



APOPKA CITY COUNCIL AGENDA
September 07, 2016 1:30 PM
APOPKA CITY HALL COUNCIL CHAMBERS
Agendas are subject to amendment through
5:00pm on the day prior to City Council Meetings

CALL TO ORDER

INVOCATION - Pastor Kevin Craig of Apopka Assembly of God

PLEDGE

APPROVAL OF MINUTES:

1. City Council Workshop July 19, 2016.
2. City Council Workshop July 20, 2016
3. City Council meeting August 17, 2016.

PUBLIC COMMENT; STAFF RECOGNITION AND ACKNOWLEDGEMENT

Employee Recognition:

- ❖ Five Year Service Award – Samarie Koller – Police/Communications
- ❖ Five Year Service Award – Angela Rozier – Police/Communications
- ❖ Ten Year Service Award – Dennis Carter, Sr – Public Services/Streets
- ❖ Ten Year Service Award – Dina Cedillo – Police/Support Services
- ❖ Fifteen Year Service Award – Charles Whitehead – Public Services/Water Plant
- ❖ Twenty Year Service Award – Gregory Conant – Recreation/Grounds – Athletic Complex

Public Comment Period:

The Public Comment Period is for City-related issues that may or may not be on today's Agenda. If you are here for a matter that requires a public hearing, please wait for that item to come up on the agenda. If you wish to address the Council, you must fill out an Intent to Speak form and provide it to the City Clerk prior to the start of the meeting. If you wish to speak during the Public Comment Period, please fill out a green-colored Intent-to-Speak form. If you wish to speak on a matter that requires a public hearing, please fill out a white-colored Intent-to-Speak form. Speaker forms may be completed up to 48 hours in advance of the Council meeting. Each speaker will have four minutes to give remarks, regardless of the number of items addressed. Please refer to Resolution No. 2016-16 for further information regarding our Public Participation Policy & Procedures for addressing the City Council.

CONSENT (Action Item)

1. Approve the ranking of firms and authorize the negotiation of a contract for the Land Development Code update.
2. Authorize a Door-to-Door Solicitation permit for Andrus Albi, E.H. Engelmeier Roofing & Sheet Metal Co., Inc.

BUSINESS (Action Item)

1. Approve the first amendment to the Marden Road Interchange Cost Sharing Agreement. Glenn A. Irby
2. Preliminary Development Plan – Binion Reserve Subdivision David Moon
3. Redevelopment Plan/Final Development Plan (Major Site Plan) – Piedmont Plaza - Quasi-Judicial David Moon

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

1. Ordinance No. 2513 – First Reading – Annexation - Legislative Rogers Beckett
2. Ordinance No. 2514 – First Reading – Annexation - Legislative Rogers Beckett
3. Ordinance No. 2515 – First Reading – Annexation - Legislative Rogers Beckett
4. Ordinance No. 2516 – First Reading – Annexation - Legislative Rogers Beckett
5. Ordinance No. 2517 – First Reading – Annexation - Legislative Rogers Beckett
6. Ordinance No. 2503 – First Reading – Land Development Code – Ex Parte Contact – Legislative Mark Reggentin
7. Ordinance No. 2504 – First Reading – Land Development Code – Building Heights – Legislative Mark Reggentin
8. Ordinance No. 2509 – First Reading - Code of Ordinances, "Peddlers and Solicitors" - Legislative Mark Reggentin
9. Ordinance No. 2510 – First Reading – Code of Ordinances, "Business Tax Receipts" – Legislative Mark Reggentin
10. Ordinance No. 2511 – First Reading - Code of Ordinances, "Vehicles for Hire." – Legislative Mark Reggentin

CITY COUNCIL REPORTS

1. Youth Council Proposal. Commissioner Becker

MAYOR'S REPORT

- 1. Request concerning Junior Bowling Olympian.

NOT REQUIRING ACTION

- 1. Apopka Youth Works Program Stats.
- 2. Thank you letter from Wheatley Elementary for the supplies received from the Apopka School Supply Drive.

Glenn A. Irby

ADJOURNMENT

MEETINGS AND UPCOMING EVENTS

DATE	TIME	EVENT
September 9, 2016	7:00pm – 9:00pm	Movie in the Park [Zootopia] – Northwest Recreation Complex
September 13, 2016	5:30pm – 6:00pm	Planning Commission Meeting
September 14, 2016	5:05pm – 6:30pm	Council Budget Hearing
September 21, 2016	7:00pm –	Council Meeting
September 26, 2016	10:00am – 11:00am	Lake Apopka Natural Gas District Board Meeting: Winter Garden
September 28, 2016	5:05pm – 6:00pm	Council Budget Hearing
October 5, 2016	1:30pm –	Council Meeting
October 6, 2016	5:30pm – 9:00pm	Food Truck Round Up
October 7, 2016	7:00pm – 9:00pm	Movie in the Park [TBD] – Northwest Recreation Complex
October 11, 2016	5:30pm – 6:00pm	Planning Commission Meeting
October 19, 2016	7:00pm –	Council Meeting
October 24, 2016	10:00am – 11:00am	Lake Apopka Natural Gas District Board Meeting: Winter Garden
October 29, 2016	5:00pm – 9:00pm	Halloween in the Park – Kit Land Nelson Park

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (407) 703-1704. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening ceremony. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

Backup material for agenda item:

1. City Council Workshop July 19, 2016.

CITY OF APOPKA

Minutes of a City Council Budget Workshop held on July 19, 2016, at 1:00 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Joe Kilsheimer
Commissioner Billie Dean
Commissioner Diane Velazquez
Commissioner Kyle Becker
Commissioner Doug Bankson
Glenn Irby, City Administrator
Pam Barclay, Finance Director

PRESS PRESENT: John Peery - The Apopka Chief
Bethany Rodgers, Orlando Sentinel
Dale Fenwick, The Apopka Voice

CALL TO ORDER/PLEDGE OF ALLEGIANCE - Mayor Kilsheimer called the Budget Workshop to order at 1:00 p.m. and led in the Pledge of Allegiance.

Mayor Kilsheimer advised this was the first budget workshop for Fiscal Year 2017. He advised there will be budget workshops held for the next couple of weeks to review the proposed budget. There will be two public hearings held in September. The presented proposed budget is a balanced budget that does not raise the millage rate for next year. He announced that he has told the department heads not to hold back when presenting their department needs for the proposed budget. He pointed out that 54 additional employees have been requested and only 18 have been left in, 12 of which are firefighters for the new fire station. He stated the staff continues to do more with less, despite the fact that this year's budget tops \$100 million. He declared that is reflection of the fact that we are a growing community. He said they will try to cover the general departments in today's workshop. However, starting off will be a presentation on the UCF Incubation Program.

Presentation – UCF Business Incubation Program

Gordon Hogan, Director of the UCF Business Incubation Program, said the incubation program started 17 years ago and has been very interesting, growing faster than they thought it would. He stated about half of the companies are technology and the other half various types of businesses. This was initially created to grow technology companies, but over time they received many requests in different areas. He said Apopka is the most recent and there currently are 125 companies at seven different locations. He stated it normally takes five years for a company to become stable. He advised a study done by the National Incubation Association a few years ago found that a little over 80% of companies stay in the location where they were incubated.

Rick Parks, Site Manager, Apopka, said the Apopka Incubator was launched in April 2012 as a partnership between UCF and the City of Apopka. He reported the Apopka incubator today has seven client companies, one soft landing company, and two pre-incubation companies. He

explained a soft landing company is designed for companies that want to move into the Central Florida market from outside. They provide space, resources, and networking to help facilitate their moving into the area. Two new client companies will be added by the end of the third quarter of 2016. Two of the companies that have graduated are still in business. In addition, seven companies have exited the program, and four are still in business.

Pam Barclay, Finance Director, stated this is a workbook and is a work in progress. If adding anything, be mindful that revenues will have to be found to fund those items. She will be keeping a tally sheet of everything to be added. She pointed out an error in the budget in brief, the skate part was put in at \$750,000 and the splash pad at \$200,000. In essence, the skate park is slated for \$300,000 and the splash pad \$750,000. She provided a corrected page to be replaced with this correction. She explained the process, stating the work sheets were sent out to all of the departments in the middle of March, requesting these be returned the middle of April. Upon receipt, she pulled them into a workbook and Mayor Kilsheimer, Glenn Irby, and herself met with each department head and their higher level staff to discuss their requests line by line. Following cuts, and revenues coming in from the state, she forecasts what those revenues are expected to be and they work to balance the budget. She advised more than \$14 million in capital was requested and they had to cut that back to \$5 million. The requested positions were cut back to 18 new positions. She reiterated, if adding any positions back, to be mindful, they will need to cut some other area, or find revenues to add. She pointed out if increasing the millage by .5 this will provide roughly an additional \$1.2 million. There is a millage work page that shows what the increases will provide. She advised in going through the revenues, they were relatively flat, stating we did have an increase in taxes which was approximately 9.5%. This reflects the increase in the tax base. She affirmed with using \$2.6 million of reserves, our ratio of fund balance to expenditures is maintained at 31%. The Governmental Financial Officers Association recommends it be kept at 18% to 20%. She advised that staff received their budget workbooks at the same time Council received them and were not aware of all the cuts until receiving the workbooks. She pointed out that page nine of the workbook breaks down the dollar and how it is distributed from the General Fund. The actual increase in tax base generated more than \$700,000 in tax revenue. She advised the use of reserves is not covering any operational costs, it is covering capital costs. She affirmed the time has come that obsolete vehicles are in need of replacement and obsolete technology requires replacement.

Commissioner Bankson expressed concern regarding the reserves and stated we need a plan to replenish the reserves. He also referenced the \$600,000 per year being added to the debt load and concerns with financing.

Ms. Barclay said the thought behind financing a \$50,000 vehicle is to finance over five years which is the useful life. This cost is being amortized over the five years, so it is a sustainable cost. Other vehicles such as street sweepers and sanitation trucks are much more expensive and have a longer life. She affirmed financing is at a very low rate.

Discussion was held regarding the building of Fire Stations five and six and keeping the ISO rating, as well as the associated costs of personnel, equipment, and furnishings. Further discussion ensued regarding new growth supporting itself through impact fees.

MAYOR'S OFFICE

The Mayor's office budget was reviewed and discussed.

Mayor Kilsheimer pointed out the Mayor's office had the requested position of Chief of Staff cut from the budget. He stated it is difficult to juggle all of the routine duties as well as work in all of the extra requests that come through. He would like to have a person working in the Mayor's office on a department head level.

It was determined to possibly revisit page 28. Item 12 on page 33 in the amount of \$150 is to be cut. Discussion was held regarding page 34, Items 2 and 3; Orlando Economic Development Commission in the amount of \$10,000 and Apopka Area Chamber of Commerce Executive Trustee Program in the amount of \$7,500. Discussion ensued regarding whether it should be a city representative rather than a person from the chamber representing the city on the Orlando EDC Board while Community Development Director Mark Reggentin represents the City on the Chamber's Board of Directors, Laura Heiselman, Director of the Apopka Area Chamber of Commerce, does sit on the Orlando Economic Development Commission.

LEGAL SERVICES

The Legal Services budget was reviewed and discussed. Discussion was held regarding the specialized legal representation.

ADMINISTRATIVE SERVICES

Administrative Services budget was reviewed and discussed. Commissioner Bankson inquired if the large decrease in the 3400 account was lobbyist. Mr. Irby responded in the affirmative. Mayor Kilsheimer pointed out Administrative Services also had a requested position for a Deputy Chief Administrative Officer cut from the budget. Discussion was held regarding the need for two new administrative pool cars.

Council recessed at 3:45 p.m. and reconvened at 3:49 p.m.

COMMUNITY OUTREACH

Mayor Kilsheimer advised this division includes the Public Information Officer and Grants Writer and Neighborhood Coordinator. It was originally Administrative Services and Community Outreach came from reorganization. He stated the Apopka Youth Works summer jobs program was pulled together by Dr. Jackson and it has been a great success. He pointed out the Community Events Coordinator position was moved under Recreation. It was determined to postpone the review of Community Outreach to a later date so to be reviewing events with recreation.

CITY CLERK

The City Clerk's proposed budget was reviewed and discussed. It was the consensus, due to the increase in lien searches and public records requests, the Part-time Records Clerk be placed back in the budget for 20 hours a week at \$15.00 per hour.

FINANCIAL SERVICES

Financial Services was reviewed and discussed. Ms. Barclay advised the requested position for Budget Analyst has been cut. This position would be responsible for preparing the annual budget as well as monitoring it and preparing the budget amendments. She advised there have been two positions moved into Finance, Purchasing Manager and Payroll. She stated with the implementation of the new financial software there will be more automation which will help. Discussion was held regarding the city absorbing convenience fees for credit card payments and passing this fee to the consumer.

INFORMATION TECHNOLOGY

Information Technology was reviewed and discussed. Mr. Hippler said the short term goal is to complete the process of the city moving forward from the services previously operating under. He stated the long term goal was to add more and new technology with regards to the way we do our operations. He stated Edmunds will allow more work to be done in the field as opposed to being required to come back to the office. He discussed areas where applications can be consolidated. He pointed out the software maintenance costs and other costs that were not previously under his budget, but have been centralized to Information Technology accounting. Discussion was held regarding storage and use of cloud storage. Discussion ensued regarding audio/visual equipment for Council Chambers. Discussion was held regarding the 4100 account, item 10, Wi-Fi Device Power Service and considering this be cut. It was determined to evaluate what access points would be most valuable to maintain as citywide Wi-Fi has been discontinued.

Mr. Hippler pointed an item that was cut from the 6400 line which is Item 3, Brocade Replacement Switches. He advised the Police Department's switch is 96 port switch that is at end of life and is 10 years old. He suggested, if there was any way, that it be placed back in the budget. When asked if this goes out what would happen, Mr. Hippler advised they would lose communication with the data center, therefore, there would be no computers or phones. He said, knowing this, and there is no warranty of support, it is a fall back in case something should happen. It was determined that Item 3 be added back in the budget. On page 148, Item 10, iWorQ is software to manage Public Services various divisions for work orders, maintenance, and inventory. This replaces the WebQA that will be discontinued. Mr. Irby advised this needed to be placed back in the budget.

ADJOURNMENT - There being no further discussion, the workshop adjourned at 5:40 p.m. p.m.

Joseph E. Kilsheimer, Mayor

ATTEST;

Linda F. Goff, City Clerk

Backup material for agenda item:

2. City Council Workshop July 20, 2016

CITY OF APOPKA

Minutes of a City Council Budget Workshop held on July 20, 2016, at 1:00 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Joe Kilsheimer
Commissioner Billie Dean
Commissioner Diane Velazquez
Commissioner Kyle Becker
Commissioner Doug Bankson
Glenn Irby, City Administrator
Pam Barclay, Finance Director

PRESS PRESENT: John Peery - The Apopka Chief
Dale Fenwick, The Apopka Voice

CALL TO ORDER/PLEDGE OF ALLEGIANCE - Mayor Kilsheimer called the Budget Workshop to order at 1:00 p.m. and led in the Pledge of Allegiance.

DISCUSSION

Mayor Kilsheimer said it was incumbent upon the Council to get through the proposed budget and make decisions providing guidance to staff. He affirmed they will be required to convene as City Council to set the tentative millage rate prior to August 1, 2016.

Pam Barclay, Finance Director, said she would like to address the concerns regarding the GFOA best practice and the unrestricted fund balance. She stated the GFOA best practice is to keep no less than two months of unrestricted fund balance of regular expenses. She affirmed that two months was 16.7%. Also, unrestricted fund balance includes assigned, committed, and unassigned as indicated on page twenty in the CAFR. The fund balance is broken down into five categories, non-spendable, restricted, committed, assigned and unassigned. The logic and reason behind this is that committed and assigned for the criteria of spending is set by the Council and management. Those can be rescinded relatively easily. Restricted funds are externally driven. At the end of 2015, in the CAFR, there was \$10,828,328. She said by using just the unrestricted amount, it brings us to 21.5% for the fund balance to expenditures.

Commissioner Bankson said he totally agreed with the statement in the “Conclusion” of the July 13, 2016 letter in the budget workbook that states *“Although economic indicators point to a recovery, history shows it could be a slow recovery process. This year we should continue to focus on economic development, sustainability and keeping our community safe...”* He stated that responsibility falls on the Council and he tends toward the conservative side. He said we are playing catch up from several years of a bad economy.

Mayor Kilsheimer said that Mr. Irby was very clear yesterday when he said this was not sustainable and we cannot continue to spend more than we take in. At the same time, there are items that are must haves and things that we want to have. He stated that they need to strike a balance between

doing the things we have to do and then also taking responsibility for the quality of life in our community.

In response to Commissioner Bankson's inquiry to replenish reserves, Mr. Irby advised revenues coming in cover our operating costs only. He said that operating costs do not take into account new employees and new equipment required in order to do their job. It does not include the replacement of capital equipment. He affirmed there is not a plan to replenish, as a plan cannot be formulated based on the revenues coming in and projected for the future. He pointed out that some of the funds are restricted funds and the use is limited.

Police Department

Chief McKinley gave a PowerPoint presentation in order to provide Council with information to be able to make an informed decision about the Police Department. He said they talked about accreditation yesterday, and said accreditation is not equivalent to an ISO rating. He explained accreditation makes sure policies and procedures are proper and evaluates security of facilities and makes sure it is up to date on best practices. He stated the closest thing they found that would compare to an ISO rating for a law enforcement agency would be the ratio of officers per 1000 residents. He said you do not want to rely totally on per-capita, as you need performance measures as well. He reviewed the growth of Apopka over the last twelve years and the number of officers that have been allocated over the same time frame, pointing out that it has remained steady until this fiscal year where they were authorized seven additional officers. He reviewed the officer ratio for local agencies along the I-4 corridor, advising the average ratio is 2.46 and the Apopka Police Department's ratio is 2.08 officers per 1000 residents. He said for fiscal year 2016/2017 they are requesting five officers, and this request brings the per-capita rate to 2.14, which is still well below the Florida average. He declared it would take twenty officers in order to bring them to a per-capita of 2.5. Based on this, they looked at how to get there over the next five years. He reviewed projected growth of Apopka over the next five years and what it would take to maintain officer ratio. He declared if they do not begin to plan now for increased growth, it is likely they will not be able to catch up with growth in a responsible and prudent manner in the future. He stated it needs to be realized that future budgetary considerations must include civilian support personnel, change in equipment and technology needs, and significant capital improvements in order to provide the services our community will expect and deserves. He said they are requesting to fund five new officer positions (\$358,580) so they may work towards the 2.5 officer per-capita ratio. They also request funding of two civilian traffic enforcement officers (\$99,465) to administer the traffic intersection safety program. This will allow sworn officers to be put back on the streets. He reviewed the equipment and operating expenses for five new officers. He explained these positions were cut and they are requesting they be put back in the budget. He went on to explain they have an aging fleet and they were trying to implement a replacement program, stating thirty-nine of their vehicles have over 100,000 miles and are all over five years old. They do have the take home vehicle program and although it is recognized as a benefit to the police officers, it is also a benefit to the City of Apopka and the residents. He reviewed support services being requested to include a LASER Mapping System. Vehicles being requested come to \$219,000 and Support Services \$199,000. A copy of the PowerPoint is on file in the Clerk's office. He declared the things they have outlined today are needs to keep this community safe and bring the department into the 21st Century with technology. He pointed out that \$2.8 million of their budget is for a communication tower in the north end of the city. This tower is for everyone in the city that needs to have

communication to the north end of the community. The total of what they are requesting be put back in the budget is \$1,122,040.

In response to Commissioner Bankson, Chief McKinley said their first priority would be the sworn officers, but they cannot do their job without the equipment and vehicles. He stated they would like the eight new vehicles that were cut back in due to the aging fleet.

In response to Commissioner Becker with regards to what impact adding officers would have on the station, Chief McKinley said they can manage the growth in the current building and advised they have been working to develop impact fees for Police and Fire. Discussion ensued regarding the need for pool vehicles.

Commissioner Dean said he wanted it to be noted that the \$70,000 in the budget for Apopka Begins and Ends with "A" should be designated to the Police Department budget.

Discussion was held regarding the red light camera program. Chief McKinley advised our contract is through July 2017.

Police Chief's Office – discussed and reviewed.

Police Field Services – discussed and reviewed.

It was the consensus to try and find a way to add in the five new police officers, as requested on page 212, as well as the associated vehicles and equipment on page 225.

Police Support Services – discussed and reviewed.

The Traffic Citation Specialists will be restored as listed on page 229. Items 5, 6, 7, 8, and 9 will be added back as listed on page 242.

Crossing Guards – discussed and reviewed.

Chief McKinley advised the crossing guards have an hourly rate of \$8.50 an hour and the going rate on a recent market study showed the rate at \$10.87 an hour. This was added in to the budget.

Dispatch – discussed and reviewed.

Discussion ensued regarding the cell tower for the northern area of the city and Chief McKinley advised they are losing communication with officers and firefighters in that part of the city and this is a safety issue. This tower will also provide communication for other services of the city.

Park Rangers – discussed and reviewed.

Discussion was held regarding Park Rangers. Chief McKinley said there are four part-time Park Rangers and if the full-time position was approved, they were going to utilize one of the aging vehicles for this position and he would be showing a presence at all facilities. He advised they could take one of the part-time positions and change it to full-time. The consensus was to make one of the part-time positions full-time and keep three part-time positions for Park Rangers.

The Council recessed at 3:47 p.m. and reconvened at 3:58 p.m.

Fire Department

Chief Carnesale said the Fire Department's budget was very similar to last year, with the exception of Fire Station 5.

Fire Chief's – discussed and reviewed.

Fire Suppression – discussed and reviewed.

Discussion was held regarding building Fire Station 5, furnishing, and staffing. Chief Carnesale advised they received the second floor plan update today and they will start working on the site plan. There is an estimated completion date of June or July 2017. The staffing is for the last quarter of the fiscal year.

In response to Commissioner Velazquez, Mr. Irby advised the Fire Impact Fee Study should be completed within the next few days.

Discussion was held regarding funding for and the need for Fire Station 6 next year.

Chief Carnesale reviewed a map where the stations are located. He affirmed that Station 2 on Welch Road covers everything to the north and Station 5 will cover the very north end once it is completed. He explained that Station 2 is exceeding the normal or average response time just to get to the back of Rock Springs Ridge. He declared this was more than just an ISO issue, it was also EMS, stating a person in cardiac arrest has maybe four minutes and it is taking almost double that to get to the very north areas.

In response to Commissioner Bankson regarding funds from last year's budget that has not been used, Ms. Barclay advised that would be in the first budget amendment of next year to carry forward.

Ms. Barclay explained that with page 174, Account 5550 has off-set revenues for the public relations programs.

Chief Carnesale explained on page 177, Account 6400, Item 3 was eliminated to balance the budget. He reported they received an email from Dr. Jackson that Senator Nelson called and the AFG \$10,000 grant has been received for this item. Ms. Barclay explained this will be moved under grants.

Emergency Medical Services – discussed and reviewed.

Chief Carnesale said on personnel costs, line item 1225, explaining that proficiency pay for Paramedic is an additional \$8,000 a year. Over the past couple of years, they kept the budgeted number of \$408,000 and it had been reduced to \$344,004. He advised they have eight firefighters in paramedic school and the \$8,000 will be needed for each, bringing this amount to \$416,000 for this year. Ms. Barclay advised this would be an additional \$72,000.

In summary, Ms. Barclay advised we are right at \$1,373,395 to be added back to the budget.

ADJOURNMENT - There being no further discussion, the workshop adjourned at 4:00 p.m.
p.m.

ATTEST:

Joseph E. Kilsheimer, Mayor

Linda F. Goff, CMC, City Clerk

Backup material for agenda item:

3. City Council meeting August 17, 2016.

CITY OF APOPKA

Minutes of the regular City Council meeting held on August 17, 2016, at 7:00 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Joe Kilsheimer
Commissioner Billie Dean
Commissioner Diane Velazquez
Commissioner Doug Bankson
Commissioner Kyle Becker
City Attorney Cliff Shepard
City Administrator Glenn Irby

PRESS PRESENT: John Peery - The Apopka Chief
Reggie Connell, The Apopka Voice

INVOCATION: Mayor Kilsheimer introduced Pastor Harvey Carpenter, of Journey Church, who gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Kilsheimer said on August 26, 1920, the Nineteenth Amendment was formally adopted guaranteeing women the right to vote. The journey began more than 70 years before at the Seneca Falls Convention organized by Elizabeth Cady Stanton and Lucretia Mott to discuss women's rights. The convention ended with the passage of a resolution declaring the duty of women to secure the sacred right of voting. Suffragettes worked tirelessly, first winning the right to vote in individual states. When America entered World War I in 1917, women aided the war effort breaking down the remaining opposition to suffrage. By 1918 both the Republican and Democratic parties endorsed women's suffrage which led the way to the passage of the Nineteenth Amendment. He asked everyone to remember the sacrifice and courage of those who fought for the right of each and every one of us to vote as he led in the Pledge of Allegiance.

APPROVAL OF MINUTES:

1. City Council workshop July 13, 2016.
2. City Council special meeting July 26, 2016.
Commissioner Bankson said he felt compelled to comment at the end of the special meeting, those comments were left out and he wanted those comments noted. He reiterated that we were forced to have to make a move for our taxes to give time to finish the budget. He wanted it noted that he did address this stating that our taxes are just a small portion of the total revenues to run the city. He said Commissioners were challenged on the courage of their convictions. His conviction was to say no, we were not simply going to do that to try and solve the problems, because there is no way to solve all the problems.
3. City Council meeting August 3, 2016.

MOTION by Commissioner Becker and seconded by Commissioner Dean, to approve the July 13, 2016 workshop, July 26, 2016 special meeting as amended, and August 3, 2016 City Council minutes. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

PUBLIC/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Proclamations:

1. Apopka High School Bowling Team Proclamation.
Mayor Kilsheimer read the proclamation recognizing the success of the Apopka High School Bowling team and team members, and claimed August 17, 2016 to be Apopka High School Bowling Team Day in the City of Apopka. He presented each member with a copy of the proclamation.

