



## City of Apopka Planning Commission Meeting Agenda

July 08, 2014

5:01 PM @ CITY COUNCIL CHAMBERS

### I. CALL TO ORDER

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

### II. OPENING AND INVOCATION

### III. APPROVAL OF MINUTES:

- 1 Approve minutes of the Planning Commission meeting held June 10, 2014, at 5:01 p.m.

### IV. PUBLIC HEARING:

1. LAND DEVELOPMENT CODE AMENDMENT – Amending the City of Apopka Code of Ordinances, Part III, Land Development Code, Article III – Overlay Zones, to create a Small Lot Overlay Zoning District.
2. COMPREHENSIVE PLAN AMENDMENT – LARGE SCALE – FUTURE LAND USE – Avian Pointe – Apopka Clear Lake Investments, LLC – From Residential Low (0-5 du/ac) to Residential Medium (0-10 du/ac), for property located east of S.R. 429, south of Peterson Road, and north of Lust Road. (Parcel ID Nos. 07-21-28-0000-00-002 & 07-21-28-0000-00-023)
3. CHANGE OF ZONING/ MASTER SITE PLAN/PRELIMINARY DEVELOPMENT 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-1 (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)

**V. SITE PLANS:**

- 1. FINAL DEVELOPMENT PLAN – Ladybird Academy of Apopka, owned by Howard Marshall; engineer is Fragomeni Engineering, Inc., c/o Sherri Fragomeni, property located at 1151 Rock Springs Road. (Parcel ID No. 34-20-28-9550-00-080)
- 2. FINAL DEVELOPMENT PLAN – Verizon Wireless – Apopka, owned by Calmil Investment Group, LP; applicant is Rock RDP 1, LLC; and engineer is Rogers Engineering, LLC c/o Rodney Rogers, P.E., for property located at 1120 West Orange Blossom Trail. (Parcel ID No. 05-21-28-0000-00-025)

**VI. OLD BUSINESS:**

**VII. NEW BUSINESS:**

**VIII. ADJOURNMENT:**

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

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

**Backup material for agenda item:**

- 1 Approve minutes of the Planning Commission meeting held June 10, 2014, at 5:01 p.m.

**MINUTES OF THE PLANNING COMMISSION MEETING HELD ON JUNE 10, 2014, AT 5:01 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.**

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

**ABSENT:** Orange County Public Schools (Non-voting)

**OTHERS PRESENT:** R. Jay Davoll, P.E. – Community Development Director/City Engineer, David Moon, AICP - Planning Manager, Jim Stelling, Ed Hampden, Vernon Priest, Steve Boyd, Luke Classon, Suzanne Kidd, Merry Lovern and Jeanne Green – Community Development Department Office Manager/Recording Secretary.

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

**APPROVAL OF MINUTES:**

*May 13, 2014 Regular Planning Commission Meeting:* Chairperson Hooks asked if there were any corrections or additions to the minutes from the regular meeting held May 13, 2014. With no one having any corrections or additions, he asked for a motion to approve the minutes of the Planning Commission regular meeting held May 13, 2014.

**Motion:** Mallory Walters made a motion to approve the Planning Commission minutes from the Regular meeting on May 13, 2014. Melvin Birdsong seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (7-0).

*June 3, 2014 Planning Commission Workshop - Small Lot Overlay Zoning District:* Chairperson Hooks asked if there were any corrections or additions to the minutes from the Small Lot Overlay Zoning District Workshop held June 3, 2014.

The following corrections were made to the June 3, 2014 workshop minutes:

Page 2: Item 6. Require that 75% of the lots in a development designated as a small lot overlay district must have a minimum living area of 1,700 square feet or higher; and no more than 25% may have living areas of 1,500 square feet ~~or less~~ up to 1,699 square feet.

Page 2: Item 8. Include language in the ~~Covenants, Conditions, and Restrictions (CCR) documents~~ ordinance that ensures that if the homeowners' association fails to maintain the lawns and commons areas of a subdivision, the City ~~may enforce the City codes and~~ will hold the HOA responsible for enforcing the HOA Codes.

With no one having any additional corrections or additions, he asked for a motion to approve the minutes with corrections of the Planning Commission Small Lot Overlay Zoning District Workshop held June 3, 2014.

**Motion:** James Greene made a motion to approve the Planning Commission minutes from the Regular meeting on May 13, 2014, and the Small Lot Overlay Zoning District Workshop held June 3, 2014. Mallory Walters seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (7-0).

**MINUTES OF THE PLANNING COMMISSION MEETING HELD ON June 10, 2014, AT 5:01 P.M.**

**FINAL DEVELOPMENT PLAN/PLAT – APOPKA WOODS** – Jay Davoll, P.E., Community Development Director/City Engineer, stated this is a request to recommend approval of the Final Development Plan/Plat for the Apopka Woods subdivision. The owner/applicant is Apopka Woods LLC, c/o Jim Stelling. The engineer is IBI Group (Florida) Inc., c/o Luke Classon. The property is located north of McCormick Road and east of Irmalee Lane. The existing use is vacant land, planted pine, and a vacant single family home. The proposed use is a 76 lot single family residential subdivision. The future land use is Residential Low Density (0-5 du/ac) and the zoning is R-2 residential. The minimum lot width is 70 feet and the minimum lot size is 7,500 square feet. The existing maximum allowable development is 124 residential lots and the proposed maximum allowable development is 76 residential lots. The tract size is 24.82 +/- acres. 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.

The Preliminary Development Plan for this project was approved by City Council on October 16, 2013. During that meeting, and as part of the Preliminary Development Plan approval, City Council approved a waiver request to waive the brick wall required along the eastern and northern property line but in lieu thereof required a uniform vinyl fence. The Final Development Plan and Plat are consistent with the approved Preliminary Development Plan.

The subject property was annexed into the City of Apopka on July 6, 2006, through the adoption of Ordinance No. 1827. The applicant proposes to develop 76 single family residential lots with a minimum lot width of 70 feet and a minimum lot area of 7,500 sq. ft. A brick wall within a ten foot wide buffer tract is proposed adjacent to McCormick Road. A five-foot wide fence easement is proposed along the eastern and north property line to buffer the Apopka Woods subdivision from the Orange County Northwest Water Reclamation Facility. The plat has been coordinated with Orange County planners and engineers.

The Apopka Woods, LLC subdivision plan plat proposes the development of 76 single family residential lots. The minimum typical lot width is 70 feet with a minimum lot size of 7,500 square feet. The minimum living area for the subdivision is 1,350 square feet as set forth in Chapter 2 of the Land Development Code.

One driveway connection from McCormick Road is proposed and includes a left turn lane. An entrance feature for Apopka Woods will be constructed within the ten-foot wide buffer near McCormick Road. There is right-of-way set aside for an egress/ingress point near the northwest corner of the subdivision to allow for future connection to the undeveloped parcel abutting the western project boundary.

The stormwater management system is located at the north end of the project site (dry retention pond - 2.48 acres) that meets the City of Apopka Land Development Code, Section 6.05.00 guidelines.

The proposed development is located within the Orange County Utility service area.

The developer is providing a 0.43 +/- acre (18,853 square-feet) active/passive recreation space next to the stormwater retention pond at the northern end of the project. The LDC requires a minimum recreation space of 18,750 square feet, which is an area equivalent to that covered by two and a half lots.)

Buffers provided are consistent with the Land Development Code. The planted pine is exempt from the arbor requirements and will be harvested for silviculture purposes. The developer is required to pay tree mitigation fee of \$16,170 into the tree bank fund.

The following is a summary of the tree inventory for Apopka Wood Subdivision:

Maximum Tree Replacement Required:	3,784
Total inches replaced:	2,167
Trees to be Mitigated:	1,617

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Prior to the Final Development Plan\Plat appearing on a City Council agenda, the applicant must modify the plans to correct a few scrivener errors identified by the Development Review Committee as well as necessary documentation from Orange County government, including additional of test assigning the northern and eastern fence easement to the HOA; providing written evidence from Orange County Utilities (OCU) that OCU has approved the utility plan design noted on these Final Development Plans; and submittal of an Easement Vacation application for the existing 8 ft. FPC easement across Lot 14 and travels north behind Lots 15 through 21 or to address such vacation within the FDP and plat.

The applicant has coordinated with Orange County Public Schools and addressed school concurrency review requirements to support the development of 76 single family residential units.

The Development Review Committee recommends approval of the Apopka Woods, LLC, Final Development Plan\Plat, subject to the information and findings in the staff report.

Mr. Davoll stated that 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.

In response to a question by Chairperson Hooks, Mr. Davoll stated that the City's Utility Service Area does not extend to this location. Additionally, the Orange County Northwest Reclamation Facility is adjacent to the subject property.

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

**Motion:** James Greene made a motion to recommend approval of the Apopka Woods Final Development Plan/Plat for property owned by Apopka Woods, LLC, located north of West McCormick Road and east of Irmalee Lane, subject to the findings in the staff report. Teresa Roper seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (7-0).

**FINAL DEVELOPMENT PLAN/PLAT – OAK RIDGE, PHASE 2** – Mr. Davoll stated this is a request to recommend approval of the Final Development Plan/Plat for the Oak Ridge, Phase 2, subdivision. The owner is The Ryland Group, c/o Vernon Priest. The applicant/engineer is Boyd Civil Engineering, c/o Steve Boyd, P.E. The property is located east of Plymouth Sorrento Road and north of Appy Lane. The future land use is Residential Very Low Suburban (0-2 du/ac) and the zoning is R-1AAA. The existing use is vacant land and the proposed use is a 94 lot single family residential subdivision. The minimum lot width is 120 feet, the minimum lot size is 16,000 square feet, and the minimum living area is 1,800 square feet. The tract size is 56.64 +/- acres and the density is 1.60 units per gross acre. 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.

The Oak Ridge, Phase 2 Final Development Plan proposes the development of 94 single family residential lots. The minimum typical lot width is 120 feet with a minimum lot size of 16,000 square feet. The proposed minimum living area for the subdivision is 2,200 square feet (1,800 square feet) minimum is set forth in Chapter 2 of the Land Development Code and approved with the Preliminary Development Plan.

Ingress/egress for the development will be via Plymouth Sorrento Road and Apply Lane. The primary entrance connects with Plymouth Sorrento Road.

Page 6 three dry retention basins on site that have been designed to meet the City's Land Development Code  
nts.

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The developer is providing a 42,688.80 square foot active and passive recreation area. The Land Development Code requires a minimum recreation space of 40,000 square feet based on 94 residential lots.

A habitat management plan was submitted by the applicant. Based on the results of this study, the developer must obtain approval from the Florida Department of Environmental Protection prior to commencing any site construction activity.

Mr. Davoll notified the Commission that the tree replacement information in the staff report was not correct and would be corrected prior to going to City Council. He provided the following information.

Buffers provided are consistent with the Land Development Code. The developer is required to pay tree mitigation fee of \$910.00 into the tree bank fund.

The following is a summary of the Oak Ridge, Phase 2, tree replacement program:

Total inches on-site:	2,910
Total number of specimen trees:	21
Total inches removed:	1,925
Total inches replaced:	1,834
Total tree inches to be mitigated:	91
Total inches (post development):	2,786

No development activity and can occur and a plat cannot be recorded until such time that a concurrency mitigation agreement has been approved by OCPS.

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

Variance Request: Section 2.02.01.A. Minimum Lot Area. For the R-1AAA zoning district the minimum lot area is 16,000 sq. ft. The applicant requests a reduction in lot area for the following.

Lot #	Proposed Lot Area (sq. ft.)	Variance (sq. ft.)	Net Decrease in Lot Area (%)
195	15,794.16	205.84	1.29%
196	15,794.16	205.84	1.29%
202	15,554.79	445.21	2.78%
203	15,527.99	472.01	2.95%
204	15,507.76	492.24	3.08%
205	15,984.00	16.00	0.10%

After the preliminary development plan was approved by the City of Apopka, Orange County Public Works required that an additional twenty (20) feet of right-of-way dedication be provided along the eastern side of Plymouth Sorrento Road. Ten feet of right of way was originally proposed to be dedicated for right-of-way. To accommodate a future expansion of Plymouth Sorrento Road to a four lane divided street, a 120 foot wide right-of-way is planned. Thirty additional feet of right-of-way is needed on both sides of Plymouth Sorrento Road, from U.S. 441 to Kelly Park Road, to achieve this future need. For the Oak Ridge Phase 2 project, only an

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A modification to the subdivision plan to accommodate the additional twenty feet of right-of-way causes the primary subdivision entrance and western portions of the original subdivision plan to be shifted eastward. This change resulted in a slight reduction in the lot area of six residential lots, as described in the above table.

City staff finds that a reasonable hardship has been demonstrated, and does not object to the variance request.

The Development Review Committee recommends approval of the Oak Ridge, Phase 2 - Final Development Plan/Plat, subject to approval of the variance requests and the findings of this 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.

In response to a question by Chairperson Hooks, Steve Boyd, Boyd Civil Engineering, 6824 Hanging Moss Road, Orlando, stated that the requirement for the extra right-of-way by Orange County, caused them to move the entrance feature back by 20 feet. This affected interior lots by decreasing the width of the lot but maintaining the lot depth. Previously, the lots were wider than the minimum 120 feet which allowed the size to meet the 16,000 square foot minimum lot area.

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

**Motion:** Mallory Walters made a motion to recommend approval of the Oak Ridge, Phase 2, Final Development Plan/Plat; and to approve the request for variance of The Apopka Code of Ordinance, Part III, Land Development Code, Article II, Section 2.02.01(a) – Minimum Lot Width for Lots 195, 196, 202, 203, 204, and 205, to accommodate Orange County’s request for 20’ of right-of-way for the future widening of Plymouth Sorrento Road for property owned by The Ryland Group and located east of Plymouth Sorrento Road and north of Appy Lane subject to the findings in the staff report. Teresa Roper seconded the motion. Aye votes were cast by Steve Hooks, Mallory Walters, Melvin Birdsong, Ben Dreiling, James Greene, Teresa Roper, and Robert Ryan (7-0).

### OLD BUSINESS:

#### Planning Commission:

**JUNE 10, 2014 WORKSHOP - AMENDMENT TO THE CODE OF ORDINANCES, PART III, LAND DEVELOPMENT CODE, ARTICLE III – OVERLAY DISTRICTS** – David Moon, AICP, Planning Manager reviewed the following changes to the draft Small Lot Zoning Overlay District as had been suggested at the workshop.

#### Section 3.04.04 - Review Process

Application for a Small Lot Overlay District shall follow the same review and hearing process as a change of zoning application. A master site plan and development standards shall accompany the zoning application for the Overlay District and shall address the requirements of Section 2.02.18.K. Design details and illustrations for all residential structures, accessory structures, recreation facilities and equipment, mailbox and mail kiosks, walls and fences, and other structures as requested by the Community Development Director, shall be included with the development standards.



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**Section 3.04.05 - Location Criteria**

2. A boundary line of a Small Lot Overlay District must satisfy one (1) of the following location criteria:
  - a. Located within a half mile from a commercial, office, or industrial use or zoning district center comprising more than ten acres;

**Section 3.04.06 - Development Standards**

6. Alleyways. Street lighting shall be provided along alleyways, particularly at intersections of an alley and a street.
7. Amenities and Recreational Facilities. The type and value of amenities and recreation facilities or equipment shall be evaluated based on the number of dwelling units within a proposed in the master site plan.
8. Vehicle Access Points.
  - a. All lots with a width less than fifty (50) feet (including townhome and duplex dwellings) shall have vehicle access points via a rear alley. All townhome and duplex dwelling lots shall have vehicle access points via a rear alley; no less than two thirds of the single family lots with a width less than fifty (50) feet shall have vehicle access points via a rear alley.

9. Building Setbacks

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

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

10. Garage Setbacks

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

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Mr. Moon suggested that if a driveway is less than 20 feet, then two parking spaces must be provided in either on-street parking or in a designated parking area.

Due to concerns expressed about residents not being able to maneuver larger vehicles in a 20 to 15 foot setback, they recommended a 22 foot setback for small lots and a maximum of 10 feet for townhomes.

Chairperson Hooks recommended requiring language in the covenants, codes, and restrictions (CCRs) that parking on the grass is prohibited.

11. Individual townhome buildings shall have no more than six dwelling units. Apartment buildings abutting or near single family dwellings shall not exceed twelve (12) dwelling units unless otherwise approved by City Council. The apartment building mass shall be limited to a size and character that is compatible with nearby single family and townhome buildings.

**Section 3.04.07 - Design Guidelines**

1. Subdivision design and site layout to avoid the appearance of a long row of ~~homes~~ dwelling units. Open space and street pattern shall be designed to establish breaks between housing rows.
3. Front facades of buildings facing an abutting common area or park typically have the front walls that follow a similar building line.
6. Pedestrian systems are an integral part of each development. Community design shall be incorporate street and pathway systems that are pedestrian and bicycle friendly.
7. Unless otherwise accepted by the local U.S. Postal Service Office, mail delivery for small lots with a width less than fifty (50) feet, apartment and townhome mail boxes shall occur at a sheltered mailbox kiosk. Mail box kiosks shall be covered by a shelter structure sufficient to project the patron and delivery personnel from inclement weather. Development applicant must obtain letter from local U.S. Postal Service Office accepting proposed mailbox or kiosk system.
8. Mailboxes located at the front of a single family lot shall be uniform in color and appearance.

