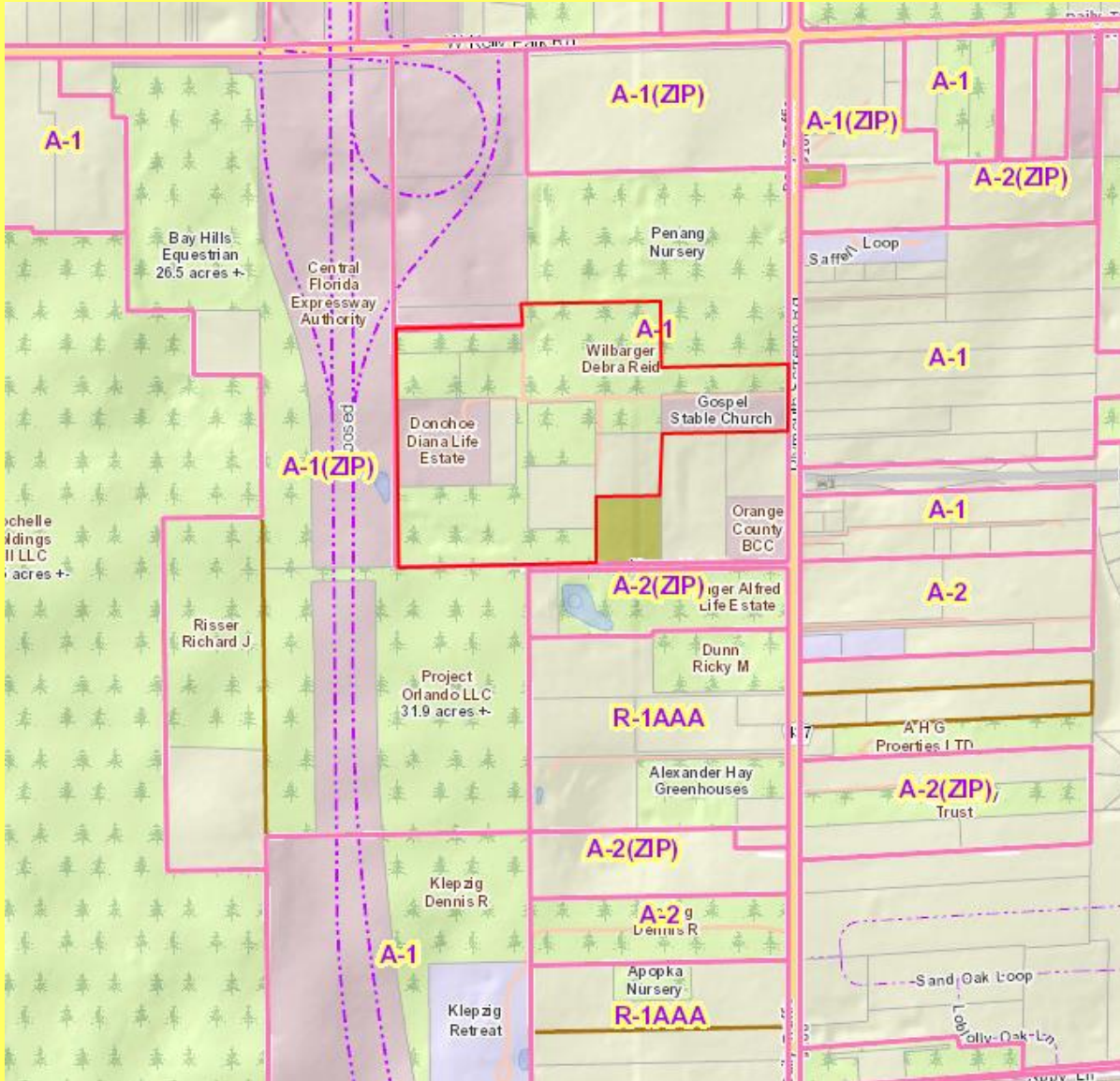
Parcel ID #s: 13-20-27-0000-00-010; -031; -039; -040; -041; -042; -043; -044;-049

VICINITY MAP



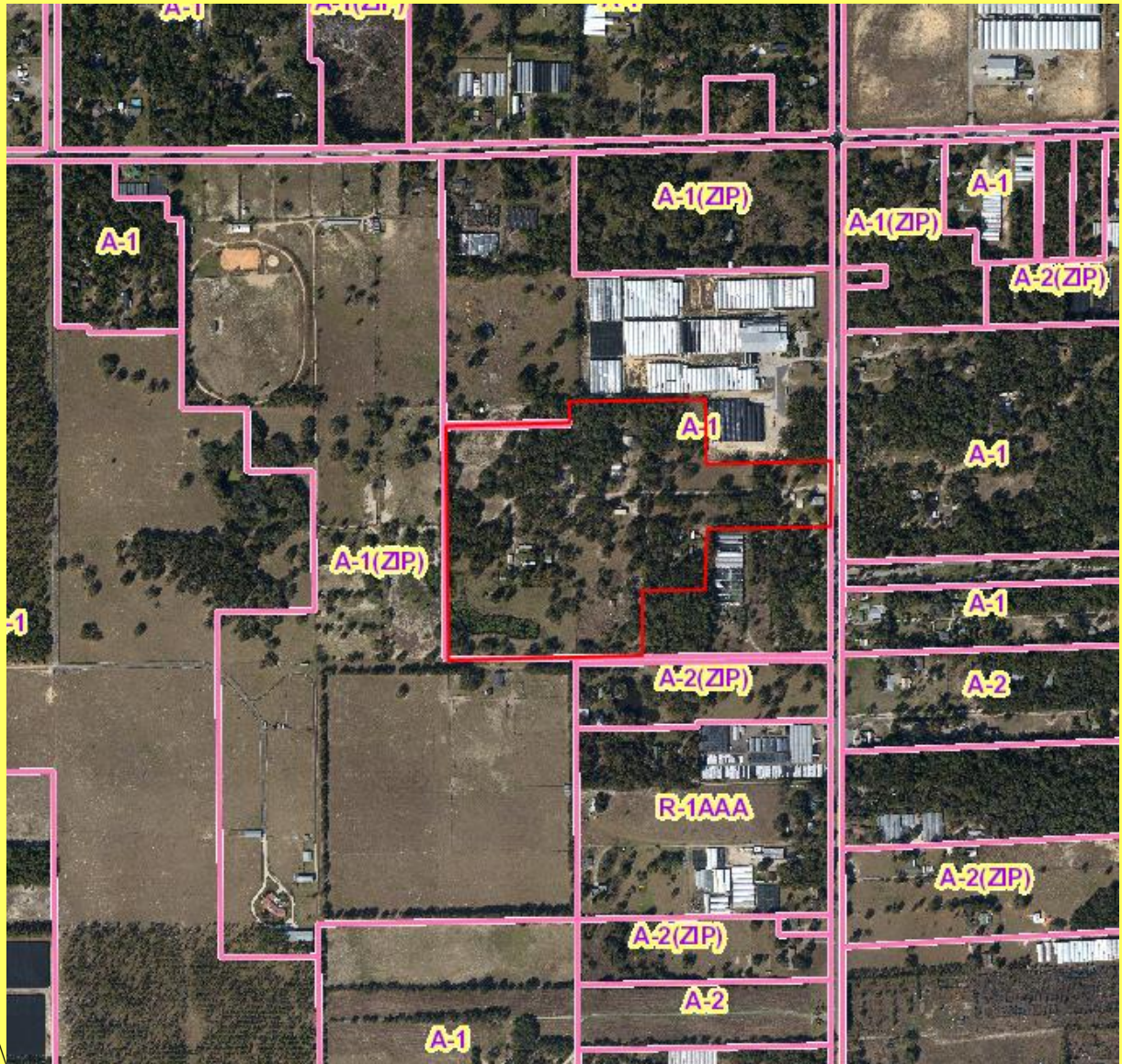


ADJACENT ZONING





ADJACENT USES



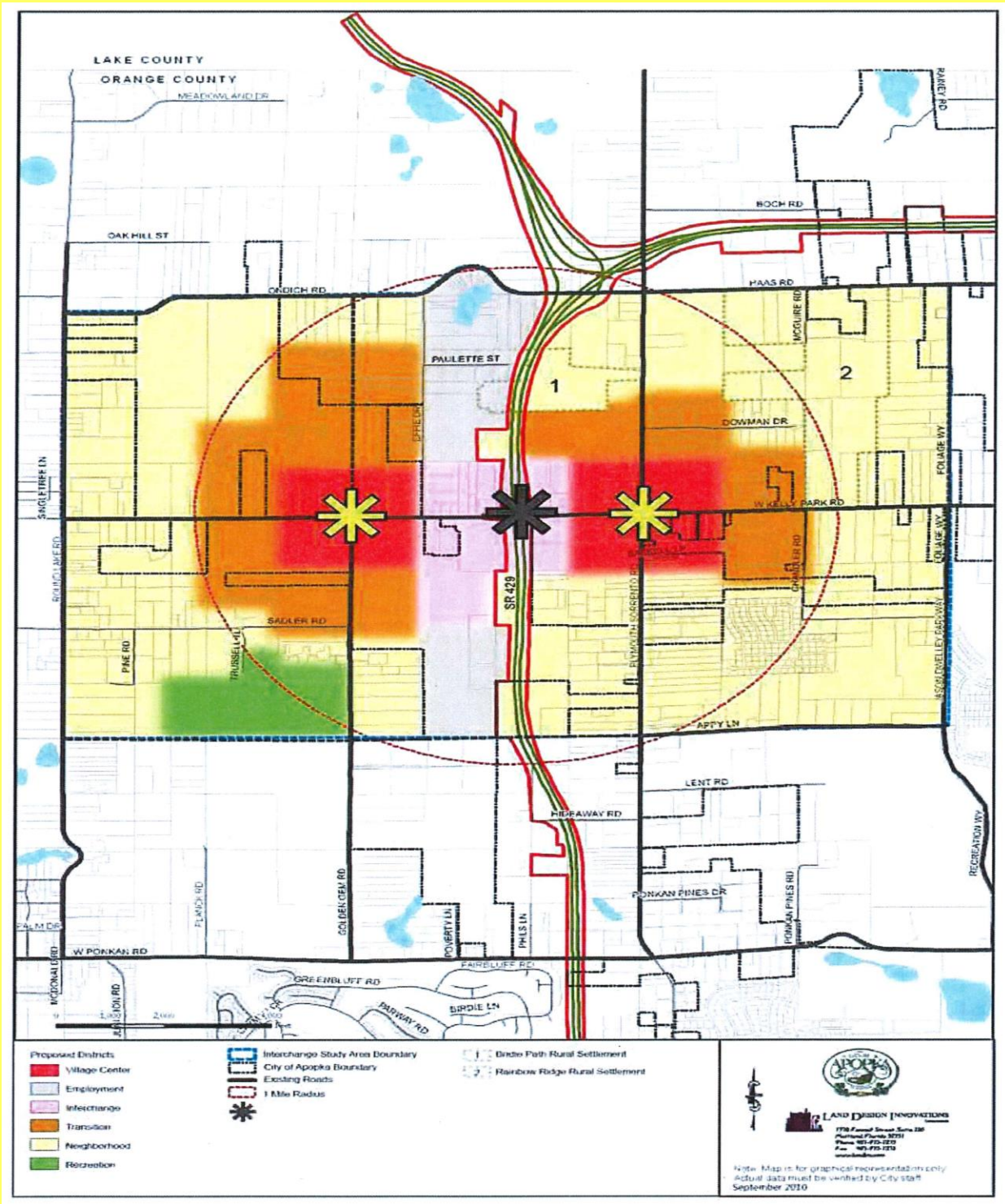


EXISTING USES





Wekiva Parkway Interchange Vision Plan (Policy 20.5 - Future Land Use Element)



construction, whereas larger pipes are constructed from ductile iron. Improvements to the distribution/transmission system have generally followed the recommendations outlined in the most recent master plan, with the timing of specific projects dependent on development patterns. **Map 10** shows the extent of the system within the interchange study area.

E. Public Schools

The area is currently served by Wolf Lake and Zellwood elementary schools, Wolf Lake Middle School and Apopka High School. According to the Orange County Public Schools (OCPS), all four schools are projected to be deficient by FY 2011-12. The OCPS current 10-year plan includes a relief elementary school for Wolf Lake and Zellwood, and a relief middle school for Wolf Lake. **Maps 11 to 13** show the attendance zones for these schools.

IV. Community Involvement

In conjunction with the County, the City conducted two public workshops to discuss the future growth around the proposed Wekiva Parkway Interchange. The first public workshop was conducted on February 25, 2010, and the second workshop was conducted on March 25, 2010. **Appendices B and C** contain the workshop summaries and the list of attendees. It should be noted that for the purpose of the Community Workshops an enlarged study area was reviewed, which included the area north of West Ponkan Road.

Additionally, the City held a public hearing before the City of Apopka Planning Commission on April 27, 2010 and the City Council on May 19, 2010.

V. Wekiva Parkway Interchange Vision Plan

The Wekiva Parkway will complete the outer beltway around Metro Orlando area. The completion of this outer ring, along with the proposed interchange, will result in added growth and development pressure within the Wekiva Study Area.

The Interchange Vision Plan was developed with a goal to accommodate new development that: (1) supports regional markets that depend on the Wekiva Parkway's function to move people and goods (light industry and warehousing, hotels/motels, restaurants, gas stations, truck stops, and convenience stores)¹; (2) is designed to complement the surrounding areas; and (3) manages and protects water and wildlife resources.

A. Land Use Vision

Even though the area is currently rural in character and the adopted land use categories for the area reinforce that character, the introduction of a highway interchange at Kelly Park Road will create development pressure in the area. The City, County and most area residents realize a need and have a desire for a plan for that future growth. The main goal of planning for growth is to situate it within an appropriate area around the interchange, and to allow sufficient density

¹ Guidelines for Preparing Comprehensive Plan Amendments for the Wekiva Study Area

and intensity to maximize sustainability and minimize environmental impacts on the Wekiva Study Area. The City also wants to take advantage of the opportunity this location provides to create a setting that will attract new quality employment to the area. The higher densities and intensities expected to accompany the interchange should transition into lower densities/intensities to ensure compatibility with the surrounding areas. Well thought-out, coordinated development is, therefore, a driving element of the interchange land use plan. Coordinated, transitional development at the interchange will protect meaningful tracts of connected open space, and preserve rural land outside of the interchange study area while allowing for carefully planned growth.

As shown on **Map 8**, potential Karst features are indicated proximate to the proposed interchange. For that reason, the vision plan proposes a measured approach to intensive development in the area immediately adjacent to the interchange, and instead create two nodes of development at the closest intersections to the parkway: Kelly Park Road/Golden Gem Road and Kelly Park Road/Plymouth Sorrento Road (see **Map 14**). The most dense and intense uses will be located within a 1/3-mile radius of the two proposed nodes. Between these nodes and the one-mile study area boundary, land uses will provide a transition to the existing lower densities, and less intense development character will be respected beyond the one-mile radius.

Map 15 shows the proposed interchange vision plan, which includes both City and unincorporated land. As shown on the map, the area within a 1-mile radius of the proposed interchange is proposed to be urban in character, with uses such as industrial, commercial, office, institutional/public, and medium and high-density residential uses. The highest intensity of use will be clustered around the two nodes as village centers. The area between the nodes and the one-mile radius will contain uses that will ensure the smooth transition to the less intense areas outside the one-mile radius.

The following is a description of the proposed character districts for the vision plan area.

1. Village Center (residential and commercial mix)

As noted above, the vision plan intends to concentrate the most intensive development within the two major intersection nodes. The type of development envisioned for these two nodes includes mixed-use buildings with retail uses on the ground floor and offices or residential spaces above. The Village Center character district will comprise approximately 5 to 15% of the area.

2. EdgeEmployment(employment uses)

Office uses may appear within the village center nodes as part of mixed-use buildings, or as stand-alone uses in the EdgeEmployment character district along the Wekiva Parkway. Other uses that would be appropriate for the EdgeEmployment area include industrial developments (clean industry), or large institutional uses (hospitals, educational facilities), which would provide much needed jobs in the area. Limited residential

will also be allowed. Both office and industrial uses will benefit from the visibility and access from the highway. Within the [EdgeEmployment](#) character district, greater attention will be applied to ensure protection of the potential Karst features and to allow for adequate setbacks from the highway. This area will not focus on the pedestrian environment as the village center, but would adopt a campus-like environment. Approximately 5 to 10% of the area is shown as [EdgeEmployment](#) on the vision plan map.

3. Interchange (highway-dependent uses)

The area between the proposed village centers and the parkway will be the most accessible to traffic exiting the highway. Therefore, the intended character for those areas will be a mix between Village Center and a more “suburban” type setting. It is expected that this is the area where gas stations would be located. There will be form-based standards adopted to ensure the transition from the fast-moving traffic in the highway to the more walkable environment expected to develop in the village centers. The Interchange character district will contain predominantly stand-alone uses (as opposed to mixed-use buildings) with less intensity of development than in the Village Center.

[EdgeEmployment](#) character district type uses, including limited high density residential, may also occur in this character district. The area to be dedicated to Interchange uses comprises approximately 5 to 10% of the entire vision plan area.

4. Transitional (office, medium density residential uses)

Uses within the transitional areas will be regulated to minimize the impact of the most intensive areas (Village Center, [EdgeEmployment](#) and Interchange) on the existing lower density neighborhoods surrounding the study area. Medium densities in the form of town houses, apartments and condominiums, and office uses will be allowed within the Transitional district. The vision plan shows that approximately 10 to 20% of the total area will be dedicated to the Transitional character district. The expected density in the Transitional character district would accommodate between 5 to 15 dwelling units per acre depending on their location respective to neighborhood areas.

5. Neighborhood (residential)

The Neighborhood character district is intended to be primarily a single-family residential area. This district will have lower density residential than the Transitional district, allowing for a smooth transition into the existing lower density neighborhoods outside the 1-mile radius. The character of the area will be regulated through form-based standards to ensure that single-family homes are designed with front porches and that garages are located in the back with access from alleyways. The neighborhood area comprises over 50% of the vision plan area.

6. Recreation and Institutional

The Vision Plan shows an area as Recreation, consistent with the adopted Northwest Small Area Plan. This, however, does not mean that there will only be one area designated for recreation/open space. As properties develop (especially large tracts), the City will consider dedication of land for open space. Institutional uses (schools, churches, etc.) will also be defined as the area develops. It is anticipated that a minimum of 15% of the land within the area will eventually be used for open space/recreation purposes.

B. Vision Plan Holding Capacity

Based on the land uses and densities proposed in the vision plan, holding capacities were calculated to identify the amount of development that could potentially occur in the area. **Table 3** demonstrates that the vision plan area could accommodate approximately 15,873 residential units and 22,587,535 square feet of non-residential development.

Table 3: Vision Plan Holding Capacity

Proposed Land Use	Total Acres	% of Total	Max. Intensity (FAR)	Max. Density (UPA)	Density/ Intensity Factor	Total Dwelling Units	Non-Residential Square Feet
Village Center Core (assumes 1st floor non-resid. + resid above)	80	2.1	0.5	12	0.75	720	1,306,800
Village Center balance (assumes 1st floor non-resid. + resid above)	248	6.4	0.35	12	0.75	2,232	2,835,756
Interchange (assumes 10% residential)	175	4.5	1.0	15	0.70	184	4,811,875
Edge Employment (assumes 10% residential)	260	6.7	0.5	7.5	0.60	117	3,052,231
Transitional (assumes 70% resid.; 30% non)	581	14.9	1.0	15	0.85	5,185	6,453,276
Neighborhood (assumes 90% residential)	2,360	60.7	0.5	5	0.70	7,435	3,598,699
Parks/Recreation	121	3.1	0.2		0.50	0	528,897
Wekiva Parkway ROW	63	1.6					
TOTAL	3,889	100.0				15,873	22,587,535

Note: Acreages and yields are approximations only.

Based on the total acres of the area and the potential for residential and non-residential development noted above, an overall density of 4 du/ac and an overall FAR of 0.14 could be achieved.

factors are taken into account, that there is no increase in nitrate/nitrogen loading to groundwater and surface water.

Objective 18

The City shall implement the Wekiva Parkway Interchange Land Use Plan adopted on September 15, 2010, which addresses the requirements of Section 369.321(1) F.S. as it relates to coordinated planning within the Wekiva area.

Policy 18.1

The City shall implement the Wekiva Parkway Interchange Vision Plan, which guides the location of a range of uses, such as residential, office, commercial, industrial, recreation, public and institutional, at various densities and intensities around the proposed interchange.

Policy 18.2

Prior to rezoning any property within a one-mile radius of the interchange Study Area, the City shall amend its LDC to incorporate development standards that will implement the Vision Plan. These standards shall address creative planning solutions to protect environmentally sensitive lands, such as:

Open Space

Standards will be developed for appropriate percentages of open space for single parcels and/or for the entire Interchange Study Area.

Clustering:

Standards will be developed to allow multiple land owners to aggregate parcels for the purpose of calculating density/intensity and developing cohesive clusters of higher density/intensity in the area closest to the interchange and major intersections in the study area.

Transfer of Development Rights (TDR):

A TDR system shall be developed to allow land owners that have sensitive lands or lands farthest from the interchange, to sell density/intensity rights to owners of lands closest to the interchange. The vision plan will analyze the potential sending and receiving areas.

Form-Based Regulations:

Develop form-based regulations for the study area to ensure the Vision Plan is implemented.

Policy 18.3

The development standards within the Interchange Study Area shall be applied through a zoning overlay, or similar method, that encompasses the study area. Developer agreements may be required.

Policy 18.4

If a parcel is severed by the one-mile radius or is under common ownership, either the entire parcel will be included or excluded from the study area based upon the Vision Plan.

Policy 18.5

In the event that the Wekiva Parkway is not constructed, it is anticipated that the Wekiva Parkway Interchange Plan will be reevaluated and appropriate comprehensive plan amendments adopted to address then-existing development and future land use designations within the Wekiva Parkway Interchange Plan Area.

Policy 18.6

Before any development can occur within the Project Orlando LLC site (further identified as parcels 11-20-27-0000-00-003, 11-20-27-0000-00-013, 11-20-27-0000-00-036, 11-20-27-0000-00-042, 11-20-27-0000-00-057, 12-20-27-0000-00-060, 11-20-27-0000-00-030, 13-20-27-0000-00-023, 13-20-27-0000-00-005, 13-20-27-0000-00-061, 13-20-27-0000-00-026, 13-20-27-0000-00-032), the proposed development must be processed and approved as a Development of Regional Impact (DRI) as defined in Chapter 380.06, Florida Statutes and Chapter 28-24, Florida Administrative Code.

Policy 18.7

Public school capacities and facilities serving the Project Orlando site shall be addressed with the rezoning and DRI processes. No increase in density above the vested 67 dwelling units shall be permitted by the City until it is demonstrated that adequate public school facilities are available to meet the increased demand.