Public Comment Period:

Mayor Kilsheimer said before starting with public comment he would like to provide an update regarding the vote taken at the last meeting on the issue of Edwards Field. He advised the action taken two weeks ago to hire an engineering firm to draw up a master plan is very preliminary in terms of developing potential concepts for Edwards Field. In the preliminary meeting with this firm, they were advised that this is where the Foliage Festival, and the Apopka Fair are held and that we have to continue to incorporate those events. He affirmed it was not his intention to take Edward Fields away from the groups that use it, or Kit Land Nelson Park. He advised when the new hospital opens, the existing hospital campus will be redeveloped into a community of several hundred residences for active seniors. He said there was a lot of land behind Fran Carlton and in that vicinity that could be repurposed from what it is today into a more active or larger recreational type complex. He stated CPH has been asked to dream up what a plan might be and what could happen, realizing the uses that already exist. He reiterated they were not doing away with any of the facilities that any of the groups in Apopka have relied upon for years and the engineers have been instructed to take that into consideration.

Pastor Richard King said during the 2014 City Election he voted for change that he believed would include him and his community. He expressed concern regarding issues of lack of communication and the appearance of disrespect from City Hall. He spoke of a sign that was posted in his community for a public hearing on zoning that was lying on the ground. He stated they met with the developer that was proposing light manufacturing in that area and said they voiced support at meetings for the rezoning due to the creation of jobs and this direction. He said they understand now that the plant will not be built in that location and said they deserved to know this would not happen. He asked the Commission if they respect and support his community.

Mayor Kilsheimer advised he has not heard that and no one has communicated to the city that they were not going to come. He said initially there was going to be one piece of property traded for another and they could not get to that point until the rezoning was held. Once the rezoning was done, the values of the property were looked at and their property is valued higher, so it cannot be an even trade. He affirmed that the city has not heard from the owner of the company for more than two months.

Rod Love spoke about what he called a reoccurring theme that takes place of no inclusion and lack of cooperation and transparency. He stated as the city is set to proceed forward with the recommended budget items, the Commission was obligated to have that exchange with the

citizens that attend meetings. He stated one of those items was the submitted grant for Alonzo Williams Park. He said he supports schools, but the \$35,000 in the budget was a core school board item. He suggested this amount be used to waive the fees for Pop Warner and other sports clubs so they can use the fields without paying for the use, or fund midnight basketball on Friday and Saturday nights which is a proven crime prevention program. He asked for more transparency and fairness in the process.

Commissioner Dean said he agreed that the \$35,000 should be used to defray fees for the sports programs on the city owned fields, stating that we pay school taxes.

Commissioner Becker said he welcomed this point, but that he felt the funds spent on the Apopka Youth program and the money spent on schools was an investment in our youth and a good investment. He said in the grand scheme, \$35,000 was fairly immaterial to our overall budget. He said he valued the feedback and did take it into consideration.

Commissioner Bankson said there were several items that were earmarked to go back to and that item was not a decided issue, advising we were still processing the budget.

Jon DeClue, Immediate Past President of the Rotary Club of Apopka, read a prepared statement regarding the desire to construct a splash pad, skate park, gym, and swimming pool on the property known as Edwards Field. He said while these amenities might hold value for our city, it was disappointing to know there has been no public discussion on this project or the impact it might have on the Rotary Club of Apopka or the Apopka Woman's Club, stating it was surprising and equally disappointing. A copy of his prepared statement is on file in the Clerk's office.

Lori Mountcastle Schweitzer, President of the Apopka Woman's Club, read a prepared statement, stating their club has been an active part of this city for 59 years and during that time they have donated more than a million dollars to Apopka charities and organizations, supporting the community. She spoke of the Apopka Art and Foliage Festival and affirmed that one hundred percent of their net proceeds flow back into the community. She stated they found it discouraging and expressed concern that they were not given the opportunity to offer input about the proposed use of Edwards Field. A copy of her prepared statement is on file in the Clerk's office.

Lowell Swanberg spoke regarding concerns of the future use of Edwards Field. He said October 2001 through 2002 Apopka celebrated becoming 120 years old with yearlong festivities. He stated the Rotary Club of Apopka, founded in 1927, was one of the premier sponsors of the celebration, hosing the first ever Apopka's Old Fashion Country Fair in 2002 at Kit Land Nelson Park and Edwards Field. He spoke of the hard work of Rotarians and their contributions for the betterment of the Apopka community. He said without the use of Edwards Field for the Apopka Fair and Fall Family Festival, these dollars for contributions would no longer be available. He said Rotary appreciates the partnership with the City of Apopka and thanked the Council for reconsidering the use of Edwards Field for such programs.

Stella Swanberg said her family moved to Apopka 43 years ago and she has been a member of the Apopka Woman's Club for 42 years. She spoke of improvements the Apopka Woman's Club helped to make to Kit Land Nelson Park, including the Gazebo in the middle of the park. She reviewed a picture board that she brought of how the idea took shape. She stated that because of

the Art and Foliage Festival, the Apopka Woman's Club has been able to make upgrades to the park to include water pipes, a speaker system, and trees that have been planted. She affirmed that 2017 will be the 56th Annual Apopka Art and Foliage Festival and asked that they be allowed to keep this going for all to enjoy.

Alice Nolan said she knows this is a preliminary plan and there is nothing set in stone at this time, but as reviewing everything she prepared a letter regarding all of the history and wonderful things these clubs have done for the whole community. She decided that should be heard from the women that have been involved and stated she has been a member of the Apopka Woman's Club for a year. She spoke of the other properties in that area, but the plan spoke of Edwards Field. She said overflow parking will go into the neighborhoods and will become hazardous. She suggested the athletic field by the Ninth Grade Center be considered for this use, as it needs a facelift and there is plenty of room there for a splash pad and skate park. She said this area already has restrooms and a place that concessions can be sold from.

Tenita Reid spoke of concerns regarding Item three on the consent agenda concerning a request to allow alcohol to be consumed at City Hall for an event that is already scheduled for September 15, 2016. She stated this was not an appropriate venue to be serving alcohol at City Hall. She suggested the city is slowly losing its family friendly environment and promoting alcohol in venues that are inappropriate in her opinion.

Young Kim requested Council delay the CRA appointment. He said under Florida Law, Chapter 163, and Part 3, local governments designate certain areas which need improvements. He stated the CRA designated an area that can be found in the City records He suggested the CRA has misallocated funds which straight from its purposes of improving blighted areas within CRA zones, stating the UCF Incubator was one of those. He requested Ms. Williams appointment be delayed and they find a person who truly represents the interests within the designated zone. He said he was fully qualified with a law degree and acquainted with many business owners and property owners within the CRA area. He again asked the Council to delay this appointment and find the best qualified person.

Ray Shackelford said with respect to City Council, it was Commissioner Dean and Commissioner Arrowsmith that promoted the summer job youth program prior to final approval. He stated as an educator, and a concerned citizen, he applauded any effort to support programs that serves in education with fiscal integrity. He asked if the public could obtain a detailed finance report of the \$20,000 for the Apopka Begins and Ends with an "A" program and asked how this program was being assessed to determine the impact of student learning, student success, and student retention. He said he also echoed what Mr. Love said with regards to using the money to weigh recreation fees for our young people. He stated with regards to the splash pad and skate park, he welcomed any centralized downtown location that does not impact current programs and services, and said the planning needs to involve citizens. He asked if they could get a diverse group of citizens, including a local high school student to plan the Old Florida Outdoor Festival and inquired what the criteria would be for a volunteer stating he would like to render his services as a volunteer for this festival. He declared sending the Chief of Police five miles to remove a law abiding citizen from under a tree to a sidewalk while an officer was on site was a waste of tax payers' money.

Pastor Hezekiah Bradford, Jr. said he represented the South Apopka Ministerial Alliance and the

Apopka Christian Ministerial Alliance. He stated he has been trying to get on the agenda, not just four minutes of comment, regarding single member districts. He said they had a march and there was not a restroom open at Alonzo Williams Park, simply because there is no representation. He stated they want someone they can hold accountable and someone that will represent that community. He said he was going to hold each of the Commissioners accountable as he has asked multiple times to ask to get on the agenda. He stated it wasn't fair that the Rotary Club got on the agenda. He said they need to look at this situation and make it a forum by which he is heard and the community is heard.

Mayor Kilsheimer said this has been talked about enough to the extent that it is clear in his mind that the community does not want to have a discussion on single member districts. He pointed out that the Rotary Club and the Woman's Club were not on the agenda, but came here for public comment just like Pastor Bradford did.

Pastor Bradford asked if since March they had been back to the south side.

Commissioner Bankson responded in the affirmative. He said they did meet and he came back to the City and met with Mr. Irby who said he would like to meet. He stated the biggest issue at this time and consuming time is the budget He said there is a desire to meet and he has been back in South Apopka on multiple times. He stated there were grants in the works and this is being discussed in the budget meetings.

Commissioner Becker said he was not in favor of single member districts, but said he would be in favor of an overall comprehensive Charter review. He stated he has proven that he is willing to go above and beyond in serving the entire community.

Pastor Bradford said there should be money in the budget for Alonzo Williams Park, as a grant is never a guarantee. Mayor Kilsheimer offered to meet with Pastor Bradford to discuss these matters.

Demarkus Johnson said he held the march at Alonzo Williams Park and said he was here for something else wherein they would like to get the community together for a BBQ at Alonzo Williams Park. He said we have a great Police Department and thanked them for their support and help. He stated he was looking for support and funding for the All Lives Matter Community BBQ.

CONSENT (Action Item)

1. Approve the Disbursement Report for the month of July, 2016
2. Authorize the Sewer and Water Capacity Agreement for Rock Springs Ridge, Phase VII-B
3. Approve the serving of Wine at An Evening with the Artists event
4. Approve appointment of Chenicqua T. Williams to the Community Redevelopment Agency
5. Accept a scoreboard sponsorship from The John Land Community Trust Inc.

Commissioner Becker said his concern with the CRA is having representation of people that reside within the District and know what is good for the area to make it thrive again. He said the Community Redevelopment Agency Act under Section B-3, does dictate that the agency may create whatever subcommittees it deems appropriate. He recommended subcommittees be created that are targeted in the focus for the CRA.

Mayor Kilsheimer advised that Mark Reggentin, Community Development Director is working on the CRA Plan to bring before the CRA Board and City Council. He said the CRA has not been very active in the past.

City Attorney Shepard advised that as a CRA Board, they can set whatever committees they wish. He said most CRAs that he represents have their own advisory committees. He stated he feels there is a failure of understanding since it has been so long since the CRA has operated properly. Once this is fully understood, the key to doing what Mr. Kim is requesting is in the plan. He affirmed the plan needs to be reviewed, receive comment from the public as to what kind of projects and improvements they want to see and where the TIF funds should be spent. He reiterated the plan is the issue.

Commissioner Bankson inquired about Item three and the location of churches and schools, to which Mayor Kilsheimer advised the alcohol ordinance was amended a few years ago that addressed these matters and any event on city owned facilities needs to be approved by City Council.

MOTION by Commissioner Dean, and seconded by Commissioner Velazquez, to approve the five items on the Consent Agenda. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

- 1. Ordinance No. 2512 – Second Reading – Vacate – Harmon Road Right of Way – The City Clerk read the title as follows:**

ORDINANCE NO. 2512

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF HARMON ROAD RIGHT OF WAY; LOCATED WEST OF BINION ROAD; AND IN SECTION 19, TOWNSHIP 21, RANGE 28 OF ORANGE COUNTY, FLORIDA; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Kilsheimer advised this was a quasi-judicial hearing. Witnesses were sworn in by the City Clerk.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Becker and seconded by Commissioner Bankson to adopt Ordinance No. 2512. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

CITY COUNCIL REPORTS

Commissioner Becker said he attended the Travis Tritt concert at the amphitheater this past Saturday evening. He reported September 28, 2016, is the target date for the Task Force basketball game community event at Cooper Sportsplex.

Commissioner Velazquez said she attended the Pokeman Go event at the Northwest complex and they had a large crowd in attendance.

Commissioner Becker thanked Chief Carnesale for the tour of Station 1 of the Chinese exchange students.

MAYOR’S REPORT – No report.

NOT REQUIRING ACTION

1. Letter from the Florida Department of Health, reporting recent water testing results in Parkview at Wekiva subdivision.
2. Thank you letter from Sheller Oaks Community Association.

ADJOURNMENT – There being no further business the meeting adjourned at 8:36 p.m.

ATTEST;

Joseph E. Kilsheimer, Mayor

Linda F. Goff, City Clerk

Backup material for agenda item:

1. Approve the ranking of firms and authorize the negotiation of a contract for the Land Development Code update.



CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER:

MEETING OF: September 7, 2016
 FROM: Community Development
 EXHIBITS: Ranking Sheets

SUBJECT: PROFESSIONAL SERVICES FOR UPDATE OF THE LAND DEVELOPMENT CODE.

REQUEST: APPROVE THE RANKING OF THE FIRMS AND ALLOW STAFF TO NEGOTIATE A CONTRACT USING THE CCNA PROCESS, WHICH WILL BE BROUGHT BACK BEFORE THE CITY COUNCIL AT A LATER DATE FOR APPROVAL.

SUMMARY:

On July 1, 2016, the City received qualifications, data and expressions of interest for professional services related to the update of the Land Development Code. The Land Development Code has not been updated since 1993. Although some changes to the code have been made on a case-by-case basis to address specific problems, no overall evaluation of the code has been conducted to ensure consistency both internally and with the Comprehensive Plan. An Evaluation Committee consisting of the Community Development Director, Public Services Director, Planning Manager, Senior Project Coordinator and Planner II reviewed the qualifications and ranked the firms as follows:

1. Clarion Associates Inc.
2. Canin Associates

Staff is requesting to be authorized to negotiate a contract with Clarion Associates Inc, using the Consultants Competitive Negotiation Act (CCNA). If an agreement cannot be negotiated, staff would then attempt to negotiate with the second firm. The negotiated contract will then be brought back to the City Council at a later date for final approval.

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

Approve the ranking of the firms and direct staff to negotiate a contract using the CCNA process, which will be brought back before the City Council at a later date for approval.

DISTRIBUTION

Mayor Kilsheimer
 Commissioners
 City Administrator
 Community Development Director

Finance Director
 HR Director
 IT Director
 Police Chief

Public Services Director
 Recreation Director
 City Clerk
 Fire Chief

RFP RANKING FORM

RFQ NO. 2016-10

RFP TITLE: Professional Consulting Services - Land Development Regulations

Respondent\Firm Name: CLARION

Phase I – Competitive Selection-Ranking. The evaluation factors used for determining qualifications for ranking, include:

CRITERIA		MAX. # OF POINTS	SCORE
1	The ability of professional personnel, including their pertinent training and skills.	10	10
2	Project Approach	50	40
3	Respondent's willingness to meet City time and budget requirements	10	7
4	The location of the firm and the place from which the work is to be performed.	5	2
5	The recent, current, and projected workloads of the firm.	5	5
6	Past performance	15	15
7	Other factors authorized or required by Section 287.055, Florida Statutes, including the volume of work previously awarded to the firm by the City, with the object of effecting an equitable distribution of contracts among qualified firms, so long as the most highly qualified firms are selected.	5	2
Total Score (max. possible – 100)		100	81

Mark Reggath
Name

Community Development
Department

8/25/16
Date

RFP RANKING FORM

RFQ NO. 2016-10

RFP TITLE: Professional Consulting Services - Land Development Regulations

Respondent\Firm Name: CANIN AND ASSOCIATES

Phase I – Competitive Selection-Ranking. The evaluation factors used for determining qualifications for ranking, include:

	CRITERIA	MAX. # OF POINTS	SCORE
1	The ability of professional personnel, including their pertinent training and skills.	10	5
2	Project Approach	50	25
3	Respondent's willingness to meet City time and budget requirements	10	7
4	The location of the firm and the place from which the work is to be performed.	5	5
5	The recent, current, and projected workloads of the firm.	5	4
6	Past performance	15	5
7	Other factors authorized or required by Section 287.055, Florida Statutes, including the volume of work previously awarded to the firm by the City, with the object of effecting an equitable distribution of contracts among qualified firms, so long as the most highly qualified firms are selected.	5	2
Total Score (max. possible – 100)		100	53

MAC
Name

Community Development
Department

8/25/16
Date

RFP RANKING FORM

RFQ NO. 2016-10

RFP TITLE: Professional Consulting Services - Land Development Regulations

Respondent\Firm Name: CLARION

Phase I – Competitive Selection-Ranking. The evaluation factors used for determining qualifications for ranking, include:

	CRITERIA	MAX. # OF POINTS	SCORE
1	The ability of professional personnel, including their pertinent training and skills.	10	9
2	Project Approach	50	45
3	Respondent's willingness to meet City time and budget requirements	10	5
4	The location of the firm and the place from which the work is to be performed.	5	5
5	The recent, current, and projected workloads of the firm.	5	5
6	Past performance	15	15
7	Other factors authorized or required by Section 287.055, Florida Statutes, including the volume of work previously awarded to the firm by the City, with the object of effecting an equitable distribution of contracts among qualified firms, so long as the most highly qualified firms are selected.	5	0
Total Score (max. possible – 100)		100	84


 Name _____

PUBLIC SERVICES
 Department _____

8/25/16
 Date _____

RFP RANKING FORM


RFQ NO. 2016-10

RFP TITLE: Professional Consulting Services - Land Development Regulations

Respondent\Firm Name: CANIN AND ASSOCIATES

Phase I – Competitive Selection-Ranking. The evaluation factors used for determining qualifications for ranking, include:

CRITERIA		MAX. # OF POINTS	SCORE
1	The ability of professional personnel, including their pertinent training and skills.	10	9
2	Project Approach	50	35
3	Respondent's willingness to meet City time and budget requirements	10	5
4	The location of the firm and the place from which the work is to be performed.	5	5
5	The recent, current, and projected workloads of the firm.	5	5
6	Past performance	15	12
7	Other factors authorized or required by Section 287.055, Florida Statutes, including the volume of work previously awarded to the firm by the City, with the object of effecting an equitable distribution of contracts among qualified firms, so long as the most highly qualified firms are selected.	5	0
Total Score (max. possible – 100)		100	71


 Name _____

PUBLIC SERVICES
 Department _____

8/25/16
 Date _____

RFP RANKING FORM

RFQ NO. 2016-10

RFP TITLE: **Professional Consulting Services - Land Development Regulations**

Respondent\Firm Name: **CLARION**

Phase I – Competitive Selection-Ranking. The evaluation factors used for determining qualifications for ranking, include:

	CRITERIA	MAX. # OF POINTS	SCORE
1	The ability of professional personnel, including their pertinent training and skills.	10	9
2	Project Approach	50	49
3	Respondent's willingness to meet City time and budget requirements	10	9
4	The location of the firm and the place from which the work is to be performed.	5	3
5	The recent, current, and projected workloads of the firm.	5	4
6	Past performance	15	15
7	Other factors authorized or required by Section 287.055, Florida Statutes, including the volume of work previously awarded to the firm by the City, with the object of effecting an equitable distribution of contracts among qualified firms, so long as the most highly qualified firms are selected.	5	4
Total Score (max. possible – 100)		100	93

David Moon

Name

Planning & Zoning

Department

8-25-16

Date

RFP RANKING FORM

RFQ NO. 2016-10

RFP TITLE: Professional Consulting Services - Land Development Regulations

Respondent\Firm Name: CANIN AND ASSOCIATES

Phase I – Competitive Selection-Ranking. The evaluation factors used for determining qualifications for ranking, include:

	CRITERIA	MAX. # OF POINTS	SCORE
1	The ability of professional personnel, including their pertinent training and skills.	10	7
2	Project Approach	50	36
3	Respondent's willingness to meet City time and budget requirements	10	9
4	The location of the firm and the place from which the work is to be performed.	5	5
5	The recent, current, and projected workloads of the firm.	5	3
6	Past performance	15	12
7	Other factors authorized or required by Section 287.055, Florida Statutes, including the volume of work previously awarded to the firm by the City, with the object of effecting an equitable distribution of contracts among qualified firms, so long as the most highly qualified firms are selected.	5	4
Total Score (max. possible – 100)		100	76

David Moon

Name

Planning & Zoning

Department

8-25-16

Date

RFP RANKING FORM

RFQ NO. 2016-10

RFP TITLE: Professional Consulting Services - Land Development Regulations

Respondent\Firm Name: CANIN AND ASSOCIATES

Phase I – Competitive Selection-Ranking. The evaluation factors used for determining qualifications for ranking, include:

	CRITERIA	MAX. # OF POINTS	SCORE
1	The ability of professional personnel, including their pertinent training and skills.	10	9
2	Project Approach	50	25
3	Respondent's willingness to meet City time and budget requirements	10	9
4	The location of the firm and the place from which the work is to be performed.	5	5
5	The recent, current, and projected workloads of the firm.	5	4
6	Past performance	15	13
7	Other factors authorized or required by Section 287.055, Florida Statutes, including the volume of work previously awarded to the firm by the City, with the object of effecting an equitable distribution of contracts among qualified firms, so long as the most highly qualified firms are selected.	5	4
Total Score (max. possible – 100)		100	69

Rogers Beckett
Name

Community Development Dept.
Department

8/25/16
Date

RFP RANKING FORM

RFQ NO. 2016-10

RFP TITLE: Professional Consulting Services - Land Development Regulations

Respondent\Firm Name: CLARION

Phase I – Competitive Selection-Ranking. The evaluation factors used for determining qualifications for ranking, include:

	CRITERIA	MAX. # OF POINTS	SCORE
1	The ability of professional personnel, including their pertinent training and skills.	10	9
2	Project Approach	50	50
3	Respondent's willingness to meet City time and budget requirements	10	9
4	The location of the firm and the place from which the work is to be performed.	5	3
5	The recent, current, and projected workloads of the firm.	5	4
6	Past performance	15	10
7	Other factors authorized or required by Section 287.055, Florida Statutes, including the volume of work previously awarded to the firm by the City, with the object of effecting an equitable distribution of contracts among qualified firms, so long as the most highly qualified firms are selected.	5	4
Total Score (max. possible – 100)		100	89

Rogers Beckett
Name

Community Development Dept.
Department

8/25/16
Date

RFP RANKING FORM

RFQ NO. 2016-10

RFP TITLE: Professional Consulting Services - Land Development Regulations

Respondent\Firm Name: CLARION

Phase I – Competitive Selection-Ranking. The evaluation factors used for determining qualifications for ranking, include:

CRITERIA		MAX. # OF POINTS	SCORE
1	The ability of professional personnel, including their pertinent training and skills.	10	10
2	Project Approach	50	50
3	Respondent's willingness to meet City time and budget requirements	10	9
4	The location of the firm and the place from which the work is to be performed.	5	4
5	The recent, current, and projected workloads of the firm.	5	5
6	Past performance	15	15
7	Other factors authorized or required by Section 287.055, Florida Statutes, including the volume of work previously awarded to the firm by the City, with the object of effecting an equitable distribution of contracts among qualified firms, so long as the most highly qualified firms are selected.	5	4
Total Score (max. possible – 100)		100	97

Name Kyle Pirlho

Department Community Dev.

Date 8/25/16

RFP RANKING FORM

RFQ NO. 2016-10

RFP TITLE: Professional Consulting Services - Land Development Regulations

Respondent\Firm Name: CANIN AND ASSOCIATES

Phase I – Competitive Selection-Ranking. The evaluation factors used for determining qualifications for ranking, include:

	CRITERIA	MAX. # OF POINTS	SCORE
1	The ability of professional personnel, including their pertinent training and skills.	10	10
2	Project Approach	50	30
3	Respondent's willingness to meet City time and budget requirements	10	9
4	The location of the firm and the place from which the work is to be performed.	5	5
5	The recent, current, and projected workloads of the firm.	5	4
6	Past performance	15	12
7	Other factors authorized or required by Section 287.055, Florida Statutes, including the volume of work previously awarded to the firm by the City, with the object of effecting an equitable distribution of contracts among qualified firms, so long as the most highly qualified firms are selected.	5	4
Total Score (max. possible – 100)		100	74

Kyle Wilkes
Name

Community Dev.
Department

8/25/14
Date

Backup material for agenda item:

2. Authorize a Door-to-Door Solicitation permit for Andrus Albi, E.H. Engelmeier Roofing & Sheet Metal Co., Inc.



CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER:

MEETING OF: September 7, 2016
FROM: Community Development
EXHIBITS: Application

SUBJECT: DOOR TO DOOR SOLICATION – ANDRUS ALBI, E.H. ENGELMEIER ROOFING & SHEET METAL CO., INC.

REQUEST: AUTHORIZE ISSUANCE OF A DOOR TO DOOR SOLICATION PERMIT TO ANDRUS ALBI, E.H. ENGELMEIER ROOFING & SHEET METAL CO., INC.

SUMMARY:

Andrus Albi, E.H. Engelmeier Roofing & Sheet Metal Co., is requesting approval to go door-to-door within the city limits of Apopka to solicit roofing services.

The application has been reviewed and approved by the Police, Fire, Community Development Department and Risk Management. The applicant has also provided proof of liability insurance, submitted to and passed a background check, and provided a hold harmless agreement. If approved the permit would be valid for one-year.

FUNDING SOURCE

N/A

RECOMMENDATION ACTION:

Authorize issuance of a Door-to-Door Solicitation permit to Andrus Albi of the E.H. Engelmeier Roofing & Sheet Metal Co.

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief



Community Development Dept.
 120 East Main Street
 Apopka, Florida 32703
 Phone: 407-703-1739
communitydevelopment@apopka.net

PEDDLER PERMIT APPLICATION

FILING THIS APPLICATION AND REMITTING THE APPLICATION AND PEDDLER/SOLICITOR FEE(S) FOR A CITY PEDDLER/SOLICITOR PERMIT DOES NOT ALLOW THE APPLICANT TO OPERATE OR ENGAGE IN ANY TYPE OF BUSINESS, OCCUPATION OR PROFESSION UNTIL A PEDDLER PERMIT IS ISSUED TO THE APPLICANT. **NOTE:** THE \$10.00 NON-REFUNDABLE APPLICATION FEE IS IN ADDITION TO THE PEDDLER/SOLICITOR PERMIT FEE.