The Planning Commission unanimously agreed that an illustration depicting the types of acceptable mail kiosks be included in the amendment.

**Section 3.04.08 – Architectural Appearance and Building Design**

1. Minimum Residential Livable Area.

<u>Residential Type</u>	<u>Minimum Livable Area</u>	<u>Minimum Number of Bedrooms</u>	<u>Maximum Number of Bedrooms</u>
<u>Single Family Home</u>	<u>1,500 sq. ft.</u>	<u>2</u>	<u>4</u>
<u>Duplex Unit</u>	<u>1,500 sq. ft.</u>	<u>2</u>	<u>3</u>
<u>Townhome Unit</u>	<u>1,350 sq. ft.</u>	<u>2</u>	<u>3</u>
<u>Apartment Unit</u>	<u>750 sq. ft.</u>	<u>1</u>	<u>3</u>

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2. Diversity in Residential Livable Area. A minimum of seventy-five percent (75%) of all residential units, excepting apartment buildings, shall have a minimum livable area not less than 1,700 square feet. Not more than twenty-five percent (25%) of all residential units, excepting apartment buildings, shall have a livable area less than 1,500 square feet.
3. ~~Maximum number of bedrooms allowed for a house constructed on a small lot is four (4) and three (3) bedrooms for duplex, townhome or apartment. Single family, duplex, and townhome dwellings shall have a minimum of two bedrooms. No more than twenty-percent (20%) of apartment units shall have one-bedroom or a suite design.~~
4. Duplexes, townhomes and apartment buildings must be designed to architecturally blend with the surrounding single-family dwellings.
5. Front building entrance shall be featured with a porch, portico, or similar entry-feature. A porch must have a minimum depth of five (5) feet and must be designed to accommodate at least two humans. A portico shall be flush with or extend beyond the front wall of the dwelling unit.
6. The rear of any residential building facing a public street or adjacent established residential neighborhood shall be treated with the same architectural quality as the front façade regarding fenestration, articulation and roofline. Substantial window areas shall overlook streets.
7. Single family and duplex units are limited to two stories; townhome and apartment buildings abutting or near single family residential shall be limited to two stories.
8. Architectural exterior elevations shall vary among all housing types but have color unified schemes to create diversity in exterior appearances and style.
7. A front entry garage does not extend beyond the front building wall. ~~If a useable front porch is provided, then the garage may extend as far as the porch but no further than the front yard setback.~~

### **Section 3.04.11 – Maintenance and Community Management**

1. All residential development with the Small Lot Overlay District shall be subject and beholden to a single master property owner association.
2. All common areas and lawn areas within any lot less than fifty (50) foot wide lot shall be maintained the property owners association unless another maintenance program is approved by the City Council. Any shared residential driveways shall be maintained by the Property Owners Association. All parking spaces adjacent to or outside the travel lanes shall be maintained by the Property Owners Association.
3. A disclaimer statement shall be incorporated into the Property Owners Association's Code, Covenant, and Restrictions document notifying the property owners that should the Association fail to maintain commons areas or required laws, both the City may hold the Association or the property owner responsible.

Upon Mr. Moon's recommendation, the Commission requested that the disclaimer language be removed and for staff to contact the City Attorney for language that would allow enforcement of the HOA's restrictions.

In response to a question by Ms. Walters, Mr. Moon stated that he had researched other cities and how they were handling small lot districts.

**MINUTES OF THE PLANNING COMMISSION MEETING HELD ON June 10, 2014, AT 5:01 P.M.**

Ms. Walters expressed her continuing concerns that any HOA may become defunct and the subdivisions would deteriorate.

In response to questions by Suzanne Kidd, 1260 Lexington Parkway, Apopka, Mr. Moon stated that studio apartments would fall under the one-bedroom.

Ms. Kidd expressed concerns that requiring small lot districts to be gated would cause the price to increase. She suggested looking at each development on a case by case basis to determine if it should be gated.

Chairperson Hooks stated that the idea to require gates was to increase the cost thereby providing an incentive for the property owners to want to take care of the property.

In response to a question by Chairperson Hooks, Mr. Moon stated that developers want the option of apartments.

Chairperson Hooks mentioned that none of the developments they toured had apartments on site. He said they all had duplexes, townhomes, and single family residences.

In response to a concern expressed by Mr. Greene, Mr. Moon stated that, while it was very complicated, apartment complexes could have HOAs.

The Commission expressed their desire to take apartments out of the small lot overlay district all together.

Ed Hampden, Tallman Development Company, 604 S. Lake Sybelia Drive, Maitland, stated that it did not make much difference is the garage setbacks were 22 feet or if the developer was required to provided two parking space on-street on in a designated parking area.

Ms. Kidd suggested requiring language in the CCRs that limits the number of investor homes.

**Public:** None.

**NEW BUSINESS:**

**Planning Commission:** None.

**Public:** None.

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

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Steve Hooks, Chairperson

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

**Backup material for agenda item:**

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



**CITY OF APOPKA  
PLANNING COMMISSION**

<u>      </u> <b>CONSENT AGENDA</b>	<b>MEETING OF:</b> <b>July 8, 2014</b>
<u>  X  </u> <b>PUBLIC HEARING</b>	<b>FROM:</b> <b>Community Development</b>
<u>      </u> <b>SPECIAL REPORTS</b>	<b>EXHIBITS:</b> <b>Exhibit “A”</b>
<u>      </u> <b>OTHER:</b>	<b>Exhibit “B”</b>

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

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

**SUMMARY:**

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

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

**PUBLIC HEARING SCHEDULE:**

- March 11, 2014 - Planning Commission (5:01 pm) – Tabled
- April 8, 2014 – Planning Commission (5:01 pm) – Continued
- May 10, 2014 – Planning Commission (5:01 pm) – Scheduled Workshop
- June 3, 2014 – Planning Commission Workshop (7:00 pm)
- July 8, 2014 – Planning Commission (5:01 pm)
- August 6, 2014 - City Council 1st Reading (1:30 pm)
- August 20, 2014 - City Council 2nd Reading (8:00 pm)

**DULY ADVERTISED:**

- June 20, 2014 – Public Hearing Notice
- August 8, 2014 – Ordinance Heading

**FUNDING SOURCE:** N/A

**DISTRIBUTION:**

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

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**RECOMMENDATION ACTION:**

Planning staff prepared this development option for the Planning Commission and City Council to consider. Several developers or homebuilders have asked the City to consider development options that accommodate smaller residential lot sizes. If the Planning Commission and City Council determine that this development option meets the desired vision and goals of the City, the Development Review Committee recommends the development standards set forth in Exhibit “A” for the Small Lot Overlay District.

Recommend that City Council adopt the amendment to Article III of the Land Development Code to create a Small Lot Overlay Zoning District and an amendment to the Development Design Guidelines to address mailbox kiosks.

# DRAFT

## CITY OF APOPKA

### 3.04.00 - SMALL LOT OVERLAY ZONING DISTRICT

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

#### **Section 3.04.00 - Small Lot Overlay Zoning District**

##### **Section 3.04.01 – Definition**

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

##### **Section 3.04.02 - Purpose**

The purposes of the Small Lot Overlay District to:

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

##### **Section 3.04.03 – Applicability**

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



**Section 3.04.04 - Review Process**

Application for a Small Lot Overlay District shall follow the same review and hearing process as a change of zoning application. A master site plan and development standards shall accompany the zoning application for the Overlay District and shall address the requirements of Section 2.02.18.K. Design details and illustrations for all residential structures, accessory structures, recreation facilities and equipment, mailbox and mail kiosks, walls and fences, and other structures as requested by the Community Development Director, shall be included with the development standards.

**Section 3.04.05 - Location Criteria**

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

**Section 3.04.06 - Development Standards**

1. Unless otherwise addressed within Section 3.04.00, the development standards established for the R-3 zoning district shall apply.
2. Minimum and Maximum Area Requirements. The Small Lot Overlay District shall comprise a minimum of fifteen (15) acres but shall not exceed a maximum of eighty (80) acres.

**3.04.00 - SMALL LOT OVERLAY ZONING DISTRICT**

3. Housing Types and Mix. For development proposing a small lot width of less than seventy (70) feet, a diversity of lot sizes or housing types shall be provided. If single family or duplex lots are proposed with a width less than fifty (50) feet, at least one-half (½) of the lots shall have a minimum width equal to or greater than fifty (50) feet. Apartment buildings are not allowed within the Small Lot Overlay District.
4. Common Open Space.
  - a. A minimum of thirty percent (30%) of the developable land shall be placed in useable open space. The common open space must be arranged to maximize usability.
  - b. For small lots with a front entry garage and a lot width less than fifty (50) feet wide, no more than twelve such lots shall occur in a row on the same side of the a street without separation by a common open space area.
5. Landscape Bufferyard. Minimum buffer width adjacent to a local or collector road shall be fifteen (15) feet, and twenty (20) feet adjacent to an arterial road.
6. Alleyways. All alleyways shall be placed within a separate tract owned by a homeowners association. Street lighting shall be provided along alleyways, particularly at intersections of an alley and a street.
7. Amenities and Recreational Facilities. The type and value of amenities and recreation facilities or equipment shall be evaluated based on the number of dwelling units within a proposed in the master site plan.
8. Vehicle Access Points.
  - a. All townhome and duplex dwelling lots shall have vehicle access points via a rear alley; no less than two-thirds of the single family lots with a width less than fifty (50) feet shall have vehicle access points via a rear alley.
  - b. All small lot, duplex and townhome lots shall include a two-car enclosed garage
  - c. A minimum of four (4) parking spaces shall be provided for each single family, duplex or townhome unit unless otherwise determined through a parking study that indicates fewer parking spaces would be needed. The parking study must be accepted by the City Engineer and approved by the City Council. If a lot is unable to accommodate a minimum of four parking spaces, up to two (2) parking spaces may be placed within parking lots or on-street parking spaces located outside the street travel lane.
  - d. Where on-street parking abuts a residential lot, vehicle access to a garage must occur from a rear alley.

9. Building Setbacks

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

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

10. Garage Setbacks

a. Single Family Home and Duplex

- 1.) Front-entry garage: minimum 30 feet from front property line.
- 2.) Side-entry garage: minimum 25 feet from front or side yard property line
- 3.) Rear-entry garage: minimum 22 feet from the rear property line.

b. Townhomes.

- 1.) Front-entry or side-entry garage is not allowed.
- 2.) Rear-entry garage (as measured from the rear property line):
  - (a) Garage placed ten or fewer feet from rear property line: minimum of five (5) feet.
  - (b) Garage placed more than ten feet from rear property line: minimum of twenty-two (22) feet.

**\*\* CLARIFICATION NEEDED FROM PLANNING COMMISSION \*\***

11. Individual townhome buildings shall have no more than six attached dwelling units.

12. Each single family structure, duplex unit, or townhome dwelling unit shall be placed within its own lot.

13. Along an Overlay District perimeter, small lots shall not abut existing platted residential lots with a lot width of seventy five (75) feet or greater unless a ten (10) foot buffer tract with a six-foot high buffer wall, or alternatively a twenty (20) foot landscape bufferyard is provided.

14. Any portion of a vehicle parked within a driveway shall not extend into any area of an alley, street, sidewalk, or public right-of-way. Vehicles parked within a driveway located on a residential lot shall be oriented perpendicular to the street with the front or back of the vehicle facing a garage door. This regulation shall also be incorporated into the homeowners association code, covenant and restriction document.

**Section 3.04.07 - Design Guidelines**

1. Subdivision design and site layout to avoid the appearance of a long row of dwelling units. Open space and street pattern shall be designed to establish breaks between housing rows.
2. Subdivision design occurs in block form with similarly designed housing types grouped together. Streets are interconnected and cul-de-sacs are discouraged.
3. Streets and alleyways are to be designed to accommodate turning movements for large utility and emergency vehicles.
4. Subdivision and street design shall allow for efficient garbage collection and utility service. Right-of-way and streets to be designed to provide sufficient space for sanitation vehicles to access refuse containers. Where on-street parking is provided, the development plan must demonstrate that the outside travel lanes will allow sanitation service vehicles to efficiently serve refuse containers within driveways or other locations.
5. Pedestrian systems are an integral part of each development. Community design shall incorporate street and pathway systems that are pedestrian and bicycle friendly.
6. Unless otherwise accepted by the local U.S. Postal Service Office, mail delivery for small lots with a width less than fifty (50) feet and townhome mail boxes shall occur at a sheltered mailbox kiosk. Mailbox kiosks shall be covered by a shelter structure sufficient to project the patron and delivery personnel from inclement weather. Design and appearance of the mailbox kiosk shall be compatible with architectural theme for homes in the residential community, and shall meet the intent of the Development Design Guidelines. Development applicant must obtain letter from local U.S. Postal Service Office accepting proposed mailbox or kiosk system.
7. Mailboxes located at the front of a single family lot shall be decorative and have a uniform color and appearance. Mailboxes are not allowed along a rear alley.

**Section 3.04.08 – Architectural Appearance and Building Design**

1. Minimum Residential Livable Area. No less than seventy-five percent (75%) of all dwelling units, regardless of residential type, shall have a minimum livable area of 1,700 square feet or greater. No more than twenty-five percent (25%) of single family and duplex dwelling units shall have a livable area less than 1,700 square feet. The minimum livable area of single family home or duplex unit shall not be less than 1,500 square feet, and not less than 1,350 square feet for a townhome unit.

**\*\* CLARIFICATION NEEDED FROM PLANNING COMMISSION \*\***

2. Duplexes and townhomes must be designed to architecturally blend with the surrounding single-family dwellings.
3. Number of bedrooms provided for each residential type shall comply with the following minimum and maximum standards:

<b>Residential Type</b>	<b>Minimum Number of Bedrooms</b>	<b>Maximum Number of Bedrooms</b>
Single Family Home	2	4
Duplex Unit	2	3
Townhome Unit	2	3

4. Front building entrance shall be featured with a porch, portico, or similar entry-feature. A porch must have a minimum depth of five (5) feet and must be designed to accommodate at least two humans. A portico shall be flush with or extend beyond the front wall of the dwelling unit.
5. The rear of any residential building facing a public street or adjacent established residential neighborhood shall be treated with the same architectural quality as the front façade regarding fenestration, articulation and roofline. Substantial window areas shall overlook streets.
6. Single family and duplex units are limited to two stories; townhome buildings abutting or near single family residential shall be limited to two stories.
7. Architectural exterior elevations shall vary among all housing types but have color unified schemes to create diversity in exterior appearances and style.
8. A front entry garage does not extend beyond the front building wall.

**Section 3.04.09 - Accessory Structures**

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

**Section 3.04.10 - Utilities**

Air conditioning units or similar utilities shall be placed behind the residential building and screened from view from a street. If the side yard setback is 7.5 feet or greater, then the air condition unit or similar utility may be placed in the side yard.

**Section 3.04.11 – Maintenance and Community Management**

1. All dwelling units with the Small Lot Overlay District shall be subject and beholden to a single master homeowners association. The homeowners association shall be responsible for enforcing all conditions and terms of the code, covenants and restrictions established within public records.
2. All common areas and lawn areas within any lot less than fifty (50) foot wide lot shall be maintained the property owners association unless another maintenance program is approved by the City Council. Any shared residential driveways shall be maintained by the homeowners association. All parking spaces adjacent to or outside the travel lanes shall be maintained by the homeowners owners association unless otherwise accepted by the City Council as part of the public right-of-way.
3. A disclaimer statement shall be incorporated into the homeowners association's code, covenant, and restrictions document notifying the property owners that should the Association fail to maintain commons areas or required laws, the City may hold the Association or the property owner responsible.

**EXHIBIT “B”**

**Section 3.12., Mailbox Kiosk Design; Residential Design Standards, Development Design Guideline**

Design and appearance of a mailbox kiosk are compatible with the architectural theme for homes and community buildings in the residential community. Mailbox kiosks are covered by a shelter structure sufficient to protect the patron, mail, and delivery personnel from inclement weather. Acceptable and Undesirable design examples appear below.

**A. Mailbox Kiosk (aka Cluster Mailbox Shelters)**

**1. Acceptable Design Examples**



**2. Undesirable Design Examples**



**Backup material for agenda item:**

2. COMPREHENSIVE PLAN AMENDMENT – LARGE SCALE – FUTURE LAND USE – Avian Pointe – Apopka Clear Lake Investments, LLC – From Residential Low (0-5 du/ac) to Residential Medium (0-10 du/ac), for property located east of S.R. 429, south of Peterson Road, and north of Lust Road. (Parcel ID Nos. 07-21-28-0000-00-002 & 07-21-28-0000-00-023)





**CITY OF APOPKA  
PLANNING COMMISSION**

PUBLIC HEARING  
 ANNEXATION  
 PLAT APPROVAL  
 OTHER:

DATE: July 8, 2013  
FROM: Community Development  
EXHIBITS: Land Use Report  
Vicinity Map  
Adjacent Zoning Map  
Adjacent Uses Map

**SUBJECT:**                    **COMPREHENSIVE PLAN – LARGE SCALE - FUTURE LAND USE AMENDMENT - AVIAN POINTE – APOPKA CLEAR LAKE INVESTMENTS, LLC**

**PARCEL ID NUMBERS:**    **07-21-28-0000-00-002 & 07-21-28-0000-00-023**

**Request:**                    **LARGE SCALE - FUTURE LAND USE AMENDMENT**  
**FROM: RESIDENTIAL LOW (0-5 DU/AC) and AGRICULTURE (1 DU/5 AC)**  
**TO: RESIDENTIAL MEDIUM (up to 10 DU/AC)**

**SUMMARY**

**OWNER/APPLICANT:**        Apopka Clear Lake Investments LLC, c/o Ken Stoltenberg

**ENGINEER:**                    Hendra & Associates, c/o Eric J. Hendra, P.E.

**LOCATION:**                    East of S.R. 429, south of Peterson Road, and north of Lust Road

**EXISTING USE:**                Vacant Land

**CURRENT ZONING:**         Planned Unit Development (PUD) and County A-2 (ZIP)

**PROPOSED DEVELOPMENT:**    None

**PROPOSED ZONING:**            Planned Unit Development (PUD/R-3)

**TRACT SIZE:**                94.76 +/- acres

**MAXIMUM ALLOWABLE DEVELOPMENT:**    **EXISTING: 454 Units**  
**PROPOSED: 948 Units**

**DISTRIBUTION**

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

**ADDITIONAL COMMENTS:**

Parcel No. 07-21-28-0000-00-002 was annexed into the City of Apopka on December 17, 1997, through the adoption of Ordinance No. 1129. Parcel No. 07-21-28-0000-00-023 was annexed into the City of Apopka on January 7, 2004, through the adoption of Ordinance No. 1621.