Policy 18.8

Prior to the completion of the interchange, but following the official designation of the interchange location by the Expressway Authority, a development program may be permitted by the City which shall not exceed 17,907 average daily vehicle trips external to the Project Orlando project, subject to rezoning and a traffic study.

(Revised - Ord. No. 2317, 10-02-2013)

Policy 18.9

A parcel assigned a land use designation during the 2010-1 or 2010-2 large-scale comprehensive plan amendment cycles, shall not be assigned a city residential zoning category or obtain a rezoning for residential uses until Orange County Public Schools has either issued a finding of school capacity or a school capacity enhancement agreement to the applicable property owner, excepting those parcels having a diminimus impact on public schools as defined in the Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency.

Objective 19

New development in the City shall comply with "Smart Growth" principles that minimize the emission of greenhouse gases and reduce vehicle miles of travel as opposed to conventional development standards that encourage urban sprawl. The following policies shall be incorporated into the City's LDC prior to the next required Evaluation and Appraisal Report.

Policy 19.1

Development in the mixed-use categories, and where appropriate in other land use categories, shall provide pedestrian-friendly street design.

Policy 19.2

New development, as well as infill development where feasible, shall provide interconnected street grid networks to disperse traffic and encourage walkability. Developments may include a hierarchy of narrow streets, boulevards and alleys; high-quality pedestrian networks; designs that encourage a greater use of bicycles, rollerblades, scooters and walking as daily transportation; connectivity to public transit; and a land use mix that demonstrates reduced external trips by encouraging internal trips.

Policy 19.3

New infill development in the mixed-use categories shall provide shops, offices and homes within neighborhoods, including mixed uses in one structure, to offer opportunities to encourage walking and/or live and work environments.

Objective 20

Ensure development within the City of Apopka surrounding the Wekiva Parkway interchange will occur in a predictable, yet flexible manner consistent with the intent of the Wekiva Parkway and Protection Act, the community vision, and the City's economic development goals, and which will provide a balanced land use scenario that can accommodate economic and residential growth in the context of the environmental concerns identified within the Wekiva Parkway and Protection Act, and that can serve as the primary targeted area for greenfield development within the Wekiva Study Area.

Policy 20.1

The Wekiva Parkway Interchange Plan is composed of three elements: the *Wekiva Parkway Interchange Vision Plan*, the *Wekiva Parkway Interchange Land Use Plan*, and the *Wekiva Parkway Interchange Goal, Objectives, and Policies*. The *Wekiva Parkway Interchange Vision Plan*, adopted as part of the Future Land Use Overlay Series found in Appendix 1-2 of the Future Land Use Element, represents a conceptual scenario that demonstrates the intent of the Wekiva Parkway Interchange Plan and will guide the development of lands located within the Wekiva Parkway Interchange Vision Plan Area. The Wekiva Parkway Interchange Land Use Plan and the Wekiva Parkway Interchange Goal, Objectives, and Policies shall represent the regulatory elements of the Wekiva Parkway Interchange Plan. The land use configuration and distribution demonstrated on the Wekiva Parkway Interchange Vision Plan are intended to illustrate the potential application of the adopted Wekiva Parkway Interchange Vision Plan policies; however, the specific details for each development phase will be established through the approval of development plans consistent with the Wekiva Parkway Interchange Goal, Objectives & Policies, the Wekiva Parkway Interchange Land Use Plan, and the regulations established in the Wekiva Parkway Interchange Form-Based Code.

Policy 20.2

The Wekiva Parkway Interchange Vision Plan shall be applicable within Wekiva Parkway Interchange Vision Plan Area. The Wekiva Parkway Interchange Vision Plan Area is generally comprised of a one-mile radius emanating from the anticipated Wekiva Parkway Interchange. The exact configuration is based upon a logical, parcel-specific boundary consistent with the intent of capturing a one-mile radius.

Policy 20.3

The annexation, land use change, and subsequent development of lands located within the Wekiva Parkway Interchange Plan Area for Apopka and the Wekiva Interchange Land use Plan Overlay for the County shall be consistent with the adopted Interlocal Agreement between Orange County and the City of Apopka regarding Wekiva Interchange Land Use Plan Overlay.

Policy 20.4

Prior to approving the first development plan within the Wekiva Parkway Interchange Vision Plan Area, the City shall adopt the Wekiva Parkway Interchange Form-Based Code establishing the design and development standards for the Wekiva Parkway Interchange Vision Plan Area. The Wekiva Parkway Interchange Form-Based Code shall be based on the criteria contained within the Wekiva Parkway Interchange Goal, Objectives, and Policies.

Policy 20.5

The Wekiva Parkway Interchange Vision Plan identifies the approximate location of the character districts necessary to support the anticipated development program within the Wekiva Parkway Interchange Vision Plan Area. The location and/or boundaries of the character districts shown on the Vision Plan are illustrative only, and it is the intent of the City that locations and boundaries can be refined through an administrative review, except where other review and approval procedures are specified, in either the Comprehensive Plan or the Wekiva Parkway Interchange Form-Based Code. The specific boundaries and locations of character districts will be established through the approval of development plans, as established through the Wekiva Parkway Interchange Form-Based Code procedures.

Policy 20.6

Deviations in the area-wide densities and/or intensities established in the Wekiva Parkway Interchange Land Use Plan, or proposed design elements that are not consistent with the Wekiva Parkway Interchange Goal, Objectives, and Policies shall require a comprehensive plan amendment.

Policy 20.7

The Wekiva Parkway Interchange Form-Based Code shall include regulations governing the following community design elements for the Wekiva Parkway Interchange Plan area:

- An interconnected network of streets and paths designed to encourage pedestrian and bicycle travel, with traffic calming where appropriate;
- A complementary mix of land uses, including residential, employment, recreational, and civic;
- Appropriate densities and intensities of land uses within walking distance of transit stops; and
- Daily activities within walking distance of residences, public uses, streets and open spaces that are safe, comfortable and attractive for the pedestrian, with adjoining buildings open to the street and parking designed so as not to interfere with pedestrian and bicycle travel.

Policy 20.8

The Wekiva Parkway Interchange Form-Based Code shall include provisions requiring that the land uses incorporated into the Wekiva Interchange Vision and Land Use Plans are physically and functionally integrated, including a connected and continuous system of pedestrian facilities.

Policy 20.9

Development within the Wekiva Parkway Interchange Plan Area shall be assigned a Mixed-Use Interchange future land use designation and shall accomplish an overall mix of residential and non-residential uses as outlined in Policy 3.1.r. Assignment of the Mixed-Use Interchange Land Use future land use designation shall require an amendment to the Comprehensive Plan. This policy shall not be construed to remove any existing entitlements upon property within the Wekiva Parkway Interchange Plan Area, nor shall it prevent

development consistent with the existing future land use designations. Development occurring under the existing future land use designations shall comply with the design criteria included in the Wekiva Parkway Interchange Plan to the extent that the criteria does not conflict with the existing future land use designation.

Policy 20.10

The City shall ensure that areas of greatest density and intensity within the Wekiva Parkway Interchange Plan Area are located at and between the two major intersection nodes at Kelly Park Road/Golden Gem Road and Kelly Park Road/Plymouth-Sorrento Road, but not upon areas of Karst formations. The Wekiva Interchange Form-Based Code shall require a mix of uses consistent with Wekiva Interchange Plan and shall establish a system of transfer of development rights to encourage increased density and intensity within Wekiva Parkway Interchange Plan Area. Development at the outer edges of the mixed-use area shall maintain compatibility with the lands adjacent to the Wekiva Interchange Plan Area by reducing density and intensity or by providing substantial buffers, landscaping, height, and lighting controls. The City shall also allow transfer of development rights to maintain 20% open space in the overall Study Area. Densities and intensities allowed within the Wekiva Parkway Interchange Plan Area character districts shall be as shown on **Table 20.10**:

Table 20.10: Wekiva Parkway Interchange Character District Standards

Character District/ Purpose	Uses	Minimum/ Maximum Acreage*	Density (Units per Acre)	Intensity (FAR)	Open Space (min.)
Village Center (VC) Safe, vibrant and pedestrian-oriented mixed-use area. Each Village Center may include a Core of up to 40 acres each.	Residential, retail, commercial, office and entertainment uses. Horizontal mixed-uses shall be allowed, but vertically mixed-uses are preferred.	Min: 200 Max: 380 (40 acres max. of VC Core in each village)	Min: 7.5 Max: 25 District Average: 12	VC Core: Min: 0.3 Max: 1.0 Average: 0.5 Balance of VC: Min: 0.25 Max: 0.7 Average: 0.35	10% minimum in the form of public plazas and small park spaces that are urban in character.
Interchange Accommodate highway-oriented vehicular service uses and provide a transition between the fast traffic exiting the highway and the pedestrian Village Center.	Highway-oriented uses, such as automobile service & repair, retail, office, and limited high density residential.	Min: 175 Max: 380	Min: 7.5 Max: 15	Min: 0.1 Max: 1.0	15% minimum in the form of neighborhood parks and common areas
Employment (formerly Edge District) Accommodate corporate office development and foster the development of a campus-like corporate park.	Office, hospitality, clean industry, large institutional uses (hospitals, educational facilities), and large scale residential,	Min: 190 Max: 380	Min: 4 Max: 7.5	Min: 0.1 Max: 0.5	20% minimum in the form of large parks and interconnected wildlife corridors.

Character District/ Purpose	Uses	Minimum/ Maximum Acreage*	Density (Units per Acre)	Intensity (FAR)	Open Space (min.)
Transition Provide a transition between the high-density/intensity Village Core and the low-density/ intensity areas at the edge of the study area.	Single family home and single or multi-use office/medium-density residential	Min: 380 Max: 770	Min: 5 Max: 15	Min: 0.5 Max: 1.0	15% minimum in the form of neighborhood parks and larger common areas.
Neighborhood Preserve the existing low-density single-family residential neighborhoods and transition to the less intense uses just outside the study area.	Single-family homes and small scale support uses (schools, churches, day care facilities)	Min: 2,360 Max: 3,060	Min: 1 Max: 5	Min: .05 Max: 0.5	20% minimum in the form of large parks and interconnected wildlife corridors.

* Calculated based on the entire vision plan area acreage.

Policy 20.11

Maximum allowable development within the Wekiva Parkway Interchange Plan Area shall be allocated among land uses as follows:

Single Family: 7,500 units
Multi Family: 8,500 units
Commercial/Services: 22 million square feet

Policy 20.12

The character district regulations included in the Form-Based Code will ensure densities and intensities are allocated as noted in **Table 20.10** (see **Policy 20.10**). The TDR system will allow increased densities in the Core area (noted as bonus density on the table). The average density/intensity for individual districts and the entire mixed-use area shall not exceed the average allowed. The City shall establish a tracking system to ensure the densities/intensities are kept within the established limits. The tracker will also ensure the acreages of the character districts remain within the parameters set in **Policy 20.10**.

Policy 20.13

Development within the Wekiva Parkway Interchange Vision Plan Area shall be planned in a manner that maximizes internal circulation and does not cause the Florida Strategic Intermodal System (SIS) to exceed its adopted Level of Service Standard without appropriate mitigation.

Policy 20.14

The Wekiva Parkway Interchange Vision Plan Area shall include the following performance targets for transit, bicycle and pedestrian facilities as follows:

- 80% of all the bicycle and pedestrian facilities within the Plan Area shall function at LOS C or better;
- All parcels within ¼ mile of a transit stop should be serviced by pedestrian facilities operating at LOS C or better.

LOS standards shall be measured in accordance with the methodology established in the FDOT Multimodal

Transportation Districts and Area wide Quality of Service Handbook (Nov. 2003 or as revised). The City shall coordinate with LYNX and METROPLAN ORLANDO to apply the transit quality of service framework as found in the most recent edition of the Transit Capacity and Quality of Service Manual (TCQSM) and required as part of METROPLAN ORLANDO'S long-range transportation plan where feasible.

Policy 20.15

The City and applicants for development within the Wekiva Parkway Interchange Vision Plan Area shall incorporate transportation demand management strategies into the transportation planning process to alleviate congestion. A range of techniques will be considered, such as vanpool/ridesharing programs, parking management and pricing, transit vouchers, pre-tax incentives, telecommuting, flextime, and/or other appropriate trip reduction strategies.

Policy 20.16

Proposed development within the Wekiva Parkway Interchange Vision Plan Area shall contribute to providing a safe, convenient, comfortable and aesthetically pleasing transportation environment that promotes walking, cycling, and transit use. Appropriate improvements or enhancements to the multimodal network to incorporate into the Wekiva Parkway Interchange Form-Based Code shall include, but not be limited, to the following:

- Accommodations for pedestrian access and movement, including sidewalks, benches and clearly marked crossings;
- Accommodations for bicycles, including lockers, showers, and racks;
- Shared use paths in accordance with the FDOT Bicycle Facilities Planning and Design Guidelines Handbook;
- Accommodations for transfer of passengers at designated transit facilities;
- Preferential parking for rideshare participants;
- Access for motor vehicle passenger drop-offs and pick-ups at designated transit facilities and at commercial and office development sites; and/or
- Accommodation for the mobility impaired, including parking spaces, sidewalks and ramps for handicapped access.

Policy 20.17

Street cross-sections, design standards, and operational measures to ensure streets are safe and convenient for transit, automobile, truck, bicycle and pedestrian travel shall be incorporated into the Wekiva Parkway Interchange Form-Based Code. Strategies will include, but not be limited, to marked crosswalks, wider sidewalks, on-street parking, bus turnouts, traffic calming, raised medians or other appropriate safety enhancements that reduce hazardous conflicts between modes and that are consistent with the planned functions of the roadway.

Policy 20.18

The Wekiva Parkway Interchange Form-Based Code shall include standards for street intersections to facilitate pedestrian crossings.

Policy 20.19

Developments within the Wekiva Parkway Interchange Plan Area shall provide direct bicycle and pedestrian connections within and between residential areas and supporting community facilities and services, such as shopping areas, employment centers, transit stops, neighborhood parks, and schools. Standards and design criteria shall be established within the Wekiva Parkway Interchange Form-Based Code.

Policy 20.20

The City will include in the Wekiva Parkway Interchange Form-Based Code standards for roadways to be built/improved within the Wekiva Parkway Interchange Overlay District. The regulations will create a hierarchy of streets that equitably serve the needs of the pedestrian, the bicycle, public transit, and the automobile based on a grid network system of roadways. The City will support a multi-modal transportation environment that allows for various transit options.

Policy 20.21

Properties assigned the Mixed-Use Interchange future land use designation shall be rezoned to the Wekiva Parkway Interchange Mixed-Use Zoning District to be established in the Wekiva Parkway Interchange Form-Based Code.

Policy 20.22

The Wekiva Parkway Interchange Mixed-Use Zoning District shall establish a range of allowable lot types to ensure a mix of uses. The District shall also provide the form-based building requirements and range of allowable uses for each lot type. The lot type ranges will establish the development framework and pattern within which uses can locate.

Policy 20.23

Permitted land uses within the Wekiva Parkway Interchange Mixed-Use Zoning District shall be outlined in the Wekiva Parkway Interchange Form-Based Code, consistent with the Mixed-Use Interchange future land use designation and **Policy 20.10**. The Community Development Director shall have the authority to approve uses not listed there if the proposed use is compatible with the listed permitted uses and/or will generate or support the development of employment opportunities and/or an increased tax base.

Policy 20.24

Where feasible, developments within the Wekiva Parkway Interchange Plan Area shall maximize the preservation of open space and promote the clustering of uses to both preserve and enhance the natural environment and to maintain the rural character of areas outside of the Wekiva Parkway Interchange Plan Area. The amount of required open space shall vary by district, with the more intensive districts requiring less than 20% for urban plazas/ parks and the less intensive districts requiring more than 20% for passive/active parks and open space for areas. **Policy 20.10** establishes the minimum required open space per district.

Policy 20.25

The Wekiva Parkway Interchange Area Form-Based Code shall include the following provisions to promote efficient access to and through the area, and to protect the traffic flow along the Wekiva Parkway.

- Prohibit the vacation of rights-of-way to maintain the current grid system and facilitate its expansion;
- Require, as part of development approval, a spacing of 300 to 600 feet for local streets to create walkable

"city" blocks and maintain connectivity in the area and avoid the use of the highway for local traffic;

- Prohibit the use of cul-de-sacs and gated neighborhoods;
- Coordinate with the Expressway Authority to encourage the extension of local roads under the highway to maintain connectivity between the east and west sides;
- Limit the number of driveways along Kelly Park Road, Golden Gem and Plymouth Sorrento Road within the Plan Area, and encourage the use of shared driveways instead;
- Require compliance with Section 6.02.10 of the LDC, which requires a minimum distance separation between driveways and intersections;
- Require internal connectivity between sites, through joint-use driveways or alleys, to keep traffic off main roads;
- The Form-Based Code shall include standards for right-of-way width and cross section design based on street typology; and
- Provide pedestrian/bicycle connections at a maximum separation of 350 feet, through the use of mid-block paths or pedestrian shortcuts.

Policy 20.26

Large developments with 50,000 gross square feet or more and are adjacent to a major street, which is or may be used as a transit route, shall provide access for on-site public transit. The public transit stop shall including a bus pullout and shelter.

Policy 20.27

The City shall coordinate with developers the design and construction of proposed new streets within the plan area in conformance with the design standards contained in the Form-Based code. The following standards shall be followed:

- Specific right-of-way location of streets other than those shown on Map 20 of the ILUP shall be determined through the development review process.
- Continue enforcing Section 6.02.05 of the City's LDC (rights-of-way), which contains measures for the protection and use of rights-of-way, and consider the incorporation of more pedestrian-friendly standards in the Wekiva area form-based code.

Policy 20.28

Sites within the Wekiva Parkway Interchange Plan Area, as well as right-of-way areas, shall be subject to the vegetation protection and water conservation landscaping policies contained in the City's comprehensive plan. The City will include more restrictive vegetation protection standards in the Wekiva Parkway Interchange Form-Based Code to:

- Encourage transplanting and re-vegetation.
- Coordinate, on an as needed basis, with Orange County to update regulations for the protection of unique vegetative communities in both jurisdictions.
- Select and locate plants based on their ultimate growth.

Policy 20.29

In order to ensure that development within the mixed-use district creates a sense of community, the placement and orientation of buildings should be carefully planned. The following standards should be included in the form-based regulations:

- Primary building entrances shall orient toward the street, not to interior blocks or parking lots
- Freestanding single-use buildings should be avoided in all but the neighborhood character district, while mixed and interconnected buildings should be encouraged.
- Green areas or plazas may be used to create a prominent civic component to mixed-use areas. These green areas should be centrally located or placed in between the higher intensity uses.
- Standards for the design of gas stations, and other vehicular service uses, to ensure they fit into the desired pedestrian character. The Code will specify standards for building location, site layout, driveway location, signage and other design elements that will ensure compatibility with other proposed uses in the area.
- Building height regulations shall be established not to exceed the parameters listed for each character district in **Policy 20.30**.

Policy 20.30

Building heights shall be arranged so that the tallest buildings are located in proximity to the Kelly Park Interchange and Kelly Park Road itself between the two Village Center nodes. Building heights shall be stepped down/ reduced as development approaches the periphery of the Interchange Study Area and as development nears the rural lands outside the study area. The form-based code shall establish appropriate building heights for each character district and shall address reduced building heights in proximity to the edges of character districts and the study area itself in order to promote compatibility between districts and protection of the rural character of lands outside the study area. In no case shall building height exceed ten occupied floors within the Interchange Study Area without a Comprehensive Plan amendment.

Policy 20.31

The Wekiva Parkway Interchange Form-Based Code shall include standards for signage within the Wekiva Parkway Interchange Plan Area and shall have the purpose to maintain a pedestrian character within the village centers, but at the same time, allow visibility from the highway. Standards shall at minimum:

- Continue to require a sign master plan for all Mixed Use Developments, per LDC Section 2.02.20
- Ground signs shall not be allowed in the Core Area if buildings are located within 15 feet from the street right of way.
- Ground signs shall not exceed a maximum height of 12 feet. This maximum height may be further reduced in certain character districts.
- No billboards shall be allowed within the Wekiva Parkway Interchange Plan Area
- Building signs shall be designed to complement the architecture rather than obscure it.

Revised 9-7-10

**SECOND AMENDMENT TO
JOINT PLANNING AREA AGREEMENT
BETWEEN ORANGE COUNTY AND
THE CITY OF APOPKA**

THIS SECOND AMENDMENT TO JOINT PLANNING AREA AGREEMENT (Amendment) is made and entered into as of the ____ day of OCT 19 2010, 2010, by and between **ORANGE COUNTY, FLORIDA**, a political subdivision of the State of Florida (the County), and the **CITY OF APOPKA**, a Florida municipal corporation (the City).

RECITALS

WHEREAS, the Wekiva Parkway and Protection Act was enacted by the Florida Legislature in 2004, was amended in 2005, and is currently found at Part III, Chapter 369, Florida Statutes (specifically sections 369.314 – 369.324, Florida Statutes); and

WHEREAS, the Act requires those local governments hosting an interchange on the Wekiva Parkway to adopt amendments to their comprehensive plans within one year after the establishment of an interchange location to address issues relating to appropriate land uses, compatible development, secondary road access, access management, right of way protection, vegetation protection, water conserving landscape, and height and appearance of structures and signage; and

WHEREAS, the County and the City entered into a certain Settlement Interlocal Agreement between the City of Apopka and Orange County Florida, approved October 26, 2004, amended August 2, 2005 and on (insert this date) (hereafter “JPA”); and

WHEREAS, in the JPA the parties agreed, among other things, on a joint planning area boundary, a joint land use map, and the framework for establishing standards and requirements for the Wekiva Parkway interchange area; and

WHEREAS, the County and the City will share jurisdictional authority over the area within the Wekiva Parkway interchange and wish to commit to certain goals and objectives for that area in a separate Interlocal Agreement; and

WHEREAS, lands depicted within a one mile radius from the approved Wekiva Parkway interchange are included in this area and constitute the Study Area Boundary; and

WHEREAS, in order to accomplish the objectives of the Act and the Interlocal Agreement for the Study Area Boundary, the County and the City have determined that certain provisions of

the JPA, including Exhibit F as it pertains to the Study Area Boundary, are outdated or will become outdated by the adoption the Interlocal Agreement; and

WHEREAS, both the County and the City desire to amend the existing JPA to ensure consistency between the JPA and the Interlocal Agreement for the area described as the Study Area Boundary; and

WHEREAS, pursuant to Section 163.3171(3), Florida Statutes, this Amendment has been approved by the Orange County Board of County Commissioners and the Apopka City Council at advertised public hearings.

NOW THEREFORE, in consideration of the covenants made by each party to the other and of the mutual advantages to be realized by the parties hereto, the receipt and sufficiency of which is hereby acknowledged, the County and the City hereby agree as follows:

Section 1. Recitals. The above Recitals are true and correct and are incorporated herein by reference.