Business/Organization Information	Applicants Information
Name: E.H. Engelmeier Roofing & Sheet Metal Co., Inc.	Name: Andrus Albi
Address: 4800 Wofford Lane	Address: [REDACTED]
Shopping Center: n/a	City/State/Zip: Apopka, FL 32712
City/State/Zip: Orlando, FL 32810	Phone: [REDACTED] Fax: [REDACTED]
Phone: 407-291-8600 Fax: 407-291-4957	Email Address: andrus@erroof.com
Mailing Address (If different than above)	Mailing Address (If different than above)
Street: same	same
City/State/Zip same	same

Describe the nature of your business or goods to be sold: (In Detail):		Roof installation and services	
such as: new roof, reroof, repairs, vents, skylights, solar fans			
Location where goods will be sold:		Apopka City limits	
Date Permit to be issued for:	From: Sept 1, 2016	To: Sept 1, 2017	
Vehicle Description: (if applicable):	Year: 2014	Make: Chevy	Model: Silverado
Color: White	State: FL	Owner: E.H. Engelmeier Roofing & Sheet Metal Co., Inc.	
Names and Address of Manufacture of goods to be sold: Service only			
Name/Address/Phone Number of two(2) reliable character/business references (preferably in Orange County):			
1.	Name: Aaron Overman	Address: [REDACTED]	Phone No.: [REDACTED]
2.	Name: Donald Fralick	Address: [REDACTED]	Phone No.: [REDACTED]
Have you ever been convicted of any felony, misdemeanor, or violation of any municipal ordinance?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, please explain:			
Federal Tax ID Number (FEI#):	[REDACTED]	OR	Social Security Number: n/a
Fictitious Name Registration #:	G03258700033	OR	Exemption Status: (Attach Copy) n/a
Regulatory License/Certification #:	[REDACTED]		Corporate Doc #: 424573



Community Development Dept.
 120 East Main Street
 Apopka, Florida 32703
 Phone: 407-703-1712
 communitydevelopment@apopka.net

BUSINESS TAX RECEIPT APPLICATION

Page 1 of 2

FILING THIS APPLICATION AND REMITTING THE APPLICATION AND BUSINESS TAX FEE(S) FOR A CITY BUSINESS TAX RECEIPT DOES NOT ALLOW THE APPLICANT TO OPERATE OR ENGAGE IN ANY TYPE OF BUSINESS, OCCUPATION OR PROFESSION UNTIL A BUSINESS TAX RECEIPT IS ISSUED TO THE APPLICANT. **NOTE: THE \$10.00 NON-REFUNDABLE APPLICATION FEE IS IN ADDITION TO THE BUSINESS TAX FEE(S).**

Business Information	Owner Information (If corporation, provide corporate officer information)
Name: E.H. Engelmeier Roofing & Sheet Metal Co., Inc.	Name: Carl Engelmeier
Address: 4800 Wofford Lane	Address: [REDACTED]
Shopping Center: n/a	City/State/Zip: Apopka, FL 32712
City/State/Zip: Orlando, FL 32810	Phone: [REDACTED] Fax: [REDACTED]
Phone: 407-291-8600 Fax: 407-291-4957	Email Address: evelyn@erroof.com
Mailing Address (If different than above)	
Street: same	
City/State/Zip same	

Business Description (In Detail):

Federal Tax ID Number (FEI #): [REDACTED]	OR Social Security Number: n/a
Fictitious Name Registration #: G03258700033 (Attach Copy)	OR Exemption Status: n/a (Licensed Professional, First & Last Name Used, Incorporated, Attorney)
Regulatory License/Certification: [REDACTED]	Corporate Doc: 424573

CERTIFICATION: I certify that all the information contained herein is true and correct to the best of my knowledge and belief. If any portion is found to be false or misrepresented, such fact may be just cause for immediate revocation of any business tax receipt(s) issued to me. I acknowledge that the issuance of this business tax receipt is contingent upon complying with the building and fire requirements of the City. Inspections will be performed and should deficiencies be found that are in conflict with required codes, I understand that the City will **not** issue the business tax receipt until I (or the owner of the building if leased) make the required corrections. I understand that should corrections be necessary, I am **not** permitted to operate this business until those corrections have been made and all applicable fees have been paid. It is further understood that I must FULLY comply with the Codes of the City of Apopka.

I understand that an Orange County business tax receipt must be obtained after the City business tax receipt is issued.

I further understand that it is the applicant's responsibility to secure the business tax receipt(s) prior to conducting business in the City of Apopka.

Applicant Info (If different than owner info)	I have read the foregoing document and the facts stated in it are true.
Name: Andrus Albi	Applicant Signature:  Date Submitted: 8-8-16
Address: [REDACTED]	
City/State/Zip: Apopka, FL 32712	
Phone: [REDACTED] Fax: [REDACTED]	
Email Address: andrus@erroof.com	

INDEMNITY AND HOLD HARMLESS AGREEMENT

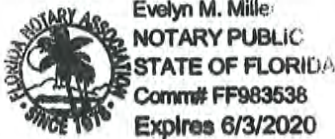
THIS AGREEMENT made and entered into this 8 day of AUGUST, 2016, by and between, Andrus Albi / E.H.Engelmeier Roofing & Sheet Metal Co., Inc. hereinafter referred to as The Solicitor and the CITY OF AOPKA, FLORIDA, hereinafter referred to as The City.

The Solicitor hereby agrees to indemnify and hold harmless the City and all of the City's officers, representatives, employees, and/or agents arising out of, or resulting from any damages, injuries, or illness from any and all liability, including any injury to or death of any person, or damage to or destruction of property in or about the premises; defense costs, including attorney's fees and all other fees incidental to defense; loss or damage the City may suffer as a result of claims, demands, costs or judgments against it arising from participation in particular: held on the 1 day of October, 2016, through the 30 day of September, 2017.

Signature of Applicant: *Andrus Albi*
 Andrus Albi

STATE OF FLORIDA
 COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 8 day of AUGUST, 2016 by, Andrus Albi and who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.



Evelyn M Miller
 Notary Public: Evelyn M. Miller
 Commission No.: FF983538
 Commission Expires: 6/3/2020

Department	Approved	Denied	Comments:
CD - Zoning:	<u><i>DBM</i></u>		
Fire:	<u><i>BWR</i></u>		
Police:	<u><i>SP</i></u>		
Risk Management:	<u><i>K.F.</i></u>		
City Council:			

Application Fee: \$10.00 Date Paid: _____ Permit Fee: \$50.00 Date Paid: _____
 Cash Credit/Debit: Check #: _____

CITY OF APOPKA



Peddler Permit

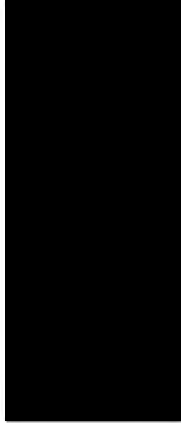
Albi Andrus

**EH Engelmeier Roofing
Organization**

The City of Apopka does not endorse the validity, reliability, or merchantability of the product or cause, which this permit allows. Any misrepresentation or irregularity should be reported to the Police Department by calling 407-703-1771.

CITY OF APOPKA

Address: 1986 Tournament Dr
Apopka, FL 32712



This permit does not authorize or imply that the person named and photographed appearing hereon is permitted to solicit in those neighborhoods and/or at those residences that are posted with "No Soliciting" signs.

**Date Issued
08-10-2016**

**Date Expires
08-10-2017**

Backup material for agenda item:

1. Approve the first amendment to the Marden Road Interchange Cost Sharing Agreement.

Glenn A. Irby



CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: Business

MEETING OF: September 7, 2016
 FROM: Administration
 EXHIBITS: First Amendment to Marden Road Interchange Cost Sharing Agreement

SUBJECT: FIRST AMENDMENT TO MARDEN ROAD INTERCHANGE COST SHARING AGREEMENT

REQUEST: REVIEW, DISCUSSION, UNDERSTANDING AND AGREEMENT OF SAID AMENDMENT

SUMMARY:

The Marden Road Interchange Cost Sharing Agreement was entered into between the City and MMI Development on September 17, 2015. The agreement allows MMI Development to share costs with the City related to the construction of a half interchange between the SR 414 and Marden Road. There is an agreed upon formula capping the available cost share at \$5,850,000.

To construct one of the two ramps, MMI Development has to dedicate to the Central Florida Expressway Authority [CFX] a portion of land to be used as right of way. The original cost share agreement states in section four [4] that an agreed upon value [between MMI Developers and the City of Apopka] for any required land dedication by MMI Developers for right of way use would be counted towards the cost of building the half interchange. MMI is claiming the value of that land is \$225,000. The original agreement allows the city to have the land appraised and split the cost of said appraisal with MMI [appraisals recently ordered by the city have cost between \$4,000 and \$5,000]. Said agreed upon value would not increase the maximum amount of the available cost share [\$5,850,000]; rather, it adds to MMI’s bottom line and would be recognized as eligible for cost share funds from the City under the agreement.

The dedicated land for right of way is to be deeded to CFX. The land is within the Small Study Area and is thus believed to be subject to all of the provisions of the Cost Share Agreement. CFX is requesting this specific property be excluded from the original agreement.

The following amendment is intended to do two things: 1) mutually agree the dedicated land is valued at \$225,000; and 2) mutually agree to otherwise remove the land from the conditions of the original cost share agreement.

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

Staff recommends accepting the stated value of the land of \$225,000 and agreeing this is a part of the overall cost as outlined in the original cost share agreement with MMI Developers. Staff further recommends allowing the property being dedicated to be removed from the provisions of the original cost share agreement.

DISTRIBUTION

Mayor Kilsheimer
 Commissioners
 City Administrator
 Community Development Director

Finance Director
 HR Director
 IT Director
 Police Chief

Public Services Director
 Recreation Director
 City Clerk
 Fire Chief

PREPARED BY AND RETURN TO:
TED B. EDWARDS, ESQUIRE
1350 N. ORANGE AVENUE, SUITE 260
WINTER PARK, FLORIDA 32789

FIRST AMENDMENT TO MARDEN ROAD INTERCHANGE COST SHARING AGREEMENT

THIS FIRST AMENDMENT TO MARDEN ROAD INTERCHANGE COST SHARING AGREEMENT (the “**Amendment**”), is effective as of the latest date of execution by the parties hereto (the “**Effective Date**”), and is made and entered into by and between **EMERSON POINT ASSOC., LLLP**, a Florida limited liability limited partnership (“**Emerson I**”); **EMERSON POINT PHASE II, LLC**, a Florida limited liability company (“**Emerson II**”) (**Emerson I** and **Emerson II** collectively referred to as the “**Owners**”, and individually as an “**Owner**”), **EMERSON MMI-INT, LLC**, a Florida limited liability company (“**Owners’ Agent**”), and **THE CITY OF APOPKA, FLORIDA**, a Florida municipal corporation (“**City**” or “**Apopka**”) (**Owners, Owners’ Agent, and the City** are collectively referred to as the “**Parties**” and individually as a “**Party**”).

WITNESSETH:

WHEREAS, Owners, Owner’s Agent, and the City are parties to that certain Marden Road Interchange Cost Sharing Agreement with an effective date of September 29, 2015, recorded September 29, 2015 in O.R. Book 10989, Page 4329, Public Records of Orange County, Florida (the “**Agreement**”);

WHEREAS, Emerson II either has or is in the process of dedicating to the Central Florida Expressway Authority (the “**Authority**”) certain lands owned by Emerson II necessary for the construction of the Interchange described on **Exhibit “A”** attached hereto and incorporated by reference (the “**Right of Way**”);

WHEREAS, the Authority has requested the Right of Way be released from the terms and conditions of the Agreement; and

WHEREAS, the Parties also desire to agree upon the value of the Right of Way being transferred by Emerson II to the Authority, and desire to amend and supplement the Agreement in accordance with and as provided in this Amendment.

AMENDMENT

NOW, THEREFORE, in consideration of the premises, the City, Owners, and Owner’s Agent hereby amend the Agreement as follows:

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

2. **Definitions.** All capitalized terms used herein and not defined herein shall have the meaning ascribed to them in the Amendment.

3. **Release of Right of Way.** The Parties hereto modify and amend the legal description of the Property set forth in Exhibit "A" to the Agreement to less and except the legal description of the Right of Way therefrom. The Parties hereby release, discharge and remove the Right of Way from the terms, conditions and encumbrances of the Agreement.

4. **Value of Right of Way.** The Parties further stipulate and agree the value of the Right of Way to be \$225,000.00 the amount set forth in the Project Costs and is so approved.

5. **Effect of Amendment.** All provisions of the Amendment, except as modified by this Amendment, remain in full force and effect and are reaffirmed.

6. **Interpretation of Amendment.** In the event of any conflict, inconsistency, or incongruity between any provision of this Amendment and any provision of the Amendment, the provisions of this Amendment will govern and control.

7. **Captions.** Titles or captions of paragraphs contained in this Agreement are inserted only as a matter of convenience and for reference, and in no way define, limit, extend, or describe the scope of this Amendment or the intent of any provision hereof.

8. **Recordation of Agreement.** An executed original of this Amendment shall be recorded, at Owners' expense, in the Public Records of Orange County, Florida, within thirty (30) days after the Effective Date.

9. **No Further Amendment.** Except as provided herein, the terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this Amendment to be duly executed by their respective duly authorized representatives on the dates set forth below.

CITY OF APOPKA, FLORIDA

By: Apopka City Council

By: _____
Joseph E. Kilsheimer, Mayor

Date: _____

ATTEST: Linda F. Goff
As Clerk of the City of Apopka

By: _____
City Clerk

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this ____ day of _____, 2016, by Joseph E. Kilsheimer, as Mayor of the **CITY OF APOPKA, FLORIDA**, a Florida municipal corporation. He/she is personally known to me or has produced _____ as identification.

Signature of Notary Public

Typed name of Notary Public

[SIGNATURES CONTINUE ON FOLLOWING PAGES]

Witnesses:

"EMERSON I"

EMERSON POINT ASSOC., LLLP a
Florida limited liability limited partnership

Print Name:_____

By:_____
Print Name: Michael E. Wright
Title: General Partner

Print Name:_____

Date:_____

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this ____ day of _____, 2016, by Michael E. Wright, as General Partner for EMERSON POINT ASSOC., LLLP, a Florida limited liability limited partnership, on behalf of the partnership. He is personally known to me or has produced _____ as identification.

Signature of Notary Public

Typed name of Notary Public

[SIGNATURES CONTINUE ON FOLLOWING PAGES]

Witnesses:

“EMERSON II”

EMERSON POINT PHASE II, LLC a
Florida limited liability company

Print Name: _____

By: _____

Print Name: Michael E. Wright

Title: Manager

Print Name: _____

Date: _____

Print Name: _____

By: _____

Print Name: Mary L. Demetree

Title: Manager

Print Name: _____

Date: _____

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this ____ day of _____, 2016, by Michael E. Wright, as Manager for **EMERSON POINT PHASE II, LLC**, a Florida limited liability company, on behalf of the company. He is personally known to me or has produced _____ as identification.

Signature of Notary Public

Typed name of Notary Public

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this ____ day of _____, 2016, by Mary L. Demetree, as Manager for **EMERSON POINT PHASE II, LLC**, a Florida limited liability company, on behalf of the company. She is personally known to me or has produced _____ as identification.

Signature of Notary Public

Typed name of Notary Public

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

Witnesses:

“OWNERS’ AGENT”

EMERSON MMI-INT, LLC, a Florida limited liability company

Print Name: _____

By: _____
Print Name: Michael E. Wright
Title: Manager

Print Name: _____

Date: _____

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this ____ day of _____, 2016, by Michael E. Wright, as Manager for **EMERSON MMI-INT, LLC**, a Florida limited liability company, on behalf of the company. He is personally known to me or has produced _____ as identification.

Signature of Notary Public

Typed name of Notary Public

Exhibit "A"

NORTHEAST CENTRAL FLORIDA EXPRESSWAY AUTHORITY LIMITED ACCESS RIGHT-OF-WAY PARCEL

LEGAL DESCRIPTION:

A PORTION OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND RAILROAD SPIKE WITH X-CUT MARKING THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 88°57'32" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21, FOR A DISTANCE OF 30.00 FEET, TO A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF MARDEN ROAD, AS DESCRIBED IN DEED BOOK 543, PAGE 3 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 00°15'46" WEST, ALONG THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD, FOR A DISTANCE OF 469.29 FEET, TO THE POINT OF BEGINNING, SAID POINT BEING AT THE INTERSECTION OF THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD WITH THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 414, AS SHOWN ON THE ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY RIGHT-OF-WAY MAP, PROJECT 429-200, SAID POINT ALSO BEING ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST; THENCE RUN SOUTHEASTERLY ALONG THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414 AND ALONG SAID CURVE, HAVING A RADIUS OF 4,360.00 FEET, A CENTRAL ANGLE OF 6°30'12", AN ARC LENGTH OF 494.89 FEET, A CHORD LENGTH OF 494.62 FEET AND A CHORD BEARING OF SOUTH 81°10'06" EAST; THENCE RUN SOUTH 70°08'59" EAST, ALONG THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414, FOR A DISTANCE OF 589.24 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST; THENCE RUN SOUTHEASTERLY ALONG THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414 AND ALONG SAID CURVE, HAVING A RADIUS OF 4,320.00 FEET, A CENTRAL ANGLE OF 3°40'16", AN ARC LENGTH OF 276.79 FEET, A CHORD LENGTH OF 276.74 FEET AND A CHORD BEARING OF SOUTH 68°18'51" EAST, TO A POINT AT THE INTERSECTION OF THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414 WITH THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 21; THENCE CONTINUE SOUTHEASTERLY ALONG THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414 AND ALONG SAID CURVE, HAVING A RADIUS OF 4,320.00 FEET, A CENTRAL ANGLE OF 13°02'24", AN ARC LENGTH OF 983.19 FEET, A CHORD LENGTH OF 981.07 FEET AND A CHORD BEARING OF SOUTH 59°57'31" EAST, TO A POINT AT THE INTERSECTION OF THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NUMBER 414 WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 21; THENCE RUN NORTH 02°46'48" WEST, FOR A DISTANCE OF 96.15 FEET, TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST; THENCE RUN NORTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 1,731.02 FEET, A CENTRAL ANGLE OF 7°10'02", AN ARC LENGTH OF 216.54 FEET, A CHORD LENGTH OF 216.39 FEET AND A CHORD BEARING OF NORTH 50°10'07" WEST; THENCE RUN NORTH 65°20'36" WEST, FOR A DISTANCE OF 328.55 FEET; THENCE RUN NORTH 71°44'48" WEST, FOR A DISTANCE OF 91.73 FEET; THENCE RUN NORTH 67°47'09" WEST, FOR A DISTANCE OF 477.29 FEET; THENCE RUN NORTH 62°04'31" WEST, FOR A DISTANCE OF 100.50 FEET; THENCE RUN NORTH 67°00'49" WEST, FOR A DISTANCE OF 300.03 FEET; THENCE RUN NORTH 68°04'05" WEST, FOR A DISTANCE OF 162.90 FEET; THENCE RUN NORTH 72°46'45" WEST, FOR A DISTANCE OF 147.68 FEET, TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST; THENCE RUN NORTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 1,586.63 FEET, A CENTRAL ANGLE OF 9°52'36", AN ARC LENGTH OF 273.50 FEET, A CHORD LENGTH OF 273.16 FEET AND A CHORD BEARING OF NORTH 62°50'51" WEST, TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST; THENCE RUN

NORTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 550.39 FEET, A CENTRAL ANGLE OF 19°33'47", AN ARC LENGTH OF 187.92 FEET, A CHORD LENGTH OF 187.01 FEET AND A CHORD BEARING OF NORTH 67°41'27" WEST; THENCE RUN SOUTH 10°41'57" WEST, FOR A DISTANCE OF 82.86 FEET; THENCE RUN SOUTH 33°26'11" WEST, FOR A DISTANCE OF 113.21 FEET, TO THE POINT OF BEGINNING.

TOGETHER WITH ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR AND VIEW TO, FROM OR ACROSS ANY OF THE ABOVE DESCRIBED RIGHT-OF-WAY PROPERTY WHICH MAY OTHERWISE ACCRUE TO ANY PROPERTY ADJOINING SAID RIGHT-OF-WAY.

TOGETHER WITH:

NORTHEAST CENTRAL FLORIDA EXPRESSWAY AUTHORITY LIMITED ACCESS RIGHT-OF-WAY LINE

LEGAL DESCRIPTION:

ALL RIGHTS OF INGRESS, EGRESS, LIGHT, AIR AND VIEW BETWEEN THE PROPERTIES LYING ON EITHER SIDE OF THE FOLLOWING DESCRIBED LINE LYING IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND RAILROAD SPIKE WITH X-CUT MARKING THE NORTHWEST CORNER OF SECTION 21, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 88°57'32" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21, FOR A DISTANCE OF 30.00 FEET, TO A POINT ON THE EXISTING EAST RIGHT-OF-WAY LINE OF MARDEN ROAD, AS DESCRIBED IN DEED BOOK 543, PAGE 3 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 00°15'46" WEST, ALONG THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD, FOR A DISTANCE OF 114.76 FEET, TO THE POINT OF BEGINNING; THENCE RUN SOUTH 03°52'56" EAST, FOR A DISTANCE OF 92.51 FEET; THENCE RUN SOUTH 03°43'15" EAST, FOR A DISTANCE OF 7.30 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST; THENCE RUN SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 182.00 FEET, A CENTRAL ANGLE OF 13°35'47", AN ARC LENGTH OF 43.19 FEET, A CHORD LENGTH OF 43.09 FEET AND A CHORD BEARING OF SOUTH 10°31'08" EAST; THENCE RUN SOUTH 59°11'36" EAST, FOR A DISTANCE OF 71.64 FEET; THENCE RUN SOUTH 10°41'57" WEST, FOR A DISTANCE OF 82.86 FEET; THENCE RUN SOUTH 33°26'11" WEST, FOR A DISTANCE OF 113.21 FEET, TO THE POINT OF TERMINUS, SAID POINT BEING AT THE INTERSECTION OF THE EXISTING EAST RIGHT-OF-WAY LINE OF SAID MARDEN ROAD WITH THE EXISTING NORTH LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD NUMBER 414, AS SHOWN ON THE ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY RIGHT-OF-WAY MAP, PROJECT 429-200.

LIMITED ACCESS RIGHTS ONLY ALONG A LINE WITHOUT AREA.

Backup material for agenda item:

2. Preliminary Development Plan – Binion Reserve Subdivision
Moon

David



CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: Preliminary Development Plan

MEETING OF: September 7, 2016
FROM: Community Development
EXHIBITS: Vicinity Map
Aerial Map
Site & Landscape Plans

SUBJECT: BINION RESERVE SUBDIVISION - PRELIMINARY DEVELOPMENT PLAN

REQUEST: APPROVAL OF BINION RESERVE SUBDIVISION PRELIMINARY DEVELOPMENT PLAN; AND ISSUE THE PRELIMINARY DEVELOPMENT ORDER

SUMMARY:

OWNER: Gail W. Brown

APPLICANT: Binion Reserve c/o Rohland A. June

ENGINEER: June Engineering Consultants, Inc. c/o Jeffrey A. Sedloff, P.E.

LOCATION: 1078 S. Binion Road (South of Lust Road and West of Binion Road)

ZONING: R-1A (min. 1,600 sq. ft. single family house living area)

FUTURE LAND USE: Residential Low (0-5 du/ac)

EXISTING USE: Single Family Residence

PROPOSED USE: Single Family Residential Subdivision (44) Lots

TRACT SIZE: 21.39 +/-

DENSITY: 2.05 Units per gross acre

FUNDING SOURCE:

N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	Future Land Use	Zoning	Present Use
North (City)	Res. Low Suburban (0-3.5 du/ac)	ZIP	Vacant Land
East (City)	Res. Low (0-5.0 du/ac)	A-1 (ZIP)	Single Family Residential
East (County)	Rural (1du/10acres)	A-1	Single Family Residential
South (City)	Mixed Use	A-1(ZIP)	Single Family Residential
West (City)	Res. Low (0-5.0 du/ac)	R-1A/R-O-W	Vacant Land/S.R. 429

ADDITIONAL COMMENTS: The Binion Reserve Preliminary Development Plan proposes 44 single family lots and a 0.51 acre park within 21.39 +/- acres. The park will serve this residential community and will be owned and maintained by the homeowners association. A 10-foot wide landscape buffer with a six foot high brick or pre-cast tilt wall is provided along Binion Road, except within Tract I (open space) where a six-foot high wrought-iron style fence with brick\masonry post is provided. Along the western project line adjacent to S.R. 429, a 10-foot wide landscape tract with a six-foot high brick or pre-cast tilt wall will be provided along the entire project line. The minimum typical lot width is 85 feet with a minimum lot size of 10,000 square feet. The proposed minimum living area for a house within this subdivision is 1,600 square feet. A ten-foot wide sidewalk easement is reserved for the City of Apopka if it chooses to accept this easement at the time of the Final Development Plan. The sidewalk easement can be used for a segment of the East Shore regional multi-use trail.

The minimum setbacks applicable to this project are:

Setback	Min. Standard
Front	25’*
Side	10’
Rear	20’
Corner	25’

*Front load garage shall be setback 30 feet.

Access: Ingress/egress for the development will be via full access from Binion Road.

Stormwater: The stormwater management system includes an on-site retention area. Stormwater ponds are located within Tract “A” and Tract “I”. The stormwater ponds design meets the City’s Land Development Code requirements.

Recreation: The developer is providing 0.51 acres (22,120 square-feet) of active and passive recreation space. Details of active and passive recreation equipment and facilities will be submitted with the final development plan.

Buffer/Tree Program: A ten-foot wide landscaped buffer easement is provided along the western project line adjacent to the S.R. 429 right-of-way with a vinyl fence or a viburnum hedge (which shall be maintained at a minimum height of six feet). A minimum ten-foot wide landscape buffer tract with a six-foot high wall along Binion Road except adjacent to the open space area within Tract I, where a six-foot high wrought-iron style fence with brick\masonry columns will be installed.

**CITY COUNCIL –SEPTEMBER 7, 2016
BINION RESERVE SUBDIVISION – PRELIMINARY DEVELOPMENT PLAN
PAGE 3**

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

Total inches on-site:	8561
Total number of specimen trees:	156
Total specimen inches retained:	2055
Total inches replaced:	756
Total inches removed:	1953
Total inches retained:	4158
Total inches post development:	4914

SCHOOL CAPACITY REPORT: No development activity or clearing or grading, or plat recordation can occur until such time that a concurrency mitigation agreement has been approved by Orange County Public Schools (OCPS).

ORANGE COUNTY NOTIFICATION: The County was notified at the time of the land use amendment and rezoning application for this property, and the County receives a copy of the Development Review Committee agenda.

PUBLIC HEARING SCHEDULE:

July 12, 2016 - Planning Commission, 5:30 p.m.
July 20, 2016 – City Council, 7:00 p.m. continued
August 3, 2016 – City Council, 1:30 p.m.