Parcel No. 07-21-28-0000-002: 89.47 acres

Parcel No. 07-21-28-0000-023: 5.29 acres

The applicant requests to assign a Residential Medium Density Future Land Use Designation to the two above referenced parcels totaling approximately 94.76 acres. An application has also been submitted to the City requesting a zoning category of Planned Unit Development for these same two parcels as well as the parcel abutting the northwest corner of the subject property. This third parcel, owned by W.D. Long Family Farms et.al., is not part of the future land use amendment application and will retain its Residential Low Density Residential Land Use Designation.

After the Future Land Use Amendment for the 94.57 acres has been transmitted to and reviewed by the Florida Department of Economic Opportunities and other state agencies for their review, the applicant will request a Planning Unit Development zoning and master site plan approval for the two parcels owned by Apopka Clear Lake Investment and the one parcel owned by W.D. Long Family Farms et.al.

The intent of the applicant, Apopka Clear Lake Investments, is to develop a residential community with a mix of single-family homes, apartments, and townhomes with residential amenities that include a bike trail that allows for connection to the Lake Apopka Loop Trail, community resort-style clubhouse and swimming pools, and a parks and open space system. In addition, the applicant desires to reserve a small area of the master site plan for flexible use zone that can accommodate one or more of the following uses: school or day care, boutique hotel, or a senior residential housing (such as an assisted living facility or age-restricted housing).

The applicant will present a proposed PUD master site plan for all three parcels at the transmittal hearing. This master site plan is currently under review by the Development Review Committee. Between the transmittal hearing and the final adoption hearing for the Future Land Use Amendment, the applicant will finalize the master site plan for zoning hearings. At the time the adoption hearing is held, the PUD zoning and master site plan will appear on the same hearing as the future land use amendment.

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

**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.

**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 June 10, 2014.

**PUBLIC HEARING SCHEDULE:**

4 – Planning Commission (5:01 pm)  
14 – City Council (8:00 pm) - 1<sup>st</sup> Reading & Transmittal

**DULY ADVERTISED:**

June 20, 2014 – Public Notice and Notification

July 11, 2014 – ¼ Page Ad w/Map

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**RECOMMENDED ACTION:**

The **Development Review Committee** recommends approval to transmit a change in Future Land Use from Residential Low (0-5 du/ac) for approximately 89.47 acres and Agriculture for approximately 5.29 acres to Residential Medium Density (0-10 du/ac) for the property owned by Apopka Clear Lake Investments LLC, c/o Ken Stoltenberg, 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 (City)	Residential Low (0-5 du/ac)	A-1; Mixed-EC	Vacant Land (former Coca-Cola sprayfield propert)
East (City)	Residential Low (0-5 du/ac)	R-1A; PUD	Clear Lake Landing subdivision (near construction; Vacant Land/Nursery; Clear Lake
South (City)	Residential Low Suburban (0-3.5 du/ac)	“County” A-1 (ZIP)	Vacant Land
West (County)	“County” Rural (1 du/10 ac/Agricultural)	“County” A-2 & A-1	S.R. 429 Tollway; Vacant Land (Lake Apopka Restoration Area) west of the tollway

The property has access from the south from Lust Road. Development Review Committee supports the Medium Density Residential designation only if the applicant demonstrates prior to the adoption hearing a commitment to construct a two-lane road from the northern end of the subject property to W. Orange Avenue. Such commitment likely will be established through a recordable development agreement approved by City Council.

**II. LAND USE ANALYSIS**

The area directly north of the subject site is predominantly developed for industrial and warehousing businesses. Over 200 acres just to the north is zoned for industrial uses. To the northwest of the subject property, along the western alignment of undeveloped Peterson Road and along the existing Hermit Smith Road, over 300 acres is zoned for industrial uses. To the west the subject property is bordered by S.R. 429, a four-lane divided tollway. To the southwest along Lust Road, the City has planned a location for its new water reclamation facility. On the south side of Lust Road, vacant lands are currently assigned land use and zoning for single family homes and commercial. East of the subject site is the proposed Clear Lake Landings single-family subdivision and Clear Lake.

The proposed Medium Density residential will allow residential densities in the form of apartments and townhomes to concentrate near industrial and commercial development either existing or planned to the north and northwest. It also will serve as a transition between S.R. 429 and single family residential development along Binion Road. However, traffic volumes generated by the development densities proposed by Medium Density Residential will need additional roadway access besides Lust Road. Thus, a second road to the north is necessary to accommodate development and vehicle trips generated by residential densities proposed at the subject site. Therefore, the Development Review recommendation for Medium Density Residential is subject to the applicant demonstrating that a new northern road can be constructed from the northern project boundary to West Orange Avenue.

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

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within the “Plymouth Area” of the JPA. The proposed FLUM Amendment request for a change from Residential Low (0-5 du/ac) to Residential Medium (0-10 du/ac) is consistent with the terms of the JPA. Apopka Clear Lake Investments LLC, c/o Ken Stoltenberg, 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. At the time the JPA was established between the City and Orange County in 2002, the final alignment for S.R. 429 and the Wekiva Parkway were not known. The “Plymouth prepared without consideration for S.R.429.

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 currently vacant. The dominant soil, #5 Candler Fine Sand, is excessively drained and has a very deep (72” to 80”) water table.

Analysis of the relationship of the amendment to the population projections: This property was annexed into the City on December 17, 1997 (Parcel ID # 07-21-28-0000-00-002) and January 7, 2004 (Parcel ID # 07-21-28-0000-00-023). The Orange County Comprehensive Plan anticipated this property being developed at a maximum of 1 dwelling unit/10 acres of agricultural use. Based on the adoption of the JPA, the size of the property, and the proposed land use change, the amendment will not increase the population if redeveloped.

**CALCULATIONS:**

ADOPTED: 454 Unit(s) x 2.659 p/h = 1,207 persons

PROPOSED: 948 Unit(s) x 2.659 p/h = 2,522 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: 88,984 GPD
3. Projected total demand under proposed designation: 177,772 GPD
4. Capacity available: Yes

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: 95,340 GPD
3. Projected total demand under proposed designation: 190,470 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: 4,828 lbs./cap/day
4. Projected LOS under proposed designation: 9,648 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

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: Lake Apopka
2. Projected LOS under existing designation: 25 year - 24 hour design storm event plus additional requirement for phosphorus loading.
3. Projected LOS under proposed designation: 25 year - 24 hour design storm event plus additional requirement for phosphorus loading.
4. Improvement/expansion: On-site retention/detention pond

Recreation

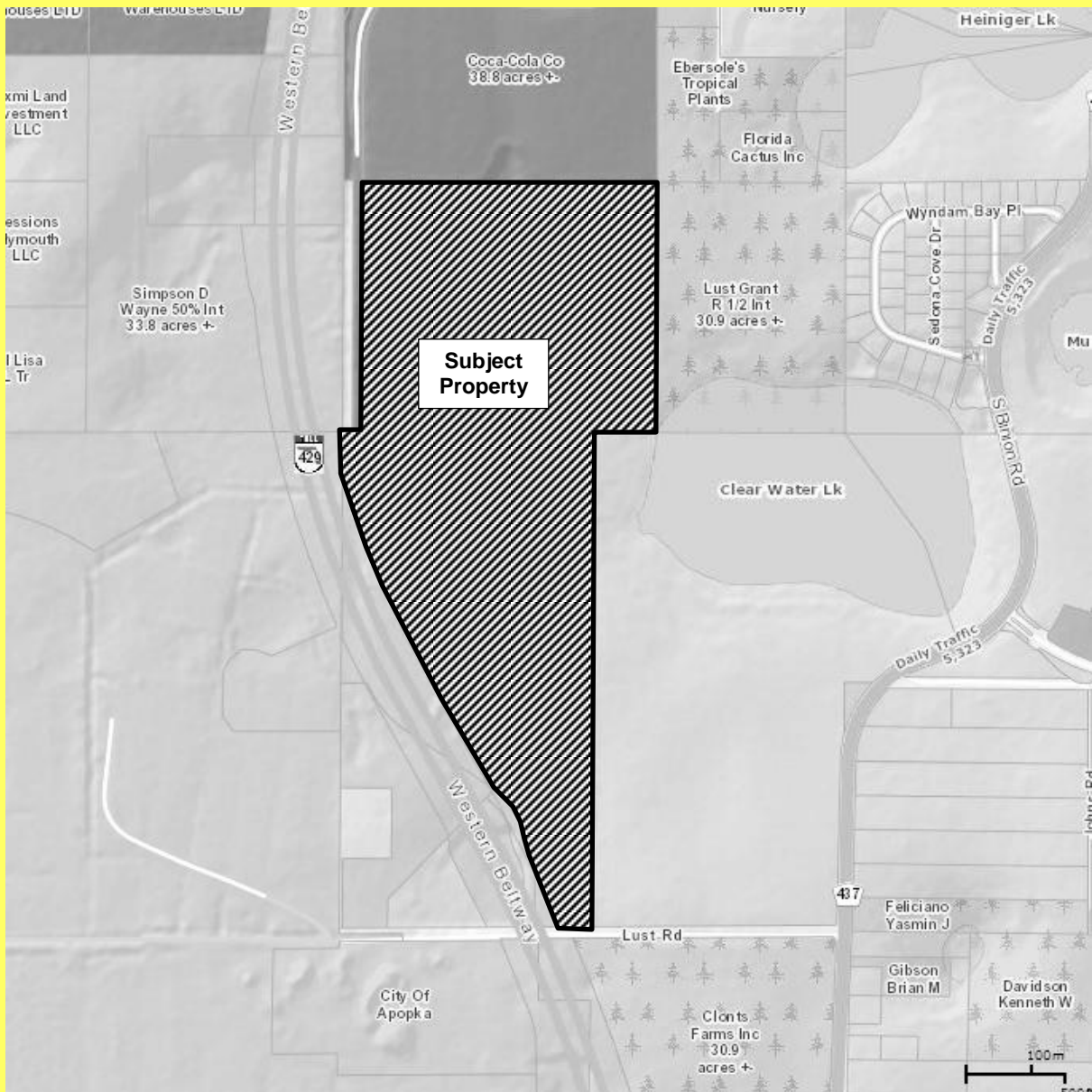
1. Facilities serving the site; LOS standard: City of Apopka Parks System; 3 AC/1000 capita
2. Projected facility under existing designation: 3.62 AC
3. Projected facility under proposed designation: 7.2 AC
4. Improvement/expansions already programmed or needed as a result of the proposed amendment: 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.

**2014-01 – Avian Pointe - Apopka Clear Lake Investments LLC**  
**Existing Max. Allowable Development: 454 Units**  
**Proposed Max. Allowable Development: 948 Units**  
**Proposed Large Scale Future Land Use Change**  
**From: Residential Low (0-5 du/ac) and Agriculture (1 du/5 ac)**  
**To: Residential Medium (0-10 du/ac)**  
**Parcel ID #s: 07-21-28-0000-00-002, 07-21-28-0000-00-023**  
**94.76 +/- Acres Combined**



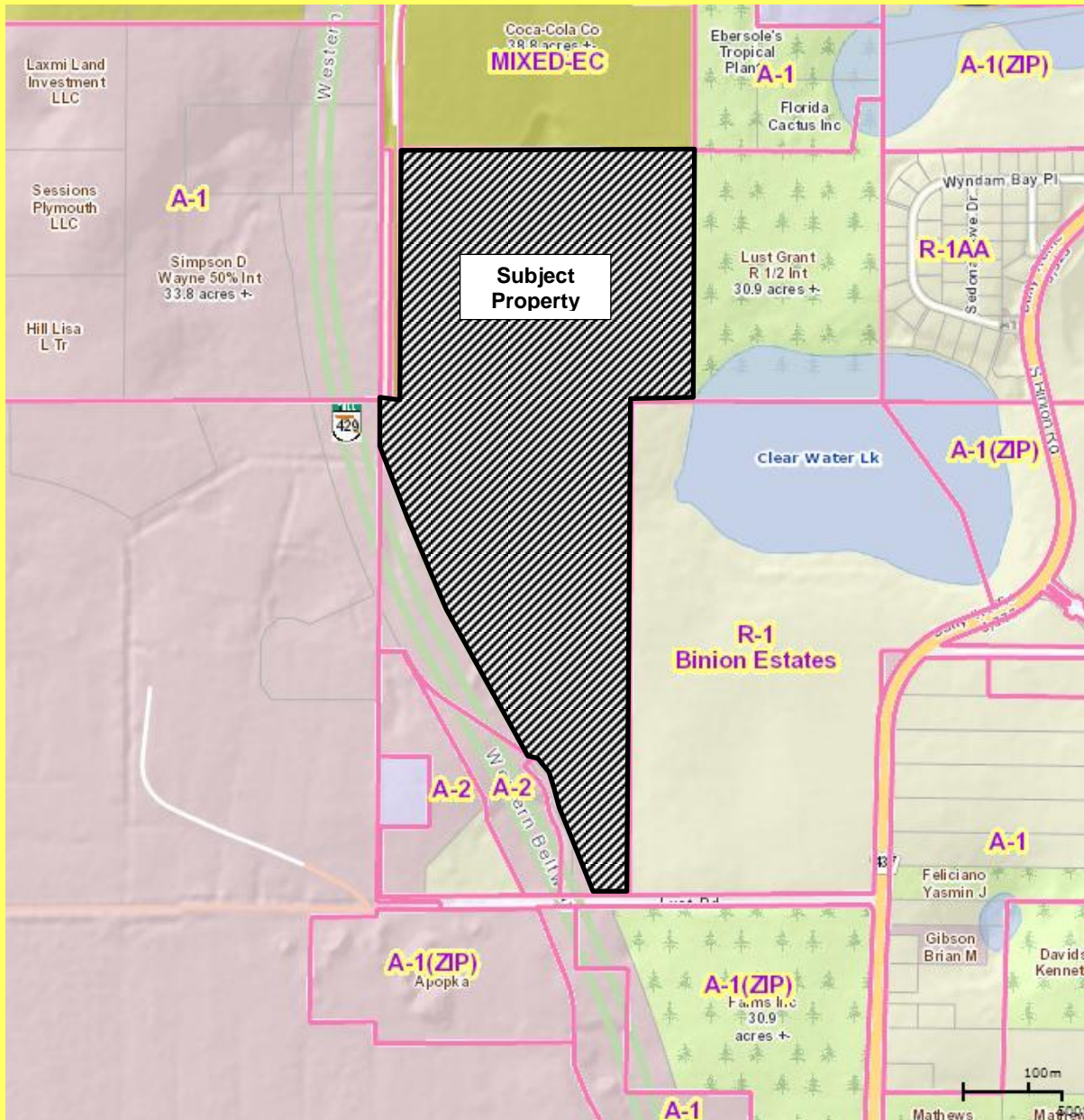
### VICINITY MAP







### ADJACENT ZONING





### ADJACENT USES



**Backup material for agenda item:**

3. CHANGE OF ZONING/ MASTER SITE PLAN/PRELIMINARY DEVELOPMENT 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-1 (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

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<input checked="" type="checkbox"/> PUBLIC HEARING	DATE:	July 8, 2014
<input type="checkbox"/> ANNEXATION	FROM:	Community Development
<input type="checkbox"/> PLAT APPROVAL	EXHIBITS:	Zoning Report
<input type="checkbox"/> OTHER:		Vicinity Map
		Adjacent Zoning Map
		Adjacent Uses Map
		Master Plan/Preliminary Dev. Plan
		Landscape Plan

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**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 Dir.	Public Ser. Dir. (2)
Commissioners (4)	HR Director	City Clerk
CAO Richard Anderson	IT Director	Fire Chief
Community Dev. Dir.	Police Chief	

**ADDITIONAL COMMENTS:**

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 the PUD district for the subject property shall be:

Building elevations will be provided at time of a Final Development Plan application.

1. Prior to commencing any development or construction activity at the subject property, a development agreement shall be approved by the City and recorded to require dedication of the eastern ten-feet of the subject property to the City of Apopka within thirty-days from the date that the property owner receives written notification from the city engineer.
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 June 11, 2014.