Section 2. Authority. This Amendment is entered into pursuant to (1) Chapters 125, 163 and 166, Florida Statutes, (2) the general authority of Section 163.01, Florida Statutes, relating to interlocal agreements, (3) the Charters of the County and City, and (4) the Joint Planning Area Agreement.

Section 3. Map Amendment.

“Exhibit F” to the JPA is hereby deleted and replaced with a new “Exhibit F”, which is attached hereto and incorporated herein by reference. For purposes of interpreting the JPA, the parties agree that the area described in “Exhibit F” is unaffected by this amendment except as to the Study Area Boundary, which is described in “Exhibit F1” hereto and the Interlocal Agreement.

“Exhibit F1”, is attached hereto and incorporated herein by reference, and describes the future land uses of those parcels located within the Study Area Boundary and agreed upon by the City and the County and is typified in Exhibit B to the Interlocal Agreement. The parties agree that, as to the parcels located in the Study Area Boundary, to the extent of any conflict between the JPA and the Interlocal Agreement, the Interlocal Agreement will control and shall supersede the JPA unless otherwise indicated in the Interlocal Agreement. (Exhibit “F1” hereto and Exhibit “B” to the Interlocal Agreement are identical exhibits.)

Section 4. Text Amendment. A new paragraph (4) is added to Subsection (c), "Small Area Study Areas" of Section 3, Joint Land Use Plan, to read as follows:

(4) Pursuant to the Interlocal Agreement approved by the parties the parties agree that, as to the parcels located in the Study Area Boundary and as described in "Exhibit F1" to the JPA, the terms of the Interlocal Agreement will control and that the Interlocal Agreement supersedes the JPA to the extent of any conflict between the Interlocal Agreement and the JPA, unless otherwise indicated in the Interlocal Agreement.

Section 5. Except as expressly set forth herein, all other provisions of the JPA, as amended, remain unchanged and in full force and effect.

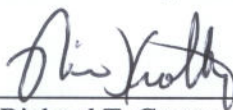
Section 6. Severability. Should any section, subsection, sentence, clause, phrase or provision of this Amendment is held invalid or unconstitutional by a court of competent jurisdiction such invalidity or unconstitutionality shall not be construed to render the remaining portions of this Amendment invalid or unconstitutional.

Section 7. Effective Date. This Second Amendment to the JPA shall become effective upon the date of approval by the Board of County Commissioners or the date of approval by the City Council, whichever date is later.

IN WITNESS WHEREOF, the County and City have executed this Second Amendment to the JPA on the dates inscribed below.

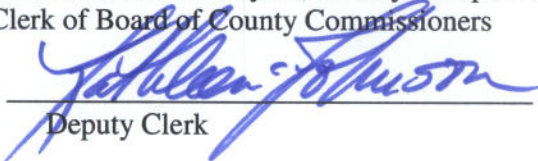


ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: 
Richard T. Crotty
Orange County Mayor

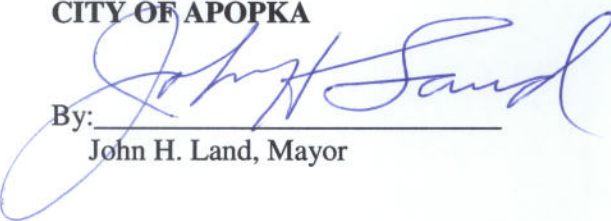
DATE: OCT 19 2010

ATTEST: Martha O. Haynie, County Comptroller
as Clerk of Board of County Commissioners


By: 
Deputy Clerk

Revised 9-7-10

CITY OF APOPKA


By: _____
John H. Land, Mayor

ATTEST: Janice G. Goebel
City Clerk

By: 
Date: 9-17-10

S:\Dcrosby\AGRMNT\Apopka\2d amend Apopka JPA D4

Exhibit 'F'

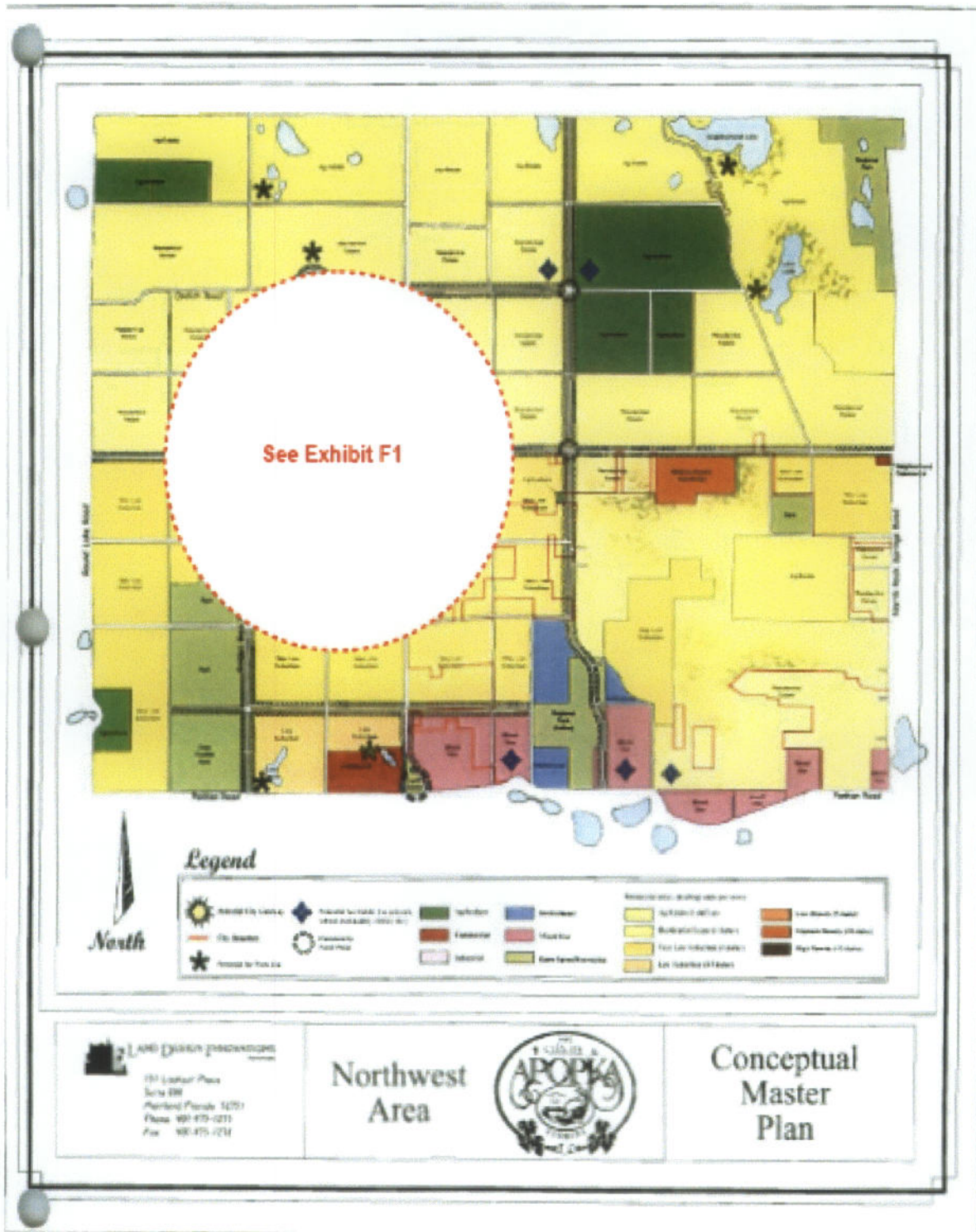
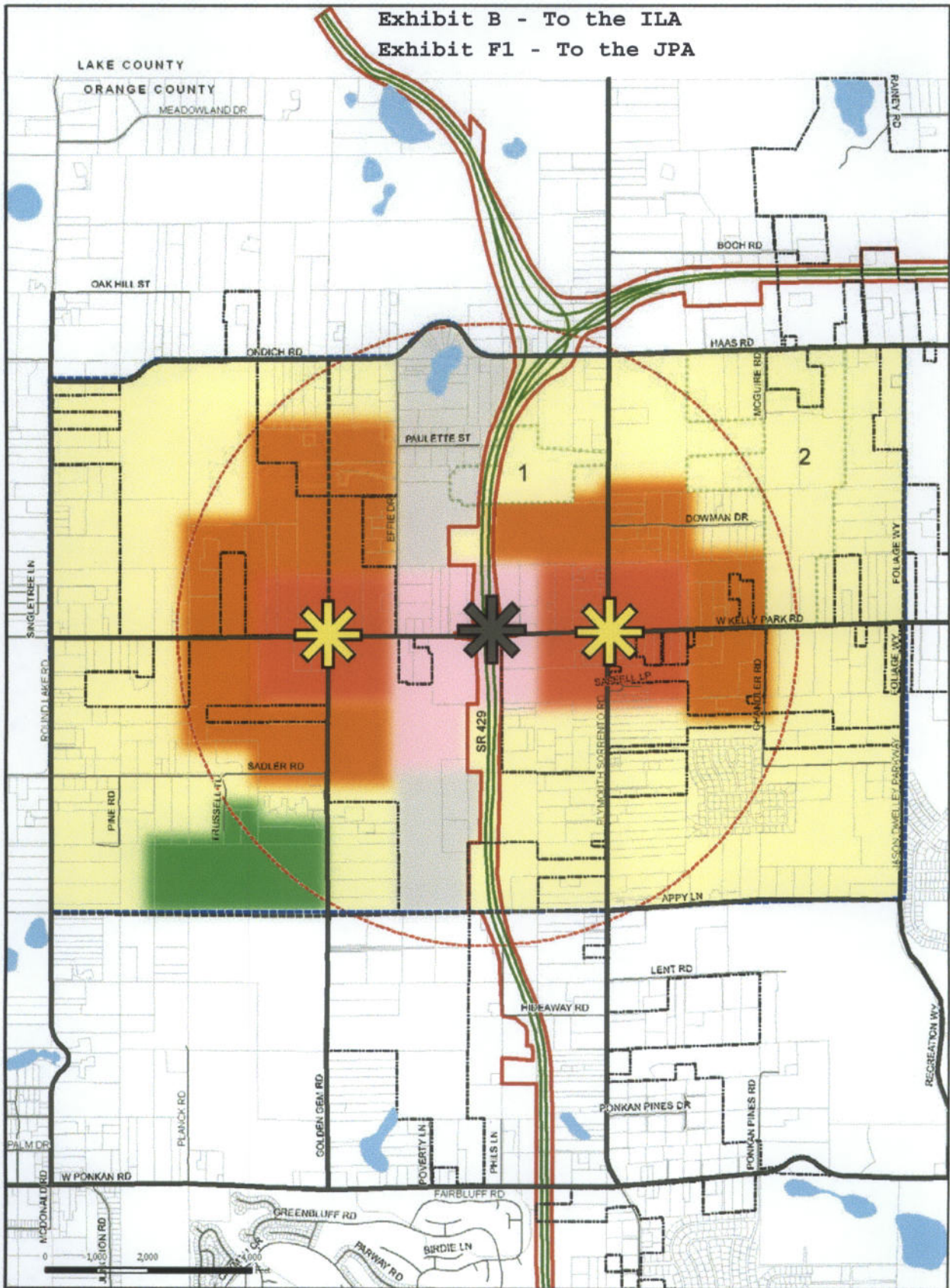


Exhibit B - To the ILA
 Exhibit F1 - To the JPA



<p>Proposed Districts</p> <ul style="list-style-type: none"> Village Center Employment Interchange Transition Neighborhood Recreation 	<ul style="list-style-type: none"> Interchange Study Area Boundary City of Apopka Boundary Existing Roads 1 Mile Radius * Interchange 	<ul style="list-style-type: none"> 1. Bridle Path Rural Settlement 2. Rainbow Ridge Rural Settlement
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LAND DESIGN INNOVATIONS
1718 Fernald Street, Suite 100
 Apopka, Florida 32711
 Phone 407-923-1213
 Fax 407-923-1218
 www.landi.com

Note: Map is for graphical representation only
 Actual data must be verified by City staff.
 September 2010

Backup material for agenda item:

2. COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – Owned by the City of Apopka, from Parks/Recreation to Industrial, for property located north of East Cleveland Street, west of Sheeler Avenue. (Parcel ID #: 15-21-28-0000-00-080)



CITY OF APOPKA PLANNING COMMISSION

<input checked="" type="checkbox"/> PUBLIC HEARING	DATE:	November 10, 2015
<input type="checkbox"/> ANNEXATION	FROM:	Community Development
<input type="checkbox"/> PLAT APPROVAL	EXHIBITS:	Land Use Report
<input type="checkbox"/> OTHER:		Vicinity Map
		Adjacent Zoning Map
		Adjacent Uses Map

SUBJECT: CITY OF APOPKA – COMPREHENSIVE PLAN – SMALL SCALE – ADMINISTRATIVE FUTURE LAND USE AMENDMENT

PARCEL ID NUMBER: 15-21-28-0000-00-080

Request: COMPREHENSIVE PLAN - SMALL SCALE
FUTURE LAND USE AMENDMENT
FROM: PARKS/RECREATION
TO: INDUSTRIAL (0.60 FAR)

SUMMARY

APPLICANT/OWNER: City of Apopka

LOCATION: North of East Cleveland Street, west of Sheeler Avenue

EXISTING USE: Vacant

CURRENT ZONING: PR

PROPOSED DEVELOPMENT: Light industrial

PROPOSED ZONING: I-1 (Note: this Future Land Use Map amendment request is being processed along with a request to change the Zoning Map designation from PR to I-1.)

TRACT SIZE: 9.95 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: 0 Units
PROPOSED: 260,053 Sq. Ft.

DISTRIBUTION

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

ADDITIONAL COMMENTS: The proposed Small-Scale Future Land Use Amendment is being requested by the City of Apopka. Pursuant to Florida law, properties containing less than ten acres are eligible to be processed as a small-scale amendment. Such process does not require review by State planning agencies.

A request to assign a Future Land Use Designation of Industrial is compatible with the designations assigned to abutting properties. The FLUM application covers approximately 9.95 acres. The property owner intends to use the site for eventual light industrial development. Access to the site will occur from a road or driveway connecting to East Cleveland Street through an abutting City-owned property, unless another access is created to connect to 13th Street.

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

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the Industrial Future Land Use designation and the City’s proposed I-1 Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: The proposed rezoning is to a non-residential zoning classification and, therefore, a capacity enhancement agreement with OCPS is not necessary.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2015.

PUBLIC HEARING SCHEDULE:

- November 10, 2015 - Planning Commission (5:01 pm)
- December 2, 2015- City Council (1:30 pm) - 1st Reading
- December 16, 2015 – City Council (7:00 pm) - 2nd Reading

DULY ADVERTISED:

- October 30, 2015 – Public Notice and Notification
- December 4, 2015 – Ordinance Heading Ad w/Map/¼ Page w/Map Ad

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and recommends approval of the change in Future Land Use from Parks/Recreation to Industrial (max FAR 0.60) for the property owned by the City of Apopka.

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

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Residential Medium (10 du/ac) and Industrial (max FAR 0.60)	IND-2/IND-3 (ZIP)	Light Industrial
East (City)	Residential Medium (10 du/ac)	R-1	Vacant
South (City)	Residential Medium (10 du/ac)	PUD	Vacant
West (City)	Parks/Recreation	PR	Vacant (City training site)

II. LAND USE ANALYSIS

The general character of the area surrounding the subject property is compatible with this development of light industrial uses. The property lies north of East Cleveland St and east of Clarcona Rd.

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

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

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

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

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

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

The proposed amendment is consistent with the Comprehensive Plan, including Policy 3.1.1 Industrial Future Land Use designation.

Analysis of the relationship of the amendment to the population projections: The proposed future land use designation for the property is Industrial (max FAR 0.60). Based on the housing element of the City's Comprehensive Plan, this amendment will increase the City's future population.

CALCULATIONS:

ADOPTED (City designation): N/A
PROPOSED (City designation): N/A

Housing Needs: This amendment will not negatively impact the housing needs as projected in the Comprehensive Plan.

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

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

Sanitary Sewer Analysis

1. Facilities serving the site; current LOS; and LOS standard: City of Apopka ; 81 GPD/Capita;
81 GPD / Capita

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

2. Projected total demand under existing designation: 0 GPD
3. Projected total demand under proposed designation: 39,008 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 81 GPD/Capita
6. Projected LOS under proposed designation: 81 GPD/Capita
7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

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

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

2. Projected total demand under existing designation: 0 GPD
3. Projected total demand under proposed designation: 52,011 GPD

4. Capacity available: Yes
5. Projected LOS under existing designation: 177 GPD/Capita
6. Projected LOS under proposed designation: 177 GPD/Capita
7. Improved/expansions already programmed or needed as a result of the proposed amendment: None
8. Parcel located within the reclaimed water service area: No

Solid Waste

1. Facilities serving the site: City of Apopka
2. If the site is not currently served, please indicate the designated service provider:
City of Apopka
3. Projected LOS under existing designation: N/A lbs./person/day
4. Projected LOS under proposed designation: 3 lbs./1000 sq. ft.
5. Improved/expansions already programmed or needed as a result of the proposed amendment: None

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

Infrastructure Information

Water treatment plant permit number: CUP No. 3217

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

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

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

Availability of distribution lines to serve the property: Yes

Availability of reuse distribution lines available to serve the property: No

Drainage Analysis

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

Recreation

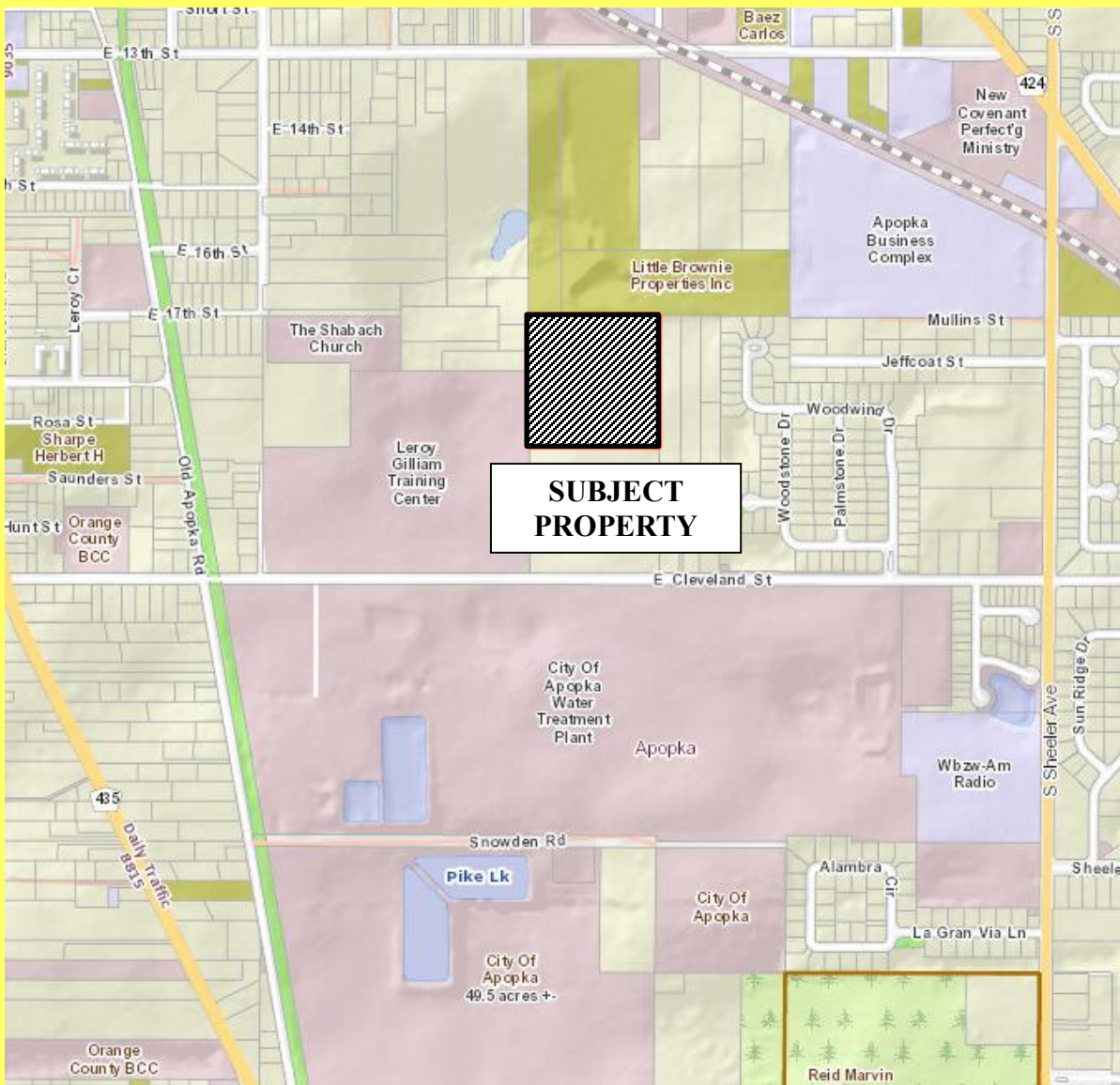
1. Facilities serving the site; LOS standard: City of Apopka Parks System; 3 AC/1000 capita
2. Projected facility under existing designation: N/A AC
3. Projected facility under proposed designation: N/A AC
4. Improvement/expansions already programmed or needed as a result of the proposed amendment:
None

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

City of Apopka
9.95 +/- Acres
Existing Maximum Allowable Development: 0 dwelling units
Proposed Maximum Allowable Development: 260,053 sq. ft.
Proposed Small Scale Future Land Use Change
From: Parks/Recreation
To: Industrial (max. FAR 0.60)
Proposed Zoning Change
From: PR
To: I-1
Parcel ID #: 15-21-28-0000-00-080