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the Binion Reserve Subdivision - Preliminary Development Plan, subject to the findings of the staff report.

The **Planning Commission**, at its meeting on July 12, 2016, unanimously recommended approval of the Binion Reserve Subdivision Preliminary Development Plan and the wall waiver requests subject to the condition that a viburnum hedge, to be maintained at a minimum height of six feet, be installed on the north side of the project along S.R. 429; and subject to the findings in the staff report.

Following the Planning Commission hearing, the applicant amended the landscape plans to meet the requirements of the Land Development Code, eliminating any applicant request for waivers.

City Council Approve the Binion Reserve Subdivision Preliminary Development Plan subject to the findings in the staff report, and issue the Preliminary Development Order.

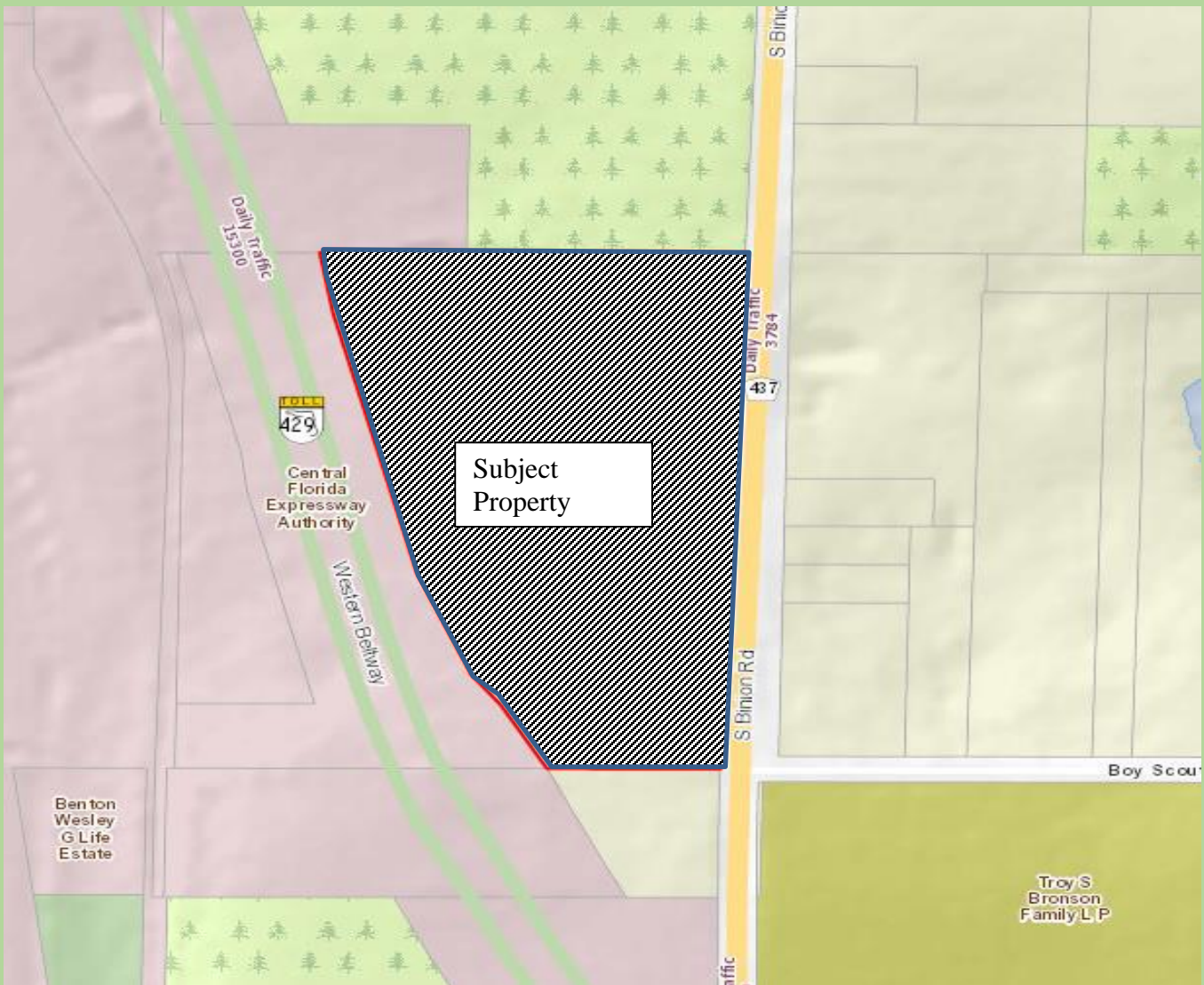
Note: This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

Gail Brown c/o Rohland A. June
June Engineering Consultants, Inc.
Binion Reserve Subdivision
21.39 +/- Acres

Proposed number of units: 44 single family homes
Parcel ID #: 18-21-28-0000-00-057



VICINITY MAP





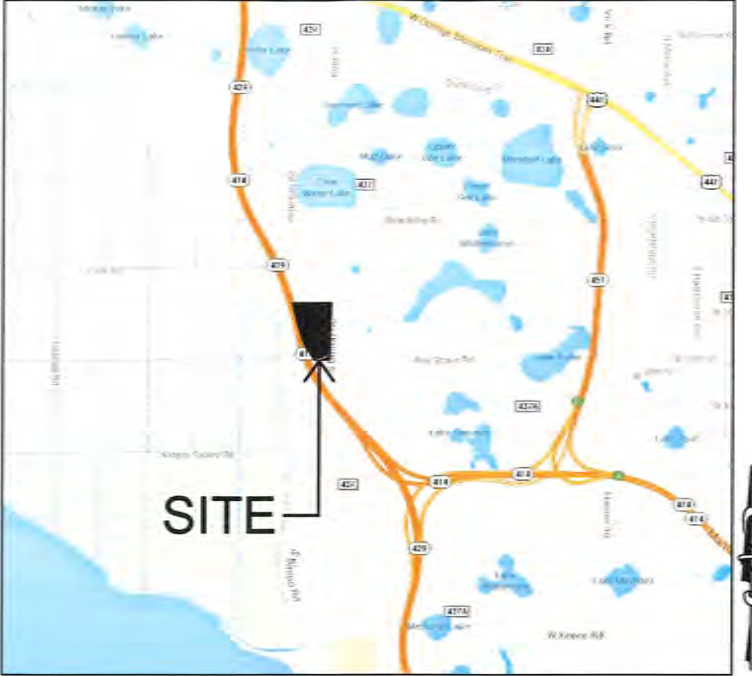
AERIAL MAP



Preliminary Development Plan for Binion Reserve

DESCRIPTION
THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, SECTION 18, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA;
LESS:
S. BINION ROAD (aka S.R. 437A) AND ALSO LESS SEABOARD COAST LINE RAILROAD;
AND LESS:
A PARCEL OF LAND SITUATE IN SECTION 18, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; MORE PARTICULARLY DESCRIBED AS:
COMMENCE AT A 4 INCH BY 4 INCH CONCRETE MONUMENT STAMPED "L.F. HENRICH R.L.S. NO. 1263 P.R.M. MAITLAND, FLA." AS SHOWN ON PLAT OF SURVEY BY HENRICH INC. LAND SURVEYORS DATED 11-19-73 AND BOUNDARY SURVEY BY P.E.C. FOR S.J.R.W.M.D. LAST DATED 8-10-98 MARKING THE NORTHWEST CORNER OF SAID SECTION 18; THENCE RUN NORTH 89°39'46" EAST 1,320.44 FEET ALONG THE NORTH LINE OF SAID SECTION 18 TO THE WEST BOUNDARY OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 18, AS SHOWN ON P.E.C. S.J.R.W.M.D. SURVEY; THENCE SOUTH 01°03'27" WEST 1,337.48 FEET ALONG SAID WEST BOUNDARY LINE TO A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 18; THENCE DEPARTING SAID WEST BOUNDARY LINE, RUN ALONG SAID NORTH LINE, SOUTH 89°52'24" EAST 39.26 FEET TO POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTH LINE, SOUTH 89°52'24" EAST 306.42 FEET; THENCE DEPARTING SAID NORTH LINE, SOUTH 09°56'34" EAST 159.89 FEET; THENCE SOUTH 14°48'28" EAST 700.00 FEET; THENCE SOUTH 23°31'40" EAST 290.42 FEET; THENCE SOUTH 38°37'42" EAST 100.53 FEET; THENCE SOUTH 30°39'48" EAST 197.78 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE NORTH 89°58'47" WEST 798.70 FEET ALONG SAID NORTH LINE OF THE SOUTHWEST 1/4 TO THE EASTERLY RIGHT OF WAY LINE OF FORMER S.C.L.R.R. AS MONUMENTED FOR S.J.R.W.M.D. BY P.E.C.; THENCE NORTH 01°03'18" EAST 174.53 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE, RUN SOUTH 89°53'41" EAST 295.19 FEET; THENCE NORTH 14°33'12" WEST 573.59 FEET; THENCE NORTH 07°06'24" WEST 100.81 FEET; THENCE NORTH 14°48'28" WEST 538.38 FEET TO THE POINT OF BEGINNING.
AND ALSO LESS:
A PARCEL OF LAND SITUATE IN SECTION 18, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA; MORE PARTICULARLY DESCRIBED AS:
COMMENCE AT A 4 INCH BY 4 INCH CONCRETE MONUMENT STAMPED "L.F. HENRICH R.L.S. NO. 1263 P.R.M. MAITLAND, FLA." AS SHOWN ON PLAT OF SURVEY BY HENRICH INC. LAND SURVEYORS DATED 11-19-73 AND BOUNDARY SURVEY BY P.E.C. FOR S.J.R.W.M.D. LAST DATED 8-10-98 MARKING THE NORTHWEST CORNER OF SAID SECTION 18; THENCE RUN NORTH 89°39'46" EAST 1,320.44 FEET ALONG THE NORTH LINE OF SAID SECTION 18 TO THE WEST BOUNDARY OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 18, AS SHOWN ON P.E.C. S.J.R.W.M.D. SURVEY; THENCE SOUTH 01°03'27" WEST 1,337.48 FEET ALONG SAID WEST BOUNDARY LINE TO A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 18; THENCE DEPARTING SAID WEST BOUNDARY LINE, RUN ALONG SAID NORTH LINE, SOUTH 89°52'24" EAST 39.26 FEET; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 14°48'28" EAST 538.38 FEET; THENCE SOUTH 07°06'24" EAST 100.81 FEET; THENCE SOUTH 14°33'12" EAST 573.59 FEET; THENCE NORTH 89°53'41" WEST 295.19 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF FORMER S.C.L.R.R. AS MONUMENTED FOR S.J.R.W.M.D. BY P.E.C.; THENCE NORTH 01°03'18" EAST 880.37 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE TO A POINT ON A TANGENT CURVE (CONCAVE SOUTHWESTERLY); THENCE FROM A CHORD BEARING OF NORTH 10°27'51" WEST, RUN NORTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 751.20 FEET FOR AN ARC DISTANCE OF 302.08 FEET, THROUGH A CENTRAL ANGLE OF 23°02'20" TO END OF CURVE AND POINT OF BEGINNING.
CONTAINING 21.396 ACRES, MORE OR LESS.

Binion Reserve



Location Map

Sheet Index

- 1 Cover Sheet
- 2 Detail Sheet
- 3 Site Plan
- 4 Tree Removal Plan
- L-1 Landscape Plan

- General Notes:**
1. The final landscape plan, irrigation plan, etc. to be provided with the Final Development Plan submittal. Irrigation system is to be designed with pop up type devices only (risers are not allowed), and rain sensor devices are required.
 2. Written verification from the SJRWMD on the wetland boundary area will be provided with the Final Development Plan.
 3. The front of all homes shall face the street. See Section 6.01.00.C.4 of the City Land Development Code.
 4. A minimum of one street tree (canopy tree) per 30 feet on center is required per section 3.6 of the City's Development Design Guidelines.
 5. A minimum of 3 trees per lot is required per section 3.6 of the City's Development Design Guidelines.
 6. All power service to site and throughout the site shall be provided underground, no overhead service will be allowed.
 7. Prior to clearing or grading the site, a letter from Florida Fish & Wildlife Commission shall be provided to the City of Apopka Planning & Zoning Department.
 8. All roadway and fire hydrant infrastructure must be in place before building construction begins.
 9. Residential architecture will comply with the City's Development Design Guidelines. Architectural renderings of all proposed residential buildings must be submitted with the development plan application.
 10. The front elevation of any home constructed on a cul-de-sac or on a curve shall be no more than a 30 degree deflection from a line perpendicular to a radial line from the center of the cul-de-sac or the radius point of a curve through the mid-point of the lot frontage. This perpendicular line shall be drawn from the intersection of the radial line and the corner of the proposed structure. All minimum lot width and structure setbacks must be accomplished. Evidence of compliance with these standards shall be evidenced on the development plans, plot plans, foundation surveys and final surveys associated with the building permit and inspection process.
 11. Front load garages shall be setback 30 feet from property line.
 12. All stormwater design shall comply with City of Apopka Land Development Code. Compensating storage shall be provided for any fill within the 100 year flood plain.

DEVELOPMENT INFORMATION

Land Area	21.396 Acres (932,040.61 sf.)
Zoning	Single Family Residential Existing - R-1A
Existing Land Use	Vacant, Exist. Residence (mobile home)
Proposed Land Use	Residential Low (0-5 du/acre)
Number of Proposed Lots	44
Proposed Density	2.05 units/acre
Maximum Height	35 ft (2 Stories)
Average Lot Area	11,374 sf
Minimum Lot Area	10,000 sf
Minimum Living Area	1,600 sf
Minimum Lot Width	85 ft
Minimum Yard Setback:	
Front:	25 ft
Side:	10 ft
Side Corner:	25 ft
Rear:	20 ft
Wetland:	50 ft

Open Space:
Open Space Provided = 1 lot = .234 Ac. = 1.1%
Open Space Provided = 5.95 Ac. = 27.809%

Tract A	2.39
Tract B	0.60
Tract C	0.36
Tract D	0.25
Tract E	0.44
Tract F	0.51
Tract I	1.40
	5.95

* Irregular Lots Front Yard Setback Distance is Indicated at the Minimum Required Lot Width

Phasing Single Phase

Projected Traffic: 440 Average Daily Traffic Trips

Schools
Elementary - Apopka Middle - Apopka High - Apopka

Sewer Flow - 13,200 gal. per day

Water Flow - 15,400 gal. per day (Fire flow per Sub. Regs.)

Stormwater Provide Retention/Detention System on-site per Sub. Regs.

Existing Vegetation: Various

No fences, landscaping or other structures are allowed within drainage easements between lots with underground piping.

FEMA - Site lies partially within Flood Zone X, (areas outside of 500 Yr. flood plain), with portions lying within Zone AE, (areas of 100 Yr. flood plain), with a base elevation of 70.3. According to FIRM Map No. 12095C0120 F, Community No. 120180 0120 F, Dated September 25, 2008.

Parcel ID Number: 18-21-28-0000-00-057

Property Address: 1078 S. Binion Rd.

Site Data Table	
Parcel ID Number	18-21-28-0000-00-057
Future Land Use	Residential Low
Zoning	R-1A
Adjacent Land Use	North:RLS/L East:RL South:MU West:RL
Adjacent Zoning	North:A-1 East:A-1 South:A-1 West:R-1A
Acreage/Square Footage	Acres: 21.263 S.F. 926,195
Building Height	Proposed: 35' Max. 35'
Density	Proposed: 2.05 units/Ac. Max.
Building Setbacks	Proposed Front: 25' Side: 10' Rear: 20' Corner: 25' Required Front: 25' Side: 10' Rear: 20' Corner: 25'
Open Space	Proposed: 26.8 Required: 1.1%
Tree Bank Mitigation Fee	
Waiver Request	Yes
Variance Request	No

OWNER: GAIL BROWN (407) 905-8180
P.O. BOX 456
CLARCONA, FL 32710

OWNER/DEVELOPER: BINION RESERVE (407) 905-8180
ROHLAND A. JUNE, PRESIDENT
P.O. BOX 770609
WINTER GARDEN, FL 34777-0609

ENGINEER: JUNE ENGINEERING CONSULTANTS, INC. (407) 905-8180
P.O. BOX 770609
WINTER GARDEN, FL 34777-0609

SURVEYOR: BISHMAN SURVEYING AND MAPPING, INC. (407) 905-8877
32 W. PLANT STREET
WINTER GARDEN, FL 34787

GEOTECHNICAL ENGINEER: YOWAISH ENGINEERING SCIENCES, INC. (407) 774-9383
953 SUNSHINE LANE
ALTAMONTE SPRINGS, FL 32714

ENVIRONMENTAL CONSULTANT: BIO-TECH CONSULTING, INC. (407) 894-5969
2002 E. ROBINSON STREET
ORLANDO, FL 32803

UTILITIES
Water: City of Apopka
Sewer: City of Apopka
Telephone: Century Link
Electric: Duke Energy
Cable: BrightHouse Networks

Tract Information		
Tract	Use	Ownership & Maintenance
A	Stormwater Management	Homeowners Association
B	Upland Buffer	Homeowners Association
C	Conservation / Open Space	Homeowners Association
D	Landscape/Wall	Homeowners Association
E	Landscape/Wall	Homeowners Association
F	Park / Recreation	Homeowners Association
G	LIR Station	City of Apopka
H	Landscape/Wall	Homeowners Association
I	Open Space / Retention	Homeowners Association
J	Right-of-Way	City of Apopka

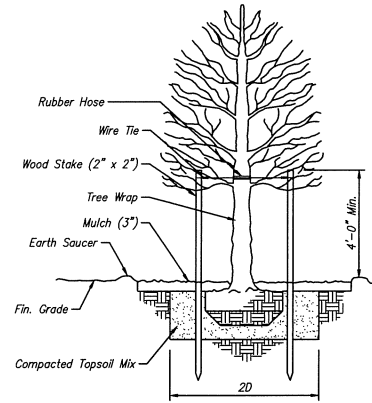
December 23, 2015
Revised June 15, 2016

JEC June engineering consultants, inc.
32 W. Plant Street
Winter Garden, FL 34787
Ph. 407-905-8180
Fax 407-905-6232
Certificate of Authorization #00031567

JEFFREY A. SEDLOFF
PE# 51506

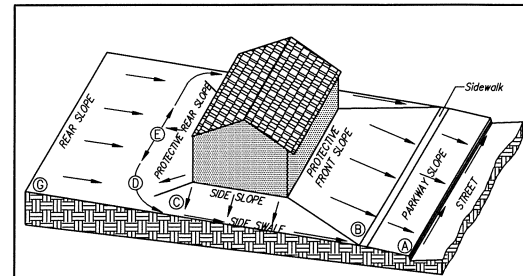


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TREE PLANTING DETAIL

N.T.S.

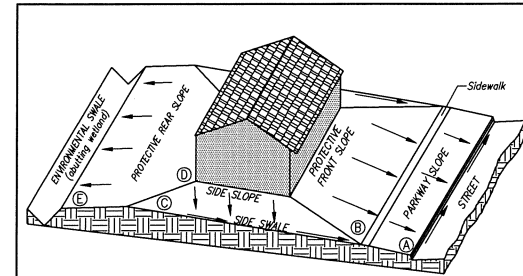


SAMPLE COMPUTATION OF GRADING CONTROL LINE A-F FOR A LOT ON AN 0.5% STREET, WITH 30' SETBACK, 60' BUILDING DEPTH AND 1% SWALES

A	Curb-top on lot-line extension at high lot corner	
A-B	Parkway slope: 12' grass and walk at 1/4" / ft. (2%)	(0.2)
B-C	Side swale: 90' grass	(0.9)
C-D	Swale turn with 10' radius: 16' grass	(0.2)
D-E	Rear swale: 35' grass at 1/4" / ft.	(0.3)
E-F	Protective rear slope up from high-point of swales	(0.1)
B-G	Lot depth at swale grade	varies
Sub-total A-F from curb-top to ground at rear building wall		(1.7)
Minimum rise from curb-top to slab floor		(2.2)

TYPE 'A' LOT GRADING

N.T.S.

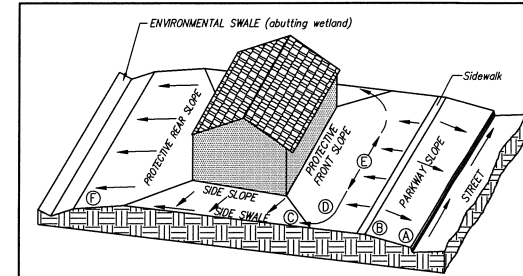


SAMPLE COMPUTATION OF GRADING CONTROL LINE A-F FOR A LOT ON AN 0.5% STREET, WITH 30' SETBACK, 60' BUILDING DEPTH AND 1% SWALES

A	Curb-top on lot-line extension at high lot corner	
A-B	Parkway slope: 12' grass and walk at 1/4" / ft. (2%)	(0.2)
B-C	Side swale: 90' grass	(0.9)
C-D	Protective swale	(0.5)
D-E	Side swale: 30' grass	(0.3)
Sub-total A-D from curb-top to ground at rear building wall		(1.6)
Minimum rise from curb-top to slab floor		(2.1)

TYPE 'B' LOT GRADING

N.T.S.

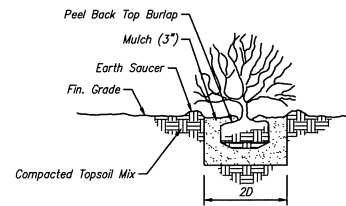


SAMPLE COMPUTATION OF GRADING CONTROL LINE A-F FOR A LOT ON AN 0.5% STREET, WITH 30' SETBACK, 60' BUILDING DEPTH AND 2% SWALES

A	Curb-top on lot-line extension at high lot corner		
A-B	Parkway slope: 12' grass and walk at 1/4" / ft. (2%)	(0.3)	(0.3)
B-C	Side swale: 30' grass	(0.6)	(0.3)
C-D	Swale turn with 10' radius: 16' grass	(0.4)	(0.2)
D-E	Front swale: 40' grass at 1/4" / ft.	(0.8)	(0.4)
C-F	Side swale: 90' grass	(1.8)	(0.9)

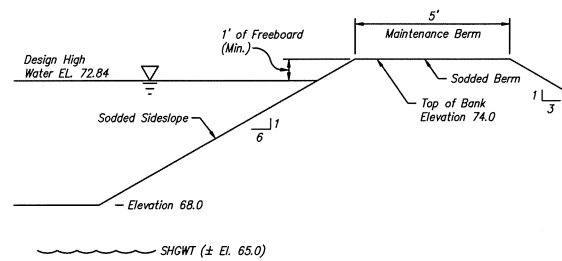
TYPE 'C' LOT GRADING

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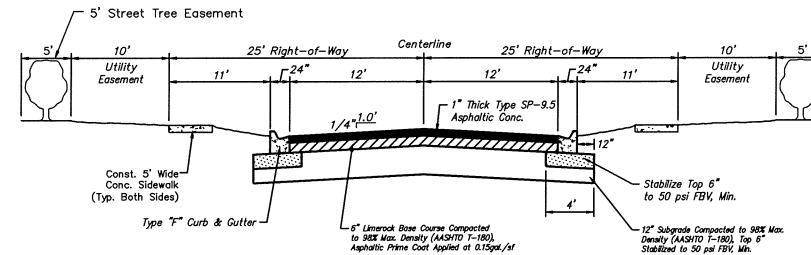
SHRUB PLANTING DETAIL

N.T.S.



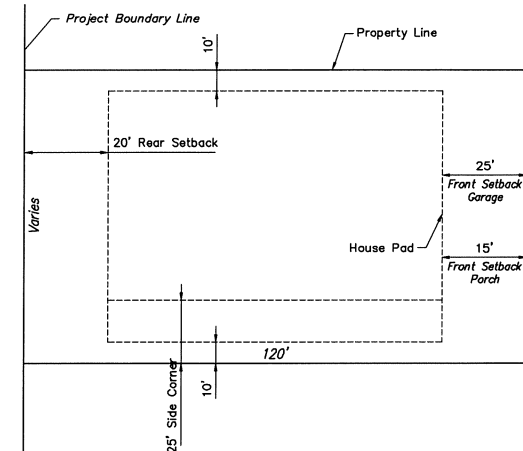
TYPICAL POND SECTION

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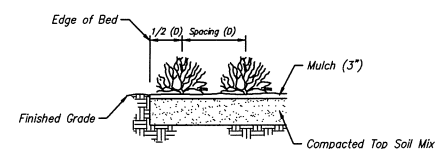
TYPICAL ROAD SECTION

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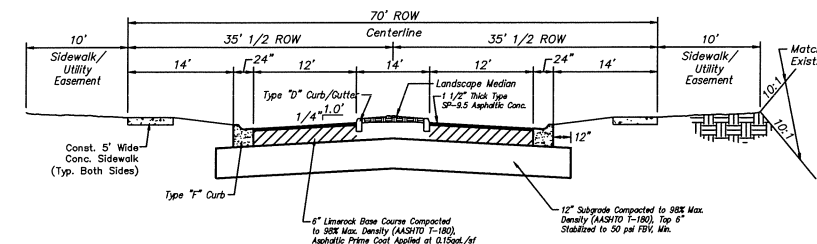
TYPICAL LOT LAYOUT

N.T.S.



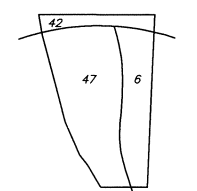
GROUNDCOVER PLANTING DETAIL

N.T.S.



ENTRANCE ROAD SECTION

N.T.S.



- 6 Candler-Apopka FS (A)
- 42 Sanibel Muck (A/D)
- 47 Tavares-Millhopper FS (A)

SOILS MAP

N.T.S.