**WAIVER REQUESTS:** The applicant has proposed the below waiver requests. These waiver requests are provided for information purposes. As the applicant as 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.

1. LDC, Section 2.02.16. G.1. - Areas adjacent to all road rights-of-way 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 adjacent property being zoned I-1 and for security purposes.
2. LDC, Section 2.02.16. 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.
3. LDC, Section 2.02.16. 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.

**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:**

July 8, 2014 – Planning Commission (5:01 pm)  
July 16, 2014 – City Council (8:00 pm) - 1<sup>st</sup> Reading  
August 6, 2014 – City Council (1:30 pm) - 2<sup>nd</sup> Reading

**DULY ADVERTISED:**

June 20, 2014 – Public Notice and Notification  
July 25, 2014 – Ordinance Heading Ad

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**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:**

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:**

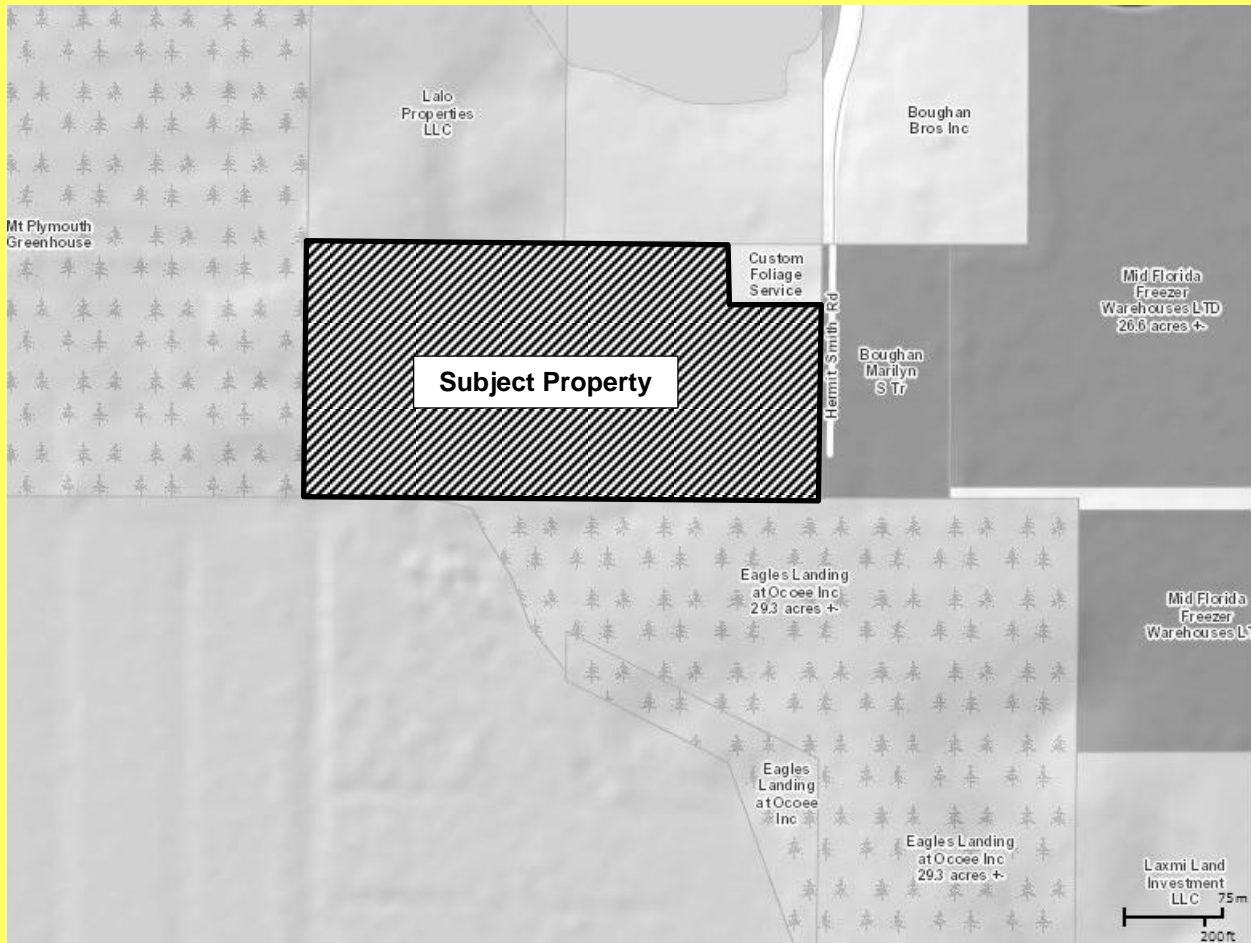
The only I-2 use that is allowed through the PUD\I-2 zoning is outdoor mulch operation and outdoor storage of raw materials.

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.

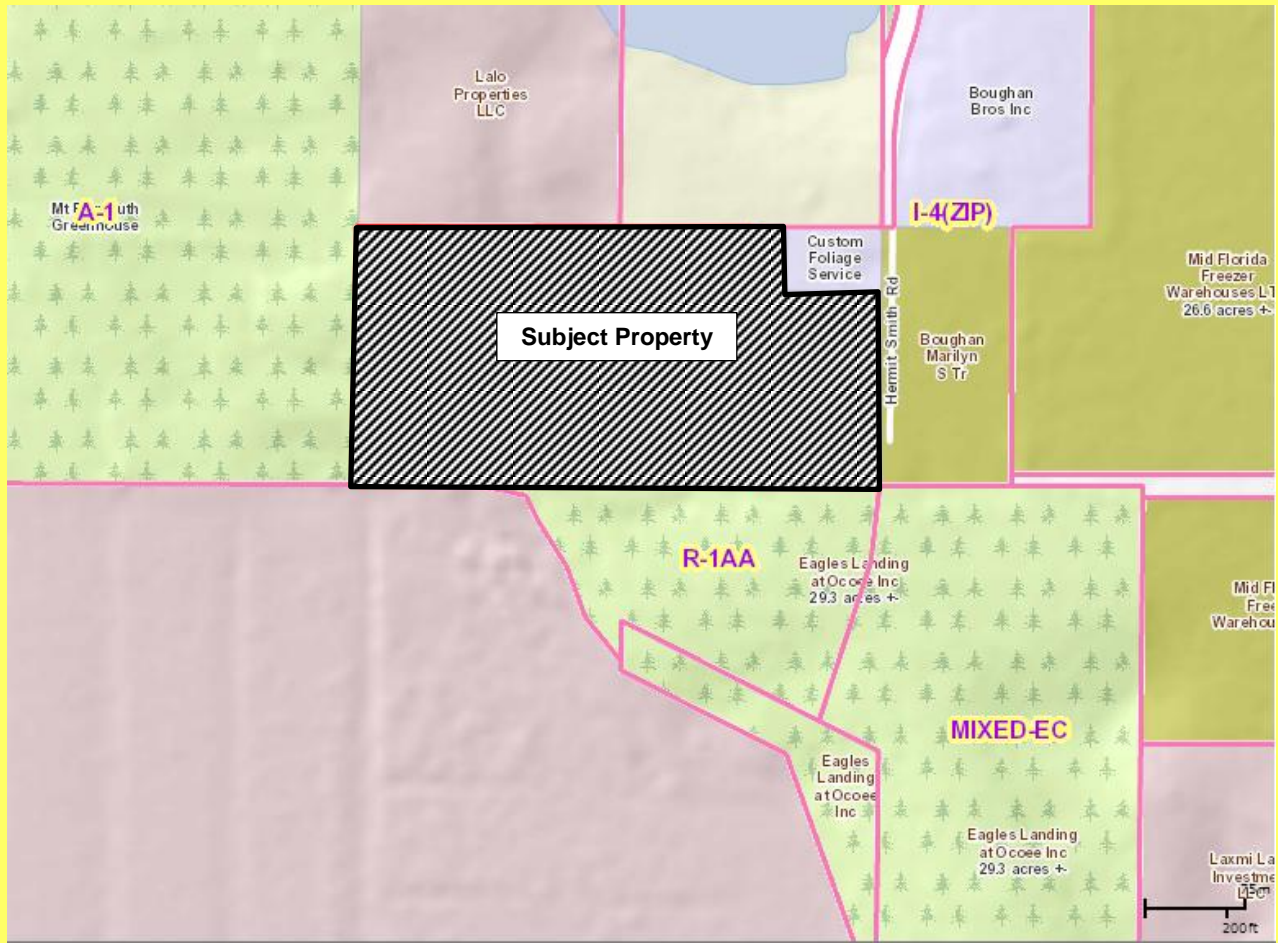
**Raynor Shine Recycling Services, Inc.**  
**19.4 +/- Acres**  
**Existing Maximum Allowable Development: 507,038 sq. ft.**  
**Proposed Maximum Allowable Development: 507,038 sq. ft.**  
**Proposed Zoning Change**  
**From: "County" I-4 (ZIP) & "City" I-1**  
**To: "City" Planned Unit Development (PUD/I-2)**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



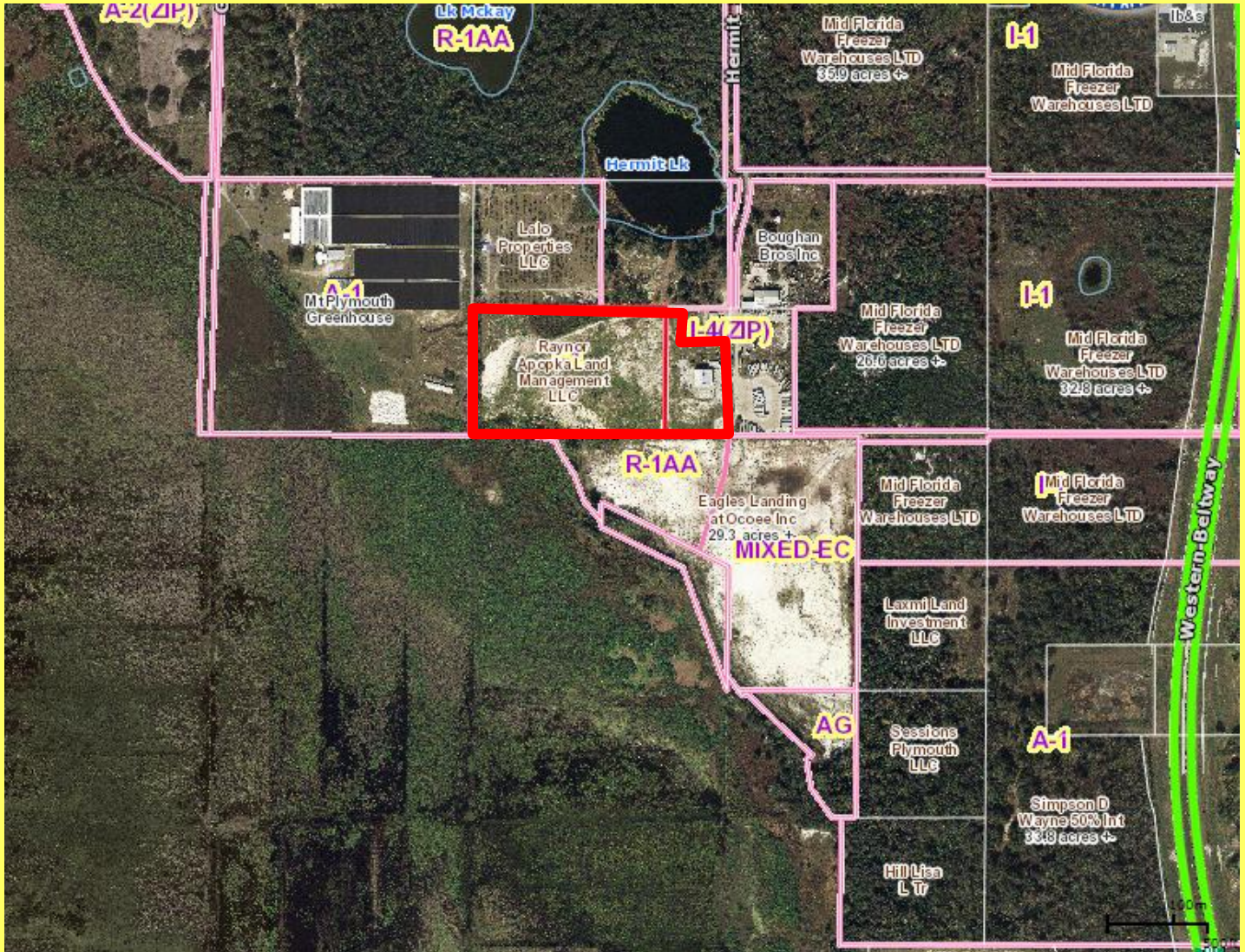
### VICINITY MAP



### ADJACENT ZONING

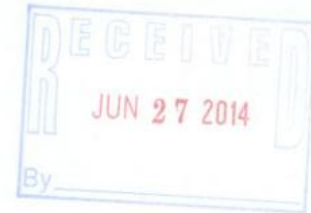
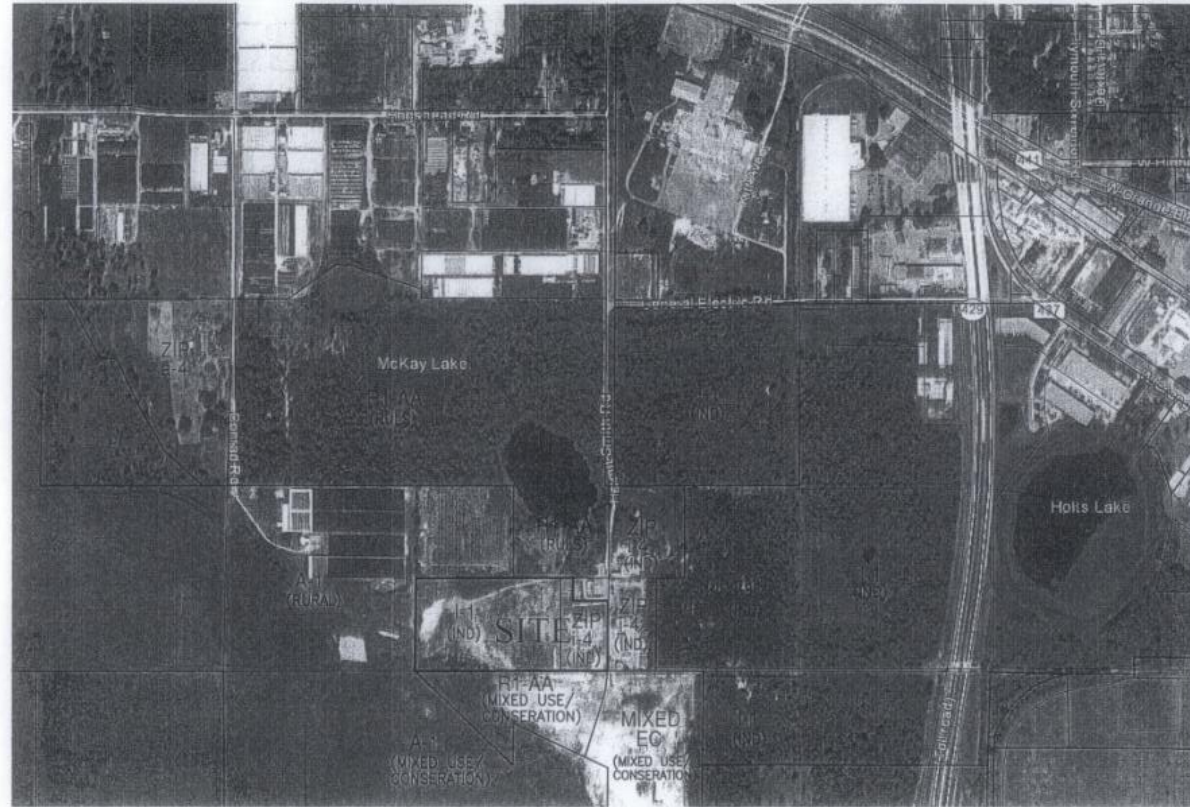


ADJACENT USES



# 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) OF SECTION 01, TOWNSHIP 21 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, (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 SECTION 01, TOWNSHIP 21 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, 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 SECTION 01, TOWNSHIP 21 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, 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 adjacent land use is I-1	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 farm 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
5/29/14	first edition



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

136 Hermit Smith Road Apopka, Florida 32703



Plans issued for:

<input type="checkbox"/> conceptual	<input type="checkbox"/> final engineering
<input checked="" type="checkbox"/> PUD Master Plan	<input type="checkbox"/> construction
<input checked="" type="checkbox"/> prelim. dev. plan	<input type="checkbox"/> record drawings

Cover Sheet  
project no. 13095  
1 of 5

PHASE 1	PHASE 2	PHASE 3	PHASE 4
TENTATIVE DATE: (12/14)	TENTATIVE DATE: (12/18)	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 SCREENED 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**