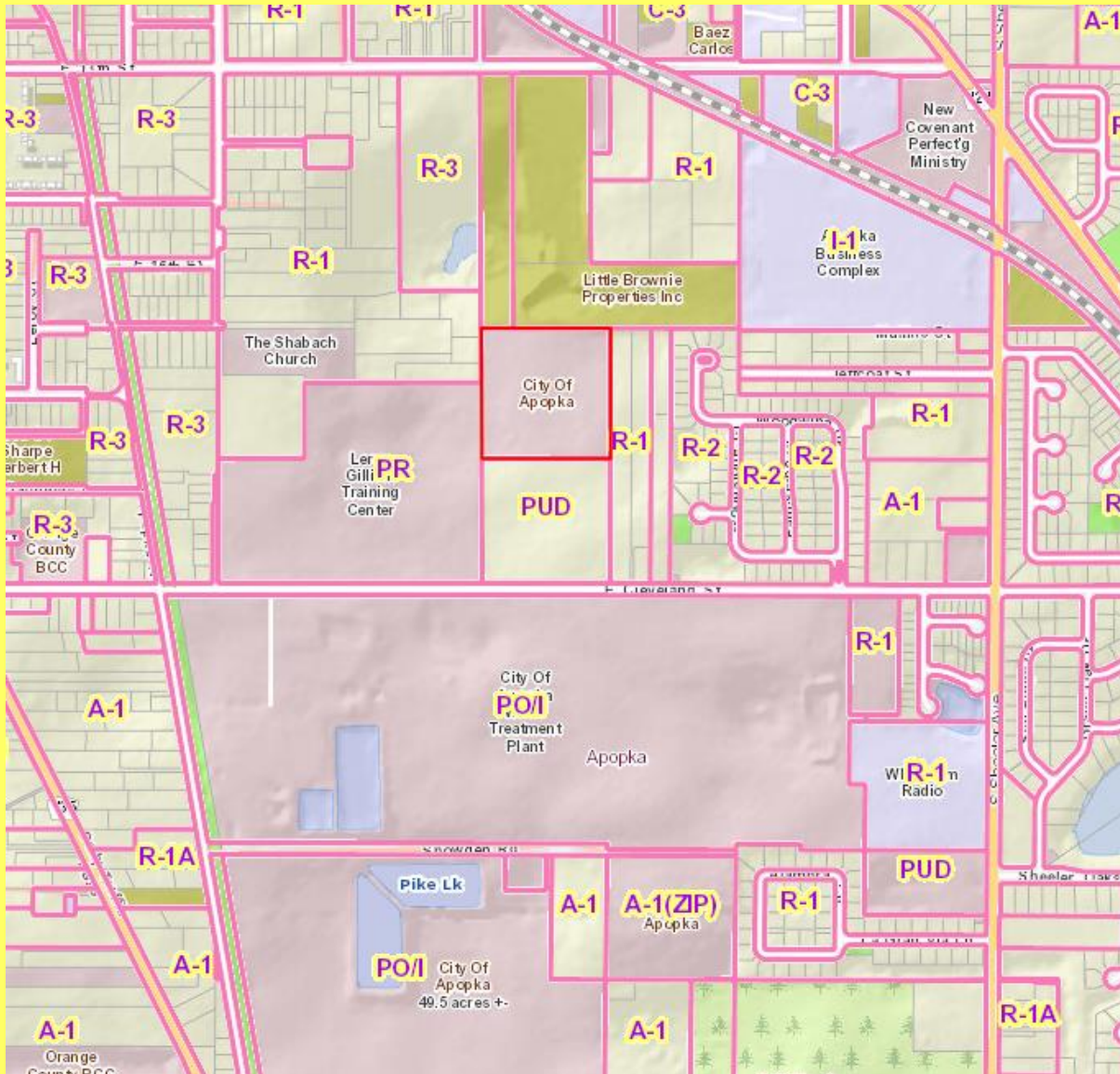


VICINITY MAP



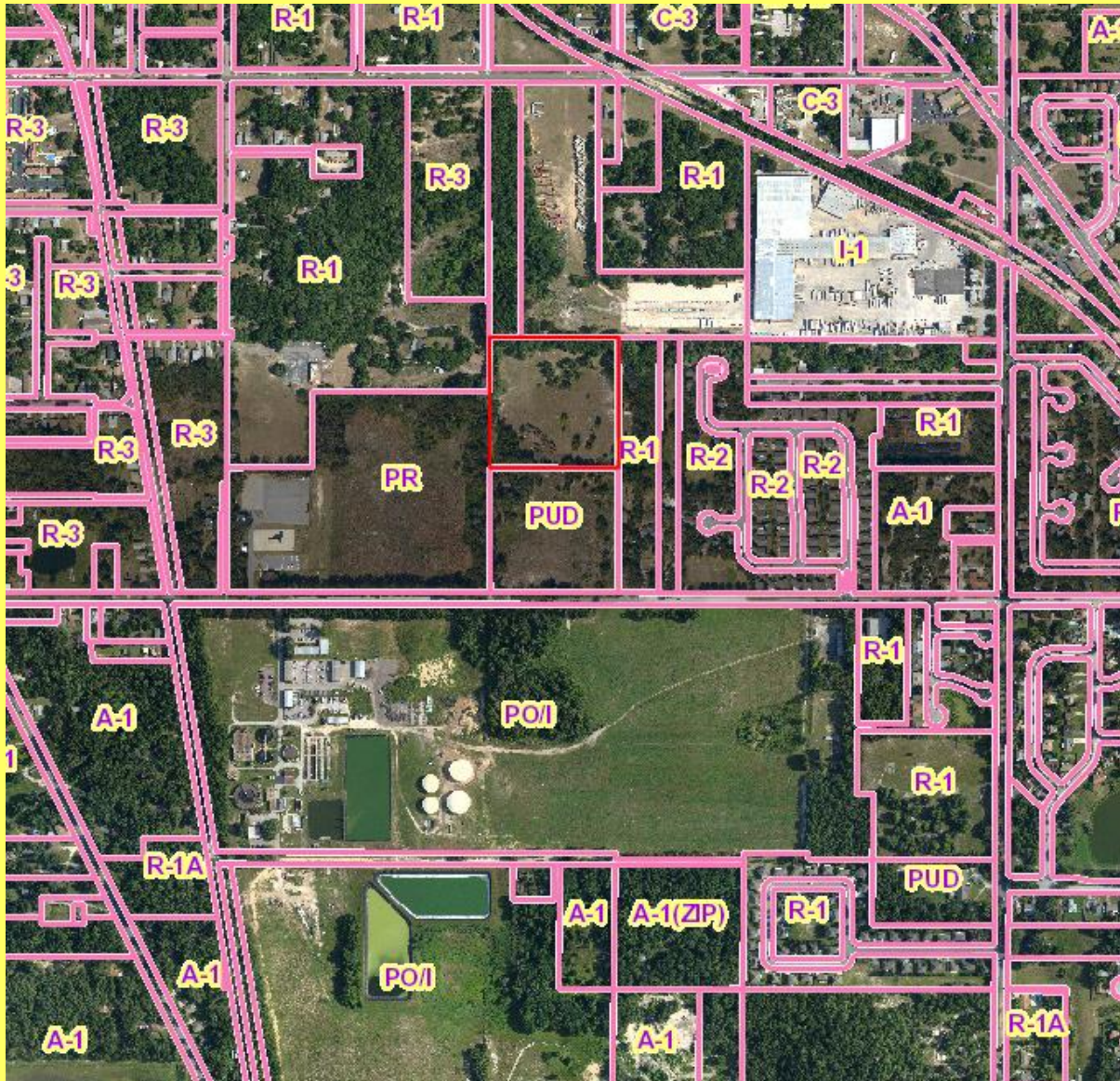


ADJACENT ZONING



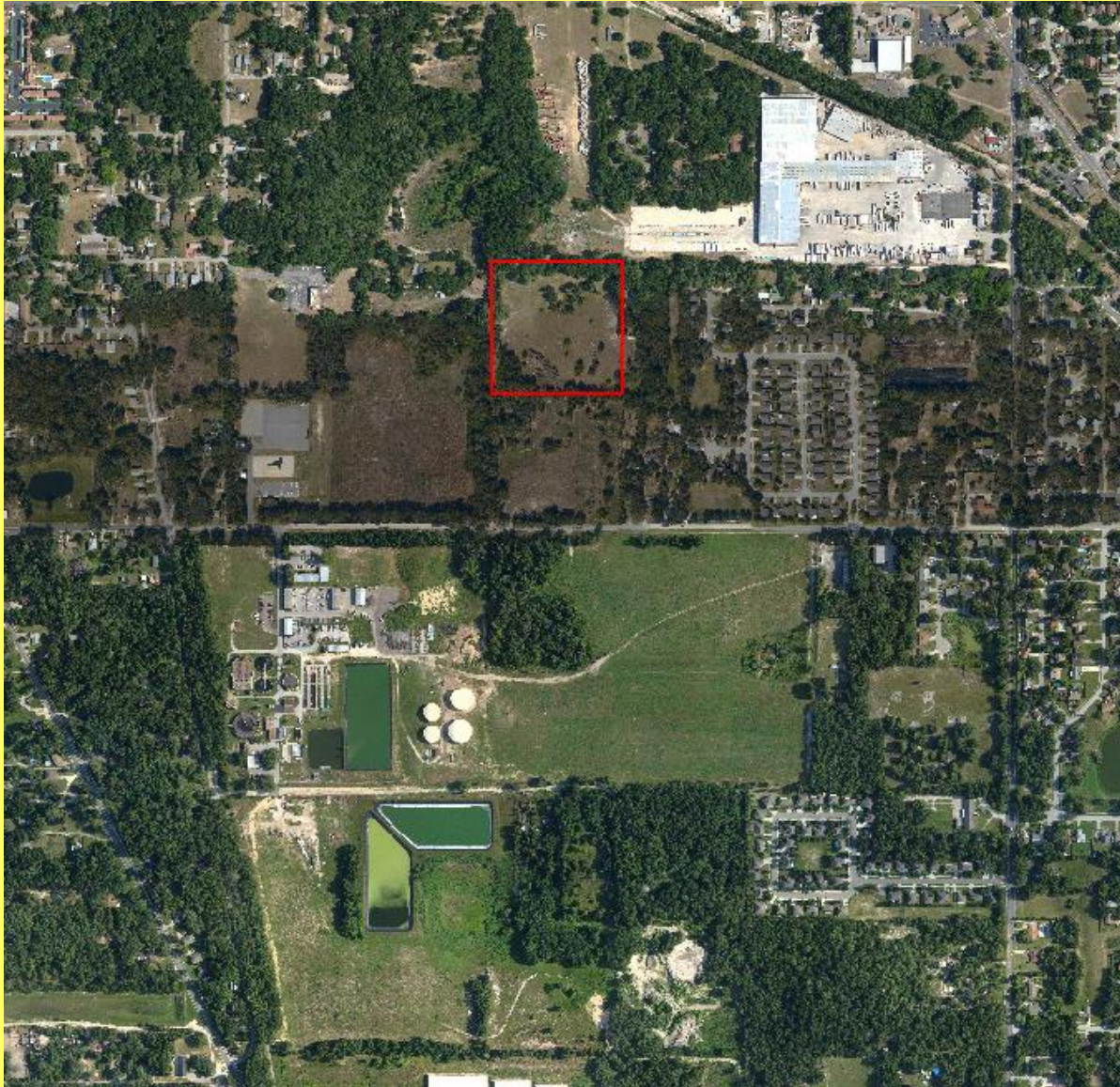


ADJACENT USES





EXISTING USES



Backup material for agenda item:

3. CHANGE OF ZONING – Owned by the City of Apopka, from PR (Parks/Recreation) to I-1 (Restricted Industrial), for property located north of East Cleveland Street, west of Sheeler Avenue. (Parcel ID #: 15-21-28-0000-00-080)



**CITY OF APOPKA
PLANNING COMMISSION**

<input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ANNEXATION <input type="checkbox"/> PLAT APPROVAL <input type="checkbox"/> OTHER:	DATE: November 10, 2015 FROM: Community Development EXHIBITS: Zoning Report Vicinity Map Adjacent Zoning Map Adjacent Uses Map Existing Uses Map
--	--

SUBJECT: CITY OF APOPKA – CHANGE OF ZONING

PARCEL ID NUMBER: 15-21-28-0000-00-080

Request: CHANGE OF ZONING
FROM: PR (PARKS/RECREATION)
TO: I-1 (RESTRICTED INDUSTRIAL) (MAX. FAR 0.60)

SUMMARY

APPLICANT/OWNER: City of Apopka

LOCATION: North of East Cleveland Street, west of Sheeler Avenue

EXISTING USE: Vacant

FUTURE LAND USE: Parks/Recreation

PROPOSED
LAND USE: Industrial (max. FAR 0.60) (Note: this Change of Zoning amendment request is being processed along with a request to change the Future Land Use Map designation from Industrial to Industrial (max FAR 0.60).

ZONING: PR (Parks/Recreation)

PROPOSED ZONING: I-1 (Restricted Industrial) (min. lot area of 15,000 sq. ft.)

PROPOSED
DEVELOPMENT: Light industrial

TRACT SIZE: 9.95 +/- acres

MAXIMUM ALLOWABLE
DEVELOPMENT: EXISTING ZONING: 0 Residential Units
 PROPOSED ZONING: 260,053 Sq. Ft.

DISTRIBUTION

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

ADDITIONAL COMMENTS:

The proposed zoning change is compatible with the character of the surrounding area and the subject parcels are vacant. The City is requesting the I-1 zoning to assure that the property can be sold and developed for light industrial. The property comprises approximately 9.95 acres.

Staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this zoning change (see attached Zoning Report).

COMPREHENSIVE PLAN COMPLIANCE: The proposed I-1 rezoning is consistent with the proposed Future Land Use Designation of Industrial (max. FAR 0.60) for this property. Minimum lot size for property assigned the I-1 zoning category is 15,000 sq. ft. for light industrial development.

SCHOOL CAPACITY REPORT: The proposed rezoning is to a non-residential zoning classification and, therefore, a capacity enhancement agreement with OCPS is not necessary.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2015.

PUBLIC HEARING SCHEDULE:

November 10, 2015 - Planning Commission (5:01 pm)
December 2, 2015- City Council (1:30 pm) - 1st Reading
December 16, 2015 – City Council (7:00 pm) - 2nd Reading

DULY ADVERTISED:

October 30, 2015 – Public Notice and Notification
December 4, 2015 – Ordinance Heading Ad w/Map/¼ Page w/Map Ad

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, recommending approval of the change in Zoning from PR (Parks/Recreation) to I-1 (Restricted Industrial).

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:

North (City)	Residential Medium (10 du/ac) and Industrial (max FAR 0.60)	IND-2/IND-3 (ZIP)	Light Industrial
East (City)	Residential Medium (10 du/ac)	R-1	Vacant
South (City)	Residential Medium (10 du/ac)	PUD	Vacant
West (City)	Parks/Recreation	PR	Vacant (City training site)
North (City)	Residential Medium (10 du/ac) and Industrial (max FAR 0.60)	IND-2/IND-3 (ZIP)	Light Industrial

LAND USE & TRAFFIC COMPATIBILITY:

The parcel is landlocked but the abutting parcel to the southwest is also owned by the City of Apopka. Prior to development of the subject property for industrial purposes, a road or driveway must be constructed across the City’s southern parcel to create access between Cleveland Street and the subject parcel.

The zoning application covers approximately 9.95 acres. The property owner intends to sell the property for use for light industrial development.

COMPREHENSIVE PLAN COMPLIANCE:

The proposed I-1 zoning is consistent with the Industrial (max. FAR 0.60) Future Land Use designation and with the character of the surrounding area and future proposed development. Per Section 2.02.01, Table II-1, of the Land Development Code, I-1 zoning is one of the acceptable zoning districts allowed within the Industrial Future Land Use designation. Development Plans shall not exceed the density allowed in the adopted Future Land Use Designation.

C-3 DISTRICT REQUIREMENTS:

- Maximum Floor Area Ratio: 0.60
- Minimum Site Area: 15,000 sq. ft.
- Minimum Lot Width 100 ft.
- Setbacks: Front: 25 ft.
- Rear: 10 ft. (30 ft. from residential)
- Side: 10 ft.
- Corner 25 ft.

Based on the above zoning standards, the existing 9.95 acre parcels comply with code requirements for the I-1 district.

BUFFERYARD REQUIREMENTS:

Areas adjacent to all road rights-of-way shall provide a minimum 25-foot landscaped bufferyard. Areas adjacent to agricultural uses or districts shall provide a minimum of ten feet abutting the property line with landscaping and a six-foot-high masonry wall.

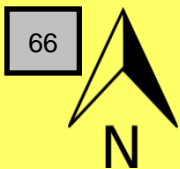
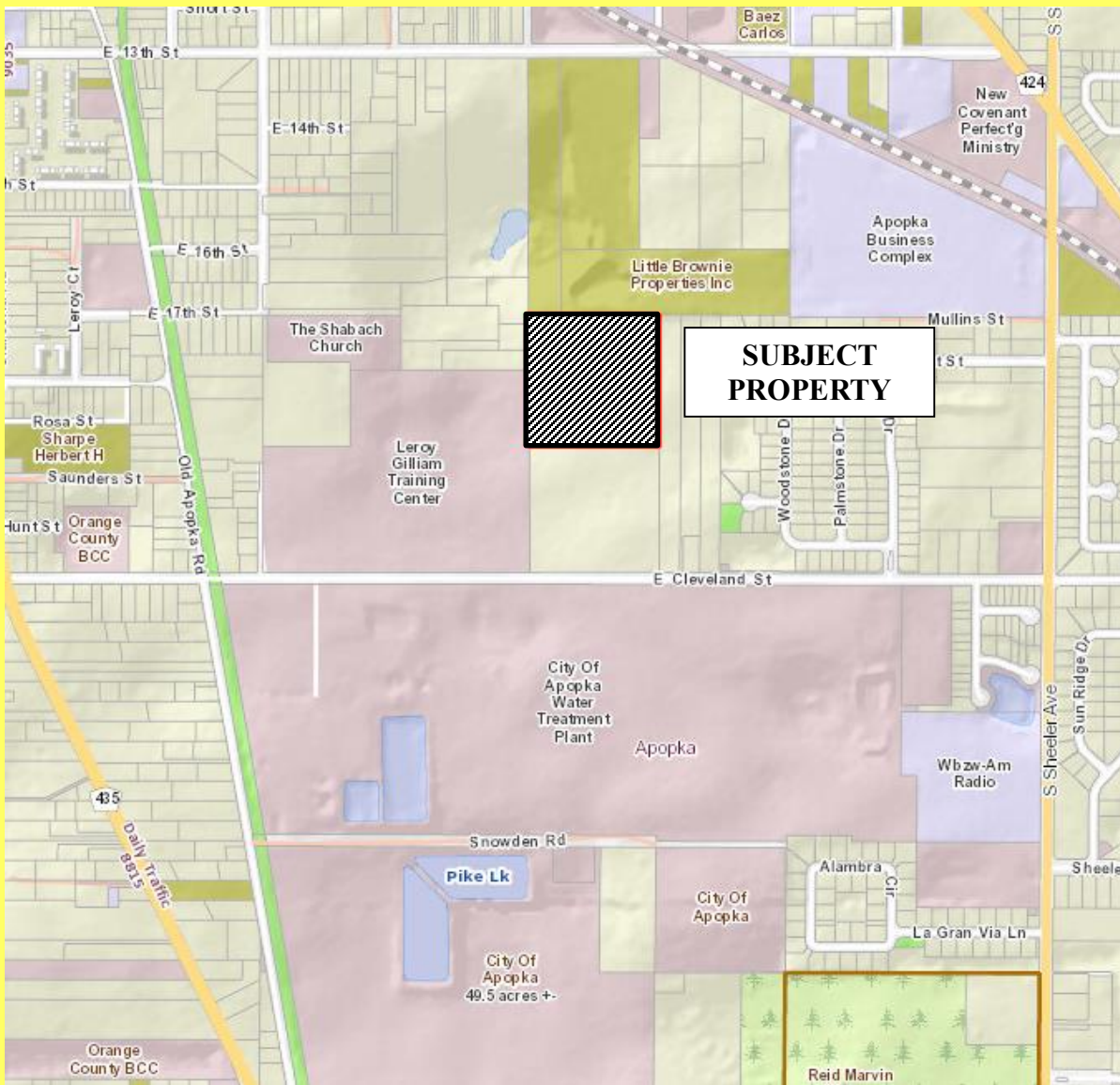
ALLOWABLE USES:

Any C-3 Commercial District permitted use and light manufacturing of novelties, souvenirs, bakery, garments, electrical, precision instruments or equipment, computers, furniture, metal and other similar products. Bus, cab and truck repair, dyeing, dry cleaning and laundering. Machinery sales, machine shops, meat storage, cutting and distribution. Other uses which are similar and compatible to the uses permitted herein which adhere to the intent of the district.