DATE	REVISION
1/19/15	City Comments
2/09/16	City Comments
6/1/16	City Comments
6/15/16	City Comments

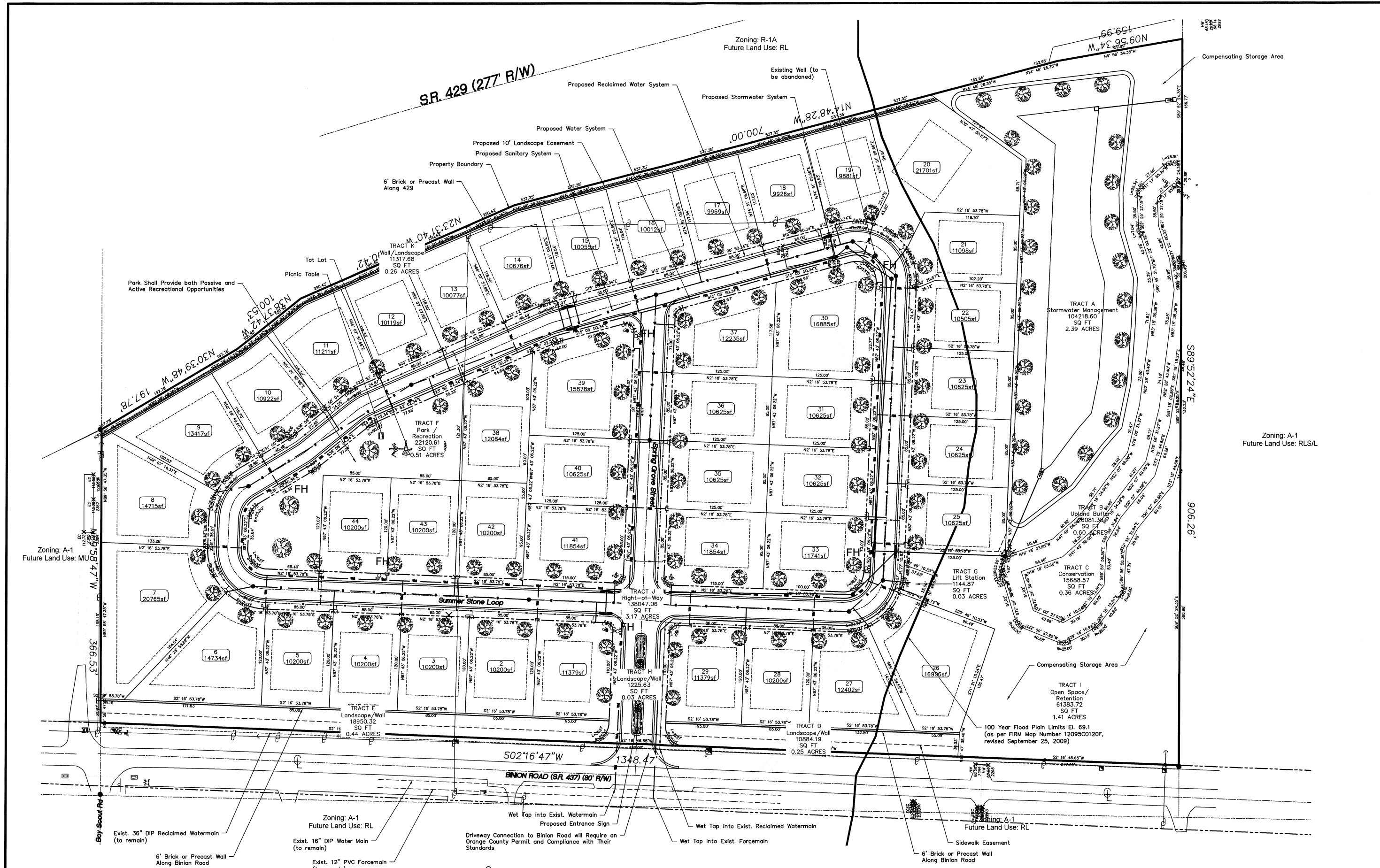
Detail Sheet
57
Union Reserve

JEC june engineering consultants, inc.
32 W. Plant Street
Winter Garden, FL 34787
Ph. 407-905-8180
Fax 407-905-6232
Certificate of Authorization #00031567

JEFFREY A. SEDLOFF
PE# 51506

JOB NO.
14-0460
SHEET
2
OF **4**

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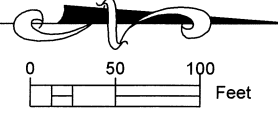
DATE	REVISION
1/19/15	City Comments
2/9/16	City Comments
6/1/16	City Comments
6/15/16	City Comments

Binion Reserve
58
Site Plan

JEC June engineering consultants, inc.
32 W. Plant Street
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Ph. 407-905-8180
Fax 407-905-6232
Certificate of Authorization #00031567

JEFFREY A. SEDLOFF
PE# 51506

JOB NO. 14-0460
SHEET 3 OF 4



DRAWN BY: CLK CHECKED BY: RAJ SCALE: 1" = 50'
DATE: 12/23/15 DATE: 12/23/15

All Trees Inside of Proposed Right-of-Way and Inside of the Building Pad Will be Removed. Care Will be Taken to Save as Many Trees as Possible.

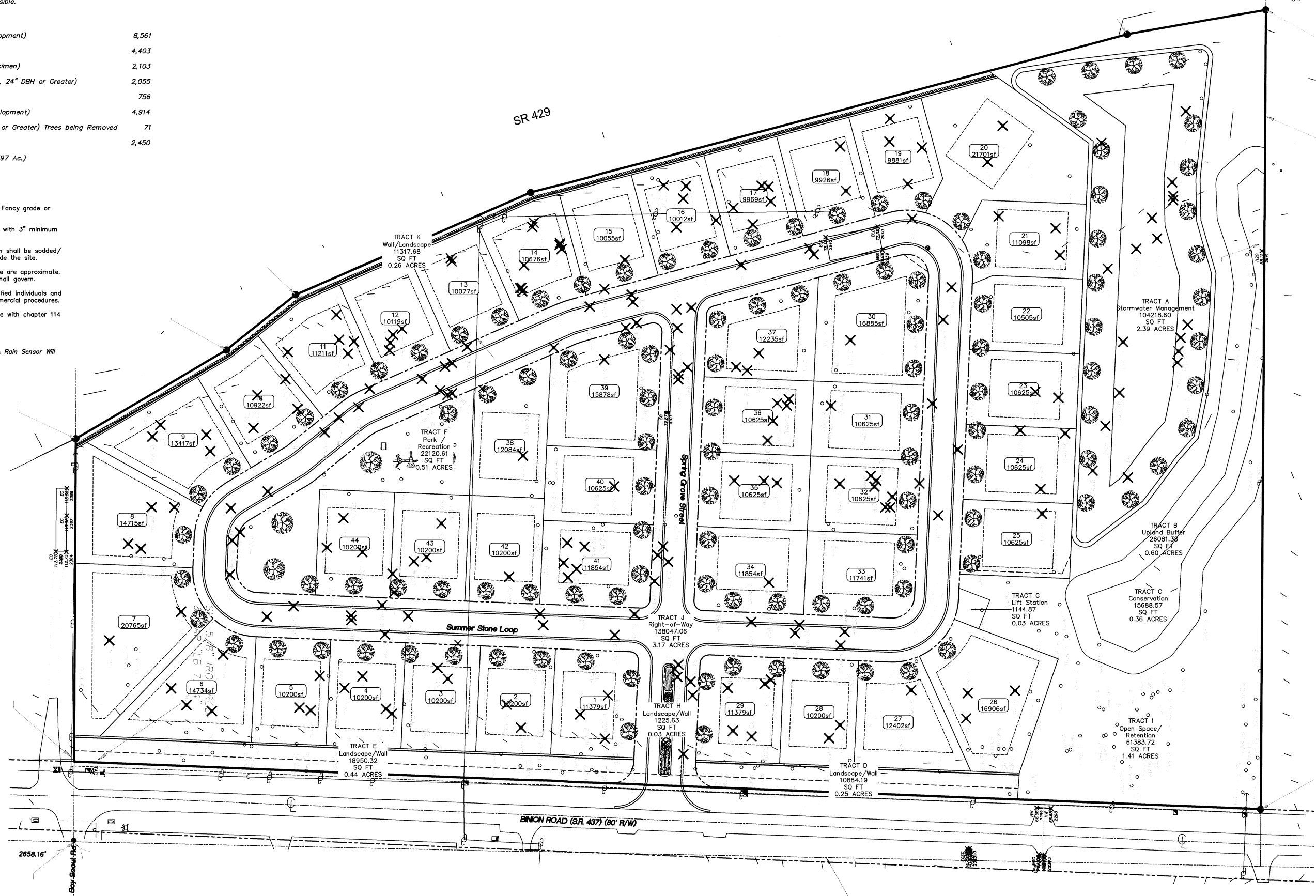
TREE SUMMARY:

Total Tree Inches on-site (pre-development)	8,561
Total Tree Inches Removed	4,403
Total Retained Tree Inches (non-specimen)	2,103
Total Retained Tree Inches (specimen, 24" DBH or Greater)	2,055
Total Tree Inches Replaced	756
Total Tree Inches on-site (post-development)	4,914
Total Number of Specimen (24" DBH or Greater) Trees being Removed	71
Total Specimen Inches Removed	2,450
Site Clearing Area	932,040.6 sf (21.397 Ac.)

LANDSCAPE NOTES

- All plant material shall be Florida Fancy grade or better.
- All planting beds shall be covered with 3" minimum of cypress mulch.
- All areas disturbed by construction shall be sodded/replanted appropriately when outside the site.
- All plant quantities indicated above are approximate. In case of discrepancy the plan shall govern.
- All planting shall be done by qualified individuals and in accordance with accepted commercial procedures.
- Landscaping shall be in accordance with chapter 114 of the city ordinance.

Note: Provide Irrigation for all landscaping - A Rain Sensor Will be Required for Irrigation System

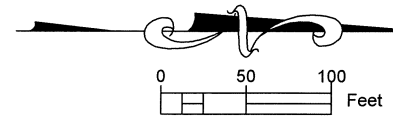


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Legend

X To be Removed

O Existing Tree



DATE	REVISION
1/19/15	City Comments
2/9/16	City Comments
6/1/16	City Comments
6/15/16	City Comments

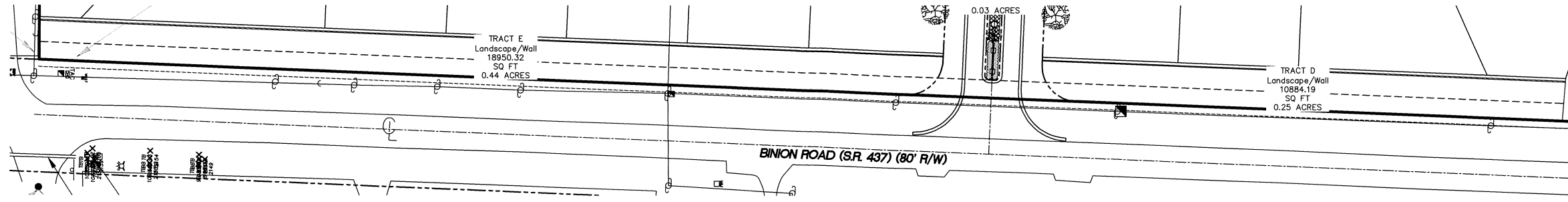
Binion Reserve
59
Tree Removal Plan

JEC june engineering consultants, inc.
32 W. Plant Street
Winter Garden, FL 34787
Ph. 407-905-8180
Fax 407-905-6232
Certificate of Authorization #00031567

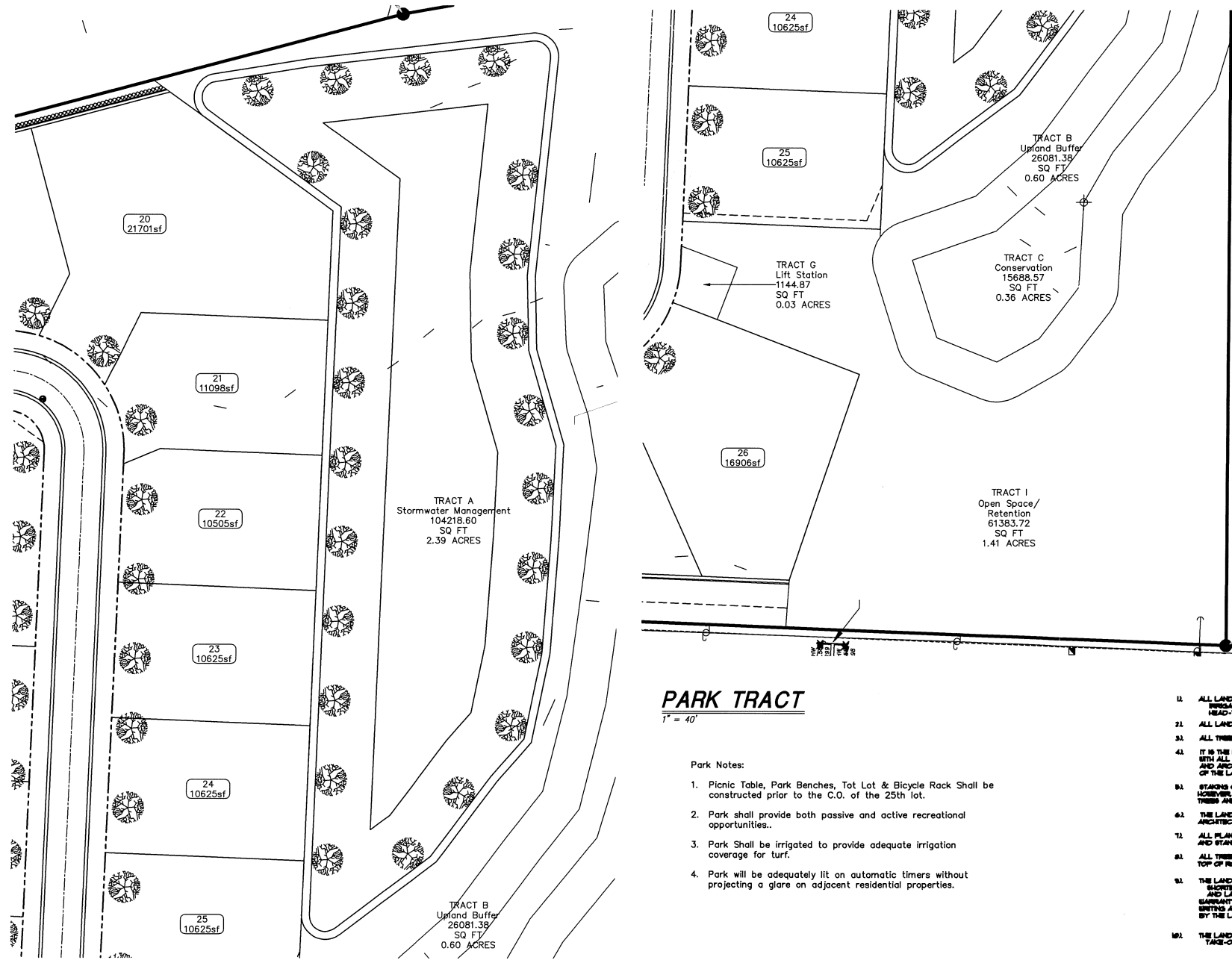
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DATE: 12/23/15
CHECKED BY: RAJ
DATE: 12/23/15
SCALE: 1" = 50'

JEFFREY A. SEDLOFF
PE# 51506

JOB NO. 14-0460
SHEET 4 OF 4



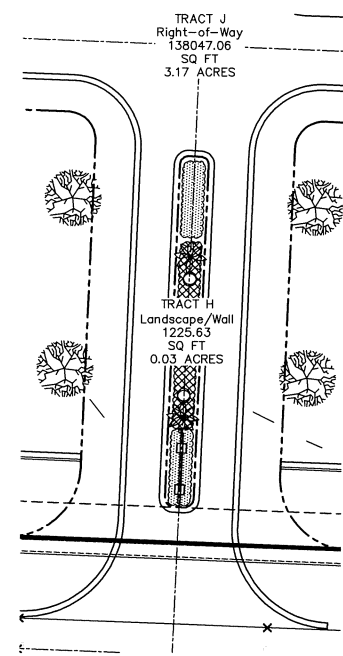
BINION ROAD
1" = 40'



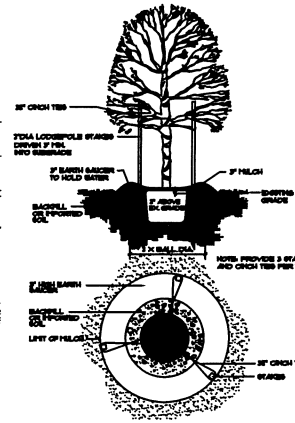
PARK TRACT
1" = 40'

Park Notes:

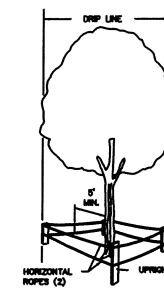
1. Picnic Table, Park Benches, Tot Lot & Bicycle Rack Shall be constructed prior to the C.O. of the 25th lot.
2. Park shall provide both passive and active recreational opportunities.
3. Park shall be irrigated to provide adequate irrigation coverage for turf.
4. Park will be adequately lit on automatic timers without projecting a glare on adjacent residential properties.



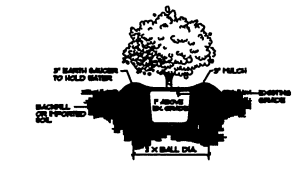
ENTRANCE
1" = 30'



TREE PLANTING DETAIL



TREE PROTECTION MEASURES



SHRUB AND GROUNDCOVER PLANTING DETAIL

- CITY OF APOPKA LCD REQUIREMENTS**
- 5.01.01(B)(2)(C): LARGE STREET TREES SPACED AT LEAST 45' APART
 - 5.01.01(B)(3)(b)2: VISIBILITY TRIANGLES PROVIDED AT STREET INTERSECTIONS
 - 5.01.06(3)(a)(3): TREE SUMMARY ITEMS LISTED ON PLAN
 - 5.01.08(F): 1 CANOPY TREE REQUIRED FOR EACH 4,000 SF OF PARK AREA. 13 PROVIDED.

- LANDSCAPING**
1. TREE REMOVAL AND REPLACEMENT PLAN WILL BE PROVIDED PER ARTICLE V OF THE LAND DEVELOPMENT CODE WATER WISE ORDINANCE 2069.
 2. A LANDSCAPE IRRIGATION PLAN WILL BE REQUIRED PER SECTION 5.01.06.6 OF THE LAND DEVELOPMENT CODE.
 3. ONLY 50% OF LAWN AREAS OF EACH LOT SHALL BE ST. AUGUSTINE AND THE REMAINDER SHALL BE A LOW-WATER USE SOD IN THE APPROVED PLANT LIST FROM THE "WATERWISE ORDINANCE".

PLANT NOTES

1. ALL LANDSCAPED AREAS DELINEATED ON THESE PLANS, PER SEC. 8.09.03, SHALL BE IRRIGATED BY AN AUTOMATIC SYSTEM. THE IRRIGATION SYSTEM SHALL DELIVER HIGH HEAD-TO-HEAD COVERAGE NO FURROWS, RUNS OR REQUIRED. SEE IRRIGATION PLAN.
2. ALL LANDSCAPED BEDS SHALL BE TOP DRESSED WITH 3" OF SANDSCREEN MULCH.
3. ALL TREE BALCONIES SHALL BE TOP DRESSED WITH 3" OF SANDSCREEN MULCH.
4. IT IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO BECOME FULLY FAMILIAR WITH ALL EXISTING SITE CONDITIONS AND TO STUDY ALL SUBSURFACE UTILITY PLANS AND ARCHITECTURAL PLANS SO AS TO PREVENT DAMAGE DURING THE INSTALLATION OF THE LANDSCAPE MATERIAL.
5. STAKES OF TREES IS AT THE OPTION OF THE LANDSCAPE CONTRACTOR. HOWEVER IT IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO MAINTAIN ALL TREES AND SHRUBS IN AN UPRIGHT PLANT CONDITION.
6. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO ARCHITECTURAL OR PAVED SURFACES.
7. ALL PLANT MATERIAL SHALL BE GRADED FLORIDA NO. 1 ACCORDING TO THE GRADING AND STANDARDS OF THE FLORIDA HORTICULTURE ASSOCIATION.
8. ALL TREE CALIPSTER DIMENSIONS SHALL BE MEASURED AT BREAST HEIGHT ABOVE THE TOP OF ROOTBALL (DBH).
9. THE LANDSCAPE CONTRACTOR SHALL WARRANTY ALL SHRUBS FOR A PERIOD NO SHORTER THAN 90 DAYS FROM THE DATE OF THE FINAL ACCEPTANCE BY THE CLIENT AND LANDSCAPE ARCHITECT. ALL TREES SHALL CARRY A FIFTY PER CENT WARRANTY. ALL WARRANTY RESTRICTIONS SHALL BE SPECIFICALLY DESCRIBED IN WRITING AND SHALL BE PART OF THE BIDDING DOCUMENTS PROVIDED TO THE CLIENT BY THE LANDSCAPE CONTRACTOR.
10. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR PLANT AND SOD QUANTITY TAKE-OFF. PLAN QUANTITIES RULE OVER PLANT LIST QUANTITIES.

PLANT LIST

KEY	BOTANICAL NAME	COMMON NAME	SIZE
QV	Quercus Virginiana	Live Oak	10'-12' Ht. Min., 6' Spd., 30 gal. 2-1/2" DBH, 5" Clr. Trk.
SP	Sabal Palmetto	Cabbage Palm	10'-12' Clear Trunk Ht.,
MG	Magnolia Grandiflora	Southern Magnolia	12' Ht. Min., 5'-6' Spd., 65 gal. 2-1/2" DBH, 1' Clr. Trk.
VO	Viburnum Odoratissimum	Sweet Viburnum	36" Ht. 30" o.c.
LC	(Loropetalum 'Plum Delight')	Loropetalum	15"-18" Ht. 30" o.c.
DT	Daniella Tasmanica 'Variegata'	Variegated Flax Lily	1 Gal., 12"-15" Ht. 24" o.c.
SOD	Paspalum Notatum	Argentine Bahia	Solid Sod in all common areas

RETENTION TRACT
1" = 40'

DATE	REVISION
1/19/15	City Comments
2/9/16	City Comments
6/1/16	City Comments

Binion Reserve
60
Preliminary Landscape Plan

JEC June engineering consultants, inc. 32 W. Plant Street Winter Garden, FL 34787 Ph. 407-905-8180 Fax 407-905-6232
Certificate of Authorization #00031567
DRAWN BY: CLK CHECKED BY: RAJ SCALE: As Noted
DATE: 12/23/15 DATE: 12/23/15
JEFFREY A. SEDLOFF PE# 51506
JOB NO. 14-0460 SHEET L-1 OF

All Trees Inside of Proposed Right-of-Way and Inside of the Building Foot Will be Removed. Care Will be Taken to Save as Many Trees as Possible.

TREE SUMMARY:

Total Tree Inches on-site (pre-development)	8,561
Total Tree Inches Removed	4,403
Total Retained Tree Inches (not-specimen)	2,103
Total Retained Tree Inches (specimen, 24" DBH or Greater)	2,055
Total Tree Inches Replaced	756
Total Tree Inches on-site (post-development)	4,914
Total Number of Specimen (24" DBH or Greater) Trees Being Removed	71
Total Specimen Inches Removed	2,450
Site Clearing Area 832,040.6 sf (21.397 Ac.)	

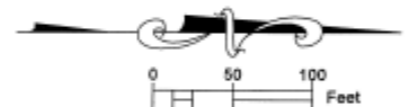
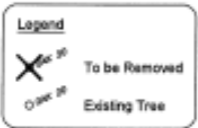
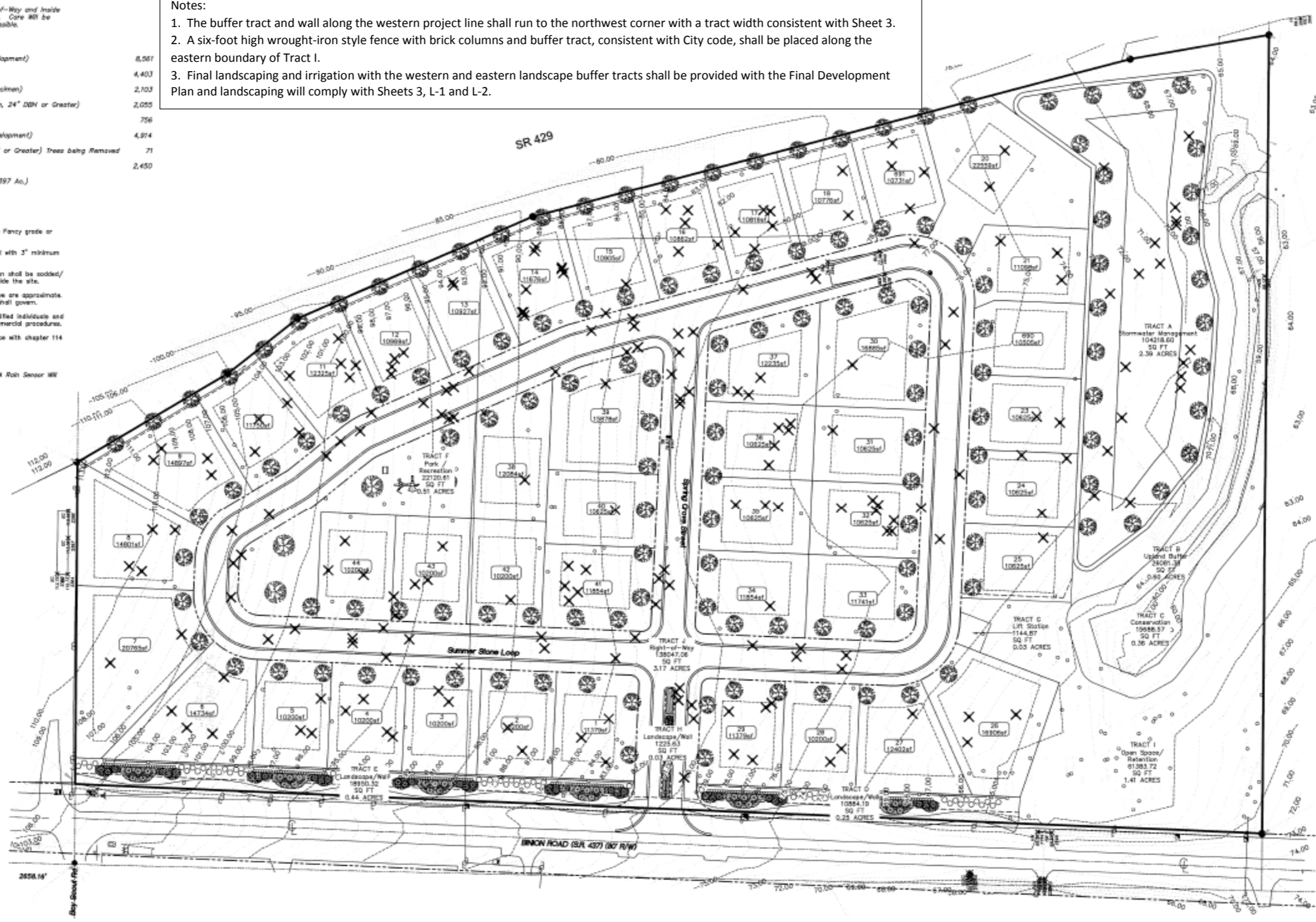
LANDSCAPE NOTES

- 1) All plant material shall be Florida Fancy grade or better.
- 2) All planting beds shall be covered with 3" minimum of cypress mulch.
- 3) All areas disturbed by construction shall be sodded/ replanted appropriately when outside the site.
- 4) All plant quantities indicated above are approximate. In case of discrepancy the plan shall govern.
- 5) All planting shall be done by qualified individuals and in accordance with accepted commercial procedures.
- 6) Landscaping shall be in accordance with chapter 114 of the city ordinance.