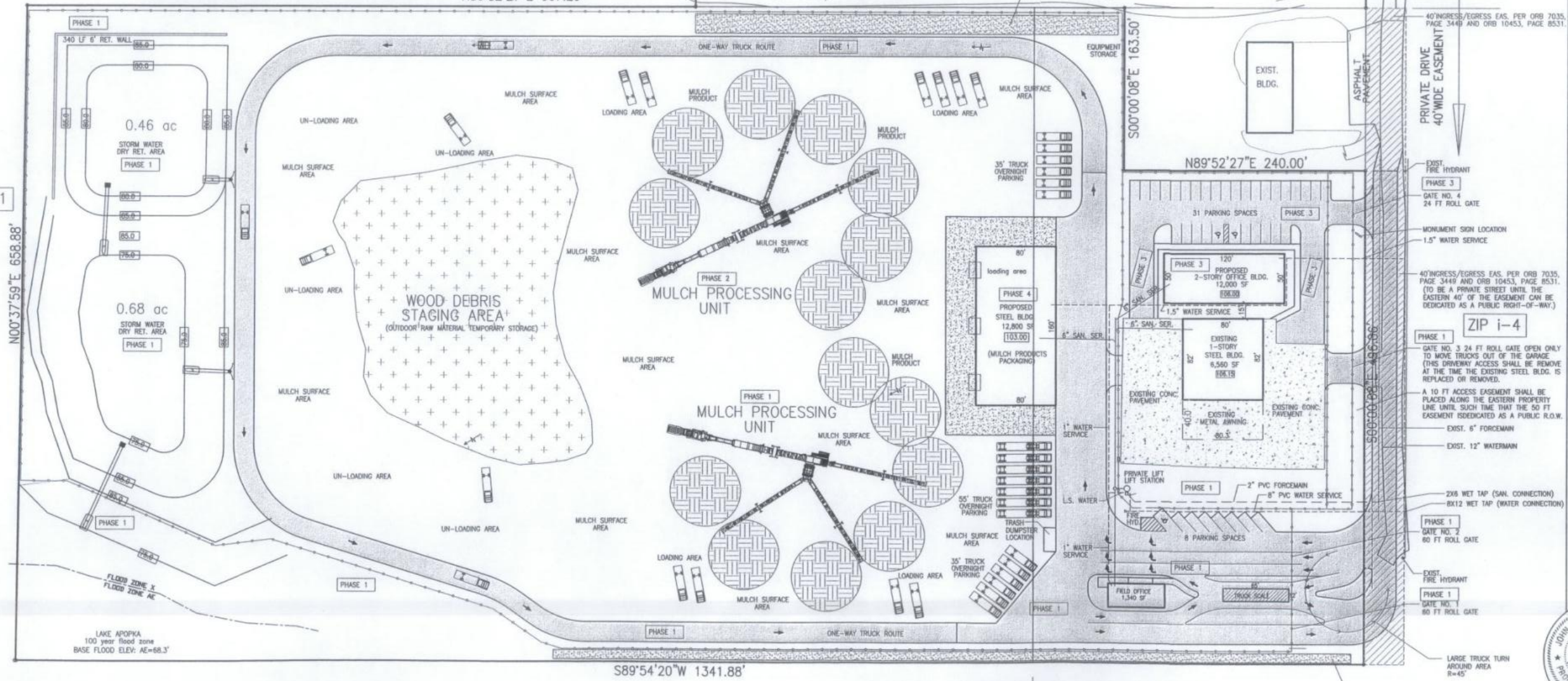
- MAXIMUM HEIGHT OF BUILDING, MULCH CONVEYOR BELTS AND MULCH PILES ARE NOT TO EXCEED 35 FT.
- NOISE GENERATED BY THE MULCH OPERATION IS NOT TO EXCEED THE LIMITS SET FORTH FOR THE RECREATING LAND USE CATEGORY IN THE SDCD Standard for Sound Control, SDCD 8.8.7.
- OPEN SPACE PROVIDED BY THIS MASTER PLAN (5.386 AC) IS OVER 20% OF THE GROSS AREA (19,200 AC X 20% = 3,840 AC).
- ALL MULCH HANDLING EQUIPMENT SHALL BE PAIRED.
- 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 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	QUERUS SHAVANO	3" DIAMETER AT BREAST HEIGHT (54"), MIN. HEIGHT SHALL BE 12" ABOVE GRADE. 6' SPREAD, CONT. GROWN	LOW
	3	DWARF MYRTLE	LASERSTROEMA	3" DIAMETER AT BREAST HEIGHT (54"), MIN. HEIGHT SHALL BE 12" ABOVE GRADE. 6' SPREAD, CONT. GROWN	LOW
	111	VERBENA	SODANHYSA 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	RYTHOLIPS 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.



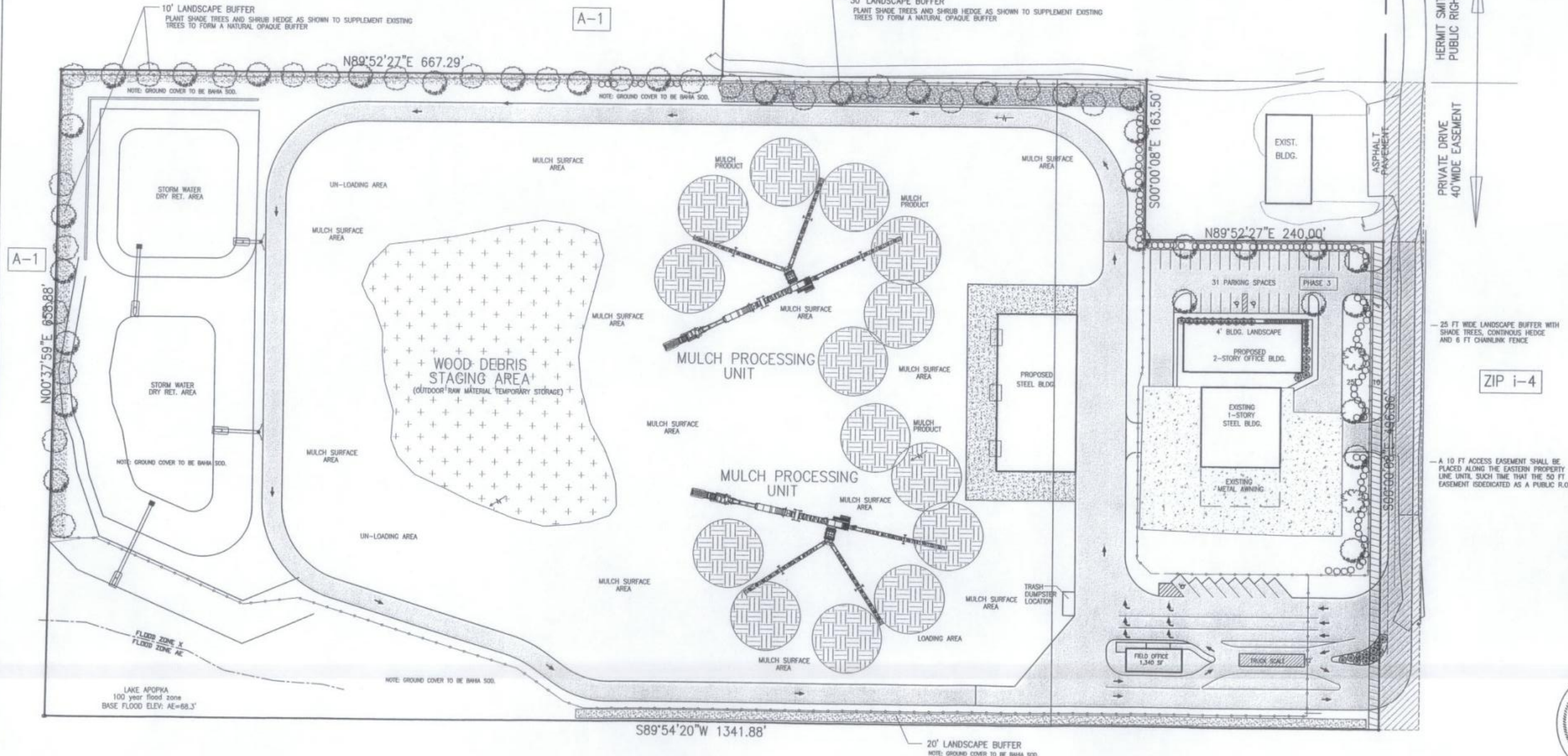
PROPERTY OWNER:  
RAYNOR SHINE  
RECYCLING SOLUTIONS, LLC

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



(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.  
DATE: JUN 27 2014  
SIGNATURE: [Signature]  
REG. NO.: 39505

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. APOPKA BL., SUITE 211, APOPKA, FLORIDA 32708  
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



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



**Backup material for agenda item:**

1. FINAL DEVELOPMENT PLAN – Ladybird Academy of Apopka, owned by Howard Marshall; engineer is Fragomeni Engineering, Inc., c/o Sherri Fragomeni, property located at 1151 Rock Springs Road. (Parcel ID No. 34-20-28-9550-00-080)



# CITY OF APOPKA PLANNING COMMISSION

PUBLIC HEARING  
 ANNEXATION  
 PLAT APPROVAL  
 OTHER:

MEETING OF: July 8, 2014  
FROM: Community Development  
EXHIBITS: Vicinity Map  
Site/Landscape Plans  
Building Elevations

**PROJECT: LADYBIRD ACADEMY OF APOPKA**

**REQUEST: RECOMMEND APPROVAL OF THE LADYBIRD ACADEMY OF APOPKA  
FINAL DEVELOPMENT PLAN**

**SUMMARY:**

OWNER: Howard Marshall  
APPLICANT/ENGINEER: Fragomeni Engineering, Inc., c/o Sherry Fragomeni, P.E.  
LOCATION: 1151 Rock Springs Road  
(East of Rock Springs Road and south of Welch Road)  
PARCEL ID #: 34-20-28-9550-00-080  
LAND USE: Commercial  
ZONING: C-1  
EXISTING USE: Vacant Land  
PROPOSED USE: Daycare facility (children)  
TRACT SIZE: 4.45 +/- Acres  
BUILDING SIZE: 13,388 sq. ft.

**DISTRIBUTION**

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

**RELATIONSHIP TO ADJACENT PROPERTIES:**

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Residential Low Suburban (0-3.5 du/ac)	R-1AAA	Vacant Land
East (City) East (County)	Residential Low Suburban (0-3.5 du/ac) “County” Residential Low (0-4 du/ac)	A-1 (ZIP) A-1	Nursery SFR
South (City)	Institutional/Public Use	PO/I	Orange County Services Building
West (City)	Commercial	C-1	Apopka Shoppes

**ADDITIONAL COMMENTS:**

The LADYBIRD ACADEMY OF APOPKA Final Development Plan proposes a 13,388 square foot child daycare facility.

**STORMWATER:** Stormwater run-off and drainage will be accommodated by on-site wet retention pond. The applicant is requesting a waiver from LDC 6.05.00.B.7, which requires all retention ponds and detention ponds to be designed as dry bottom ponds unless otherwise approved by city council.

**BUFFER/TREE PROGRAM:** A ten foot landscape buffer is provided along Rock Springs Road. 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.

**PARKING AND ACCESS:** A total of 43 parking spaces are provided, of which two are handicapped parking space. Access to the subject property occurs through an existing driveway cut that is currently in place for the site. Prior to issuance of a certificate of occupancy for the building, the property owner must submit a recorded temporary driveway easement regarding the current driveway and the access driveway to the northern parcel.

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

**WAIVER REQUEST:** Four waivers are being requested by the applicant.

The applicant is requesting a waiver from LDC 2.02.12(g)2, which requires a six (6) high masonry wall for commercial zoned property adjacent to residential areas. The applicant is requesting to provide a landscaped buffer in lieu of a masonry wall along the northern property line abutting the R-1AAA zoned property.

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

The applicant is requesting a waiver from dumpster enclosure design standards that require a brick or stone wall finish. The applicant is proposing a stucco finish on the enclosure walls to match exterior of building.

- **Staff does not support this waiver request.**

The applicant is requesting a waiver from LDC 6.05.00.B.7, which requires all retention ponds and detention ponds to be designed as dry bottom ponds unless otherwise approved by city council.

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

The applicant is requesting a waiver from section 4.2.3 of the Development Design Guidelines standards, which requires thirty (30) percent of the primary facade to be comprised of windows and doors. The thirty (30) percent requirement is not practical for this type of use.

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

**PUBLIC HEARING SCHEDULE:**

July 8, 2014 - Planning Commission (5:01 pm)

July 16, 2014 - City Council (8:00 pm)

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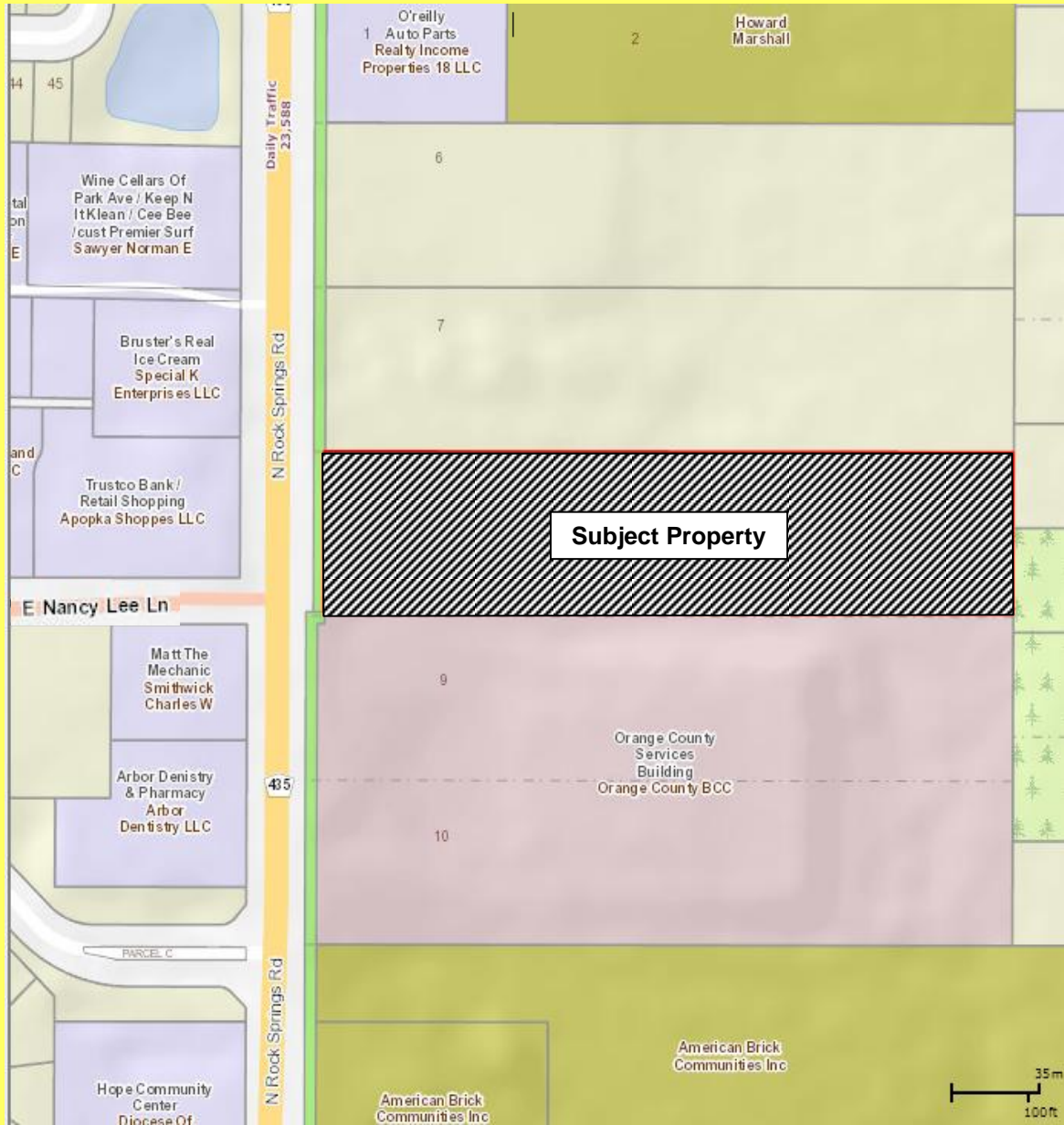
**RECOMMENDED ACTION:**

The **Development Review Committee** recommends approval of the Ladybird Academy of Apopka - Final Development Plan and waiver requests, subject to the findings of this staff report.