City of Apopka
9.95 +/- Acres
Existing Maximum Allowable Development: 0 dwelling units
Proposed Maximum Allowable Development: 260,053 sq. ft.
Proposed Small Scale Future Land Use Change
From: Parks/Recreation
To: Industrial (max. FAR 0.60)
Proposed Zoning Change
From: PR
To: I-1
Parcel ID #: 15-21-28-0000-00-080

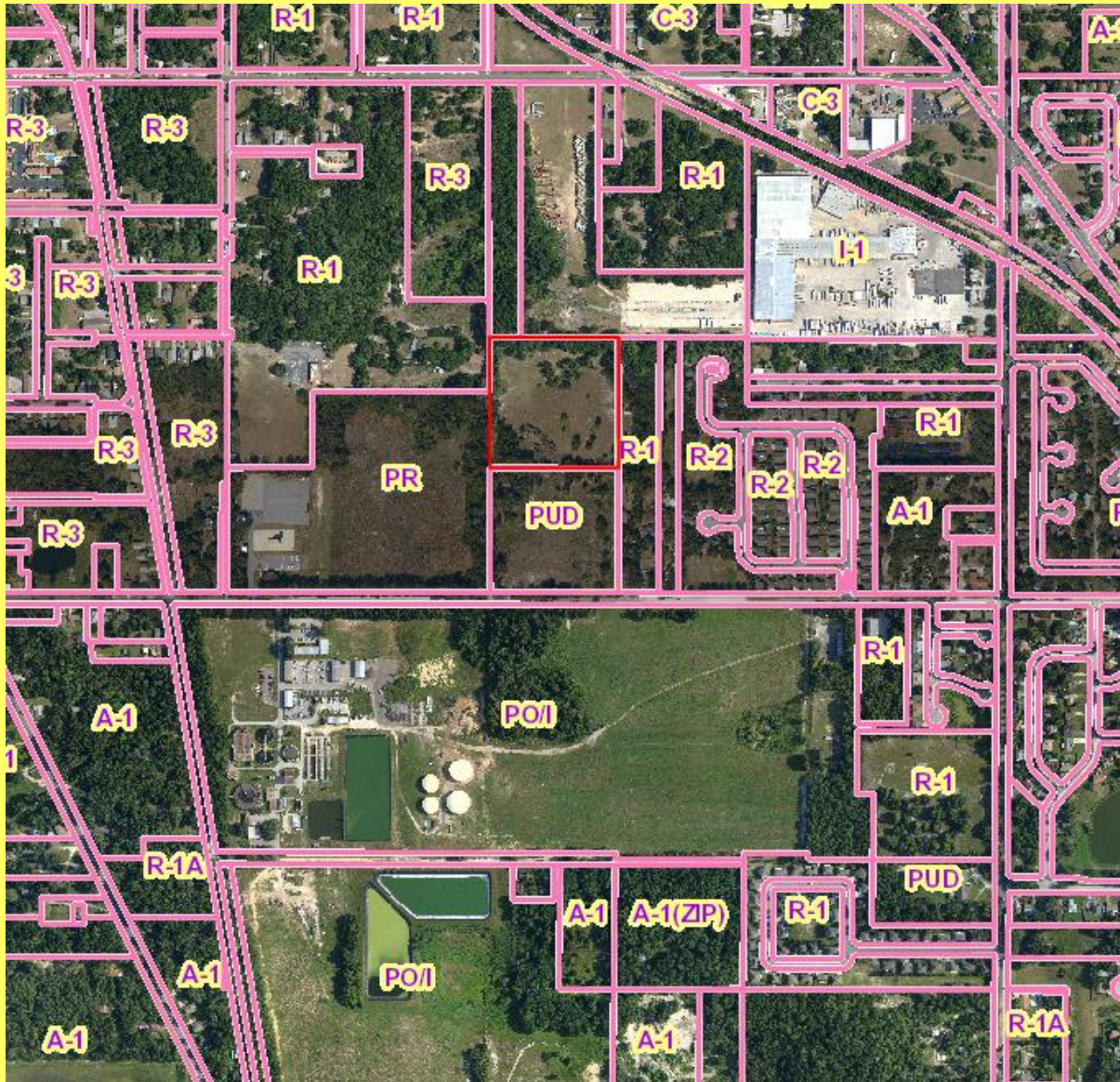


VICINITY MAP



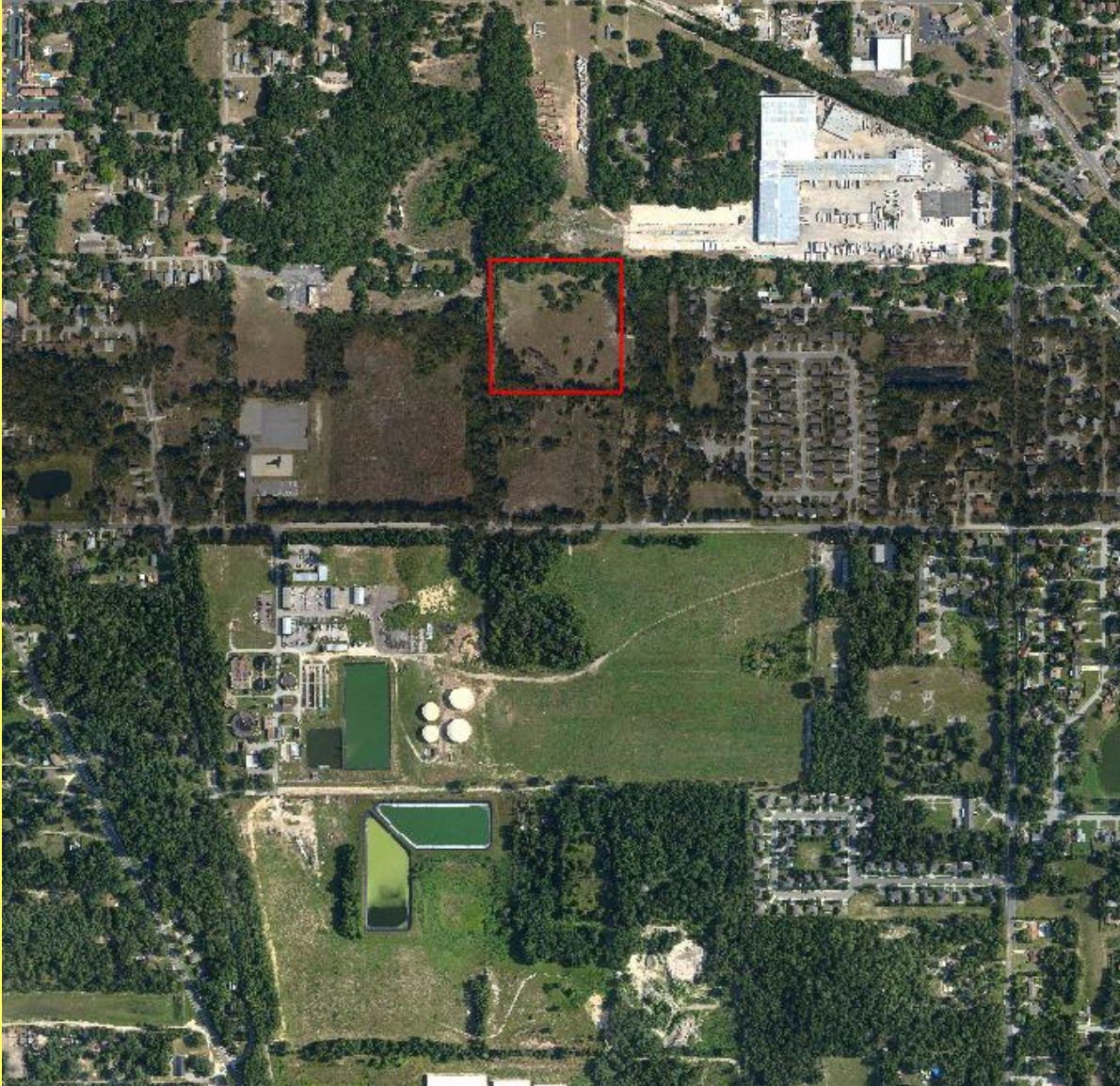


ADJACENT USES





EXISTING USES



Backup material for agenda item:

4. CHANGE OF ZONING/ MASTER SITE PLAN – Raynor Shine Recycling Solutions LLC, owned by Raynor Apopka Land Management, LLC; Engineer is American Civil Engineering Co., c/o John Herbert, P.E., from “County” I-4 (ZIP) and “City” I-1 to “City” Planned Unit Development (PUD/I-2), for property located at 100 & 126 Hermit Smith Road. (Parcel ID #s: 01-21-27-0000-00-026; 01-21-27-0000-00-080)



CITY OF APOPKA PLANNING COMMISSION

<input checked="" type="checkbox"/> PUBLIC HEARING	DATE:	November 10, 2015
<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
		Master Plan/Preliminary Dev. Plan
		Landscape Plan

SUBJECT: RAYNOR SHINE RECYCLING SOLUTIONS LLC - CHANGE OF ZONING

PARCEL ID NUMBERS: 01-21-27-0000-00-026 & 01-21-27-0000-00-080

Request: RECOMMEND APPROVAL OF THE CHANGE OF ZONING FROM “COUNTY” I-4 (ZIP) & “CITY” I-1 TO “CITY” PLANNED UNIT DEVELOPMENT (PUD/I-2); AND RECOMMEND APPROVAL OF THE MASTER PLAN/PRELIMINARY DEVELOPMENT PLAN.

SUMMARY

OWNER: Raynor Apopka Land Management, LLC

APPLICANT/ENGINEER: American Civil Engineering Co., c/o John Herbert, P.E.

LOCATION: 100 & 126 Hermit Smith Road (Southern terminus of Hermit Smith Road)

EXISTING USE: Vacant Land, warehouse, office

CURRENT ZONING: “County” I-4 (ZIP) and “City” I-1

PROPOSED ZONING: “City” Planned Unit Development (PUD/I-2)

PROPOSED DEVELOPMENT: Mulch Operation

TRACT SIZE: 19.4 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: 507,038 sq. ft.
PROPOSED: 507,038 sq. ft.

DISTRIBUTION

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

ADDITIONAL COMMENTS: Parcel No. 01-21-27-0000-00-026 was annexed into the City of Apopka on November 1, 2006, through the adoption of Ordinance No. 1877. Parcel No. 01-21-27-0000-00-080 was annexed into the City of Apopka on February 2, 2005, through the adoption of Ordinance No. 1733. The proposed Change of Zoning is being requested by the applicant, Raynor Apopka Land Management, LLC.

The zoning application covers approximately 19.4 +/- acres. The property owner intends to use the site for a mulch production manufacturing operation. This use involves the following activities: heavy outdoor mulching equipment, outdoor storage of raw materials, large trucks entering and leaving the property with raw materials (removed or harvested trees or tree limbs) or finished product (landscape mulch). An office use will occur at the site for on-site management of operations and for business sales. The office use is ancillary to the mulch production operation. Based on the storage of outdoor raw material as well as a manufacturing operation that does not occur within an enclosed building, the proposed use meets the intent of the I-2 zoning category. Both parcels have been acquired by and under legal ownership of the applicant. The smaller of the two parcels, Parcel Number 01-21-27-0000-00-080, is approximately 4.15 acres has not been assigned a City zoning category but currently retains a County zoning category of I-4 Industrial. The County's I-4 zoning category is similar to the City's I-2 zoning category. The larger parcel, Parcel Number 01-21-27-0000-00-026, is approximately 15.25 acres and has a City I-1 zoning assigned to it. The proposed use does not meet the intent of the I-1 zoning category and requires I-2 zoning.

The applicant originally sought I-2 zoning for the subject property. However, the City's planning staff determined that many of the uses proposed under I-2 zoning are too intensive considering the predominant land uses in the surrounding area are zoned for I-1, conservation, or agriculture. However, the mulch production use, as proposed, is a use that planning staff considers to be compatible with the surrounding area. Taking into consideration the opinion of the Planning staff, the applicant agreed to apply for a PUD zoning that will limit the use of the subject property to only the mulch production operation and any related ancillary uses, as well as any I-1 uses currently allowed.

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 PUD recommendations are that the zoning classification of the following described property be designated as Planned Unit Development (PUD\I-2), as defined in the Apopka Land Development Code, and with the following Master Plan provisions are subject to the following zoning provisions:

- A. The zoning and uses permitted within the PUD district for the subject property shall be:
1. Use of the subject property will be limited to the manufacturing and production of mulch with outdoor storage of raw materials and with outdoor manufacturing operations. All outdoor storage and outdoor manufacturing operations shall be located within a screened area not visible from adjacent properties or streets. Outdoor mulch manufacturing and the outdoor storage of raw materials are the only I-2 uses that are allowed.
 2. Any I-1 or C-3 permitted use is allowed.
 3. C-2, C-1, CN, or PO/I permitted uses will not be allowed as a primary use. Any office use shall be associated with the industrial activity occurring at the subject site.

4. Any use of the property other than the permitted uses described above, shall require an amendment to the PUD through the zoning process.
 5. Overnight parking of trucks or other large vehicles shall only occur within the boundaries of the Master Site Plan and within areas so designated on said Plan. No overnight parking of trucks will be allowed within the office parking lots. No parking of any vehicle will occur within any roadway easement running within the subject property or abutting the eastern property line.
 6. Outdoor storage of raw materials shall only occur at approved locations denoted within the Master Site Plan.
 7. All mulching equipment shall only be placed in the areas denoted on the Master Site Plan.
 8. No parking of any vehicle or truck or outdoor storage shall occur within any landscape buffer area appearing on the Master Site Plan.
- B. Development standards and conditions required of any development within the PUD district for the subject property shall be:
1. Building elevations will be provided at time of a Final Development Plan application.
 2. Maximum height of any building, mulch conveyor belts, manufacturing equipment, raw material piles are not to exceed thirty-five feet from the finished ground level.
 3. All perimeter landscape areas shall be protected from vehicle encroachment by curbing or wheel stops.
- C. If a Final 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.
 4. Unless otherwise addressed within the PUD development standards, the I-1 zoning standards will apply to the subject property.

COMPREHENSIVE PLAN COMPLIANCE: The proposed Planned Unit Development (PUD/I-2) zoning designation is consistent with the Industrial (0.60 FAR) future land use designation and the proposed use of the property. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: Because this change of zoning represents a change to a non-residential designation, notification of Orange County Public Schools is not required.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on September 11, 2015.

WAIVERS: The applicant has proposed the below waiver requests (which appear on the cover sheet of the Master Plan). As the applicant has applied for a PUD zoning, these waiver requests will be listed as Development Standards approved for the subject property. Thus, the below waivers are considered to be additional development standards that will be incorporated in the PUD ordinance, unless specifically amended or denied by City Council.

1. LDC, Section 2.02.15. G.1. - Areas adjacent to all roads shall provide eight (8) foot masonry wall within a minimum 25-foot landscaped bufferyard. Applicant is requesting a waiver to allow a 10-foot landscaped bufferyard due to the easement in lieu of a road abuts the eastern property line and a fence will provide a black or green vinyl coated chain link fence adjacent property to zoned I-1.
2. LDC, Section 2.02.15. G.2. - Areas adjacent to agricultural districts shall provide an eight-foot masonry wall within a minimum of ten-foot landscaped bufferyard. Applicant is requesting a waiver to allow a 10-foot landscaped bufferyard with a 6-foot chain link fence. The justifications for the request is due to the property to the west containing vegetation from a fern growing operating that blocks the view; and the property to the north is a citrus grove with a dense 6-foot hedge. The chain link fence will be green or black vinyl coated.
3. LDC, Section 2.02.15. G.3. - Areas adjacent to residential districts shall provide an eight-foot masonry wall within a minimum of 50-foot landscaped bufferyard. Applicant is requesting a waiver to allow a 30-foot buffer with a 6-foot chain link along the property line to the north because the adjacent land is owned by the Applicant and is intended to be rezoning to I-1. Additionally, the Applicant is requesting a waiver to allow a 20-foot buffer along the southern property line because the adjacent property is a borrow pit that is not conducive to residential use. The chain link fence will be green or black vinyl coated.
4. LDC, Section 2.02.15.G.2. – A 6’foot high masonry wall is required adjacent to a citrus grove and is not anticipated to develop as residential. No public access is near this area and will not be highly visible. The chain link fence will be green or black vinyl coated.
5. LCD, Section 2.02.15.G.3. – A 20 foot buffer and a 6-foot high masonry wall is required adjacent to residential zoned property. The abutting residential-zoned parcel is owned by Raynor Shine LLC, and the access drive crosses that parcel. RaynorShine plans to rquest to rezone that parcel to Office or Industrial use in the future.

Staff does not object to any of the above waiver requests, and will incorporate these waivers as development standards within the PUD zoning ordinance.

PUBLIC HEARING SCHEDULE:

November 10, 2015 – Planning Commission (5:01 pm)
November 18, 2015 – City Council (7:00 pm) – 1st Reading
December 2, 2015 – City Council (1:30 pm) – 2nd Reading

DULY ADVERTISED:

September 25, 2015 – Public Notice and Notification
November 6, 2015 – Ordinance Heading Ad w/map

RECOMMENDED ACTION:

Staff recommends that the Planning Commission address to separate actions for this case – one for the PUD\I-2 zoning and another for the Master Site Plan\Preliminary Development Plan.

1. The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and recommends approval of the change in zoning from “County” I-4 (ZIP) and “City” I-1 to “City” Planned Unit Development (PUD/I-2) for the property owned by Raynor Apopka Land Management, LLC.
2. The **Development Review Committee** finds the proposed Master Site Plan\Preliminary Development Plan to be consistent with the Comprehensive Plan and Land Development Code, and recommends approval of the Master Site Plan\preliminary Development Plan subject to the development standards and conditions recommended in the staff report, for the property owned by Raynor Apopka Land Management, LLC.

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

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	Future Land Use	Zoning	Present Use
North (County)	Rural (1 du/10 ac/Agricultural)	A-1	vacant
East (City)	Industrial (0.60 FAR)	I-4	warehouse/trucking business
South (City)	Residential Very Low Suburban (0-2 du/ac)	Mixed-EC	vacant
West (County)	Rural (1 du/10 ac/Agricultural)	A-1	warehouse

LAND USE &

TRAFFIC COMPATIBILITY:

The Property has access to a Hermit Smith Road through an access easement that the property owner has demonstrated rights thereto. Hermit Smith Road allows for easy access to a regional highway that leads to U.S. 441 and 429/S.R. 451.

COMPREHENSIVE PLAN

COMPLIANCE:

The proposed Planned Unit Development (PUD/I-2) zoning is consistent with the City’s Industrial Future Land Use Designation. Development plans shall not exceed the density allowed under the adopted future land use designation.

PUD/I-2 DISTRICT

REQUIREMENTS:

The PUD describes the development standards that apply. The I-1 development standards are listed below.

Minimum Site Area: 12,000 sq. ft.

Minimum Lot Width: 150 ft.

Setbacks: Front: 25 ft. from property line

Rear: 10 ft., except where rear lot lines abut a residential district, then all structures shall be set back a minimum of 30 feet or a distance equivalent to any required bufferyard, whichever is greater.

Side: 10 ft. from property line or a distance equivalent to any required bufferyard, whichever is greater. All yards adjacent to road rights-of-way shall be a minimum of 25 feet.

Zero Lot Lines: Rear yards and side yards may be reduced to zero when the rear or side property lines abut the boundary of a railroad right-of-way, but only in those cases where an adjacent wall or walls of a building or structure are provided with railroad loading and unloading capabilities.

**BUFFER-YARD
REQUIREMENTS:**

Areas adjacent to all road rights-of-way shall provide eight (8) foot masonry wall within a minimum 25-foot landscaped bufferyard. Areas adjacent to agricultural districts shall provide an eight-foot masonry wall within a minimum of ten-foot landscaped bufferyard. Areas adjacent to residential districts shall provide an eight-foot masonry wall within a minimum of 50-foot landscaped bufferyard. Areas adjacent to nonresidential, non-I-2 industrial uses or districts shall provide an eight-foot masonry wall within a minimum of ten-foot landscaped bufferyard. I-2 uses occurring adjacent to existing I-2 districts or uses shall be required to provide a ten-foot landscaped bufferyard.

ALLOWABLE USES:

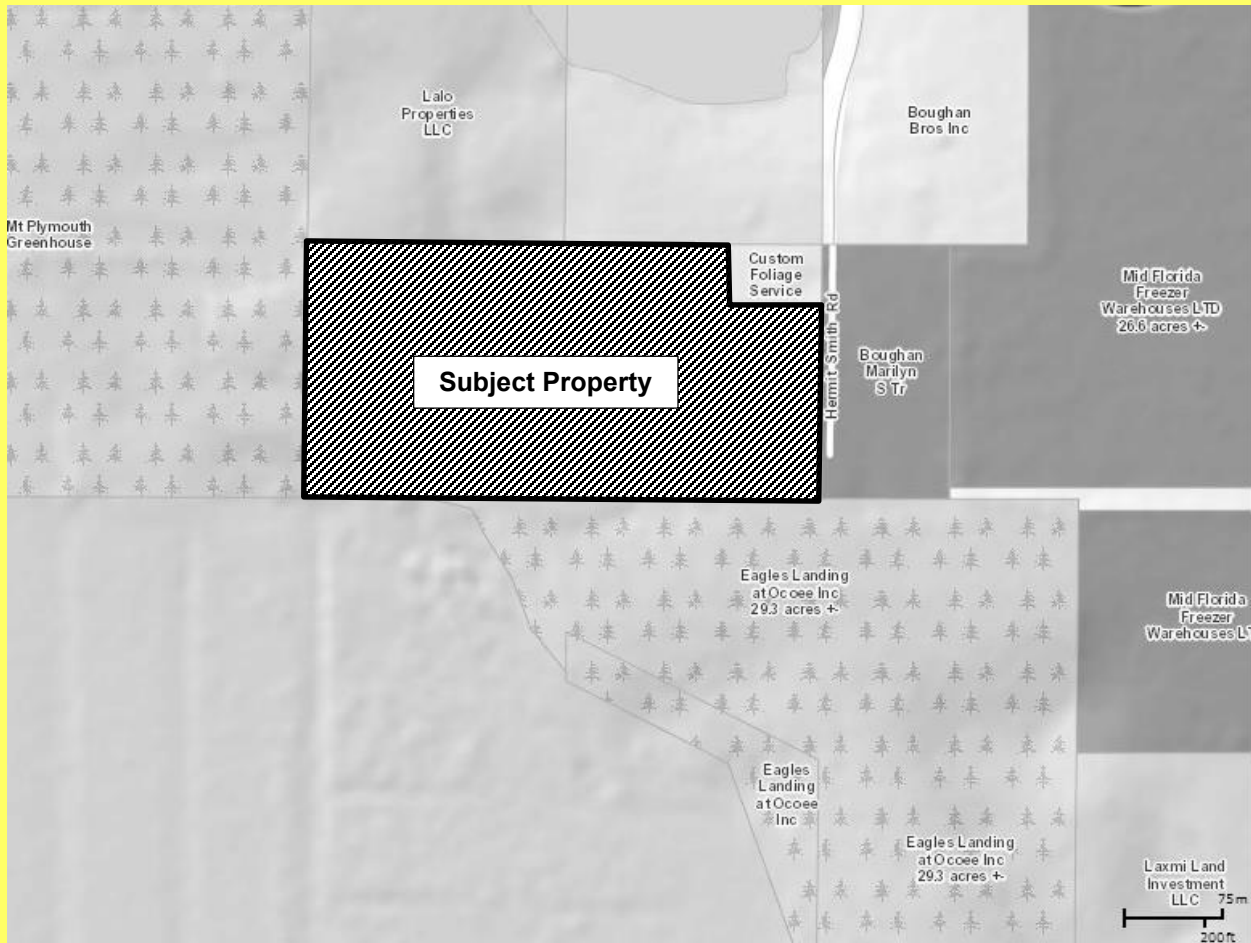
The only I-2 use that is allowed through the PUD\I-2 zoning is outdoor mulch operation and outdoor storage of raw materials.

Any use permitted in the I-1 District. Bus, cab and truck storage and terminals. Building material and contractor's storage, equipment yards and sales. Machinery storage. Bulk storage of petroleum. Asphalt (or similar petroleum product), cement, lime, gypsum or plaster of paris or concrete manufacturing, mixing or refining or the open storage of raw materials or finished products related to such manufacture. Blast furnace or similar heat or glare-generating operations. Corrosive acid manufacture or bulk storage, including, but not limited to, hydrochloric, nitric, sulfuric or similar acids. Fertilizer manufacturing and processing. Junk, salvage or wrecking yard or structure wherein motor vehicles, appliances or similar use equipment or materials are stored, dismantled or store for display, sale or packing; provided, all open storage and processing activities are enclosed within a wall or structure. Other uses which are similar and compatible to the uses permitted herein which adhere to the intent of the district and which are not prohibited as specified in this Code. Use determination shall be based upon the community development director's recommendation.