Note:
Provide irrigation for all landscaping - A Rain Sensor Will be Required for Irrigation System

Notes:

1. The buffer tract and wall along the western project line shall run to the northwest corner with a tract width consistent with Sheet 3.
2. A six-foot high wrought-iron style fence with brick columns and buffer tract, consistent with City code, shall be placed along the eastern boundary of Tract I.
3. Final landscaping and irrigation with the western and eastern landscape buffer tracts shall be provided with the Final Development Plan and landscaping will comply with Sheets 3, L-1 and L-2.



DATE	REVISION
1/19/15	City Comments
2/9/16	City Comments
6/7/16	City Comments
8/15/16	City Comments

Landscape Plan

JEC jec engineering
consultants, inc.
32 W. Park Street
Winter Garden, FL 34787
Ph. 407-905-8186
Fax 407-905-6232
Certificate of Authorization #00051567

DRAWN BY: CLK CHECKED BY: RAJ SCALE: 1" = 50'
DATE: 12/21/15 DATE: 12/21/15
JEFFREY A. SEDLFF
PE# 01506

JOB NO.
14-0460
L-2

Backup material for agenda item:

3. Redevelopment Plan/Final Development Plan (Major Site Plan) – Piedmont Plaza - Quasi-Judicial Moon

David



CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: Major Development Plan

MEETING OF: September 7, 2016
 FROM: Community Development
 EXHIBITS: Vicinity/Aerial Maps
 Site/Landscape Plans
 Building Elevations
 Parking/Traffic Studies
 LDC Hardship Waiver
 Hardship Waiver Response

SUBJECT: PIEDMONT PLAZA – REDEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN (MAJOR SITE PLAN) AND HARDSHIP WAIVERS

REQUEST: APPROVAL OF THE PIEDMONT PLAZA REDEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN (MAJOR SITE PLAN) AND HARDSHIP WAIVERS; AND ISSUE THE FINAL DEVELOPMENT ORDER.

SUMMARY:

OWNER: G & I VIII Piedmont Plaza, LLC
 ENGINEER: Sun-Tech Engineering, Inc., c/o Clifford R. Loutan, P.E.
 ARCHITECT: Architecture/Planning, c/o Marc Weiner, AIA
 LOCATION: 2326 East Semoran Boulevard
 (South of East Semoran Boulevard and East of Piedmont-Wekiwa Road)
 PARCEL ID #S: 12-21-28-0000-00-003, 12-21-28-0000-00-024, 12-21-28-0000-00-025 and 12-21-28-0000-00-027
 LAND USE: Commercial
 ZONING: C-1
 EXISTING USE: Retail Shopping Center
 PROPOSED USE: Retail Shopping Center
 TRACT SIZE: 23.07 +/- Acres (1,004,769 S.F.)
 BUILDING SIZE: 245,300 S.F.
 BUILDING HEIGHT: 65 Feet (max. Building “E”)
 FLOOR AREA RATIO: 0.24

FUNDING SOURCE:
 N/A

DISTRIBUTION

Mayor Kilsheimer
 Commissioners
 City Administrator
 Community Development Director

Finance Director
 HR Director
 IT Director
 Police Chief

Public Services Director
 Recreation Director
 City Clerk
 Fire Chief

RELATIONSHIP TO ADJACENT PROPERTIES:

Direction	Future Land Use	Zoning	Present Use
North (City)	Commercial	C-1/C-2	Commercial Retail
East (City)	Office	PO/I	Centurylink Office Complex
South (City)	Commercial	C-2	Personal Mini-Storage Complex
West (City)	Residential High/Commercial	R-3/C-1	Apartment Complex/Commercial Retail

PROJECT SUMMARY: Piedmont Plaza currently provides 221,024 sq. ft. of retail space on four parcels under three different owners. After implementation of the Redevelopment Plan, the shopping plaza will have a total of 245,130 sq. ft., an increase of 24,106 sq. ft. of retail space. Also, a tree planter will be removed at the northern retail building facing Semoran Blvd. and driveway improvements will be constructed at the northern-most driveway along Piedmont Wekiwa Road. The driveway improvements include a north-bound deceleration lane along Piedmont Wekiwa Road.

Applicant proposes to redevelop the Piedmont Plaza by demolishing (a) a 27,698 sq. ft. building located between the Hobby Lobby building and (b) the Bealls building and the outdoor center on the west side of the Bealls building (9,200 sq. ft. covered outdoor storage). A 17,500 sq. ft. building for retail space for tenant bays will be constructed on the north wall of the Bealls building. A two-story fitness center building (38,640 sq. ft.) and a one-story retail building (13,600 sq. ft.) constructed at the south wall of the Hobby Lobby building. In addition, a new 8,000 sq. ft. retail building is proposed along Piedmont-Wekiwa Road and just south of the retention pond

ADDITIONAL COMMENTS: The Piedmont Plaza - Major Development Plan proposes 245,130 square feet of commercial retail space. The proposed site plan increases the square footage of the existing shopping center by approximately 24,100 sq. ft. and increases the building height of the center building (i.e., the proposed fitness center) to sixty-five (65) feet. City development standards limit maximum building height to 35 feet. The proposed site plan is being processed as a redevelopment plan in accordance with Section 6.07.00.A., Hardship Waiver, of the Land Development Code. The applicant requests three waivers under Section 6.07.00.A., as described below. The final development plan must be revised and resubmitted to Community Development Department to address the revised main entrance to Piedmont-Wekiwa Road prior to scheduling a pre-construction meeting.

PARKING: A total of 987 parking spaces are being proposed (1,227 required by Code) of which thirty (30) are reserved as handicapped parking spaces. The number of proposed parking spaces are 240 less the required amount. The applicant is requesting a waiver to adjust the parking requirements in accordance with LDC 6.07.00.C. The Wartman Group Inc. (WGI) has prepared a parking analysis in response to the applicant’s parking waiver request.

EXTERIOR ELEVATIONS: The design of the building exterior meets the intent of the City’s Development Design Guidelines. Façade improvements are also proposed for Hobby Lobby buildings and the retail building facing Semoran Blvd.

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

BUFFER/TREE PROGRAM: A minimum ten foot landscape buffer is provided along Semoran Boulevard and Piedmont Wekiwa 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.

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

Total inches on-site:	1616
Total number of specimen trees:	13
Total specimen removed:	1
Total specimen inches retained:	408
Total specimen inches removed:	35
Total non-specimen inches removed:	356
Total inches replaced:	216
Total inches post development:	1441

SIGNS: Signage for the shopping plaza will be addressed through a separate development application.

WAIVER REQUESTS: The applicant requests three hardship waivers following the procedures set forth in Section 6.07.00.A of the Land Development Code. The hardship waiver is specifically intended to apply to redevelopment projects that have existing building(s) at least ten years old. These three waivers are described below with a response from the applicant and from staff.

LDC 6.07.00.A. Hardship Waiver Criteria (also provided in the exhibits) and Response--

In order for the plan to be eligible for hardship waivers the site must meet all of the following criteria:

1. Existing structure ten years of age or greater.

Applicant's Response: The current structure on the property was built in approximately 1985.

Staff's Response: Records of the Orange County Property Appraiser's Office indicate that the buildings on the applicant's parcel were constructed in 1985, making them approximately thirty years old.

2. The proposed improvements enhance the economic value of the property.

Applicant's Response: It is estimated that the assessed value will increase by approximately 2 to 3 times the current amount after revitalization of the shopping center.

Staff's Response: The Redevelopment Plan proposes an additional 24,000 sq. ft. above the current building floor area. Staff does not object to the applicant's response.

3. The proposed improvements enhance the esthetics of the project site.

Applicant's Response: As part of this redevelopment there will be a new façade on the building and additional landscaping, thereby increasing the esthetic value of the property.

Staff's Response: Staff has not objections to the Applicant's response.

4. The developer/owner demonstrates to the satisfaction of the DRC the proposed improvements would not adversely impact any surrounding properties.

Applicant’s Response: The property is surrounded by commercial uses and uses that are similar in nature to that of the proposed redevelopment plan. A copy of the City of Apopka future land use and zoning maps are attached as “Exhibit A”.

Staff’s Response: Staff does not object to the applicant’s response. Refer to each of the waiver requests listed below for more specific information

5. Proposed improvements are less than 50 percent of the value of the property improvements.

Applicant’s Response: Please refer to “Exhibit B” for an analysis of the value of the proposed improvements versus the property improvements. The proposed improvements are 45% of the property improvements.

Staff’s Response: Staff has no objection to the applicant’s response.

WAIVER REQUESTS:

1. **Building Height. LDC Section 2.02.013.B.** No building height shall exceed 35 feet. Applicant requests a maximum height of 65 feet for Building “E” identified within the Redevelopment Plan Application.

Staff Response: The Holiday Inn Express and Hampton Inn were approved for a height of up to 75 feet in their PUD Master Plan. Proximity of the nearest single family residential homes is approximately 1,000 lineal feet to the southeast within the Piedmont Lakes residential community, and approximately 750 lineal feet to the west at the Oasis at Wekiwa apartment complex for multi-family residential.

Staff Response: Staff does not object to the requested waiver of the maximum height standard to allow a maximum building height of 65 feet for Building “E” subject to the City receiving a letter or agreement from Agree Apopka FL, LLC accepting the site plan and setback waivers.

2. **Setbacks. LDC Section 2.02.01.A. Minimum Requirements for Setbacks.** Minimum side yard setback for C-1 Commercial Zoning District is 10 feet from the property line. Applicant requests to demolish an existing retail building and replace it with a larger building with a building side wall abutting the building wall for the existing Hobby Lobby building, which is on a separate parcel owned by Agree Apopka FL, LLC. For Building “D”, applicant is requesting a waiver from the ten (10) foot side yard buffer to create a zero lot line setback.

For Building “G”, a proposed new 8,000 sq. ft. retail building along Piedmont Wekiwa Road, the northeast corner of the building encroaches the ten (10) foot side yard setback and is approximately 2 feet from the property line of the Agree Apopka FL, LLC parcel. Therefore, applicant requests an eight foot waiver from the sideyard setback standard, placing Building “G” as close as two (2) feet to the parcel line.

Staff Response: Staff does not object to the requested side yard setback waivers subject to the City receiving a letter or agreement from Agree Apopka FL, LLC accepting the site plan and setback waivers.

3. **Parking. LDC Section 6.03.02.A.** Required parking is one (1) space per 200 sq. ft. of gross retail area. A total of 987 parking spaces are being proposed (1227 required by code) of which thirty (30) are reserved as handicapped parking spaces. In accordance with LDC Section 6.03.05, the number of proposed parking spaces are 240 less the required amount. The applicant is requesting a waiver to adjust the parking requirements in accordance with LDC 6.07.00.C. The Wartman Group Inc. (WGI) has prepared a parking analysis in response to the applicant’s parking waiver request. This parking study is provided as an exhibit.

PUBLIC HEARING SCHEDULE:

June 14, 2016 - Planning Commission (5:30 pm)

September 7, 2016 - City Council (1:30 pm)

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the Piedmont Plaza- Redevelopment Plan/Final Development Plan (Major Site Plan) and the three hardship waivers, subject to the findings of this staff report and the following conditions:

1. Agree Apopka FL, LLC, or the subsequent property owners, provides written documentation, in a form and content acceptable to the City Attorney, that joint use parking and cross access can occur between the Agree Apopka FL, LLC parcel and the G & I VIII Piedmont Plaza parcel (applicant).
2. Agree Apopka FL, LLD provides a letter to the City accepting the Redevelopment Plan and the waivers.

The **Planning Commission**, at a special meeting on June 28, 2016, unanimously recommended approval of the Piedmont Plaza- Redevelopment Plan/Final Development Plan (Major Site Plan) and the three hardship waivers, subject to the findings of this staff report and the following conditions:

1. Agree Apopka FL, LLC, or the subsequent property owners, provides written documentation, in a form and content acceptable to the City Attorney, that joint use parking and cross access can occur between the Agree Apopka FL, LLC parcel and the G & I VIII Piedmont Plaza parcel (applicant).
2. Agree Apopka FL, LLD provides a letter to the City accepting the Redevelopment Plan and the hardship waivers.
3. The northern-most entrance along Piedmont-Wekiwa Road shall be re-designed as follows:
 - a) The northern-most driveway access to Piedmont-Wekiwa road shall be re-aligned to be perpendicular at the stop bar to the centerline of Piedmont-Wekiwa Road. The channelizing median of this driveway must be at least 8 feet wide to allow for landscaping, inside of curb to inside of curb.
 - b) The northern most driveway access to Piedmont-Wekiwa Road shall be marked and signed consistent with the MUTCD 3B-17 to indicate to drivers not to block the driveway access point.

Note: Following the Planning Commission hearing, the applicant provided written documentation from Agree Apopka FL LLC, which was reviewed and found acceptable by the city attorney's office; thus eliminating the need for conditions one and two. Applicant also revised the design of the northern most driveway along Piedmont-Wekiwa Road, eliminating a need for the third condition.

City Council: Approve the Piedmont Plaza Redevelopment Plan and the three Hardship Waiver requests for the building maximum height, minimum number of parking spaces, and building setbacks.

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.

CITY COUNCIL – SEPTEMBER 7, 2016
PIEDMONT PLAZA – REDEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN
PAGE 6

Application: Final Development Plan
Owner: G & VIII Piedmont Plaza, LLC
Engineer: Sun- Tech Engineering, Inc. c/o Clifford R. Loutan, P.E.
Architect: Architecture/Planning c/o Marc Wiener, A.I.A.
Parcel I.D. No's: 12-21-28-0000-00-003, 12-21-28-0000-00-024 and 12-21-28-0000-00-025
Location: 2326 East Semoran Boulevard
Total Acres: 23.07 +/- Acres



VICINITY MAP



CITY COUNCIL – SEPTEMBER 7, 2016
PIEDMONT PLAZA – REDEVELOPMENT PLAN/FINAL DEVELOPMENT PLAN
PAGE 7

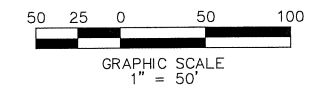
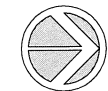
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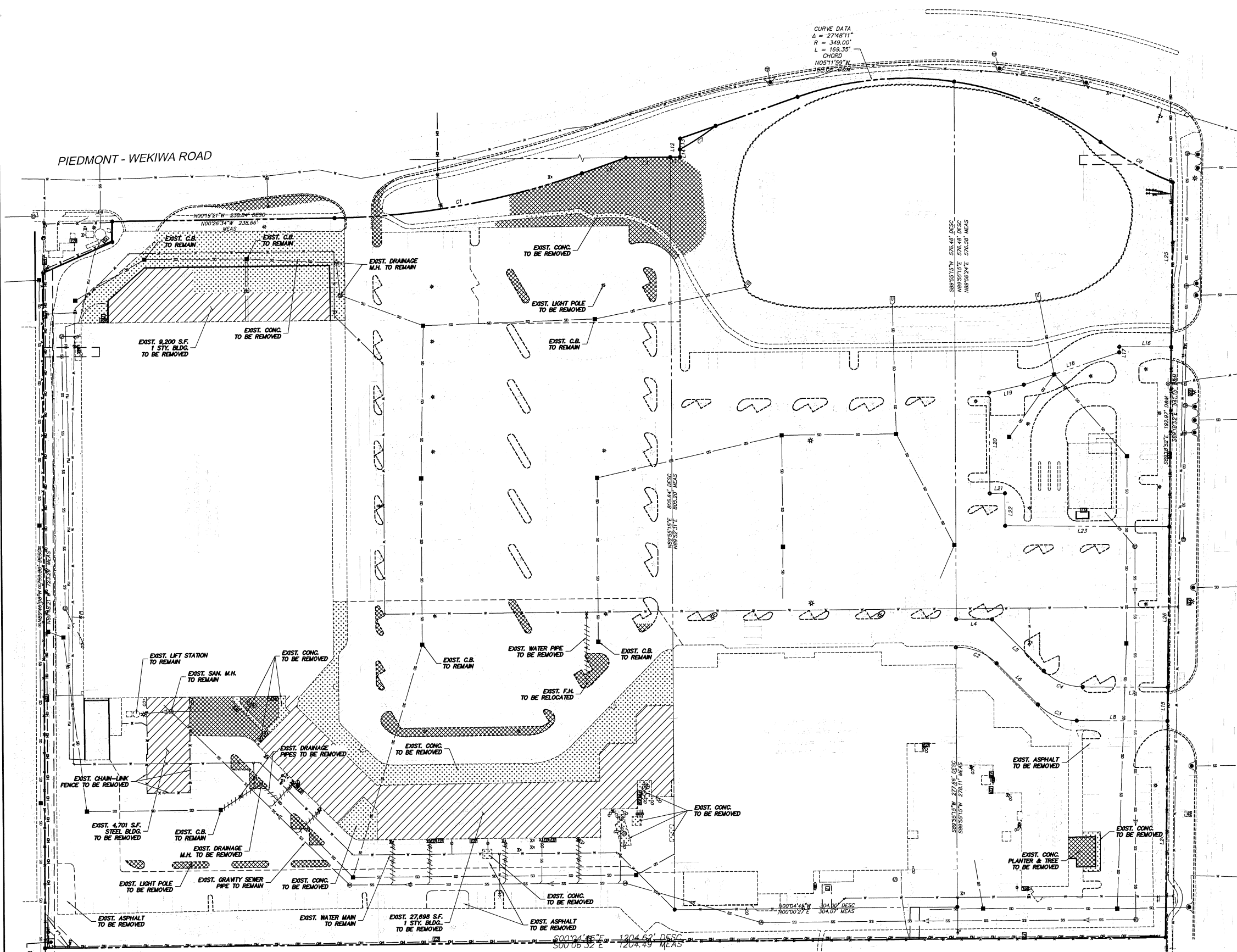
AERIAL MAP



PIEDMONT - WEKIWA ROAD



CURVE DATA
 $\Delta = 27^{\circ}48'11''$
 $R = 349.00'$
 $L = 169.35'$
 CHORD
 $N05^{\circ}11'59''W$
 $168.95'$



DEMOLITION NOTES

1. THIS PLAN DEPICTS THE DEMOLITION OF ALL EXISTING BUILDINGS, PAVEMENT AND OTHER IMPROVEMENTS WITHIN THE LIMIT OF WORK BOUNDARY, AS INDICATED.
2. CONTRACTOR SHALL CONTACT THE UNDERGROUND UTILITIES NOTIFICATION CENTER SUNSHINE STATE ONE CALL AT 1-800-432-4770, DUKE ENERGY, THE CITY OF APOPKA, ORANGE COUNTY UTILITIES DEPT. AND ALL OTHER UTILITY COMPANIES 48 HOURS PRIOR TO DIGGING TO VERIFY THE EXACT LOCATION OF EXISTING UTILITIES.
3. EXISTING UTILITIES ARE PLOTTED FROM BEST AVAILABLE INFORMATION. CONTRACT UTILITIES AGENCIES BEFORE CONSTRUCTION IS STARTED TO VERIFY LOCATION AND DEPTH OF UNDERGROUND UTILITIES.
4. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL UNDERGROUND FACILITIES PRIOR TO THE START OF CONSTRUCTION AND COORDINATE WITH THE VARIOUS UTILITIES TO RELOCATE, BYPASS OR OTHERWISE ENSURE THAT UTILITY SERVICES WILL NOT BE INTERRUPTED DURING CONSTRUCTION.
5. IT IS THE INTENT OF THESE PLANS TO BE IN ACCORDANCE WITH APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION, ANY DISCREPANCY BETWEEN THESE PLANS AND APPLICABLE CODES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE ENGINEER.
6. MONUMENTS OR PROPERTY LINE MARKERS LOCATED WITHIN THE LIMITS OF CONSTRUCTION SHALL NOT BE DISTURBED.
7. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR LEAVE EXCAVATED TRENCHES OR PARTS OF, EXPOSED OR OPEN AT THE END OF THE WORKING DAY, WEEKENDS, HOLIDAYS OR OTHER TIMES WHEN THE CONTRACTOR IS NOT WORKING, UNLESS OTHERWISE DETERMINED. ALL TRENCHES SHALL BE COVERED, FIRMLY SECURED AND MARKED ACCORDINGLY FOR PEDESTRIAN AND VEHICULAR TRAFFIC.
8. ALL ELEVATIONS SHOWN REFER TO N.A.V.D. 88.
9. CONTRACTOR TO COMPLY WITH THE REQUIREMENTS OF THE 'TRENCH SAFETY ACT' FOR ALL TRENCHING OPERATIONS.
10. CONTRACTOR TO COORDINATE AND OBTAIN ALL NECESSARY PERMITS FROM LOCAL, STATE AND FEDERAL AGENCIES HAVING JURISDICTION OVER THE SITE OR REGULATING CONSTRUCTION OPERATIONS.
11. EXISTING DRAINAGE INLETS NOTED TO REMAIN SHALL BE COVERED TO PREVENT THE ENTRY OF CONSTRUCTION DEBRIS.
12. CONTRACTOR TO COORDINATE WITH CITY OF APOPKA THE PLUGGING OF EXISTING WATER LINE AND SANITARY SEWER PRIOR TO DEMOLITION OF BUILDING.
13. CONTRACTOR SHALL COORDINATE WITH DUKE ENERGY & SITE ELECTRICAL ENGINEER FOR ELECTRICAL REMOVAL OR DEMOLITION.
14. CONTRACTOR TO CAP EXISTING GAS LINE, IF NECESSARY, PRIOR TO DEMOLITION OF BUILDING.
15. CONTRACTOR TO DISPOSE DEBRIS TO AN APPROVED SITE.
16. CARE SHALL BE TAKEN TO PROTECT EXISTING IMPROVEMENTS OUTSIDE THE SCOPE OF WORK.
17. CONTRACTOR TO PROTECT EXISTING FACILITIES (CATCH BASIN, EXFILTRATION TRENCH, ETC.) NOT BEING DEPICTED AS DEMOLISHED ON THIS PLAN.
18. EXIST. TREES TO BE REMOVED/RELOCATED IN ACCORDANCE W/LANDSCAPE PLANS & COORDINATE W/LANDSCAPE ARCHITECT.
19. SEE WATER AND SEWER PLANS FOR SEWER LATERALS, WATER METERS & SERVICES WITHIN CONSTRUCTION LIMITS TO BE ABANDONED AND PLUGGED OR REMOVED.
20. THIS DRAWING IS BASED ON A 'PLAT OF SURVEY' PREPARED BY ACCOURIGHT SURVEYS OF ORLANDO INC. DATED MARCH 08TH 2016.

LEGEND:

- EXIST. BUILDING TO BE REMOVED, AREA TO BE LEVELED OFF.
- EXIST. ASPHALT & CURBING TO BE REMOVED. AREA TO BE LEVELED OFF.
- EXIST. CONCRETE & PAVERS TO BE REMOVED AREA TO BE LEVELED OFF.
- EXIST. OPEN SPACE TO BE CLEARED & GRUBBED AND LEVELED OFF OR GRADED PER PROPOSED GRADES.
- WATER, DRAINAGE AND SEWER LINES TO BE REMOVED.

Sun-Tech Engineering, Inc.
 Engineers - Planners - Surveyors
TECH
 1600 West Oakland Park Boulevard
 Ft. Lauderdale, FL 33311
 www.suntecheng.com
 Certificate of Auth. # 7087
 Phone (954)777-3123
 Fax (954)777-3114

REVISIONS	
NO.	DESCRIPTION

FLORIDA
 CITY OF APOPKA
PIEDMONT PLAZA
DEMOLITION PLAN

DATE:
 May, 2016

SCALE:
 1"=50'

DESIGNED BY:
 M.G.

DRAWN BY:
 M.A.S.

JOB NUMBER
 16-3755

SHEET No.
 D1

SEAL

Jun 16 2016
 CLIFFORD R. LOUTAN, P.E.
 FL. REG. NO. 56890

PIEDMONT PLAZA

City of Apopka, Orange County, Florida

REDEVELOPMENT PLAN / FINAL DEVELOPMENT PLAN (MAJOR SITE PLAN)

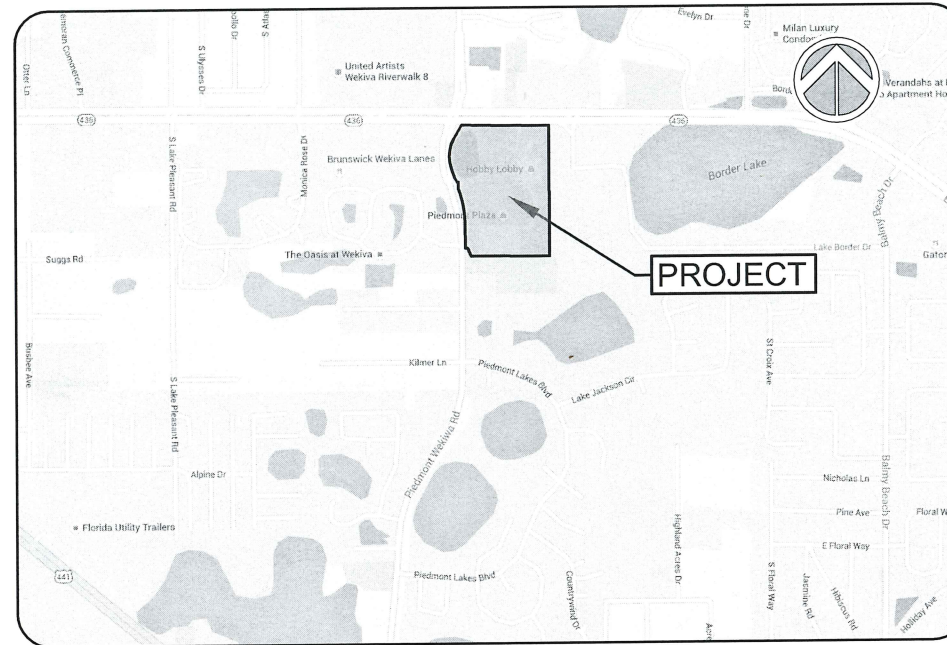
OWNER:
 G&I VIII PIEDMONT PLAZA, LLC
 2240 NW 19TH ST
 SUITE 801
 BOCA RATON, FLORIDA 33431
 (561) 989-2241

ARCHITECT:
 ARCHITECTURE/PLANNING
 MARC WIENER, A.I.A.
 33 S.E. 4th ST., SUITE 101
 BOCA RATON, FL 33432
 (561) 750-4111

ENGINEER:
 SUN-TECH ENGINEERING, INC.
 1600 WEST OAKLAND PARK BLVD.
 SUITE 200
 FT. LAUDERDALE, FL. 33311
 (954) 777-3123

SURVEYOR:
 ACCURIGHT SURVEYS OF ORLANDO, INC.
 2012 E. ROBINSON STREET
 ORLANDO, FL 32803
 (407) 894-6314

LANDSCAPE ARCHITECT:
 INNOVATIONS DESIGN GROUP, INC.
 1200 HILLCREST STREET
 ORLANDO, FL 32803
 (407) 440-3574



SECTION 12, TOWNSHIP 21 SOUTH, RANGE 28 EAST
LOCATION MAP
 N.T.S.