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

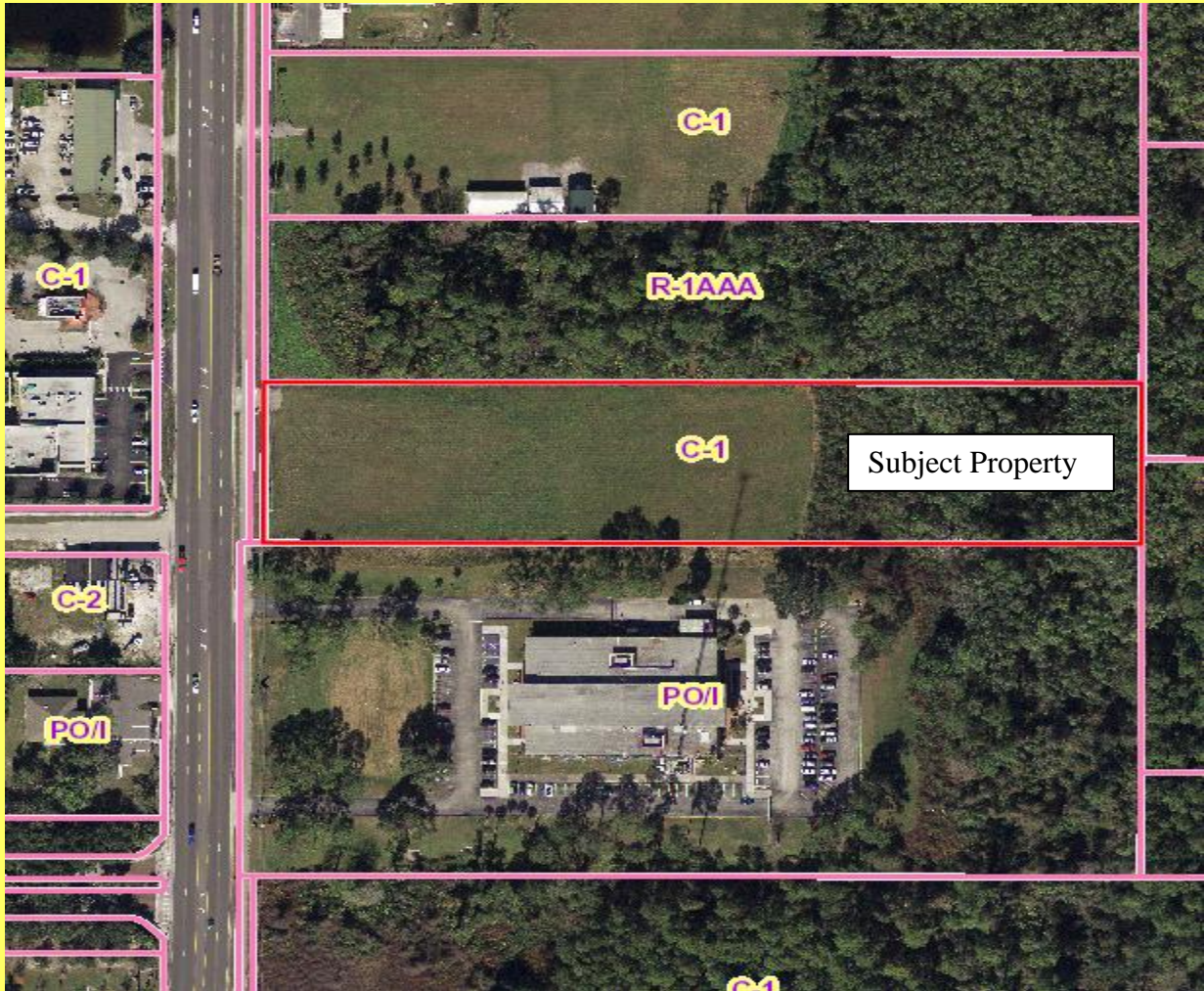
**PLANNING COMMISSION – JULY 8, 2014  
LADYBIRD ACADEMY OF APOPKA - FINAL DEVELOPMENT PLAN  
PAGE 4**

**Application:** Final Development Plan/Plat  
**Owner:** Howard Marshall  
**Engineer:** Fragameni Engineering, Inc., c/o Sherri Fragomeni, P.E.  
**Parcel I.D. No:** 34-20-28-9550-00-080  
**Location:** 1151 Rock Springs Road  
**Total Acres:** 4.45 +/- Acres



**VICINITY MAP**

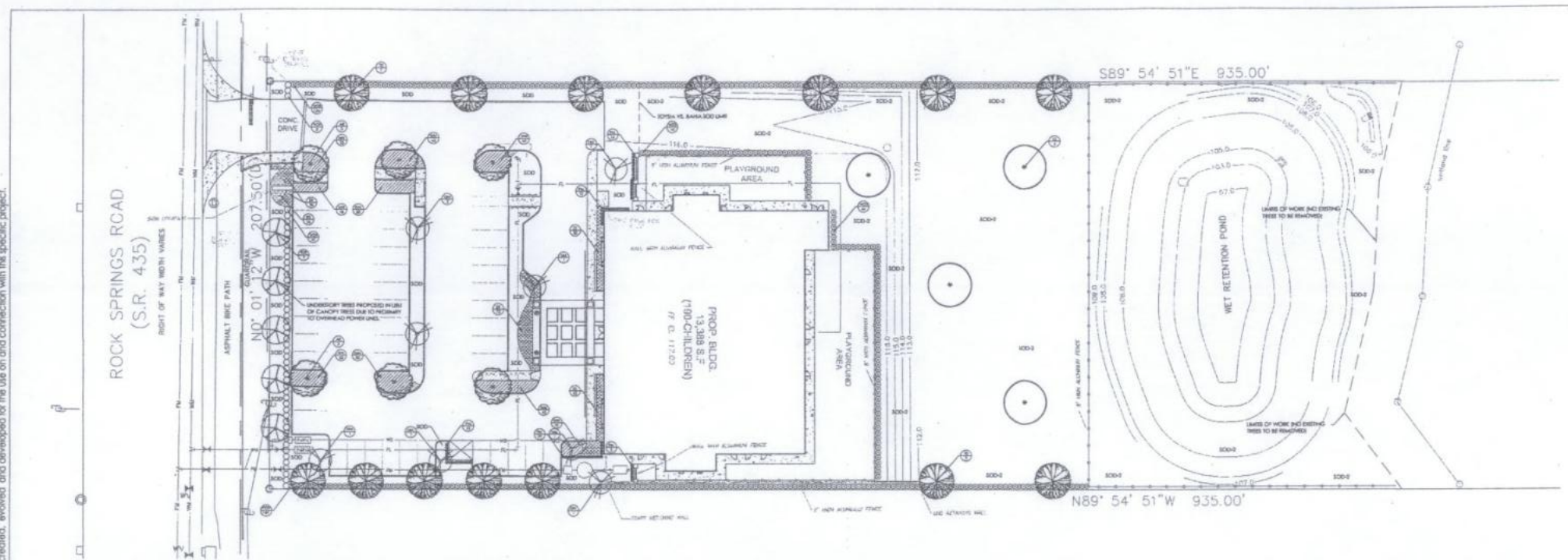
Application: Final Development Plan/Plat  
Owner: Howard Marshall  
Engineer: Fragameni Engineering, Inc., c/o Sherri Fragomeni, P.E.  
Parcel I.D. No: 34-20-28-9550-00-080  
Location: 1151 Rock Springs Road  
Total Acres: 4.45 +/- Acres



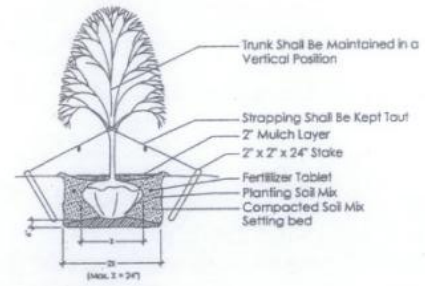
## VICINITY MAP



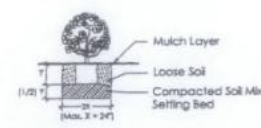
All ideas, designs, arrangements and plans indicated or represented by this drawing are owned by and the property of SCHWEIZER BOJACK LANDSCAPE ARCHITECTURE LLC and were created, evolved and developed for the use on and connection with this specific project.



**PLANTING DETAILS**



- A Shrubs & groundcovers adjacent to straight edges shall be triangular & spaced in rows parallel to the straight edge.
- B Shrubs & groundcovers adjacent to curved edges shall be planted in rows parallel to the curved edge.

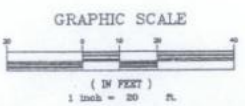


**LANDSCAPE GENERAL NOTES**

1. The Landscape Contractor shall insure that this work does not interrupt established or projected drainage patterns. The Landscape Contractor shall insure adequate vertical drainage in all plant beds and planters. Vertical drilling through any compacted fill to native soil shall be accomplished to insure drainage.
2. The Landscape Contractor shall be responsible for all materials and all work as called for on the landscape plans and in the landscape specifications. The list of plant quantities accompanying the plans shall be used as a guide only. Contractor shall verify all quantities and report any discrepancies at the time of bidding.
3. All plant materials shall be graded Florida No. 1 or better, as outlined under Grades and Standards for Nursery Plants, Division of Plant Industry, State of Florida, unless otherwise noted.
4. All plant beds and tree rings shall be top dressed with a 3\" minimum depth of pine bark nuggets.
5. The Landscape Contractor shall be wholly responsible for stability and plumb condition of all trees and shrubs. Staking of trees or shrubs, if desired or requested by the Landscape Architect or owner, shall be done utilizing a method agreed upon by the Landscape Architect.
6. All specimen plant material shall be approved by the Landscape Architect prior to movement to the job site.
7. Sod to the edge of existing trees; sod line to be a smooth, manicured line as indicated on the plans. Bedlines to be approved by the Landscape Architect prior to installing sod.
8. No fill material or use of heavy equipment around existing trees is allowed. Existing trees are to be protected by a wood barricade erected in compliance with local codes.
9. The Landscape Contractor is responsible for testing project soils. The Landscape Contractor is to provide a certified soils report to the Owner and Landscape Architect. The Landscape Contractor shall verify that the soils on site are acceptable for proper growth of the proposed plant material. Should the Landscape Contractor find poor soil conditions, the Owner and Landscape Architect must be consulted prior to planting.
10. All grades, dimensions and existing conditions shall be verified by the Contractor on site before construction begins. Any discrepancies shall be brought to the attention of the Landscape Architect.
11. All proposed trees to be installed either entirely in or entirely out of planting beds. Planting bedlines are not to be obstructed; smooth and flowing.
12. The Landscape Contractor shall review architectural/engineering plans to become thoroughly familiar with surface and subsurface utilities.
13. The Landscape Contractor shall coordinate with the lighting and irrigation contractors regarding the timing of the installation of plant material.
14. Every possible safeguard shall be taken to protect building surfaces, equipment and furnishings. Landscape Contractor shall be responsible for any damage or injury to person or property which may occur as a result of his negligence in the execution of work.
15. Landscape improvements will be inspected prior to issuance of a certificate of occupancy. You must contact your local building department for a landscape inspection.

**PLANT MATERIALS LEGEND**

SYMBOL	KEY	QNTY.	COMMON/BOTANICAL NAME	SPECIFICATIONS/DESCRIPTION
	TD	14	Bald Cypress <i>Taxodium distichum</i>	2 1/2\" DBH, 10' - 12' Ht., 65 Gal. or B&B
	AR	6	Red Maple <i>Acer rubrum</i>	2 1/2\" DBH, 10' - 12' Ht., 65 Gal. or B&B
	LS	4	Sweetgum <i>Liquidambar styraciflua</i>	2 1/2\" DBH, 10' - 12' Ht., 65 Gal. or B&B
	IOE	5	Eagleston Hollies <i>Ilex opaca 'Eagleston'</i>	2 1/2\" DBH, 8' - 10' Ht., 65 Gal. or B&B
	LIM	8	Lavender Cape Myrtles <i>Lagerstroemia indica 'Muskogee'</i>	2 1/2\" DBH, 8' - 10' Ht., 65 Gal. or B&B Standard Trunk Form
	VO1	50	Sweet Viburnum <i>Viburnum odoratissimum</i>	36\" Ht., 7 Gal., 36\" O.C.
	VO2	436	Sweet Viburnum <i>Viburnum odoratissimum</i>	24\" Ht., 3 Gal., 30\" O.C.
	PM	70	Podocarpus <i>Podocarpus macrophyllus</i>	18\" Ht., 3 Gal., 18\" O.C.
	IVN	287	Dwarf Yaupon Holly <i>Ilex vomitoria 'Nana'</i>	10' - 12' O.A., 3 Gal., 24\" O.C.
	RD	16	Red Drift Rose <i>Rosa 'Red Drift'</i>	Full, 3 Gal., 24\" O.C.
	DT	170	Variegated Wax Lily <i>Dianella tasmanica</i>	Full, 1 Gal., 24\" O.C.
	SOD	TBD	Zoysia Sod	Solid Sod, As Indicated On Plans
	SOD-2	TBD	Bahia Sod	Solid Sod, As Indicated On Plans
	MULCH	TBD	Mini Pine Bark Mulch	3\" Minimum Depth, All Planting Areas



**LANDSCAPE PLAN**

**LANDSCAPE & IRRIGATION DESIGN**

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

SIGNATURE: REG. NO. 963 DATE 6/10/12



LANDSCAPE & IRRIGATION DESIGN  
PO BOX 46833 • MARLBOROUGH, MA 01902  
PHONE NO. 508.886.0467 • DESIGN@SCHWEIZERBOJACK.COM

LADYBIRD ACADEMY  
OF APOPKA  
1151 ROCK SPRINGS ROAD, CITY OF APOPKA, FL


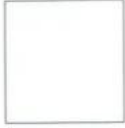




6/09/14  
5/19/14  
4/15/14  
DRAWN BY: CS  
SHEET NUMBER  
**L-1**





RODNEY JEFFERSON ARCHITECT HEREBY RESERVES HIS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS, DECS, AND DESIGNS. THESE DOCUMENTS, DRAWINGS, AND SPECIFICATIONS SHALL NOT BE REPRODUCED, COPIED OR REUSED FOR ANY OTHER PROJECT, WITHOUT THE WRITTEN PERMISSION FROM RODNEY JEFFERSON ARCHITECT.



MATERIALS	
FASCIA / RAISED STUCCO BANDS / COLUMNS - SW WHITE (STOREFRONT / ALUMINUM WINDOWS - PREFINISHED WHITE)	
EPS WHITE	PANT SW WHITE
	
FIELD AREA - "LADYBIRD YELLOW" - BUTTER UP SW 6661	
EPS "PAREX" P# 54386 YELLOW - SWRL FINE	PANT
	
BASE AREA -	
EPS "PAREX" P# 54385 TAN - SAND COARSE	PANT TATAMI TAN SW
	

SEAL

**LADYBIRD DAYCARE**  
 6504 Sylvanwood Drive  
 Sanford, Florida 32771

**Ladybird DAYCARE**  
 1151 Rock Springs Road  
 Apopka, Florida  
 EXTERIOR ELEVATIONS

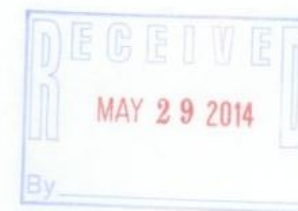
Rodney Jefferson Architect  
 MA / NCARB  
 Florida - 40004617 Test-22812  
 Georgia - 84011328 Virginia - 7443  
 South Carolina - 84011328  
 Oklahoma - 84011328  
 in 1807 26-346 in 1807 26-301  
 Architecture and Interiors  
 Member: Board of Architectural Registration Board

job no: 8.0024  
 drawn by: RJ  
 date: 05/01 04/21/14  
 revisions:  
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 RJO0214RENDERING  
 RODNEY JEFFERSON ARCHITECT

5/13/14

RODNEY JEFFERSON ARCHITECT



**Backup material for agenda item:**

2. FINAL DEVELOPMENT PLAN – Verizon Wireless – Apopka, owned by Calmil Investment Group, LP; applicant is Rock RDP 1, LLC; and engineer is Rogers Engineering, LLC c/o Rodney Rogers, P.E., for property located at 1120 West Orange Blossom Trail. (Parcel ID No. 05-21-28-0000-00-025)



# CITY OF APOPKA PLANNING COMMISSION

PUBLIC HEARING  
 ANNEXATION  
 PLAT APPROVAL  
 OTHER:

MEETING OF: July 8, 2014  
FROM: Community Development  
EXHIBITS: Vicinity Map  
Site/Landscape Plans  
Building Elevations

**PROJECT: VERIZON WIRELESS - APOPKA**

**REQUEST: RECOMMEND APPROVAL OF THE VERIZON WIRELESS – APOPKA  
FINAL DEVELOPMENT PLAN**

**SUMMARY:**

OWNER: Calmil Investment Group, LP  
APPLICANT: Rock RDP 1, LLC  
ENGINEER: Rogers Engineering, LLC c/o Rodney Rogers, P.E.  
LOCATION: 1120 W. Orange Blossom Trail  
(East of Lake Doe Boulevard and south of West Orange Blossom Trail)  
PARCEL ID #: 05-21-28-0000-00-025  
LAND USE: Commercial  
ZONING: C-2  
EXISTING USE: Vacant Land  
PROPOSED USE: Verizon Wireless Retail Store  
TRACT SIZE: 0.83 +/- acre  
BUILDING SIZE: 2,380 sq. ft.

**DISTRIBUTION**

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

**RELATIONSHIP TO ADJACENT PROPERTIES:**

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Commercial	C-1	Race Trac Gas Station
East (City)	Commercial	C-2	Vacant Property
South (County)	Industrial	IND-4	CSX Rail Road
West (City)	Commercial	C-1	Old Florida Bank

**ADDITIONAL COMMENTS:**

The VERIZON WIRELESS - APOPKA Final Development Plan proposes a 2,380 square foot retail store.

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

**BUFFER/TREE PROGRAM:** A ten foot landscape buffer is provided along Orange Blossom Trail and Lake Doe 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.

**PARKING AND ACCESS:** A total of 17 parking spaces are provided, of which one is reserved as a handicapped parking space. Access to the site is provided by a driveway cut along Lake Doe Boulevard and a cross-access easement agreement for future access connection to West Orange Blossom Trail.

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

**WAIVER REQUEST:** The applicant is requesting a waiver from LDC 6.05.00.D.6.A which requires ten feet wide maintenance berm around the pond perimeter. The applicant is proposing a five feet wide maintenance berm.