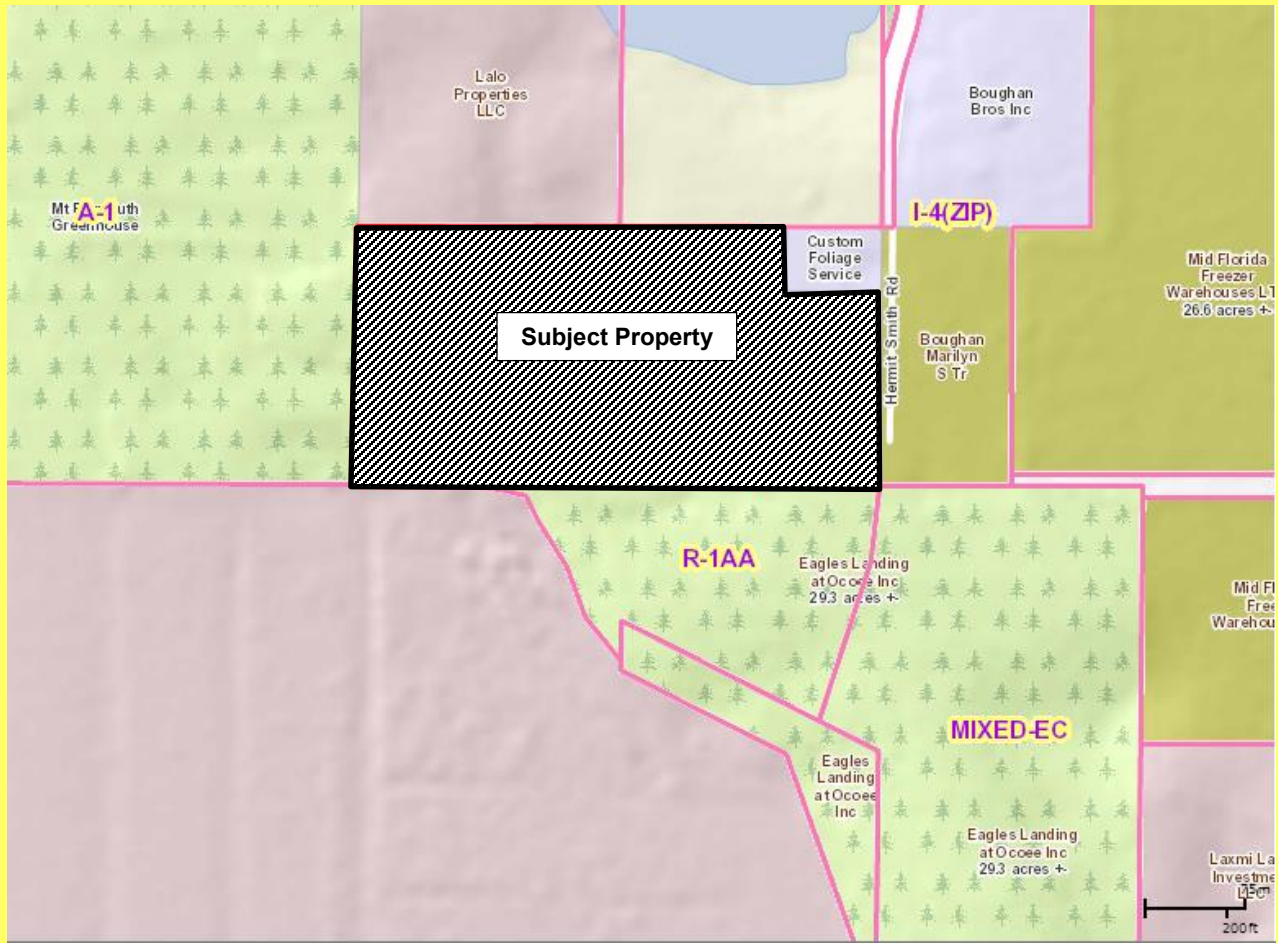
Raynor Shine Recycling Services, Inc.
19.4 +/- Acres
Existing Maximum Allowable Development: 507,038 sq. ft.
Proposed Maximum Allowable Development: 507,038 sq. ft.
Proposed Zoning Change
From: "County" I-4 (ZIP) & "City" I-1
To: "City" Planned Unit Development (PUD/I-2)
Parcel ID #s: 01-21-217-0000-00-026 & 01-21-217-0000-00-080



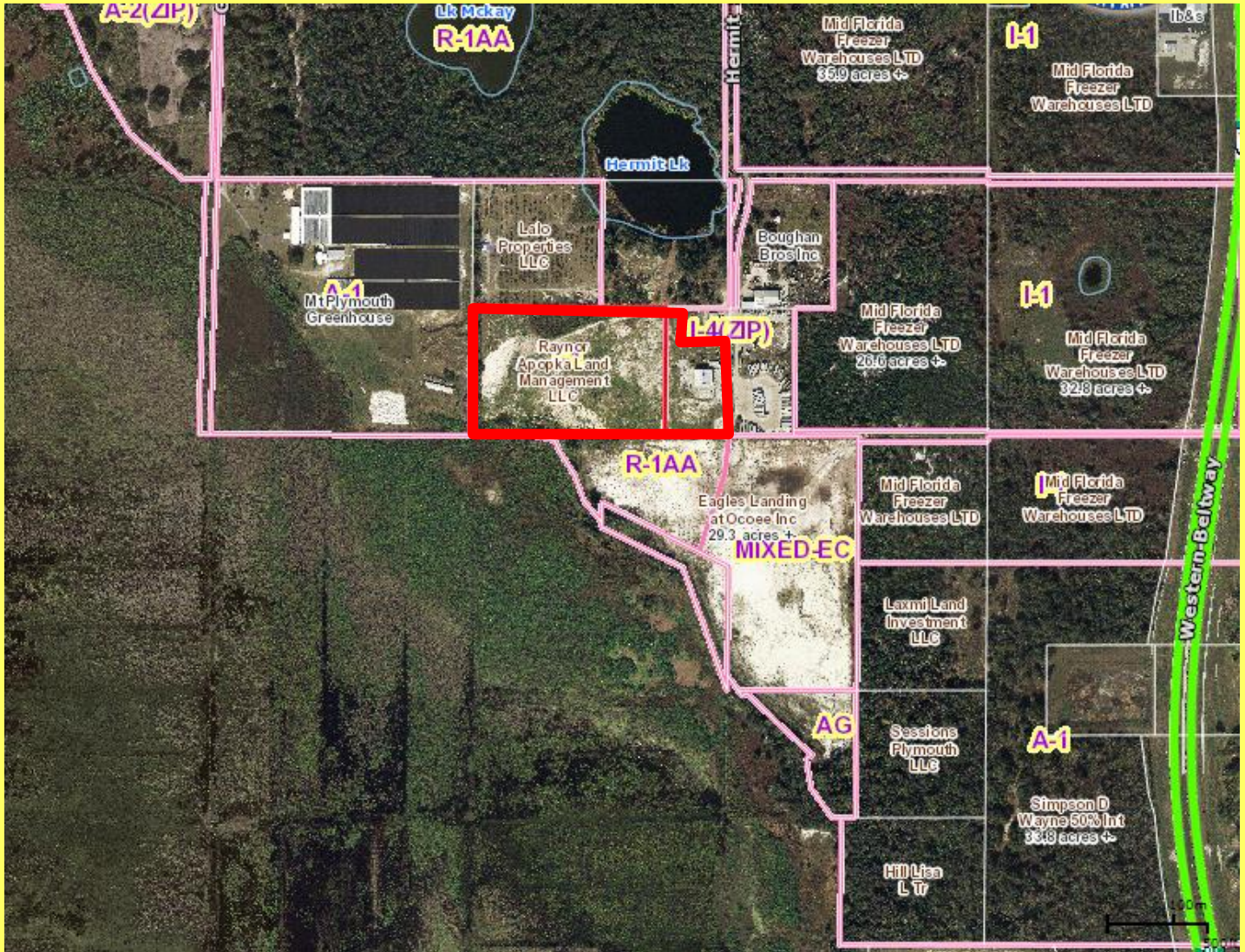
VICINITY MAP



ADJACENT ZONING

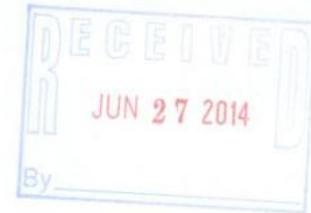
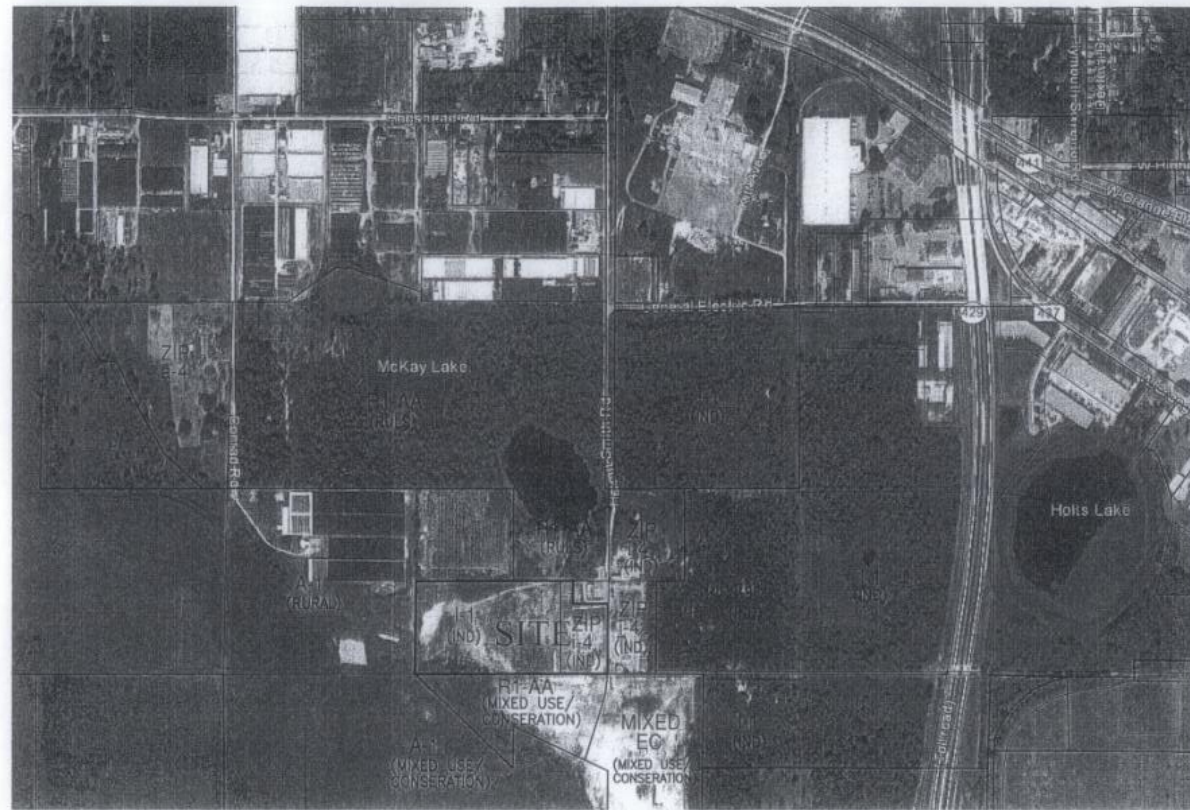


ADJACENT USES



PUD Master Plan / Preliminary Development Plan Raynor Shine Recycling Solutions, LLC

136 Hermit Smith Road, Apopka, Florida 32703



VICINITY MAP

SCALE 1"=500'

SEC. 01 TWP. 21 S RGE. 27 E

LEGAL DESCRIPTION:

THE SOUTHWEST ONE-QUARTER (SW1/4) OF THE SOUTHEAST ONE-QUARTER (SE-1/4) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) OF SECTION 01, TOWNSHIP 21 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, TOGETHER WITH THE WEST ONE-HALF (W-1/2) OF THE SOUTHEAST ONE-QUARTER (SE-1/4) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) OF SECTION 01, TOWNSHIP 21 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

THE EAST ONE-HALF (E-1/2) OF THE SOUTHEAST ONE-QUARTER (SE-1/4) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) (LESS THE NORTH 163.50 FEET OF THE EAST 240.00 FEET THEREOF) OF SECTION 01, TOWNSHIP 21 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

SUBJECT TO:

AN INGRESS/EGRESS EASEMENT OVER THE EASTERLY 30 FEET OF THE EAST ONE-HALF (E-1/2) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) AS PER, O.R. 2665, PG. 0933.

TOGETHER WITH:

AN INGRESS/EGRESS EASEMENT OVER THE WEST 40 FEET OF THE WEST ONE HALF (W-1/2) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) OF THE SOUTHWEST ONE-QUARTER (SW-1/4) AS PER O.R. 7035, PG. 3449 AS CORRECT ON O.R. 10453, PG. 8531.

DEVELOPMENT SUMMARY

REQUEST TO REZONE INDUSTRIAL PROPERTY TO PUD WITH I-1 & I-2 USES FOR THE MULCH AND RECYCLING OF ORGANIC MATERIAL, TOP SOIL AND WOOD.

SITE DATA TABLE

PARCEL ID NUMBERS	01-21-27-0000-00-080 & -028
FUTURE LAND USE	IND.
ZONING	I-1 & I-2
ACERAGE	19.350
SQUARE FOOTAGE	842,809
BUILDING HEIGHT	PROPOSED: 35' MAX: 35'
FLOOR AREA RATIO	PROPOSED: 0.04 MAX: 0.60
BUILDING SETBACKS	PROPOSED: F=80.0', S=55.0', R=945.0' REQUIRED: F=25.0', S=10.0', R=10.0'
OPEN SPACE	27.8%
PARKING SPACES	PROVIDED: 56 REQUIRED: 25
NUMBER OF EMPLOYEES	50
WAIVER REQUESTS	YES
VARIANCE REQUEST	NO

VARIANCE OR WAIVER REQUEST TABLE

Variance (V) / Waiver (W) Code #	Code Requirement	(V/W)	Request	Justification	Location
2.02.15.G.1	25' Buffer 6' masonry wall	W	25' Buffer with 6' CL fence	no residential nearby, low traffic area	East PL
2.02.15.G.2	10' Buffer 6' masonry wall adj. to agriculture	W	10' Buffer with 6' CL fence	exist. vegetation blocks the view and adjacent land use is a fern factory	West PL
2.02.15.G.3	50' Buffer 6' masonry wall adj. to residential	W	30' Buffer with 6' CL fence	adjacent land is owned by applicant and is intended to be re-zoned to I-1	North PL
2.02.15.G.2	10' Buffer 6' masonry wall adj. to agriculture	W	10' Buffer with 6' CL fence	adjacent land is citrus grove and a dense 6' hedge blends in better	North PL
2.02.15.G.3	20' Buffer 6' masonry wall adj. to residential	W	20' Buffer with 6' CL fence	adjacent land is a borrow pit that is not conducive to residential use	South PL

PROJECT DIRECTORY

PROPERTY OWNER: Raynor Shine Recycling Solutions, LLC
850 Ocoee Apopka Road
Ocoee, Florida 34761
(407) 470-0142

CIVIL ENGINEER: American Civil Engineering Co.
207 N. Moss Road, Suite 211
Winter Springs, Florida 32708
John Herbert, P.E.
(407) 327-7700

LAND SURVEYOR (boundary): Ellis Surveys LLC
PO Box 160952
Alt. Springs, Florida 32716
(407) 834-4003

LAND SURVEYOR (topographic): Hitt Land Surveyors, Inc.
318 Sweetwater Creek Drive W.,
Orlando, Florida 32779
Jeffrey J. Hitt, PSM
(407) 772-0248

INDEX OF SHEETS

SHEET	DESCRIPTION
1	COVER SHEET
2	EXISTING CONDITIONS PLAN
3	MASTER SITE PLAN
4	PRELIMINARY GRADING & STORMWATER PLAN
5	PRELIMINARY LANDSCAPE & BUFFER PLAN

DATE	REVISIONS
6/25/14	third edition
6/11/14	second edition
5/20/14	first edition



PUD Master Plan / Preliminary Development Plan
Raynor Shine Recycling Solutions, LLC

136 Hermit Smith Road Apopka, Florida 32703



Plans issued for:	Cover Sheet
<input type="checkbox"/> conceptual <input checked="" type="checkbox"/> PUD Master Plan <input checked="" type="checkbox"/> prelim. dev. plan	project no. 13095 1 of 5

PHASE 1	PHASE 2	PHASE 3	PHASE 4
TENTATIVE DATE: (12/14)	TENTATIVE DATE: (12/16)	TENTATIVE DATE: (12/18)	TENTATIVE DATE: (12/20)
CONSTRUCTION ITEMS: MULCH LINE #1 FIELD OFFICE TRUCK SCALE UTILITIES GRADE ENTIRE SITE	CONSTRUCTION ITEMS: MULCH LINE #2 LANDSCAPING & IRRIGATION ON SITE PARKING PRIVATE STREET WITHIN THE 50' EASEMENT CONSTRUCTED PER CITY STANDARDS	CONSTRUCTION ITEMS: GENERAL OFFICE OFFICE PARKING AREA	CONSTRUCTION ITEMS: MULCH PACKAGING BUILDING

ZONING CONDITIONS:

- USE OF THE PROPERTY WILL BE LIMITED TO MULCH MANUFACTURING WITH OUTDOOR STORAGE OF RAW MATERIAL LOCATED WITHIN A SCREEN AREA AS THE ONLY I-2 USE ALLOWED.
- USE OF THE PROPERTY WILL BE LIMITED TO ANY I-1 AND C-3 USE.
- C-2, C-1, OR PD/F WILL NOT BE ALLOWED AS A PRIMARY USE. ANY OFFICE USE SHALL BE ASSOCIATED WITH THE INDUSTRIAL ACTIVITY OCCURRING AT THE SITE.
- OVERNIGHT PARKING OF TRUCKS SHALL ONLY OCCUR WITHIN AREAS APPROVED WITHIN THE MASTER SITE PLAN. NO OVERNIGHT PARKING OF LARGE TRUCKS WILL OCCUR IN THE OFFICE PARKING LOTS OR WITHIN ANY ROADWAY EASEMENT.
- OUTDOOR STORAGE OF RAW MATERIALS SHALL ONLY OCCUR AT APPROVED LOCATIONS DEPICTED WITHIN THE MASTER SITE PLAN. BUILDING COLORED ELEVATIONS WILL BE PROVIDED AT TIME OF BUILDING APPLICATION IN FUTURE PHASE.
- PRIOR TO COMMENCING ANY DEVELOPMENT ACTIVITY AT THE SITE, A DEVELOPMENT AGREEMENT SHALL BE RECORDED TO REQUIRE DEDICATION OF THE EASTERN TEN-FOOT OF THE PROPERTY TO THE CITY OF APOPKA. DEDICATION OF THE TEN-FOOT ALONG THE EASTERN PROPERTY LINE SHALL OCCUR WITHIN 30 DAYS WRITTEN NOTIFICATION FROM THE CITY ENGINEER.

ZONING AND DEVELOPMENT CONDITIONS

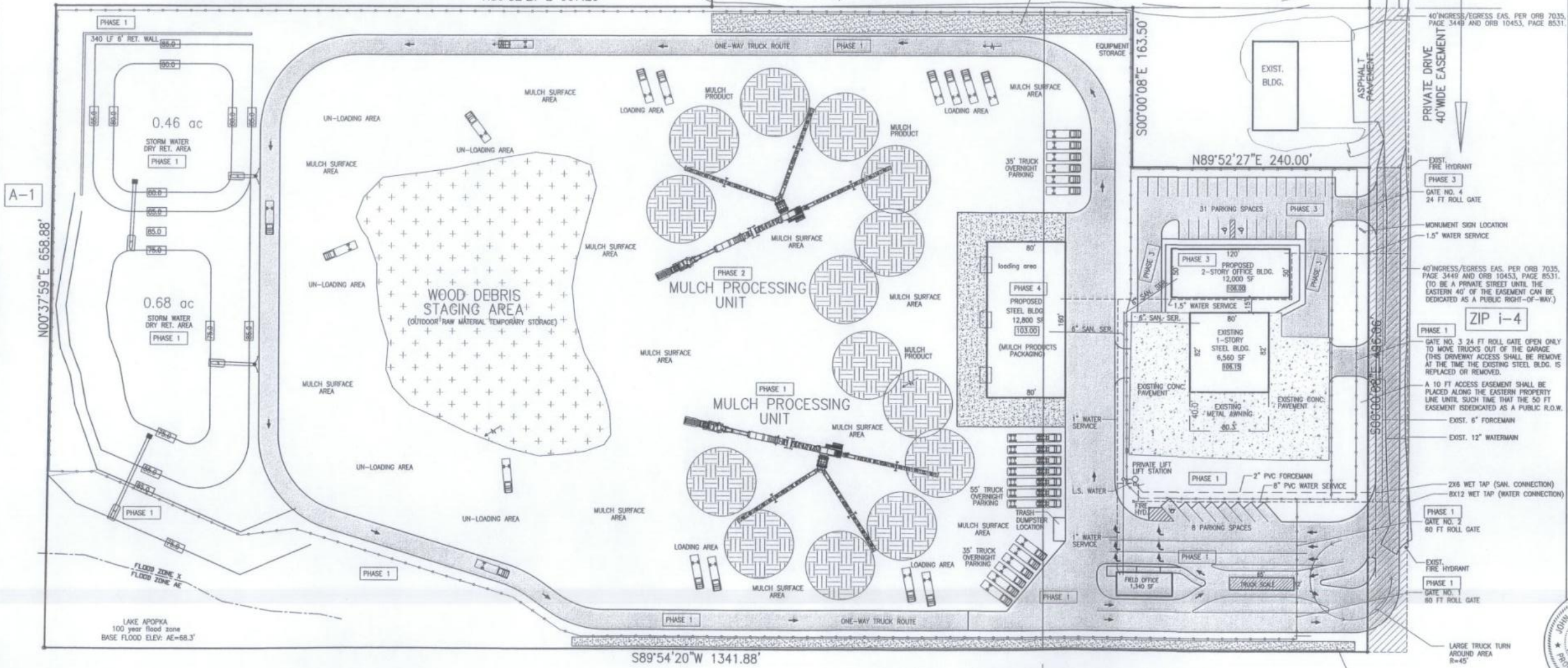
- MAXIMUM HEIGHT OF BUILDING, MULCH CONVEYOR BELTS AND MULCH PILES ARE NOT TO EXCEED 35 FT.
- NOISE GENERATED BY THE MULCH OPERATION IS NOT TO EXCEED THE LIMITS SET FORTH FOR THE ZONING DISTRICT.
- FOR THE RECORDING LAND USE CATEGORY IN THE SDCS Standard for Sound Control, SDCS 8.87.
- OPEN SPACE PROVIDED BY THIS MASTER PLAN (5.386 AC) IS OVER 20% OF THE GROSS AREA (19,300 AC X 20% = 3,87 AC)
- ALL MULCH HANDLING EQUIPMENT SHALL BE PARKED.
- NO NIGHT WATCHMAN IS PROPOSED FOR NIGHT SECURITY. CAMERAS WITH MOTION DETECTORS WILL BE UTILIZED.
- ALL LANDSCAPE AREA SHALL BE PROTECTED FROM VEHICLE ENCROACHMENT BY CURBING OR WHEEL STOPS.
- NO VEHICULAR PARKING WITHIN DESIGNATED LANDSCAPE AREA OR PUBLIC RIGHT-OF-WAY.
- ANY OTHER USE OF THE PROPERTY OTHER THAN THAT APPEARING IN THE MASTER SITE PLAN SHALL REQUIRE AN AMENDMENT TO THE CURRENT PUD ORDINANCE.
- ADDITIONAL DEVELOPMENT AND ZONING ORDINANCES MAY APPEAR WITHIN A PUD ZONING ORDINANCE. IN THE EVENT A CONFLICT OR INCONSISTENCY OCCURS BETWEEN CONDITIONS APPEARING ON THE MASTER SITE PLAN AND CONDITIONS WITHIN THE PUD ZONING ORDINANCE, THE ZONING ORDINANCE SHALL PRESEDE.