INDEX OF DRAWINGS	
SHEET NO.	TITLE
	COVER SHEET
S1	SURVEY
D1	DEMOLITION PLAN
SP1 - SP6	SITE PLAN
AC 3.01C	FACADE MODIFICATION BUILDING "C"
AC 3.01D	PROPOSED BUILDING "D"
AC 3.01E	PROPOSED BUILDING "E"
AC 3.01F	FACADE MODIFICATION BUILDING "F"
AC 3.01G	PROPOSED BUILDING "G"
ES1	SITE PLAN - LIGHTING PLAN
HS-00-HS-04; HD-01	HARDSCAPE PLAN, GENERAL NOTES & DETAILS
TR-00 - TR-04	TREE REMOVALS PLAN GENERAL NOTES
LS-00 - LS-05	LANDSCAPE PLANS, GENERAL NOTES & DETAILS
IRR-00 - IRR-05	IRRIGATION PLAN, GENERAL NOTES & DETAILS
PD1 - PD5	PAVING, GRADING AND DRAINAGE PLAN
PD6	PAVING AND DRAINAGE DETAILS
WS1 - WS5	WATER AND SEWER PLAN
WS6 - WS9	WATER AND SEWER DETAILS
GS1	PUMP STATION DETAILS

LEGAL DESCRIPTION:

PARCEL I:
 FROM THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, RUN SOUTH 00°04'45" EAST ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 12, A DISTANCE OF 131.04 FEET; THENCE RUN NORTH 89°18'52" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 436, 495.0 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 00°04'45" EAST 1204.62 FEET ALONG THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 12; THENCE RUN NORTH 89°46'08" WEST, 759.80 FEET ALONG THE SOUTH LINE OF SAID SECTION 12; THENCE RUN NORTH 00°19'21" WEST 75.00 FEET; THENCE RUN NORTH 89°46'08" WEST, 17.00 FEET; THENCE RUN NORTH 00°19'21" WEST 238.84 FEET; THENCE RUN TO THE LEFT 270.35 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 824.00 FEET AND A CENTRAL ANGLE OF 18°47'54"; THENCE RUN NORTH 19°07'16" WEST 48.80 FEET; THENCE RUN NORTH 00°19'21" WEST 47.65 FEET; THENCE RUN NORTH 89°55'15" EAST, 805.64 FEET; THENCE RUN NORTH 00°4'45" WEST, 304.00 FEET; THENCE RUN SOUTH 89°55'15" WEST 277.66 FEET; THENCE RUN NORTHEASTERLY 48.31 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 60.00 FEET AND A CENTRAL ANGLE OF 48°25'20"; THENCE RUN NORTH 44°55'15" EAST, 62.95 FEET; THENCE RUN NORTHERLY 46.32 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 60.00 FEET AND A CENTRAL ANGLE OF 44°14'07"; THENCE RUN NORTH 0°41'08" EAST 97.14 FEET; THENCE RUN SOUTH 89°18'52" EAST, 231.02 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 436 TO THE POINT OF BEGINNING.

PARCEL II:
 FROM THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, RUN SOUTH 00°04'45" EAST ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 12, A DISTANCE OF 131.04 FEET; THENCE RUN NORTH 89°18'52" WEST, 752.02 FEET ALONG THE SOUTH LINE OF STATE ROAD NO. 436 TO THE POINT OF BEGINNING; THENCE RUN SOUTH 00°41'08" WEST 91.11 FEET; THENCE RUN SOUTHWESTERLY 46.32 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 60.00 FEET AND A CENTRAL ANGLE OF 44°14'07"; THENCE RUN SOUTH 44°55'15" WEST, 78.34 FEET; THENCE RUN SOUTH 00°41'08" WEST, 38.57 FEET; THENCE RUN SOUTH 89°55'15" WEST, 576.48 FEET; THENCE RUN NORTHEASTERLY 171.75 FEET ALONG AN ARC OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 349.00 FEET, A CENTRAL ANGLE OF 28°17'49" AND A CHORD OF 170.02 FEET THAT BEARS NORTH 22°46'50" EAST; THENCE RUN 89.50 FEET NORTHEASTERLY ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 346.57 FEET AND A CENTRAL ANGLE OF 14°47'48"; THENCE RUN SOUTH 89°18'52" EAST ALONG THE SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 176.33 FEET; THENCE SOUTH 00°41'08" WEST, A DISTANCE OF 55.47 FEET; THENCE SOUTH 89°18'52" EAST, A DISTANCE OF 6.10 FEET; THENCE SOUTH 18°26'58" EAST, A DISTANCE OF 107.56 FEET; THENCE SOUTH 12°29'48" EAST, A DISTANCE OF 38.49 FEET; THENCE SOUTH 89°42'49" EAST, A DISTANCE OF 108.27 FEET; THENCE NORTH 00°17'11" WEST, A DISTANCE OF 16.23 FEET; THENCE NORTH 89°42'49" EAST, A DISTANCE OF 34.86 FEET; THENCE NORTH 00°41'08" EAST, A DISTANCE OF 175.91 FEET; THENCE SOUTH 89°18'52" EAST, A DISTANCE OF 171.85 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT ANY PORTION OF THE ABOVE-DESCRIBED PROPERTIES LYING WITHIN PIEDMONT-WEKIVA ROAD AS IT NOW EXISTS;
AND LESS LAND CONVEYED TO ORANGE COUNTY BY SPECIAL WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 3968, PAGE 1781, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

PARCEL III:
 THE NON-EXCLUSIVE EASEMENTS AS DEFINED IN THE DECLARATION OF RESTRICTIONS AND GRANT OF EASEMENTS, RECORDED FEBRUARY 12, 1985 IN OFFICIAL RECORDS BOOK 3605, PAGE 2156; AND THE AMENDMENT THEREOF RECORDED IN OFFICIAL RECORDS BOOK 6330, PAGE 3554; TOGETHER WITH THE ASSIGNMENT THEREOF RECORDED IN OFFICIAL RECORDS BOOK 7172, PAGE 1114, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

TOGETHER WITH THE LANDS IN OFFICIAL RECORDS BOOK 8813, PAGE 1121, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, RUN SOUTH 00°04'05" EAST ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 12, A DISTANCE OF 131.04 FEET; THENCE RUN NORTH 89°18'52" WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD #436, 726.02 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 00°41'08" WEST 97.14 FEET; THENCE RUN NORTH 46.32 FEET ALONG THE ARC OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 60 FEET AND A CENTRAL ANGLE OF 44°14'07"; THENCE RUN SOUTH 44°55'15" WEST 92.95 FEET; THENCE RUN 48.31 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 60 FEET AND A CENTRAL ANGLE OF 48°25'20"; THENCE RUN NORTH 89°55'15" EAST 277.66 FEET; THENCE RUN SOUTH 00°4'45" EAST 304.00 FEET; THENCE RUN SOUTH 89°55'15" WEST 805.64 FEET; THENCE RUN NORTH 00°19'21" WEST 10.36 FEET TO THE SOUTHEAST CORNER OF THE NORTH 660 FEET OF THE EAST 198 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12; THENCE RUN NORTH 89°17'39" WEST 19.87 FEET ALONG THE SOUTH LINE OF SAID NORTH 660 FEET OF THE EAST 198 FEET; THENCE RUN NORTH 19°07'16" WEST 133.66 FEET; THENCE RUN NORTHEASTERLY 159.35 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 349.00 AND A CENTRAL ANGLE OF 27°48'11"; THENCE RUN NORTH 89°55'15" EAST 576.48 FEET; THENCE RUN NORTH 00°41'08" EAST 38.97 FEET; THENCE RUN NORTH 44°55'15" EAST 78.34 FEET; THENCE RUN 46.32 FEET ALONG THE ARC OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 60 FEET AND A CENTRAL ANGLE OF 44°14'07"; THENCE RUN NORTH 00°41'08" EAST 91.11 FEET; THENCE RUN SOUTH 89°18'52" EAST 36.00 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD #436 TO THE POINT OF BEGINNING.

LESS AND EXCEPT THEREFROM THE FOLLOWING LAND LOCATED IN ORANGE COUNTY, FLORIDA:
 FROM THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 12 TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, RUN NORTH 00°19'21" WEST 687.34 FEET ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF SECTION 12 TOWNSHIP 21 SOUTH, RANGE 28 EAST; THENCE RUN NORTH 89°17'39" WEST 8.22 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 95°17'39" WEST 11.65 FEET; THENCE RUN NORTH 19°07'16" WEST 40.65 FEET; THENCE RUN SOUTHEASTERLY 45.97 FEET ALONG THE ARC OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 316.57 FEET, A CENTRAL ANGLE OF 08°19'11" AND A CHORD OF 45.93 FEET THAT BEARS SOUTH 32°55'36" EAST TO THE POINT OF BEGINNING.

Sun-Tech Engineering, Inc.
 Engineers - Planners - Surveyors

1600 West Oakland Park Boulevard
 Ft. Lauderdale, FL 33311
 www.suntecheng.com

Certificate of Auth. # 7097
 Phone (954)777-3123
 Fax (954)777-3114

RECEIVED

JUN 20 2016

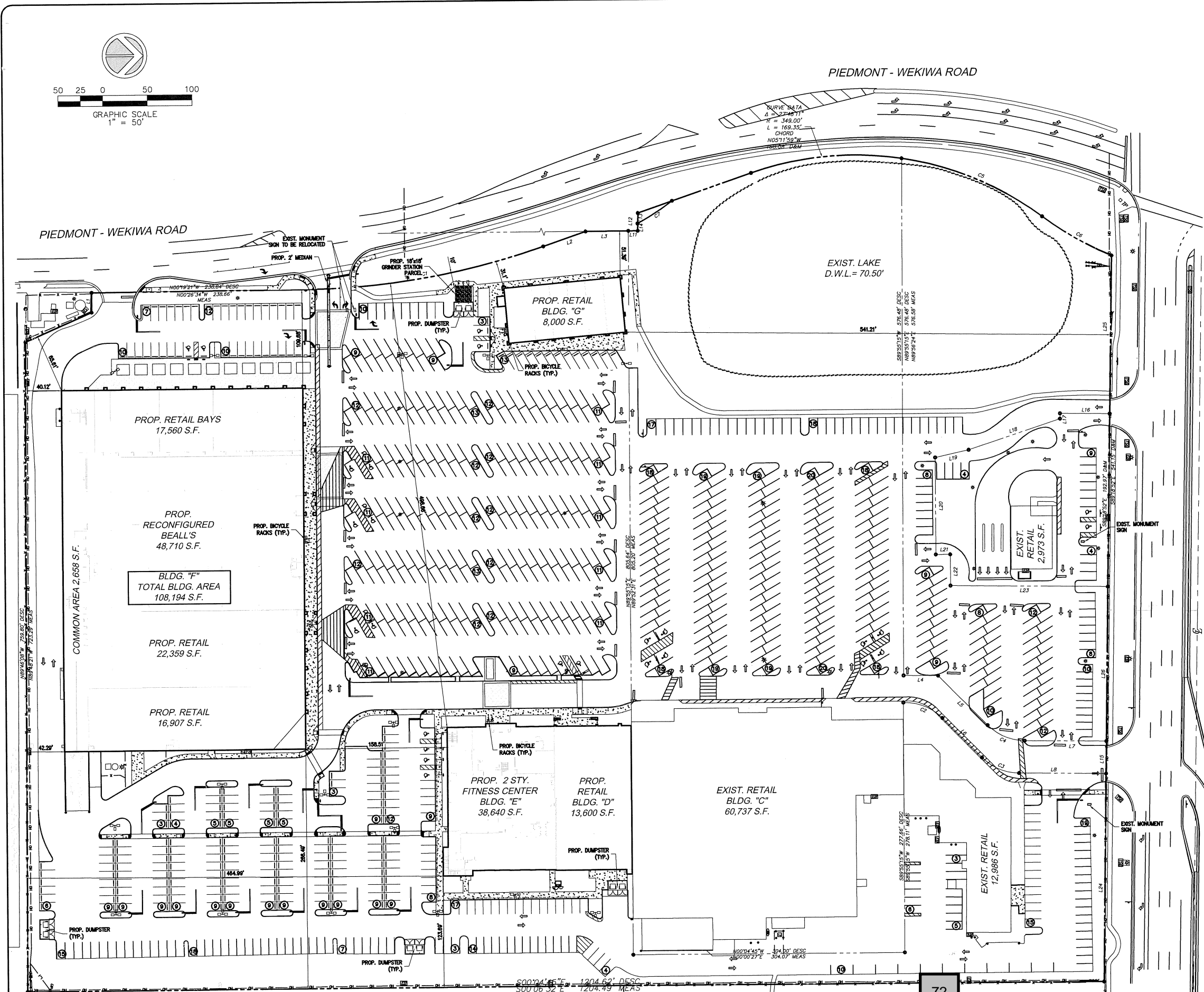
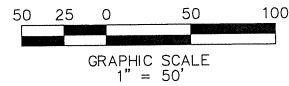
By _____

DRAWINGS MAY BE OUT OF SCALE DUE TO XEROX REPRODUCTION ERROR.

Always call 811 two full business days before you dig

PROJECT NO. 16-3755
 DESIGN DATE: MAY 2016

JUN 16 2016
 CLIFFORD R. MONTAN, P.E.
 F.L. REG. NO. 50890



SITE PLAN DATA			
PARCEL ID NUMBER(S):	282112000000003; 282112000000024; 282112000000025; 282112000000027		
FUTURE LAND USE:	COMMERCIAL		
ZONING:	C-1 (COMMERCIAL-1)		
	S.F.	AC.	%
TOTAL SITE	1,004,769	23.07	100%
BUILDING AREA			
EXIST. SHOPPING CENTER			
RETAIL/OFFICE	184,144	4.23	
PROPOSED BUILDINGS			
RETAIL	60,986	1.40	
TOTAL BLDG. EXIST./PROPOSED	245,130	5.63	24.40%
LAKE AREA	86,085	1.98	8.57%
PAVEMENT AND CONCRETE AREA	515,134	11.83	51.27%
LANDSCAPE AREA	158,420	3.64	15.77%
FLOOR AREA RATIO	0.244		
BUILDING HEIGHT	PROP. 58'; MAX. 35'		
OPEN SPACE	244,505 S.F.		
HOURS OF OPERATION	10AM - 10PM (RETAIL); 24 HRS. (FITNESS CENTER)		
NUMBER OF EMPLOYEES	170		

PERVIOUS CALCULATIONS			
	S.F.	AC.	%
PERVIOUS	158,420	3.64	15.77%
IMPERVIOUS	846,349	19.43	84.23%

BLDG. SETBACKS	FRONT	SIDE	REAR	CORNER
	REQUIRED	10'	10'	10'
PROPOSED	31.10'	40.12'	123.69'	65.61'

ADJACENT LAND USE	NORTH	EAST	SOUTH	WEST
	COMMERCIAL	OFFICE	COMMERCIAL	COMMERCIAL HIGH RESIDENTIAL
ADJACENT ZONING	C-1/C-2	PO/I	PUD	C-1/PUD

PARKING TABULATION			
PARKING REQUIRED			
245,130 S.F. @ 1 SPACE PER 200 S.F.	1,226 SPACES		
TOTAL PARKING REQUIRED	1,226 SPACES		
PARKING PROVIDED			
REGULAR SPACES	951 SPACES		
HANDICAP SPACES	30 SPACES		
TOTAL PARKING PROVIDED	981 SPACES		
PARKING DEFICIT	245 SPACES		

VARIANCE (V) WAIVER (W) TABLE			
CODE #	CODE REQUIREMENT (V/W)	REQUEST	JUSTIFICATION
	REQD. PARKING 1,227	W	PROVIDED 977, 250 SPACES REDUCTION
	BUILDING HEIGHT MAX. 35'	W	58' BUILDING HEIGHT
			HARDSHIP

NOTE: WAIVERS ARE PROCESSED ACCORDING TO SECTION 6.07.00, LDC

Sun-Tech Engineering, Inc.
 Engineers - Planners - Surveyors
TECH
 1600 West Oakland Park Boulevard
 Ft. Lauderdale, FL 33311
 www.suntecheng.com
 Certificate of Auth. # 7097
 Phone (954) 777-3123
 Fax (954) 777-3114

REVISIONS	
NO.	DATE / DESCRIPTION

FLORIDA
 CITY OF APOPKA
PIEDMONT PLAZA
SITE PLAN

DATE:
Apr. 2016

SCALE:
1"=50'

DESIGNED BY:
M.G.

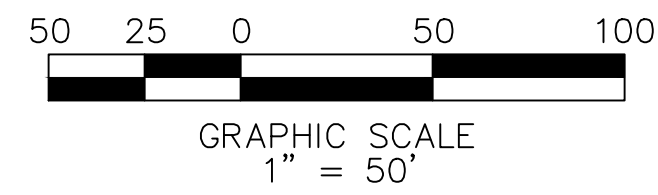
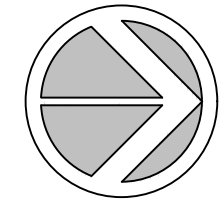
DRAWN BY:
M.A.S.

JOB NUMBER
16-3755

SHEET No.
SP1

SEAL

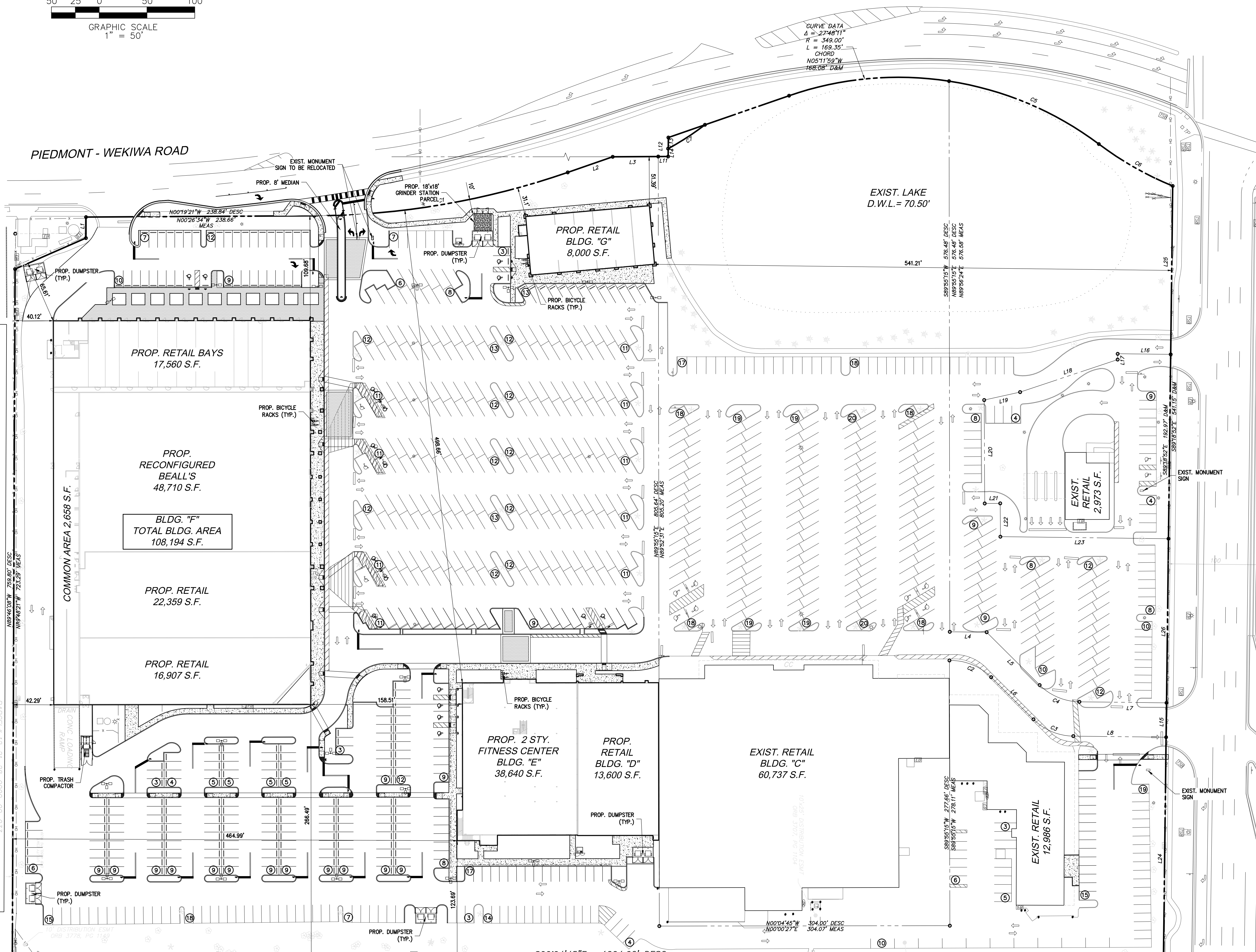
Jun 16 2016
 CLIFFORD R. LOUTAN, P.E.
 FL. REG. NO. 56890



PIEDMONT - WEKIWA ROAD

PIEDMONT - WEKIWA ROAD

EXIST. LAKE
D.W.L. = 70.50'



SITE PLAN DATA

PARCEL ID NUMBER(S):	282112000000003; 282112000000024; 282112000000025; 282112000000027		
FUTURE LAND USE:	COMMERCIAL		
ZONING:	C-1 (COMMERCIAL-1)		
	S.F.	AC.	%
TOTAL SITE	1,004,769	23.07	100%
BUILDING AREA			
EXIST. SHOPPING CENTER			
RETAIL/OFFICE	184,144	4.23	
PROPOSED BUILDINGS			
RETAIL	60,986	1.40	
TOTAL BLDG. EXIST./PROPOSED	245,130	5.63	24.40%
LAKE AREA	86,085	1.98	8.57%
PAVEMENT AND CONCRETE AREA	515,134	11.83	51.27%
LANDSCAPE AREA	158,420	3.64	15.77%
FLOOR AREA RATIO	0.244		
BUILDING HEIGHT	PROP. 58'; MAX: 35'		
OPEN SPACE	244,505 S.F.		
HOURS OF OPERATION	10AM - 10PM (RETAIL); 24 HRS. (FITNESS CENTER)		
NUMBER OF EMPLOYEES	170		

PERVIOUS CALCULATIONS

	S.F.	AC.	%
PERVIOUS	158,420	3.64	15.77%
IMPERVIOUS	846,349	19.43	84.23%

BLDG. SETBACKS	FRONT	SIDE	REAR	CORNER
REQUIRED	10'	10'	10'	15'
PROPOSED	31.10'	40.12'	123.69'	65.61'

ADJACENT LAND USE	NORTH	EAST	SOUTH	WEST
	COMMERCIAL	OFFICE	COMMERCIAL	COMMERCIAL HIGH RESIDENTIAL
ADJACENT ZONING	C-1/C-2	PO/I	PUD	C-1/PUD

PARKING TABULATION

PARKING REQUIRED	245,130 S.F. @ 1 SPACE PER 200 S.F.		1,226 SPACES
TOTAL PARKING REQUIRED			1,226 SPACES
PARKING PROVIDED			
REGULAR SPACES			943 SPACES
HANDICAP SPACES			30 SPACES
TOTAL PARKING PROVIDED			973 SPACES
PARKING DEFICIT			253 SPACES

VARIANCE (V) WAIVER (W) TABLE

CODE #	CODE REQUIREMENT	(V/W)	REQUEST	JUSTIFICATION
	REQD. PARKING 1,227	W	PROVIDED 977, 250 SPACES REDUCTION	HARDSHIP
	BUILDING HEIGHT MAX. 35'	W	65' BUILDING HEIGHT	HARDSHIP

NOTE:
WAIVERS ARE PROCESSED ACCORDING TO SECTION 6.07.00, LDC

Sun-Tech Engineering, Inc.
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FL 33311
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Fax (954) 777-3114

NO.	DATE	DESCRIPTION

FLORIDA
PIEDMONT PLAZA
CITY OF APOPKA
SITE PLAN

DATE:
Aug. 2016

SCALE:
1"=50'

DESIGNED BY:
M.G.

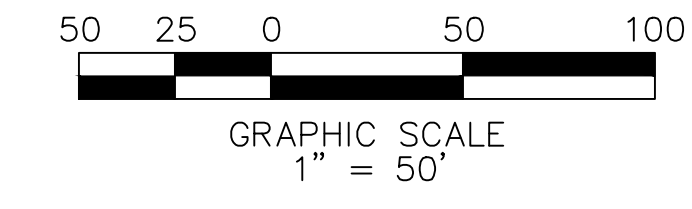
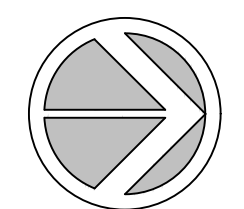
DRAWN BY:
M.A.S.