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

**PUBLIC HEARING SCHEDULE:**

July 8, 2014 - Planning Commission (5:01 pm)

July 16, 2014 - City Council (8:00 pm)

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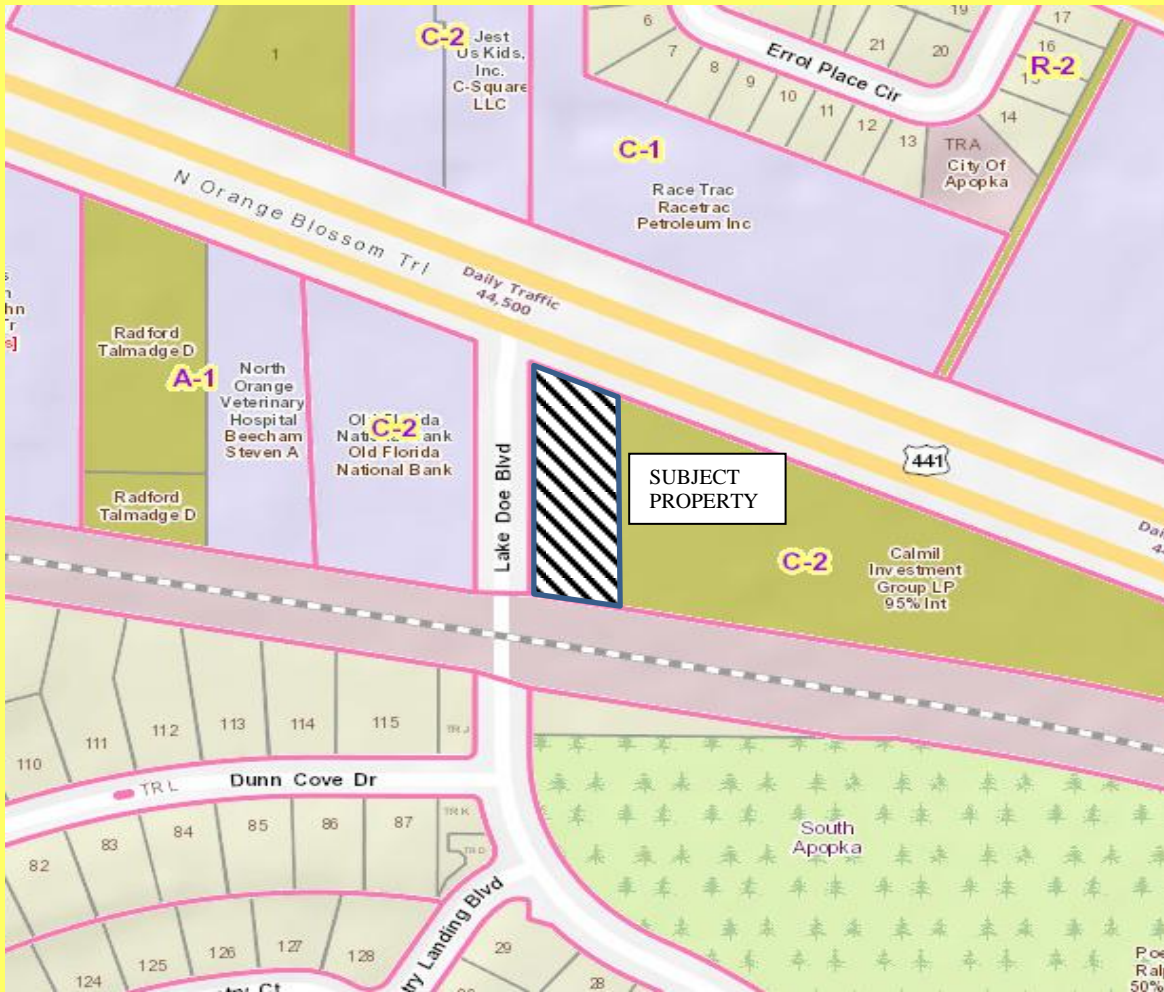
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**RECOMMENDED ACTION:**

The **Development Review Committee** recommends approval of the Verizon Wireless – Apopka Final Development Plan and waiver request, subject to the findings of this staff report.

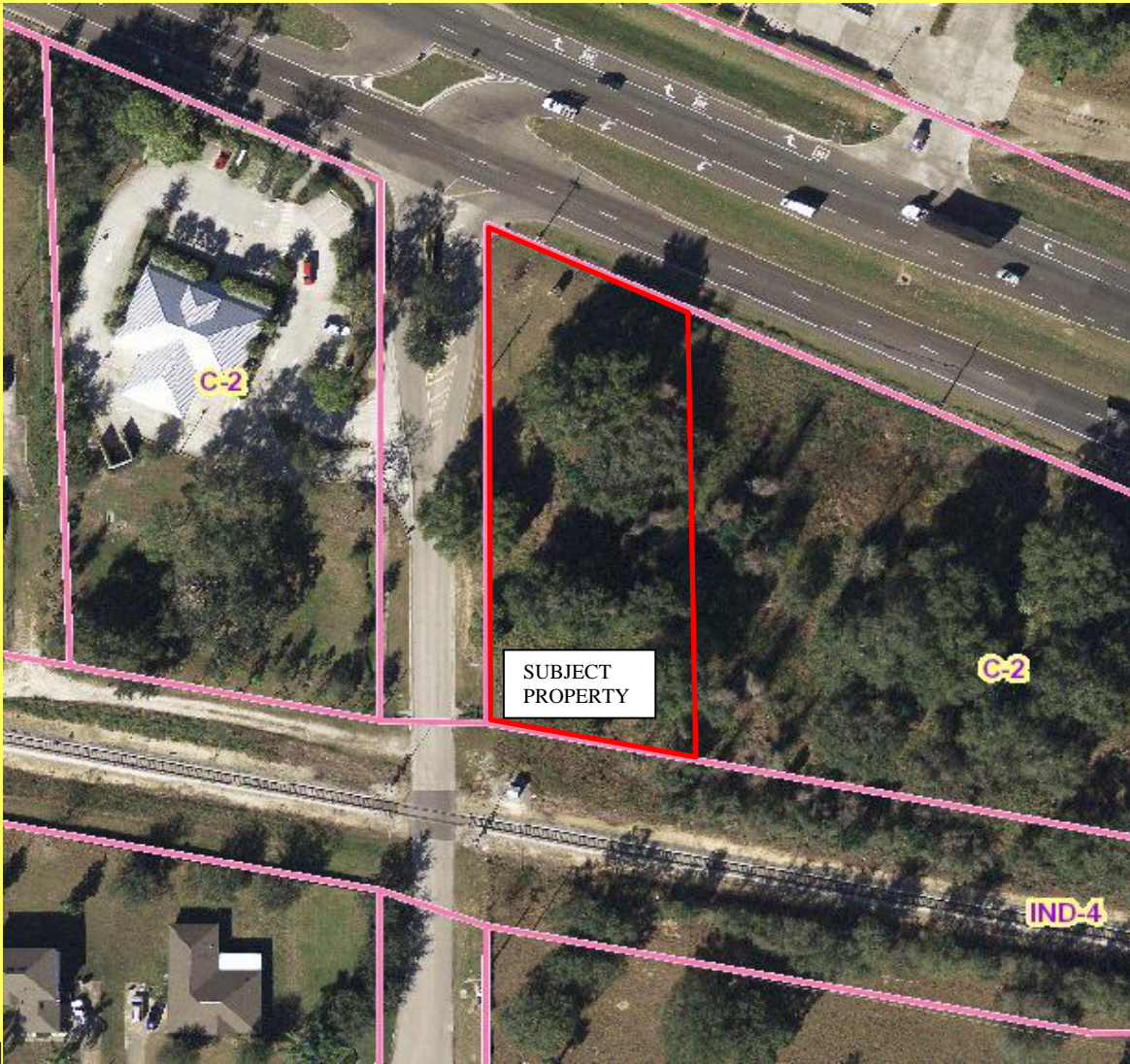
**Note: This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.**

**Application:** Final Development Plan  
**Owner:** Calmil Investment Group, LP  
**Engineer:** Rogers Engineering, LLC c/o Robert Rogers, P.E.  
**Parcel I.D. No:** 05-21-28-0000-00-025  
**Location:** 1120 West Orange Blossom Trail  
**Total Acres:** 0.83 +/- Acre

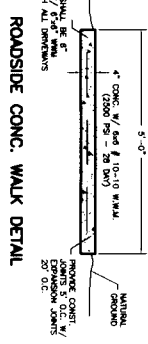
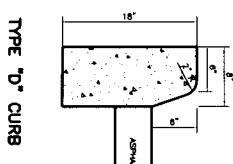
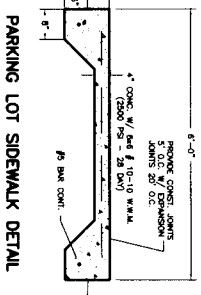
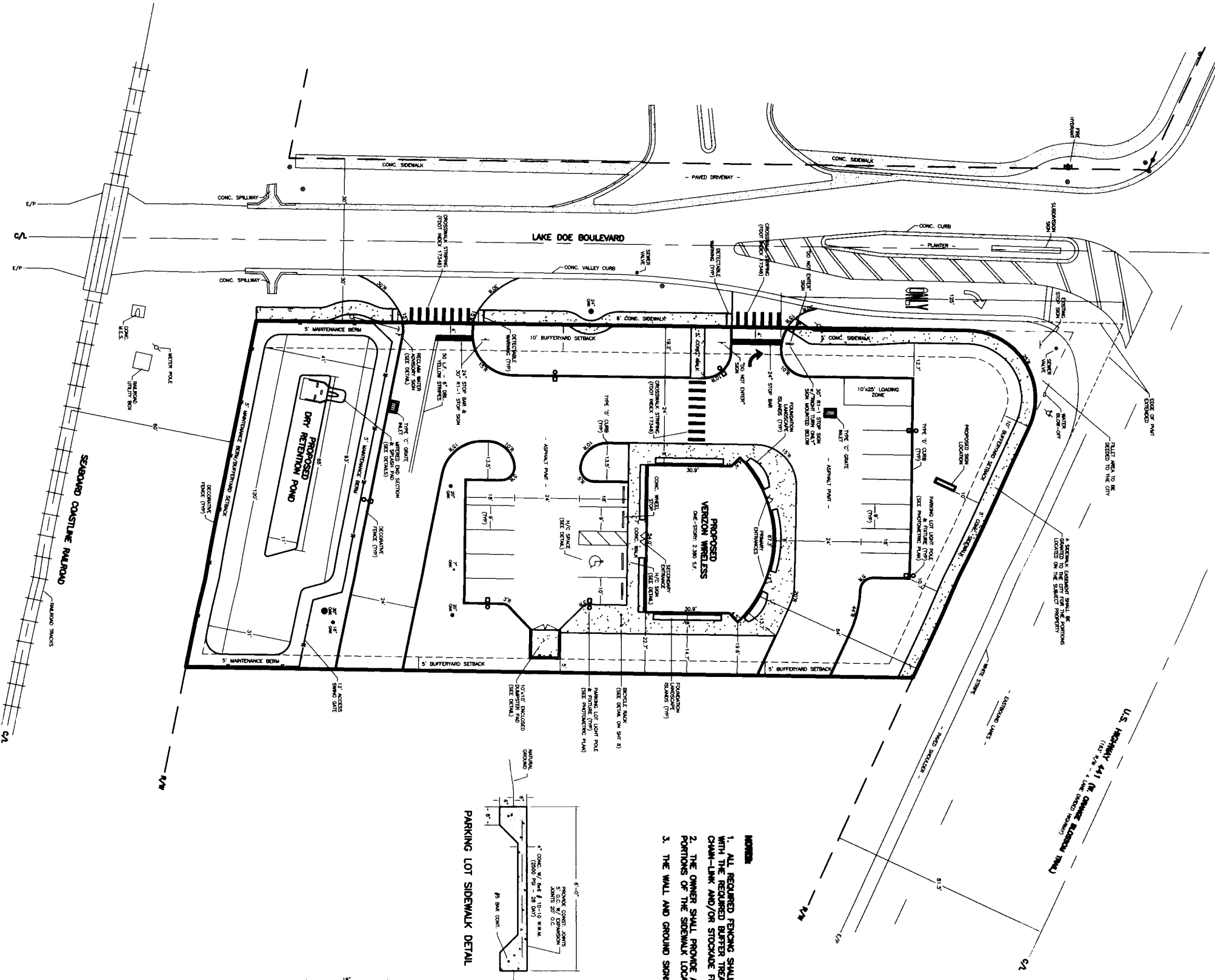
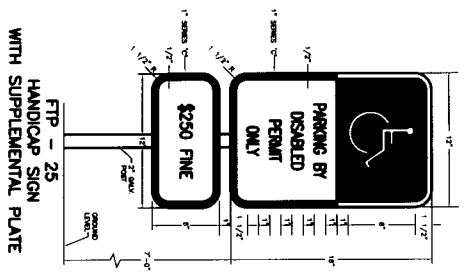
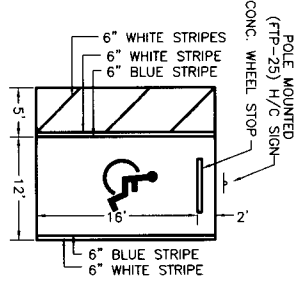


**VICINITY MAP**

**Application:** Final Development Plan  
**Owner:** Calmil Investment Group, LP  
**Engineer:** Rogers Engineering, LLC c/o Robert Rogers, P.E.  
**Parcel I.D. No:** 05-21-28-0000-00-025  
**Location:** 1120 West Orange Blossom Trail  
**Total Acres:** 0.83 +/- Acre



**VICINITY MAP**



- NOTES**
1. ALL REQUIRED FENCING SHALL BE OF A DECORATIVE TYPE AND SHALL BE IN KEEPING WITH THE REQUIRED BUFFER TREATMENTS CHARACTER AND ARCHITECTURE OF THE PROJECT. CHAIN-LINK AND/OR STOCKADE FENCING SHALL NOT BE USED.
  2. THE OWNER SHALL PROVIDE A SIDEWALK ELEMENT TO THE CITY OF APOPKA FOR ALL PORTIONS OF THE SIDEWALK LOCATED ALONG LAKE DOE BOULEVARD AND U.S. HIGHWAY 441.
  3. THE WALL AND GROUND SIGNS ARE TO BE PERMITTED SEPARATELY.

**STOP SIGN SPECIFICATIONS**  
 STOP SIGN:  
 TYPE = R1-1  
 SIZES = 30" x 30" / 36" x 36"  
 INDEX 11660  
 (SIZES NOTED ON PLANS ABOVE)

**STOP SIGN POST SPECIFICATIONS**  
 HEIGHT TO BTFL OF SIGN = 7'-0"  
 SIGN POST SIZE = 2"x2"  
 SIGN POST TYPE = SQUARE POST (STEEL)  
 W/ 3/8" HOLES @ 1" O.C.  
 DRIVER DEPTH = 4-1/2" WITH SOLE PLATE  
 ALL SIGN MATERIAL AND INSTALLATION SPECIFICATIONS SHALL CONFORM WITH INDEX 11660 AND 11662.