PROPERTY OWNER:
**RAYNOR SHINE
RECYCLING SOLUTIONS, LLC**

FIRE DEPARTMENT NOTES:

- WOOD DEBRIS PILES SHALL BE SEPARATED TO MANAGEABLE SIZES FOR POSSIBLE EXTINGUISHMENT.
- ANY BUILDING OVER 7,500 SF SHALL BE EQUIPPED WITH AN AUTOMATIC FIRE SPRINKLER SYSTEM AND FIRE ALARM SYSTEM TO MONITOR.
- FIRE DEPT. CONNECTIONS (PDC) FOR SPRINKLER SYSTEMS SHALL BE REMOVED FOR THE BUILDINGS.
- A LOCKBOX ARRANGEMENT SHALL BE PROVIDED FOR THE BUILDINGS. THIS WILL ALLOW EMERGENCY ACCESS WITH KEYS.
- ACCESS SHALL BE VIA A LOCK BOX OR AUTOMATIC FIRE YELP ACTIVATION FOR ANY GATES ON THE PROPERTY.



BASE SURVEY INFORMATION PROVIDED BY:
HITT LAND SURVEYORS, INC.
310 SWEETWATER CREEK DRIVE W., LONGWOOD, FLORIDA, 32779, 407-778-0248 FAX 407-772
LAND SURVEYS • SUBDIVISIONS • CONSTRUCTION SURVEYS

PARCEL NO. 01-21-27-0000-00-026
EXIST. ZONING: I-1
AREA: 15.260 AC

PARCEL NO. 01-21-27-0000-00-080
EXIST. ZONING: ZIP I-4
AREA: 4.089 AC

PARCEL 2, THE WEST 1/2 OF THE SE 1/4 OF THE SW 1/4 AND THE SW 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 1-21-27

PARCEL 1, THE EAST 1/2 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 1-21-27, LESS THE NORTH 163.50' OF THE EAST 240.00'

NOTE: ALL INFORMATION CONTAINED HEREIN IS PROPERTY OF AMERICAN CIVIL ENGINEERING CO. ALL RIGHTS RESERVED. COPY RIGHT 2014.

DESIGNED BY: JOHN HERBERT, P.E.
CHECKED BY: TOM MILLON, P.E.
TELEPHONE: 407-287-1100
PROJECT NO.: 14020

DATE: 06/27/2014
REVISIONS:

AMERICAN CIVIL ENGINEERING CO.
307 S. MILITARY AVE., SUITE 100, APOPKA, FL 32708
TEL: (407) 287-1100 FAX: (407) 287-0527
cert. of authorization number 6720

RAYNOR SHINE RECYCLING SOLUTIONS, LLC
APOPKA, FLORIDA

PUD MASTER / PRELIMINARY DEVELOPMENT PLAN

JOHN JOSEPH HERBERT, P.E.
LICENSE NO. 39580
STATE OF FLORIDA
PROFESSIONAL ENGINEER

JUN 27 2014
M.S.P.
project no. 13095
sheet number
3 of 5

LANDSCAPE CHART:

SYMBOL KEY	#	COMMON NAME	BOTANICAL NAME	SIZE	WATER ZONE
	6	MAGNOLIA BRACKENS	MAGNOLIA BRACKENS	3" DIAMETER AT BREAST HEIGHT (54"), MIN. HEIGHT SHALL BE 12" ABOVE GRADE. 6' SPREAD, CONT. GROWN	LOW
	6	SHAVANO RED OAK	QUERCUS SHAVANO	3" DIAMETER AT BREAST HEIGHT (54"), MIN. HEIGHT SHALL BE 12" ABOVE GRADE. 6' SPREAD, CONT. GROWN	LOW
	3	DWARF MYRTLE	LASERSTROMA	3" DIAMETER AT BREAST HEIGHT (54"), MIN. HEIGHT SHALL BE 12" ABOVE GRADE. 6' SPREAD, CONT. GROWN	LOW
	111	VERBENA	SODANOMA VERBENA	5-7 GAL. 36" HOGL, 30" O/C.	MED.
	35	FLAMINGO BLUE	PLUMBAGO AURICULATA 'IMPERIAL BLUE'	5-7 GAL. 36" 24" X 24"	LOW
	120 EA.	PURPLE TRUMPET	RAPHOLEPS INDICA 'ALBA'	3 GALLOW 18" X 18"	LOW

IRRIGATION NOTE:
IRRIGATION PLANS SHALL BE PROVIDED WITH THE FINAL DEVELOPMENT PLAN AS CONSISTENT WITH CITY CODE.



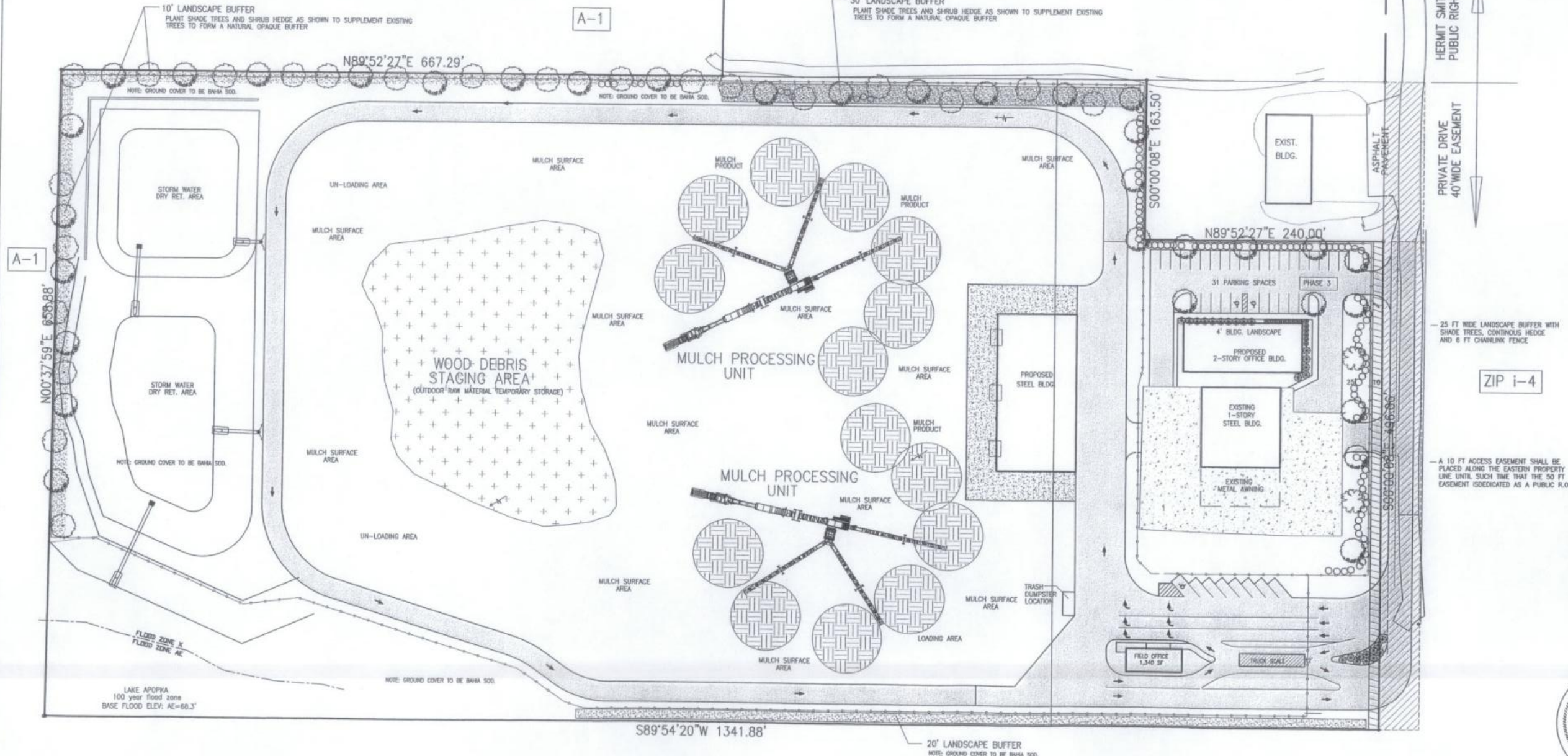
PROPERTY OWNER:
RAYNOR SHINE
RECYCLING SOLUTIONS, LLC

R1-AA

10' LANDSCAPE BUFFER
PLANT SHADE TREES AND SHRUB HEDGE AS SHOWN TO SUPPLEMENT EXISTING TREES TO FORM A NATURAL OPAQUE BUFFER

A-1

30' LANDSCAPE BUFFER
PLANT SHADE TREES AND SHRUB HEDGE AS SHOWN TO SUPPLEMENT EXISTING TREES TO FORM A NATURAL OPAQUE BUFFER



A-1

ZIP i-4

R1-AA

NO.	DATE	REVISIONS
1	6/27/14	THIRD EDITION
2	6/10/14	SECOND EDITION
3		
4		
5		
6		
7		
8		
9		
10		

AMERICAN CIVIL ENGINEERING CO.
 307 N. ANDERSON BL., SUITE 211, WINTER SPRING, FLA 32788
 TEL: (407) 387-7700; FAX: (407) 387-8827
 cert. of authorization number 0718

PUD MASTER / PRELIMINARY DEVELOPMENT PLAN
RAYNOR SHINE RECYCLING SOLUTIONS, LLC
 APOPKA, FLORIDA



I (PUD PRELIMINARY) 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 2008 ADOPTED MAY 21, 2008 WHICH ESTABLISHES WATERWISE LANDSCAPE AND IRRIGATION STANDARDS.
 SIGNATURE: [Signature] JUN 27 2014
 REG. NO. 39505 DATE JUN 27 2014

JUN 27 2014
 buffers
 project no. 13095
 sheet number 5 of 5

Backup material for agenda item:

5. COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – Owned by Technology Property, LLC; applicant is Robinson Forges Realty International, c/o Lou Forges, from “County” Rural (0-1 du/5 ac) to “City” Commercial (Max. FAR 0.25), for property located west of Clarcona Road, south of West Keene Road. (Parcel ID #s: 27-21-28-6024-00-005; 27-21-28-6024-00-006; 27-21-28-6024-00-007)



CITY OF APOPKA PLANNING COMMISSION

<input checked="" type="checkbox"/> PUBLIC HEARING	DATE:	November 10, 2015
<input type="checkbox"/> ANNEXATION	FROM:	Community Development
<input type="checkbox"/> PLAT APPROVAL	EXHIBITS:	Land Use Report
<input type="checkbox"/> OTHER:		Vicinity Map
		Adjacent Zoning Map
		Adjacent Uses Map

SUBJECT: TECHNOLOGY PROPERTY LLC – COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT

PARCEL ID NUMBER: 27-21-28-6024-00-005; -006; -007

Request: COMPREHENSIVE PLAN - SMALL SCALE
FUTURE LAND USE AMENDMENT
FROM: “COUNTY” RURAL (0-1 DU/5 AC)
TO: “CITY” COMMERCIAL (MAX. FAR 0.25)

SUMMARY

APPLICANT: Lou Forges – Robinson Forges Realty International

OWNER: Technology Property LLC

LOCATION: West of Clarcona Rd, south of West Keene Rd

EXISTING USE: Vacant

CURRENT ZONING: “County” PID (ZIP)

PROPOSED DEVELOPMENT: Wholesale Commercial

PROPOSED ZONING: “City” C-3 (Wholesale Commercial)(Note: this Future Land Use Map amendment request is being processed along with a request to change the Zoning Map designation from “County” PD (ZIP) to “City” C-3.)

TRACT SIZE: 9.4 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING: 1 Units
PROPOSED: 102,366 Sq. Ft.

DISTRIBUTION

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

ADDITIONAL COMMENTS: Presently, the subject properties have not yet been assigned a “City” Future Land Use Designation or a “City” zoning category. Applicant is requesting the City to assign a future land use designation of Commercial to the properties.

The subject property was annexed into the City of Apopka on August 5, 2015, through the adoption of Ordinance No. 2439. The proposed Small-Scale Future Land Use Amendment is being requested by the owner/applicant. Pursuant to Florida law, properties containing less than ten acres are eligible to be processed as a small-scale amendment. Such process does not require review by State planning agencies.

A request to assign a Future Land Use Designation of Commercial is compatible with the designations assigned to abutting properties. The FLUM application covers approximately 9.4 acres. The property owner intends to use the site for eventual wholesale commercial 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 (see attached Land Use Report).

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with the Commercial Future Land Use designation and the City’s proposed C-3 Zoning classification. Site development cannot exceed the intensity allowed by the Future Land Use policies.

SCHOOL CAPACITY REPORT: The proposed rezoning is to a non-residential zoning classification and, therefore, a capacity enhancement agreement with OCPS is not necessary because the proposed future land use designation will not generate any new residential units.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2015.

PUBLIC HEARING SCHEDULE:

November 10, 2015 - Planning Commission (5:01 pm)
December 2, 2015- City Council (1:30 pm) - 1st Reading
December 16, 2015 – City Council (7:00 pm) - 2nd Reading

DULY ADVERTISED:

October 30, 2015 – Public Notice and Notification
December 4, 2015 – Ordinance Heading Ad w/Map/¼ Page w/Map Ad

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommends approval of the change in Future Land Use from “County” Rural (0-1 du/5 ac) to “City” Commercial (max FAR 0.25) for the properties owned by Technology Property LLC.

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

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Rural Settlement (1 du/5 ac)	A-1	Single-family home
East (City)	Agriculture (1 du/5 ac)	AG	Container nursery
South (County)	Rural Settlement (1 du/5 ac)	PD	RV park
West (County)	Rural Settlement (1 du/5 ac)	PD	RV park

II. LAND USE ANALYSIS

The general character of the area surrounding the subject property is compatible with this development of wholesale commercial uses. The property lies south of West Keene Rd and west of Clarcona Rd.

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

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

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

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

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

Analysis of the character of the Property: The Property fronts Clarcona Rd. The vegetative communities present are urban; the soils present are Candler fine sand; and no wetlands occur on the site, and the terrain has a 0-5 percent slope.

The proposed amendment is consistent with the Comprehensive Plan, including Policy 3.1.i Commercial Future Land Use designation.

Analysis of the relationship of the amendment to the population projections: The proposed future land use designation for the Property is Commercial (max FAR 0.25). Based on the housing element of the City's Comprehensive Plan, this amendment will increase the City's future population.

CALCULATIONS:

ADOPTED (City designation): 1 Unit(s) x 2.659 p/h = 3 persons
PROPOSED (City designation): N/A

Housing Needs: This amendment will not negatively impact the housing needs as projected in the Comprehensive Plan.

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

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

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

Solid Waste

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

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

Drainage Analysis

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

Recreation

1. Facilities serving the site; LOS standard: City of Apopka Parks System; 3 AC/1000 capita
2. Projected facility under existing designation: 0.003 AC

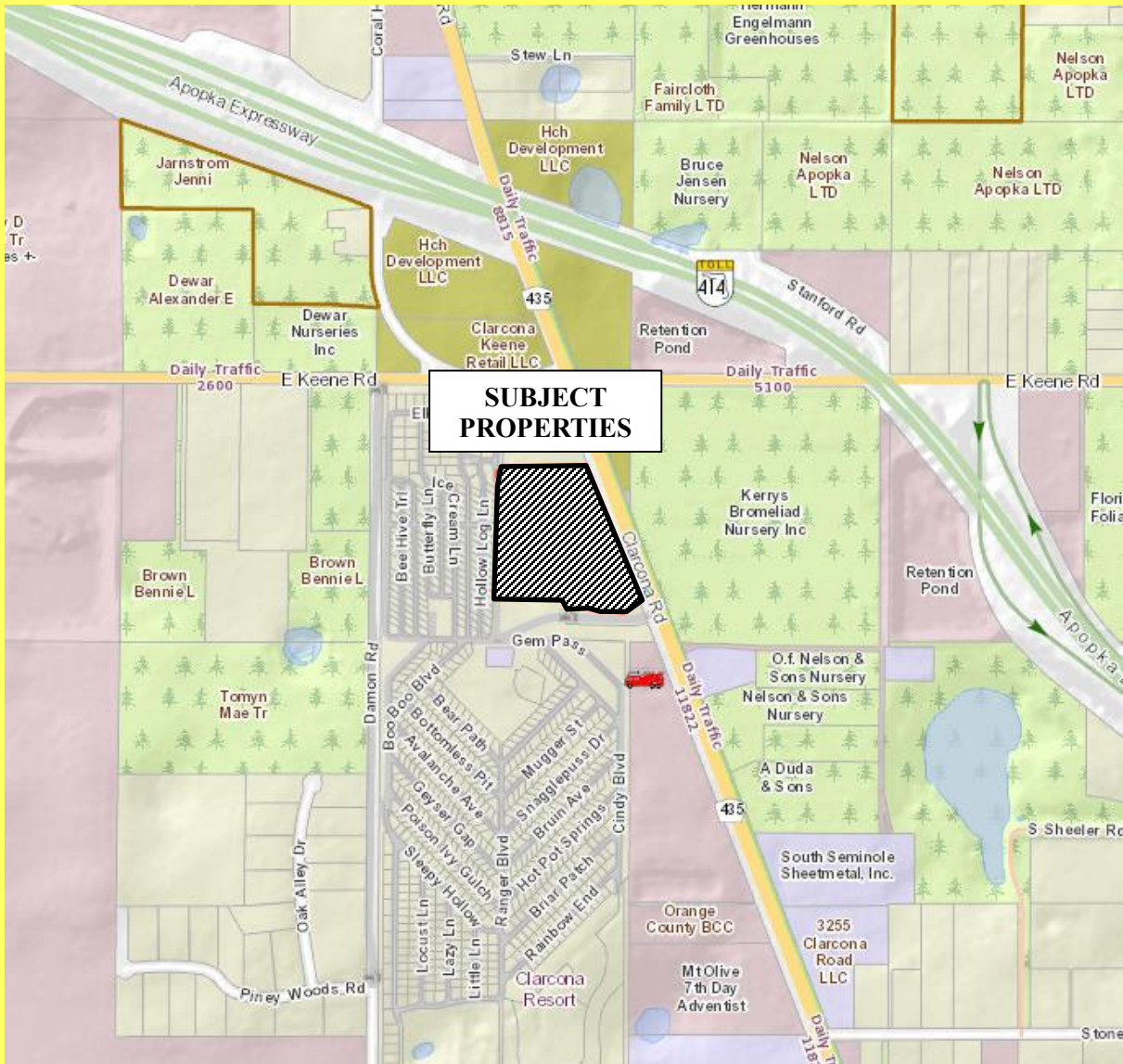
3. Projected facility under proposed designation: N/A AC
4. Improvement/expansions already programmed or needed as a result of the proposed amendment:
None

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

Technology Property LLC
9.4 +/- Acres
Existing Maximum Allowable Development: 1 dwelling units
Proposed Maximum Allowable Development: 102, 366 sq. ft.
Proposed Small Scale Future Land Use Change
From: "County" Rural Settlement (0-1 du/5 ac)
To: "City" Commercial (max. FAR 0.25)
Proposed Zoning Change
From: "County" PD (ZIP)
To: "City" C-3
Parcel ID #: 27-21-28-6024-00-005; -006; -007

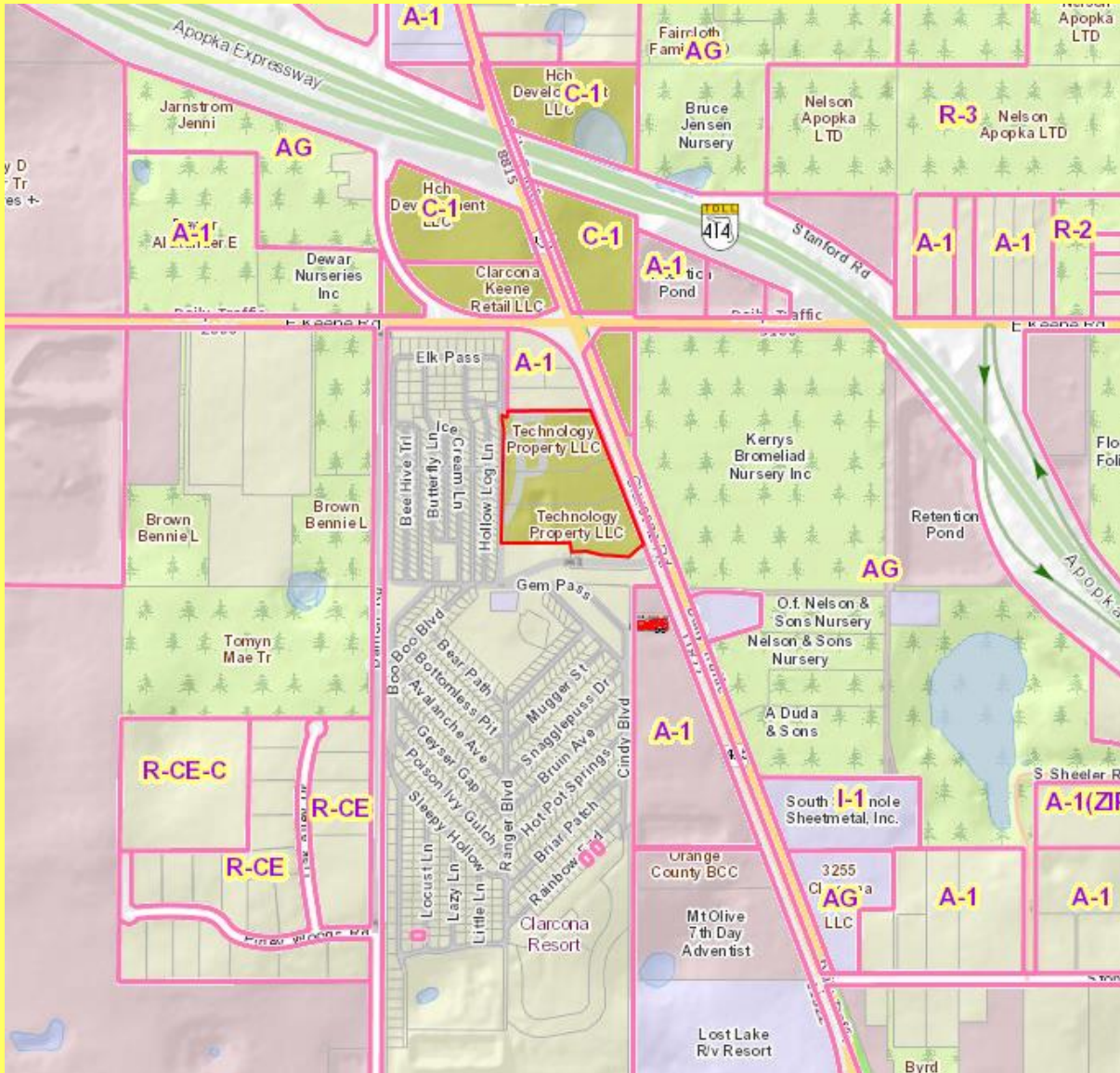


VICINITY MAP



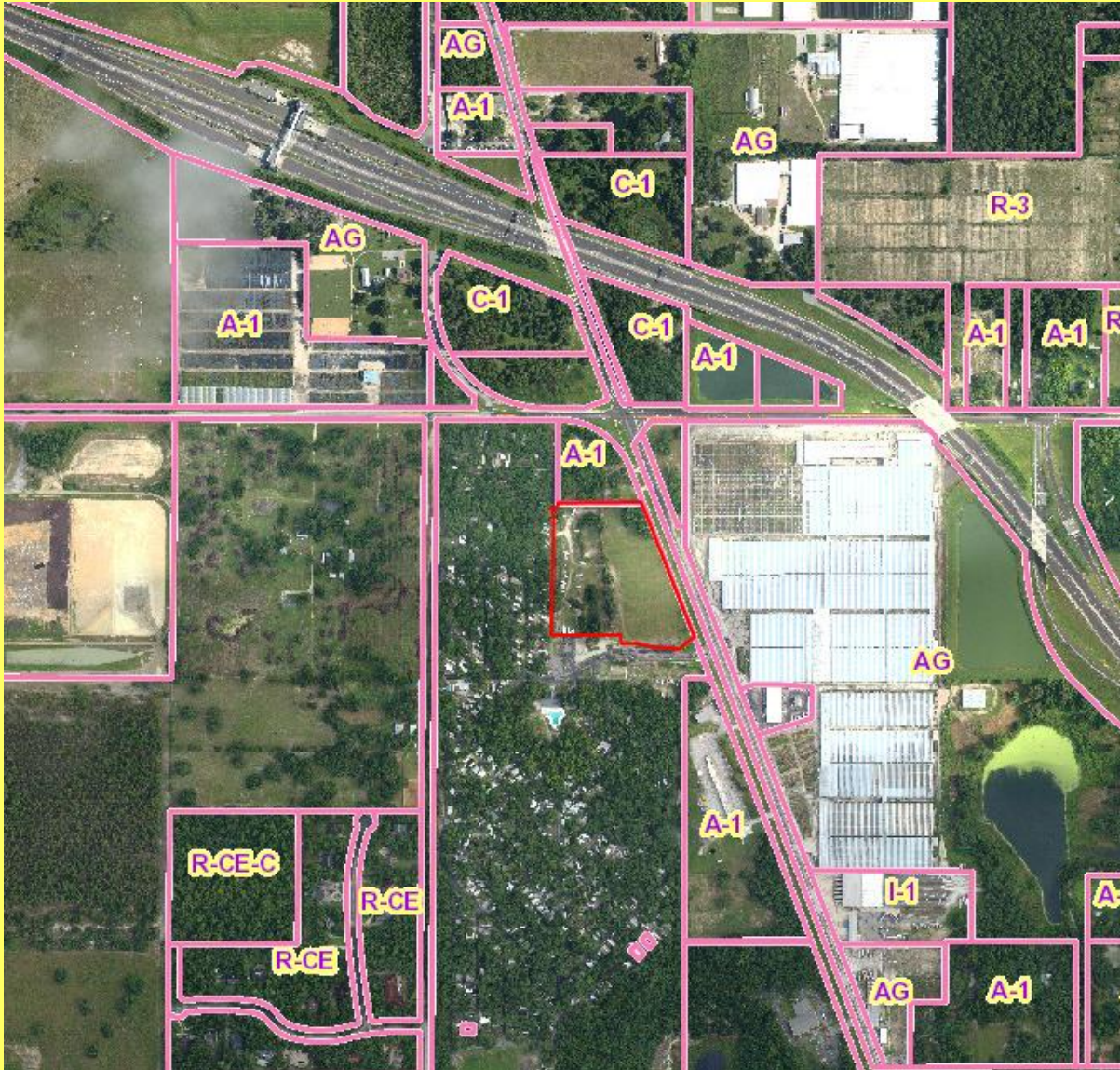


ADJACENT ZONING





ADJACENT USES





EXISTING USES



Backup material for agenda item:

6. CHANGE OF ZONING – Owned by Technology Property, LLC; applicant is Robinson Forges Realty International, c/o Lou Forges, from “County” P-D (ZIP) to “City” C-3 (Wholesale Commercial), for property located west of Clarcona Road, south of West Keene Road. (Parcel ID #s: 27-21-28-6024-00-005; 27-21-28-6024-00-006; 27-21-28-6024-00-007)



**CITY OF APOPKA
PLANNING COMMISSION**

<input checked="" type="checkbox"/> PUBLIC HEARING	DATE: November 10, 2015
<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
	Existing Uses Map

SUBJECT: TECHNOLOGY PROPERTY LLC – CHANGE OF ZONING

PARCEL ID NUMBER: 27-21-28-6024-00-005; -006; -007

Request: CHANGE OF ZONING
FROM: “COUNTY” A-1 (ZIP)
TO: “CITY” C-3 (WHOLESALE COMMERCIAL)

SUMMARY

APPLICANT: Lou Forges – Robinson Forges Realty International

OWNER: Technology Property LLC

LOCATION: West of Clarcona Rd, south of West Keene Rd

EXISTING USE: Vacant

FUTURE LAND USE: “County” Rural (0-1 du/5 ac)

PROPOSED LAND USE: “City” Commercial (max. FAR 0.25) (Note: this Change of Zoning amendment request is being processed along with a request to change the Future Land Use Map designation from “County” PD (ZIP) to “City” Commercial (max FAR 0.25).

ZONING: “County” P-D (ZIP)

PROPOSED ZONING: “City” C-3 (Wholesale Commercial) (min. lot area of 12,000 sq. ft.)

PROPOSED DEVELOPMENT: Wholesale Commercial

TRACT SIZE: 9.4 +/- acres

MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING ZONING: 1 Residential Units
PROPOSED ZONING: 102,366 sq. ft.

DISTRIBUTION

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

ADDITIONAL COMMENTS: Presently, the subject properties have not yet been assigned a “City” Future Land Use Designation or a “City” zoning category. Applicant is requesting the City to assign a zoning category of C-3 to the properties.

The subject properties were annexed into the City of Apopka on August 5, 2015, through the adoption of Ordinance No. 2439. The proposed zoning change is compatible with the character of the surrounding area and the subject parcels are vacant. The applicant has requested the C-3 zoning to assure that the property can be developed for wholesale commercial. The property comprises approximately 9.4 acres.

Staff has analyzed the proposed amendment and determined that adequate City of Apopka public facilities exist to support this zoning change (see attached Zoning Report). The subject properties are located within the Orange County Utilities service area for potable water, reclaimed water and sanitary service. The property owner will need to provide a letter from Orange County Utilities demonstrating available capacity prior to submittal of any development plan.

COMPREHENSIVE PLAN COMPLIANCE: The proposed C-3 rezoning is consistent with the proposed Future Land Use Designation of Commercial (max. FAR 0.25) for this property. Minimum lot size for property assigned the C-3 zoning category is 12,000 sq. ft. for commercial development, and the site far exceeds this area with approximately 9.4 acres.

SCHOOL CAPACITY REPORT: The proposed rezoning is to a non-residential zoning classification and, therefore, a capacity enhancement agreement with OCPS is not necessary.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on October 9, 2015.

PUBLIC HEARING SCHEDULE:

November 10, 2015 - Planning Commission (5:01 pm)
December 2, 2015- City Council (1:30 pm) - 1st Reading
December 16, 2015 – City Council (7:00 pm) - 2nd Reading

DULY ADVERTISED:

October 30, 2015 – Public Notice and Notification
December 4, 2015 – Ordinance Heading Ad w/Map/¼ Page w/Map Ad

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, recommending approval of the change in Zoning “County” PD (ZIP) to “City” C-3 (Wholesale Commercial) for the properties owned by Technology Property LLC.

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:

North (County)	Rural Settlement (1 du/5 ac)	A-1	Single-family home
East (City)	Agriculture (1 du/5 ac)	AG	Container nursery
South (County)	Rural Settlement (1 du/5 ac)	PD	RV park (Jelly Stone RV Park\Clarcona Resort)
West (County)	Rural Settlement (1 du/5 ac)	PD	RV park (Jelly Stone RV Park\Clarcona Resort)
North (County)	Rural Settlement (1 du/5 ac)	A-1	Single-family home

**LAND USE & TRAFFIC
 COMPATIBILITY:**

The subject property fronts a minor arterial (Clarcona Road). Current access occurs on a temporary basis from the RV park. Future development of the site will likely require a change in the access to a driveway connecting the subject property directly to Clarcona Road.

The zoning application covers approximately 9.4 acres. The property owner intends to use the property for future wholesale commercial.

**COMPREHENSIVE
 PLAN COMPLIANCE:**

The proposed C-3 zoning is consistent with the Commercial (max. FAR 0.25) Future Land Use designation and with the character of the surrounding area and future proposed development. Per Section 2.02.01, Table II-1, of the Land Development Code, C-3 zoning is one of the acceptable zoning districts allowed within the Residential Low Density Future Land Use designation. Development Plans shall not exceed the density allowed in the adopted Future Land Use Designation.

**C-3 DISTRICT
 REQUIREMENTS:**

- Maximum Floor Area Ratio: 0.25
- Minimum Site Area: 12,000 sq. ft.
- Minimum Lot Width 100 ft.
- Setbacks: Front: 10 ft. (30 ft. from residential)
- Rear: 15 ft. (30 ft. from residential)
- Side: 10 ft. (30 ft. from residential)
- Corner 15 ft.

Based on the above zoning standards, the existing 9.4 acre parcels comply with code requirements for the C-3 district.

**BUFFERYARD
 REQUIREMENTS:**

Areas adjacent to all road rights-of-way shall provide a minimum ten-foot landscaped bufferyard. Areas adjacent to agricultural and residential uses or districts shall provide a minimum six-foot-high masonry wall within a ten-foot landscaped bufferyard.

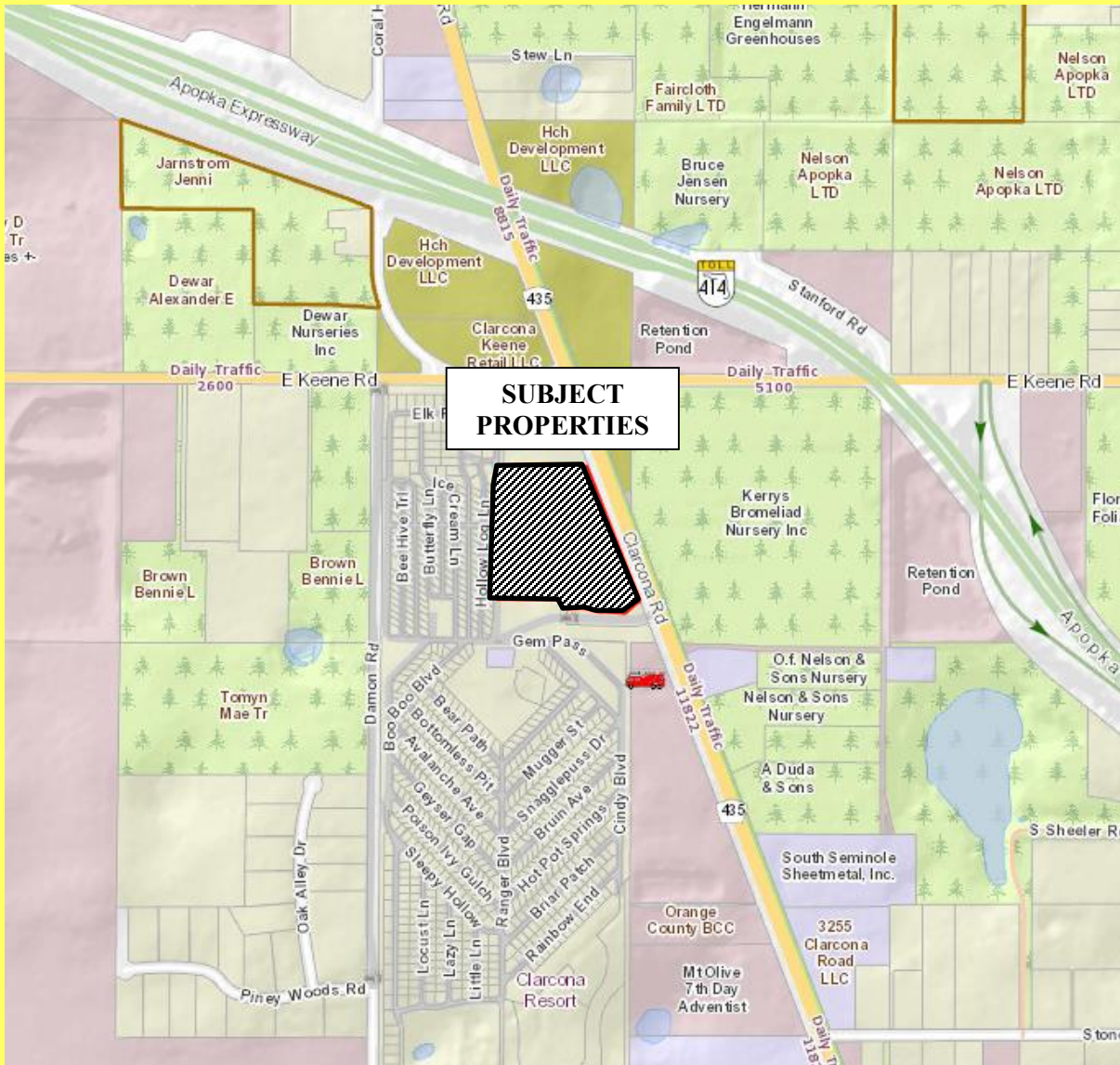
ALLOWABLE USES:

Any use permitted in the C-2 General Commercial District, as well as heating and air conditioning sales, building material storage and sales, contractor’s storage and equipment yards, mechanical garage, automobile body and painting shops. Trade shops and schools, truck stops, fruit packaging and processing facilities when accessory to retail fruit sale on-site. Other uses which are similar and compatible to the uses permitted herein which adhere to the intent of the district.

Technology Property LLC
9.4 +/- Acres
Existing Maximum Allowable Development: 1 dwelling units
Proposed Maximum Allowable Development: 102,366 sq. ft.
Proposed Small Scale Future Land Use Change
From: "County" Rural Settlement (0-1 du/5 ac)
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Proposed Zoning Change
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To: "City" C-3
Parcel ID #: 27-21-28-6024-00-005; -006; -007

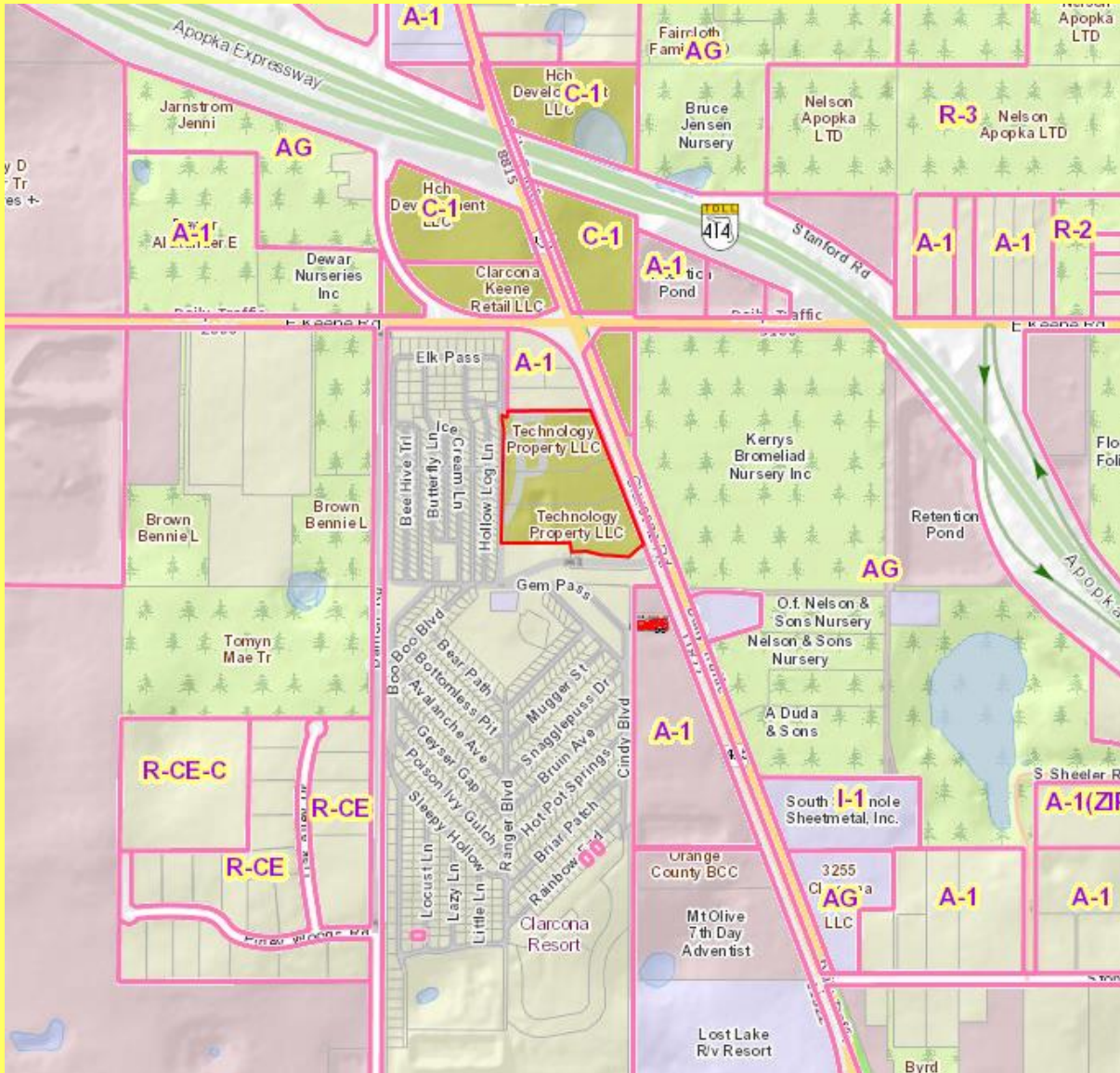


VICINITY MAP



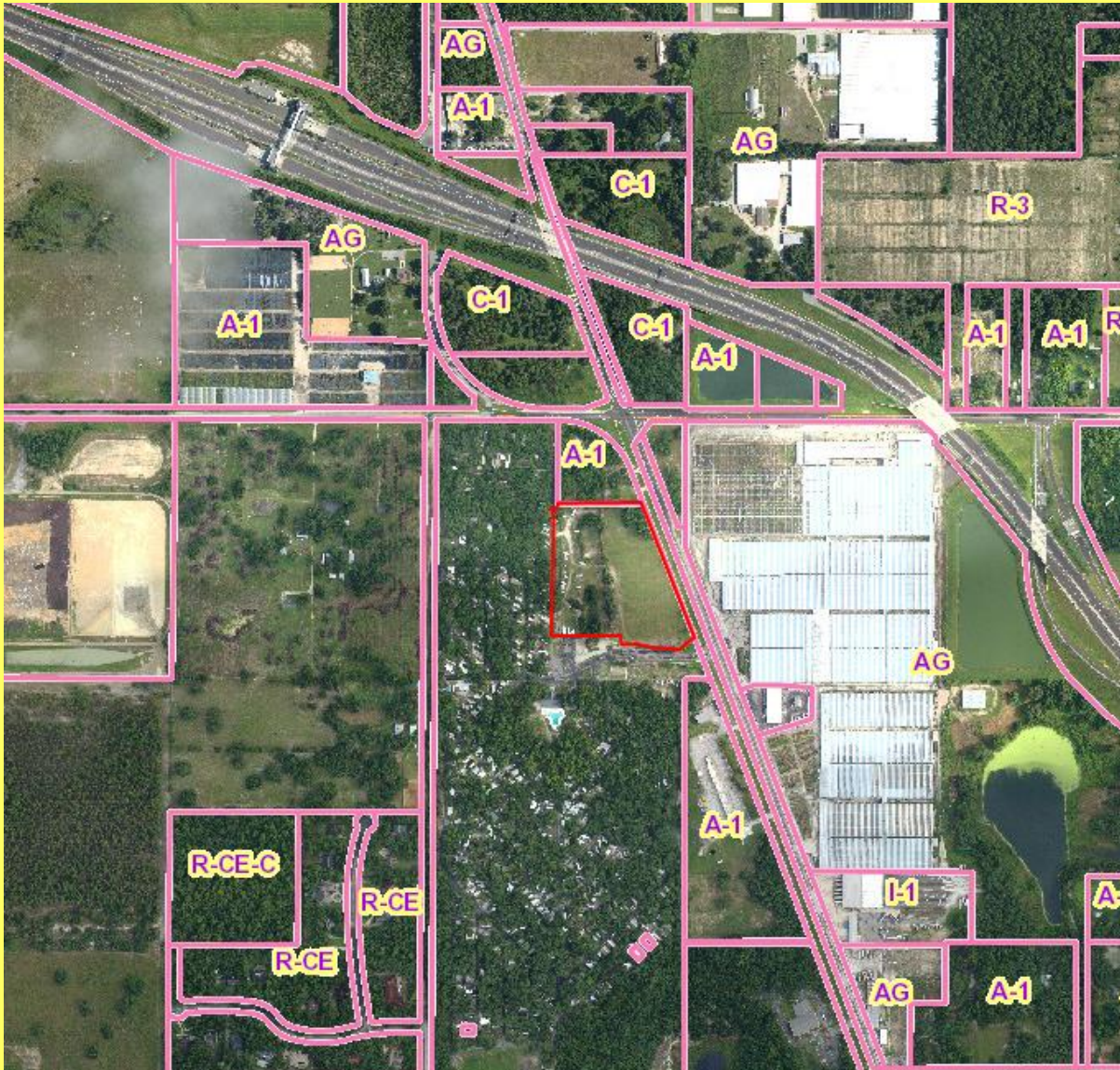


ADJACENT ZONING





ADJACENT USES





EXISTING USES