WILLIAM A. MENODIER  
 PROFESSIONAL ENGINEER  
 FLORIDA REGISTRATION NO. 74981

A FINAL DEVELOPMENT SITE PLAN  
 FOR  
**VERIZON WIRELESS STORE**  
 CITY OF APOPKA, FLORIDA  
*Layout Plan*

**ROGERS ENGINEERING, LLC**  
*Civil Engineering & Land Surveying*  
 1105 S.E. 3rd Avenue • Ocala, Florida 34471 • Ph. (352) 622-9214 • Lic. Bus. #4074

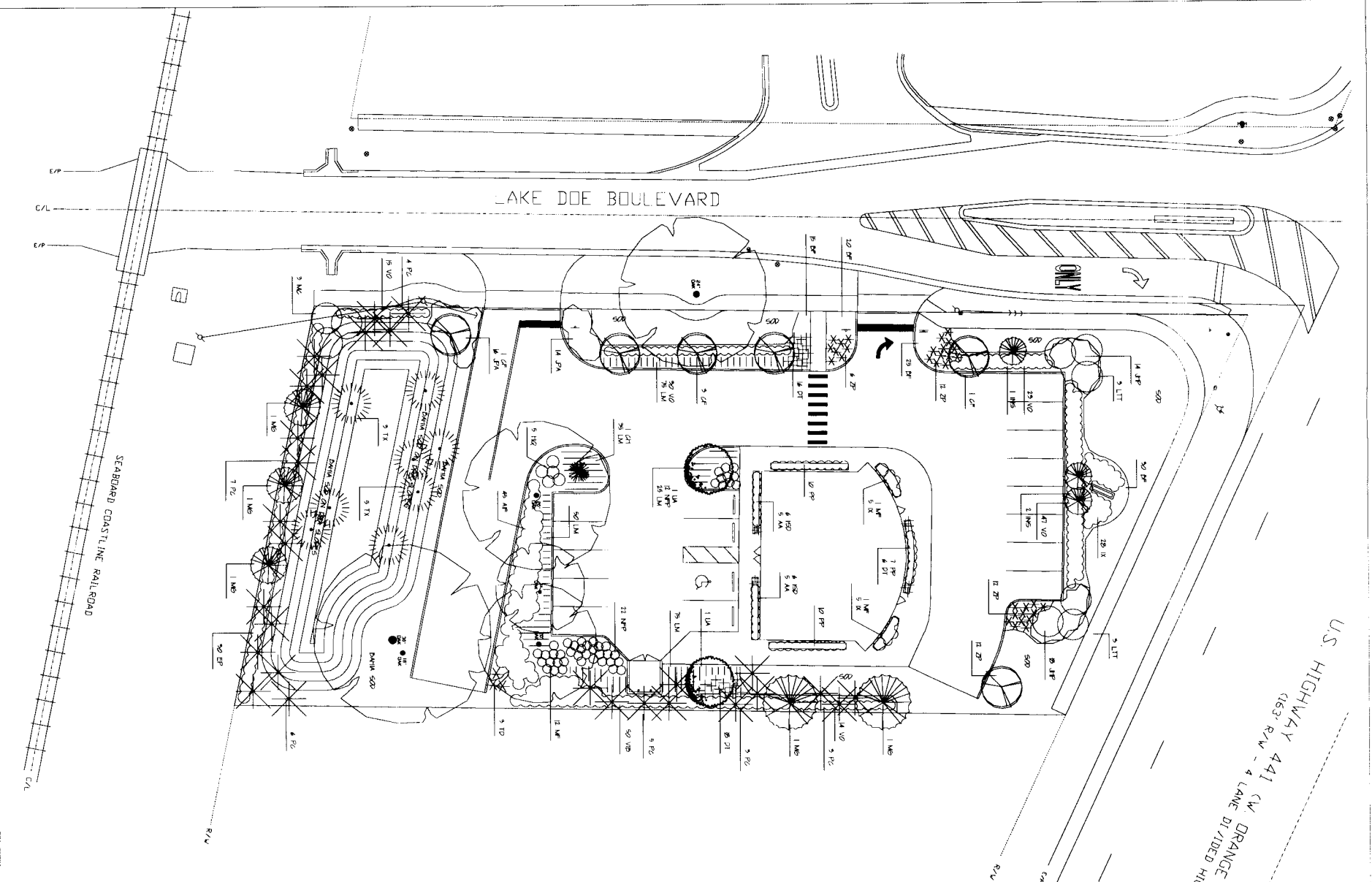
Robert L. Rogers, PE  
 P. Reg. No. 10027  
 rrogers@rogerseng.com

Rodney K. Rogers, PSM  
 P. Reg. No. 6274  
 rkr@rogers-engineering.com

William A. Menodier, ME, PE  
 P. Reg. No. 74981  
 menodier@rogerseng.com

DATE	REVISION



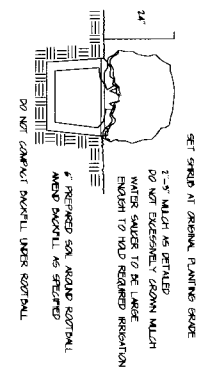
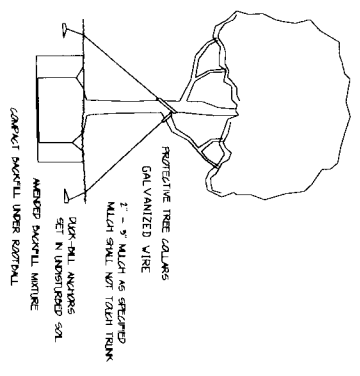


U.S. HIGHWAY 441 (W. ORANGE BLOSSOM TRAIL)  
 1637 R/W - 4 LANE DIVIDED HIGHWAY

LANDSCAPE MATERIAL LIST

1	1" - 1 1/2" TALL	10
2	1 1/2" - 2" TALL	15
3	2" - 3" TALL	20
4	3" - 4" TALL	25
5	4" - 5" TALL	30
6	5" - 6" TALL	35
7	6" - 7" TALL	40
8	7" - 8" TALL	45
9	8" - 9" TALL	50
10	9" - 10" TALL	55
11	10" - 11" TALL	60
12	11" - 12" TALL	65
13	12" - 13" TALL	70
14	13" - 14" TALL	75
15	14" - 15" TALL	80
16	15" - 16" TALL	85
17	16" - 17" TALL	90
18	17" - 18" TALL	95
19	18" - 19" TALL	100
20	19" - 20" TALL	105
21	20" - 21" TALL	110
22	21" - 22" TALL	115
23	22" - 23" TALL	120
24	23" - 24" TALL	125
25	24" - 25" TALL	130
26	25" - 26" TALL	135
27	26" - 27" TALL	140
28	27" - 28" TALL	145
29	28" - 29" TALL	150
30	29" - 30" TALL	155

- LANDSCAPE NOTES
1. ALL MATERIAL SHALL BE NURSERIA # GRADE OR BETTER
  2. ALL LANDSCAPE AREAS SHALL BE MALTED WITH 5" - 4" OF FINE DARK MALT
  3. ALL NEW TREES MUST BE DIVIDED OR STRIPED AS DETAIL
  4. EXISTING TREES THAT ARE TO REMAIN MUST BE PROTECTED THROUGHOUT CONSTRUCTION
  5. THE LANDSCAPE CONTRACTOR SHALL REVIEW WITH THE CONTRACTOR ALL LANDSCAPE THAT IS TO BE INSTALLED AND CONSTRUCTION SCHEDULE FOR THIS PROJECT
  6. PLACEMENT OF ALL LANDSCAPE MATERIAL MUST BE APPROVED BY THE LANDSCAPE ARCHITECT
  7. ALL LANDSCAPE MATERIAL MUST BE INSTALLED WITH WHITE PEEL AND PROTECTIVE
  8. ALL MULTI-TRUNK TREES MUST MEET NURSERIA # GRADE FOR DBH CALCULATIONS
  9. ALL TREES MUST HAVE A STRAIGHT TRUNK AND 4" DIAMETER BRANCHES
  10. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING OF ALL PLANT MATERIAL FROM THE TIME OF INSTALLATION UNTIL ACCEPTANCE
  11. ANY LAMBS OF EXISTING TREES MUST BE APPROVED BY THE LANDSCAPE ARCHITECT
  12. ALL WATERING SHALL BE GUARANTEED FOR 90 DAYS FROM THE DATE OF ACCEPTANCE
  13. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING IN ALL TREES & PALMS AND REMOVING ANTI-FROSTERS
  14. DURING THE ESTABLISHMENT PERIOD (FIRST 90 DAYS) THE LANDSCAPE CONTRACTOR SHALL APPLY A MULCH OF 4" - 6" DEEP TO ALL NEW TREES AND PALMS
  15. ALL INSTALLATION OF TREES AND GRASSES SHALL BE AS PER DETAILS AND AS PER MANUFACTURER'S SPECIFICATIONS AND CONTRACTOR MUST VERIFY THIS TO THE LANDSCAPE ARCHITECT
  16. LANDSCAPE CONTRACTOR MUST LOCATE ALL OVERHEAD UTILITIES PRIOR TO ANY INSTALLATION
  17. DURING INSTALLATION REGARD THE ROOTS OF THE EXISTING TREES; THE CONTRACTOR SHALL ADJUST PLANTINGS SO AS TO NOT DAMAGE ANY MAJOR ROOT SYSTEMS
  18. ALL LANDSCAPE MATERIAL SHALL BE GUARANTEED FOR 4 MONTHS FROM THE DATE OF ACCEPTANCE
  19. NO PLANTINGS OR OTHER OBSTRUCTIONS MAY BE WITHIN THE 2' CIRCULAR OPENING AREA
  20. 50% ADJUSTIVE PALMETS 750 SHALL BE INSTALLED IN FRONT AND ON THE SIDES OF THE BUILDING
  21. 50% PALMETS 750 SHALL BE INSTALLED IN FRONT AND ON THE SIDES OF THE BUILDING
  22. PLANTING SOIL USED FOR THE BUILDING PLANTERS AND PLANTINGS OF THE LANDSCAPE SHALL BE AS PER THE NURSERIA # GRADE FOR DBH CALCULATIONS
  23. ALL SOIL SHALL BE NEEDLE-PINE, CANTON NO. 5000, OR OTHER TROPICAL SOILS, AND SHALL BE A MIXTURE OF 40% SAND, 50% LOAM AND 10% TOP-SOIL
  24. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR THE PROPER DRAINAGE OF ALL PLANT MATERIAL. ROOTS, SOIL AND OTHER LANDSCAPE ITEMS REMOVED FROM THIS SITE
  25. THE LANDSCAPE CONTRACTOR MUST PROVIDE AN AS-BUILT OF THE RESTORATION SYSTEM TO THE LANDSCAPE ARCHITECT PRIOR TO REQUESTING ANY INSPECTIONS AND/OR APPROVALS
  26. THE CONTRACTOR SHALL KEEP THE SITE CLEAN OF ALL DEBRIS, RUBBER TIRE TIRTS AND DEBRIS THAT THE DRAINAGE SYSTEM REMAINS CLEAR AND THE RESTORATION ITEMS ARE NOT DAMAGED



CITY OF NORMAL LANDSCAPE REQUIREMENTS

10\"/>
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SCALE OF PARKING OR OTHER VEHICULAR USE AREAS

1\"/>
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SCALE OF VARIETY TREE RECOMMENDATIONS

1\"/>
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SCALE OF VARIETY TREE RECOMMENDATIONS

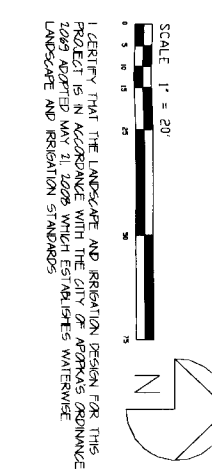
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SCALE OF VARIETY TREE RECOMMENDATIONS

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SCALE OF VARIETY TREE RECOMMENDATIONS

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

RICHARD A KESSELLING JR., P.L.A., A.S.T.A.  
 LANDSCAPE ARCHITECT, STATE OF FLORIDA #858

SHEET <u>  </u> of <u>  </u>	LANDSCAPE PLAN VERIZON STORE LAKE DOE BLVD APOPKA	 ENVIRONMENTAL DESIGN ANDY KESSELLING, LANDSCAPE ARCHITECT 1920 SE 8TH STREET, BOX 5121 OCALA, FLORIDA 34476 (352) 622-8699 LANDSCAPE ARCHITECTURE, SITE PLANNING, GOLF COURSE DESIGN, COMMERCIAL-RESIDENTIAL DESIGN	DRAWN BY: RAK	DATE: 4 / 14	
	SCALE: 1" = 20'		DRAWING NO.:	NEW NAME:	
	JOB NO.:		FB	FG	

NO.	DATE	DESCRIPTION	BY
2	6/14	REVISED COMMENTS	RAK
1	5/14	REVISED COMMENTS	RAK

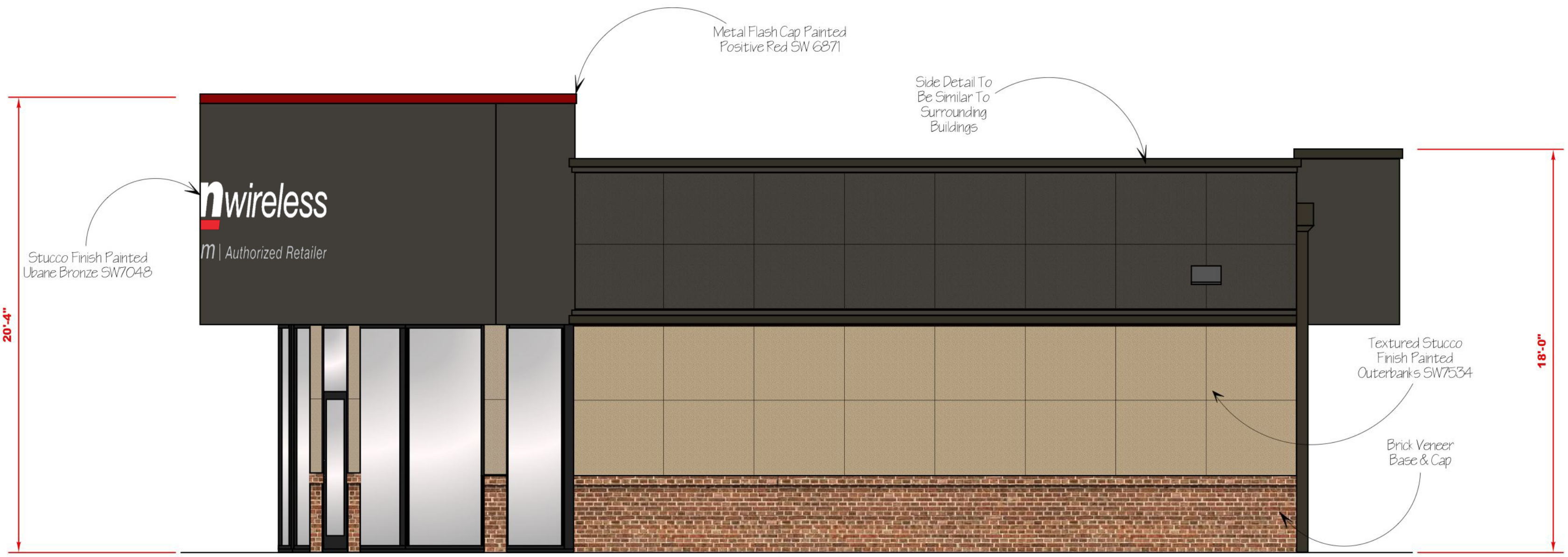


South Elevation  
1/4" = 1'-0"

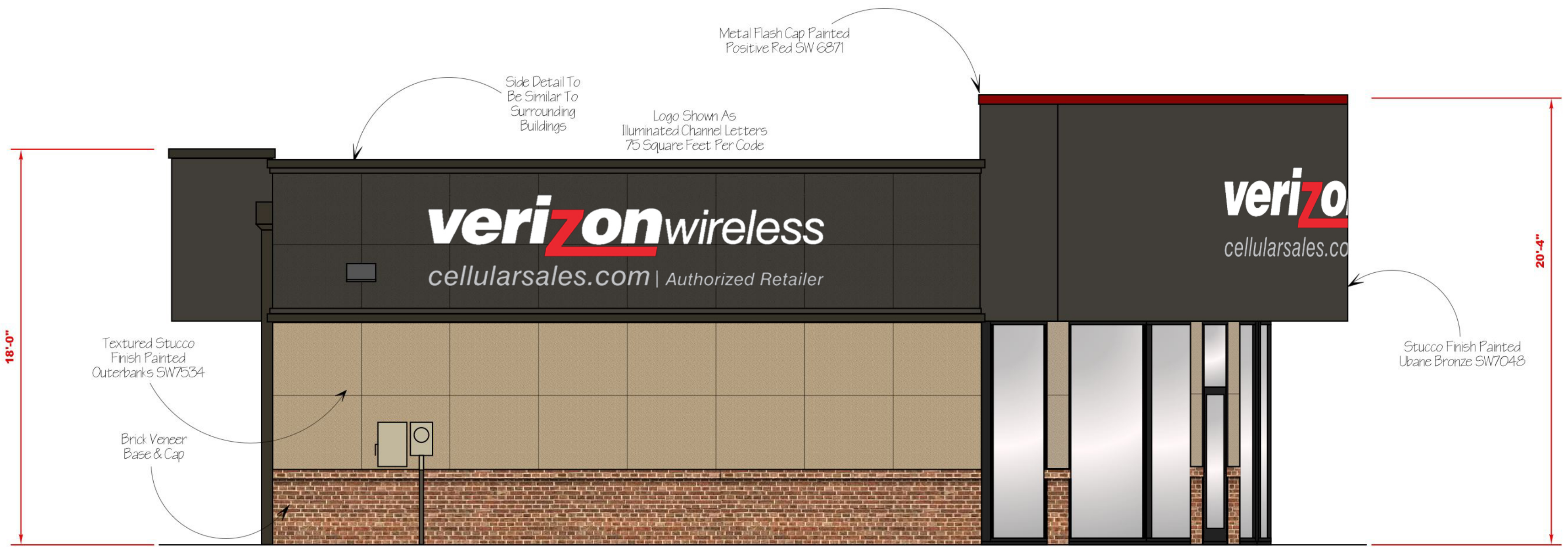


North Elevation  
1/4" = 1'-0"

Wall:	55%
Storefront Glass:	45%



West Elevation  
1/4" = 1'-0"



East Elevation  
1/4" = 1'-0"

**SW 7048 Urbane Bronze**  
Interior / Exterior

Color Collections	Neutral Nuance, Urban Organic
Color Family	Warm Neutrals
Color Strip	H
RGB Value	R-83   G-80   B-73
Hexadecimal Value	#535049
LRV	8

**SW 7534 Outerbanks**  
Interior / Exterior

Color Collections	Rustic Refined, Precious Baby
Color Family	Warm Neutrals
Color Strip	R-184   G-165   B-141
RGB Value	#B6A58D
Hexadecimal Value	#B6A58D
LRV	39

**SW 6871 Positive Red**  
Interior / Exterior

Color Family	Reds
Color Strip	128
RGB Value	R-179   G-34   B-48
Hexadecimal Value	#B32230
LRV	11

Proposed Building  
Urbane Bronze Parapet  
W/ Storefront Calculations

**200 Sq. Ft. Signage Allowance Breakdown:**

- 100 Sq. Ft. Logo on Front with 25 Sq. Ft. of Red Accent Cap.
- East Elevation: 75 Sq. Ft. Logo

Field Verify Dimensions



E2	Elevations	<p>PERPER DESIGN CONCEPT TO CREATION</p>
<p><b>OR-AP</b> Authorized Retailer Apopka, FL</p>		
Date: 6/21/2014		