JOB NUMBER
16-3755

SHEET No.
SP1

SEAL
Aug 16 2016
CLIFFORD R. LOUTAN, P.E.
FL. REG. NO. 56890

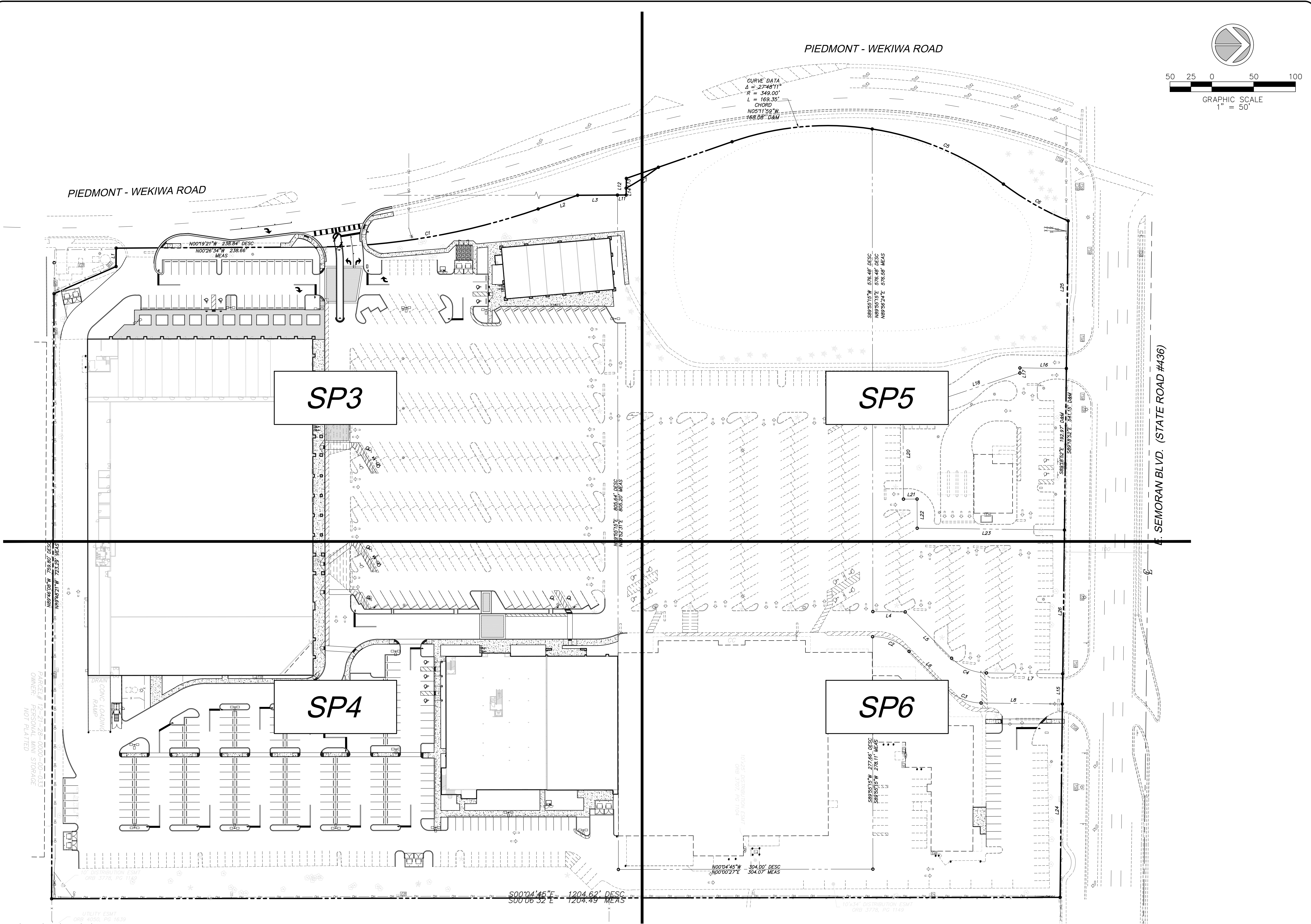
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LAYOUT: [SP1]



PIEDMONT - WEKIWA ROAD

PIEDMONT - WEKIWA ROAD

SEMORAN BLVD. (STATE ROAD #436)



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NO.	DATE	DESCRIPTION

FLORIDA
 CITY OF APOPKA
PIEDMONT PLAZA
SITE PLAN KEY MAP

DATE:
Aug. 2016

SCALE:
1"=50'

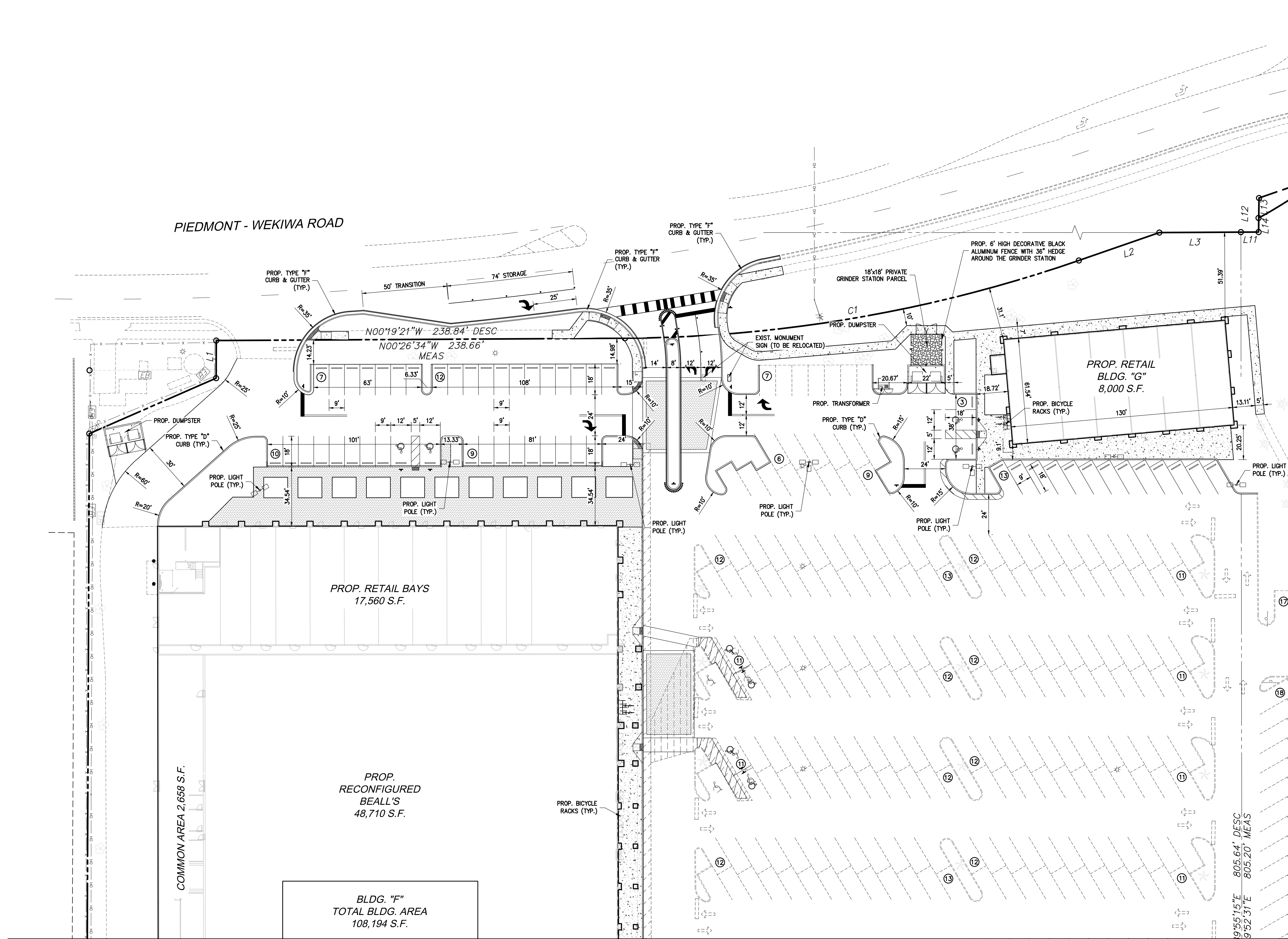
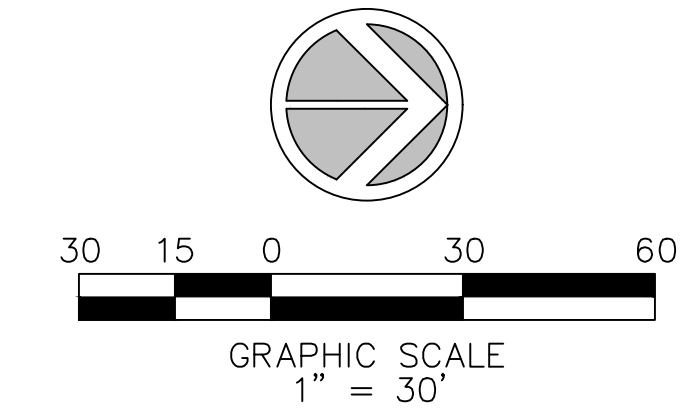
DESIGNED BY:
M.G.

DRAWN BY:
M.A.S.

JOB NUMBER
16-3755

SHEET No.
SP2

SEAL
Aug 18 2016
CLIFFORD R. LOUTAN, P.E.
FL. REG. NO. 56890



MATCH LINE "B-B" (FOR CONTINUATION SEE SHEET SP5)

MATCH LINE "A-A" (FOR CONTINUATION SEE SHEET SP4)

REVISIONS	
NO.	DESCRIPTION

FLORIDA
 CITY OF APOPKA
PIEDMONT PLAZA
SITE PLAN

DATE:
Aug. 2016

SCALE:
1"=30'

DESIGNED BY:
M.G.

DRAWN BY:
M.A.S.

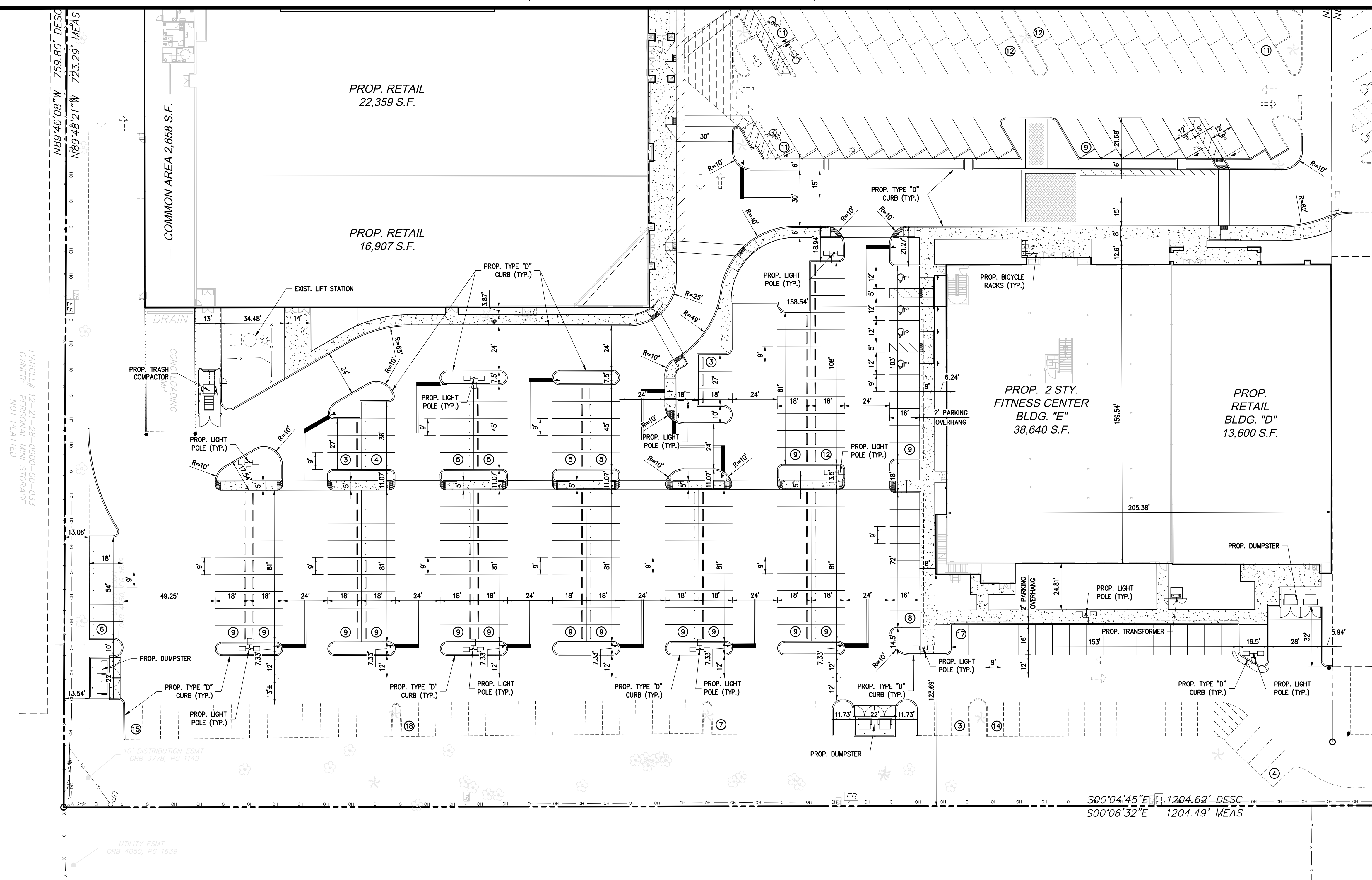
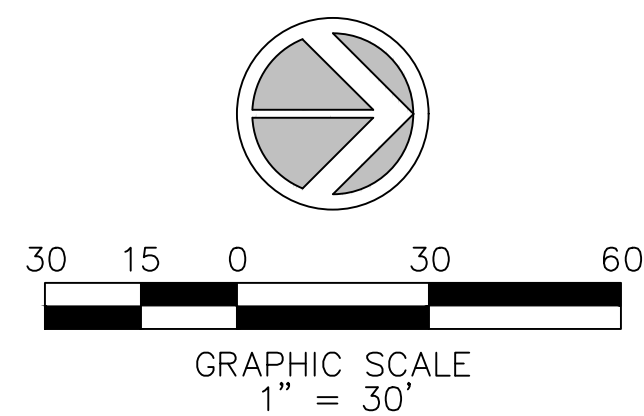
JOB NUMBER
16-3755

SHEET No.
SP3

SEAL

Aug 18 2016
 CLIFFORD R. LOUTAN, P.E.
 FL. REG. NO. 56890

MATCH LINE "A-A" (FOR CONTINUATION SEE SHEET SP3)



MATCH LINE "B-B" (FOR CONTINUATION SEE SHEET SP6)

Sun-Tech Engineering, Inc.
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 Ft. Lauderdale, FL 33311
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 Fax (954)777-3114

NO.	DATE:	DESCRIPTION

FLORIDA
PIEDMONT PLAZA
SITE PLAN
 CITY OF APOPKA

DATE:
 Aug. 2016

SCALE:
 1"=30'

DESIGNED BY:
 M.G.

DRAWN BY:
 M.A.S.

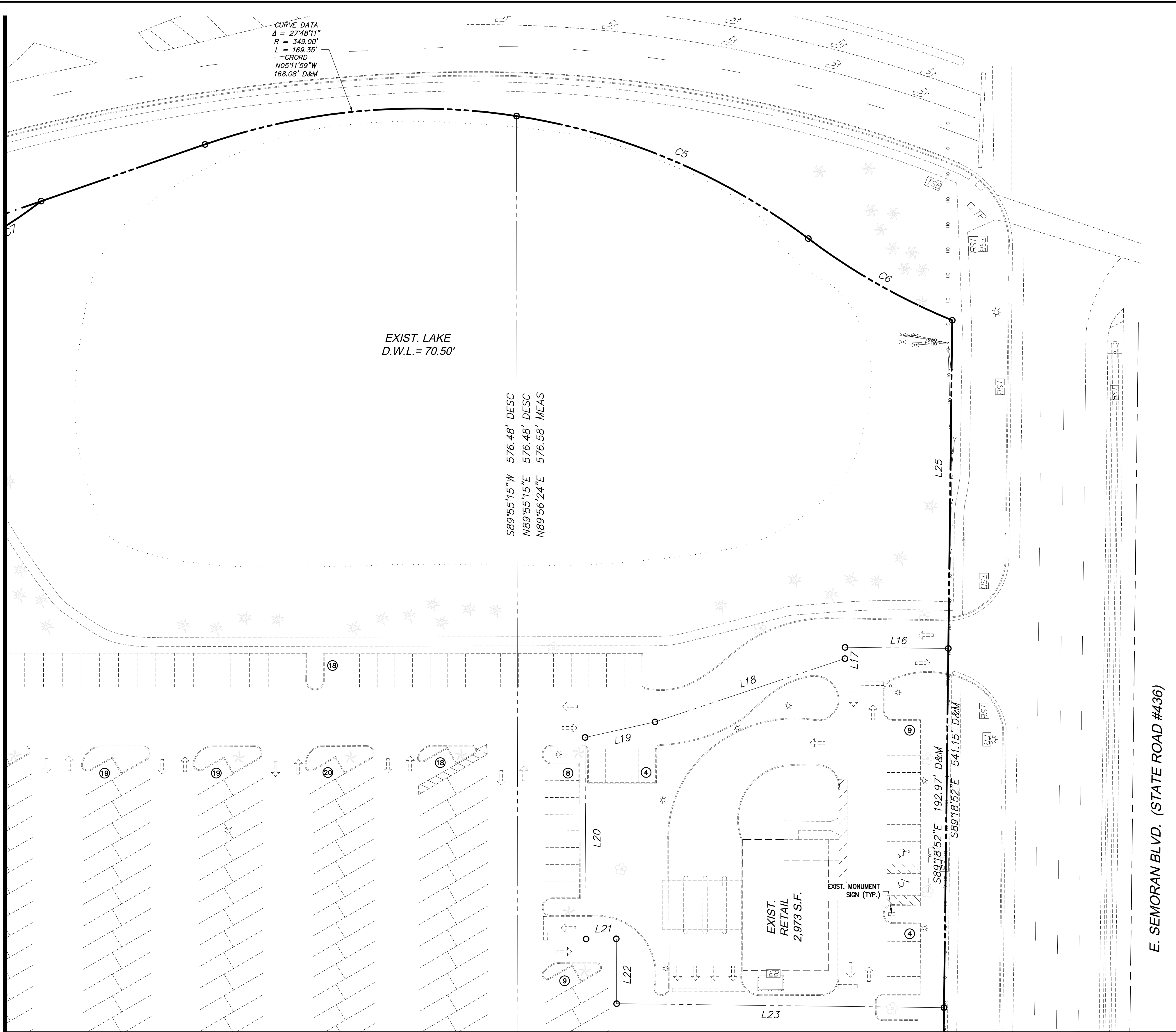
JOB NUMBER
 16-3755

SHEET No.
 SP4

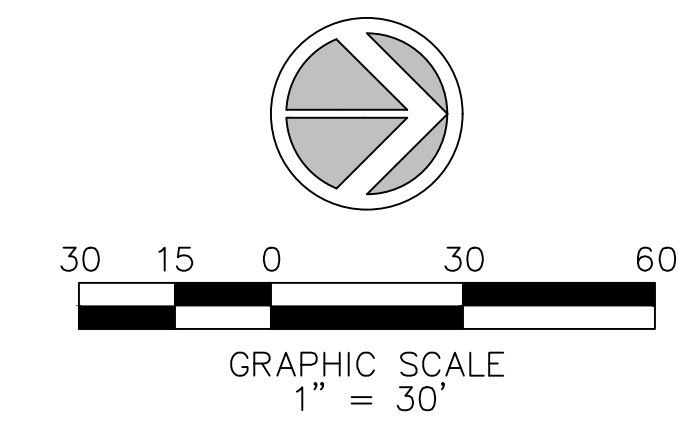
SEAL
 Aug 18 2016
 CLIFFORD R. LOUTAN, P.E.
 FL. REG. NO. 56890

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 LAYOUT: [SP4]

MATCH LINE "B-B" (FOR CONTINUATION SEE SHEET SP3)



MATCH LINE "A-A" (FOR CONTINUATION SEE SHEET SP6)



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REVISIONS	
NO.	DESCRIPTION

FLORIDA
PIEDMONT PLAZA
 CITY OF APOPKA
SITE PLAN

DATE:
 Aug. 2016

SCALE:
 1"=30'

DESIGNED BY:
 M.G.

DRAWN BY:
 M.A.S.

JOB NUMBER
 16-3755

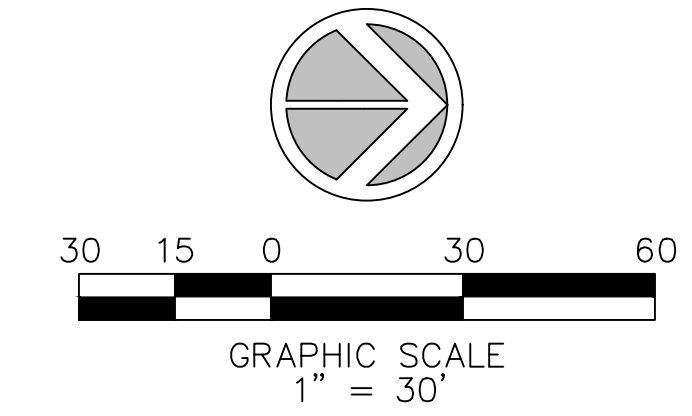
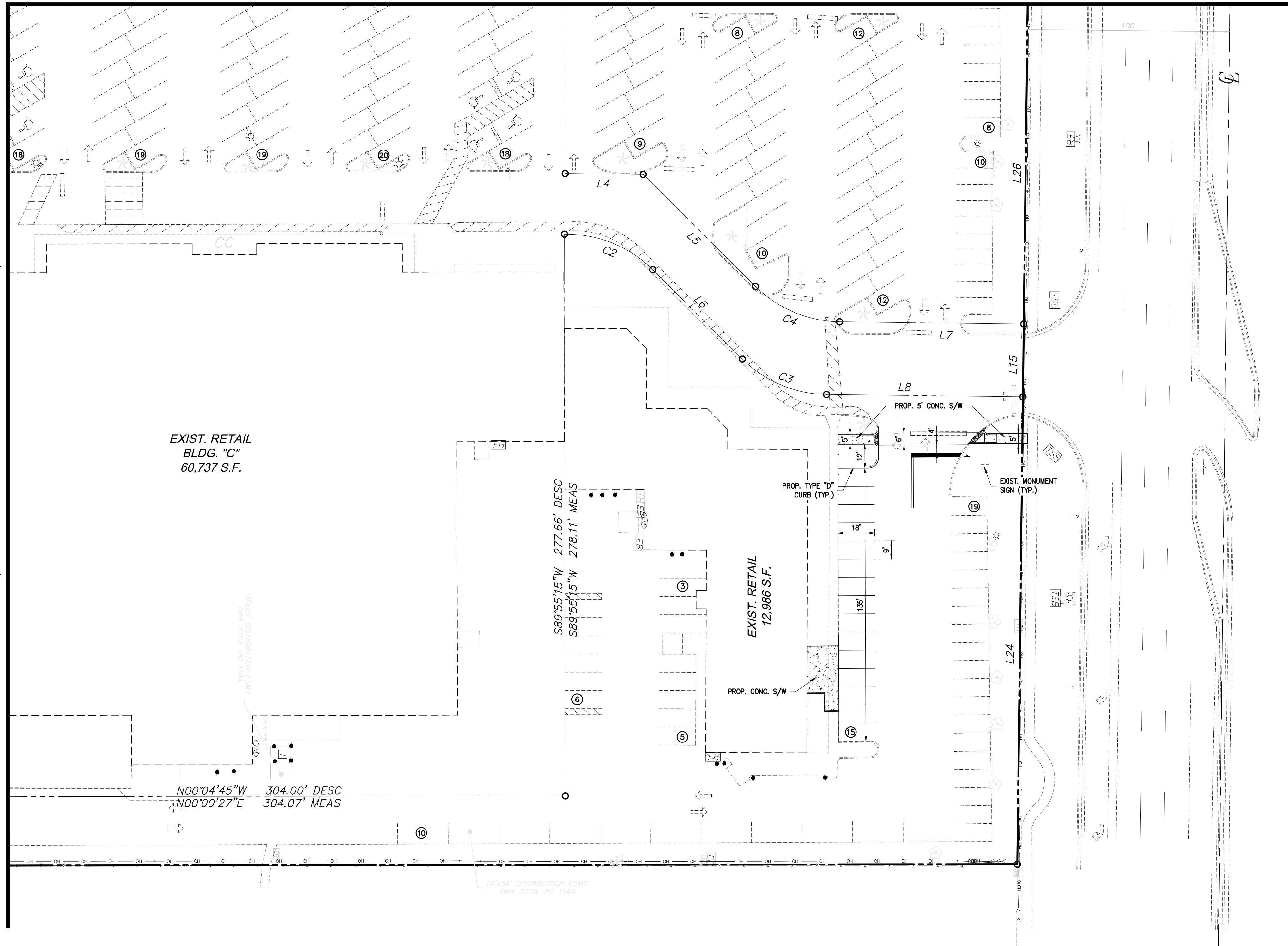
SHEET No.
 SP5

SEAL

Aug 18 2016
 CLIFFORD R. LOUTAN, P.E.
 FL. REG. NO. 56890

MATCH LINE "A-A" (FOR CONTINUATION SEE SHEET SP5)

MATCH LINE "B-B" (FOR CONTINUATION SEE SHEET SP4)



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 Ft. Lauderdale, FL 33311
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REVISIONS	
NO.	DESCRIPTION

PIEDMONT PLAZA
 CITY OF APOPKA
 FLORIDA
SITE PLAN

DATE:
 Aug. 2016

SCALE:
 1"=30'

DESIGNED BY:
 M.G.

DRAWN BY:
 M.A.S.

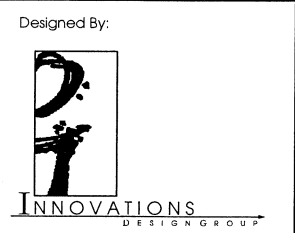
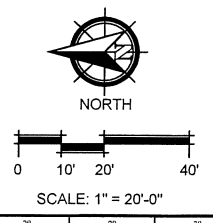
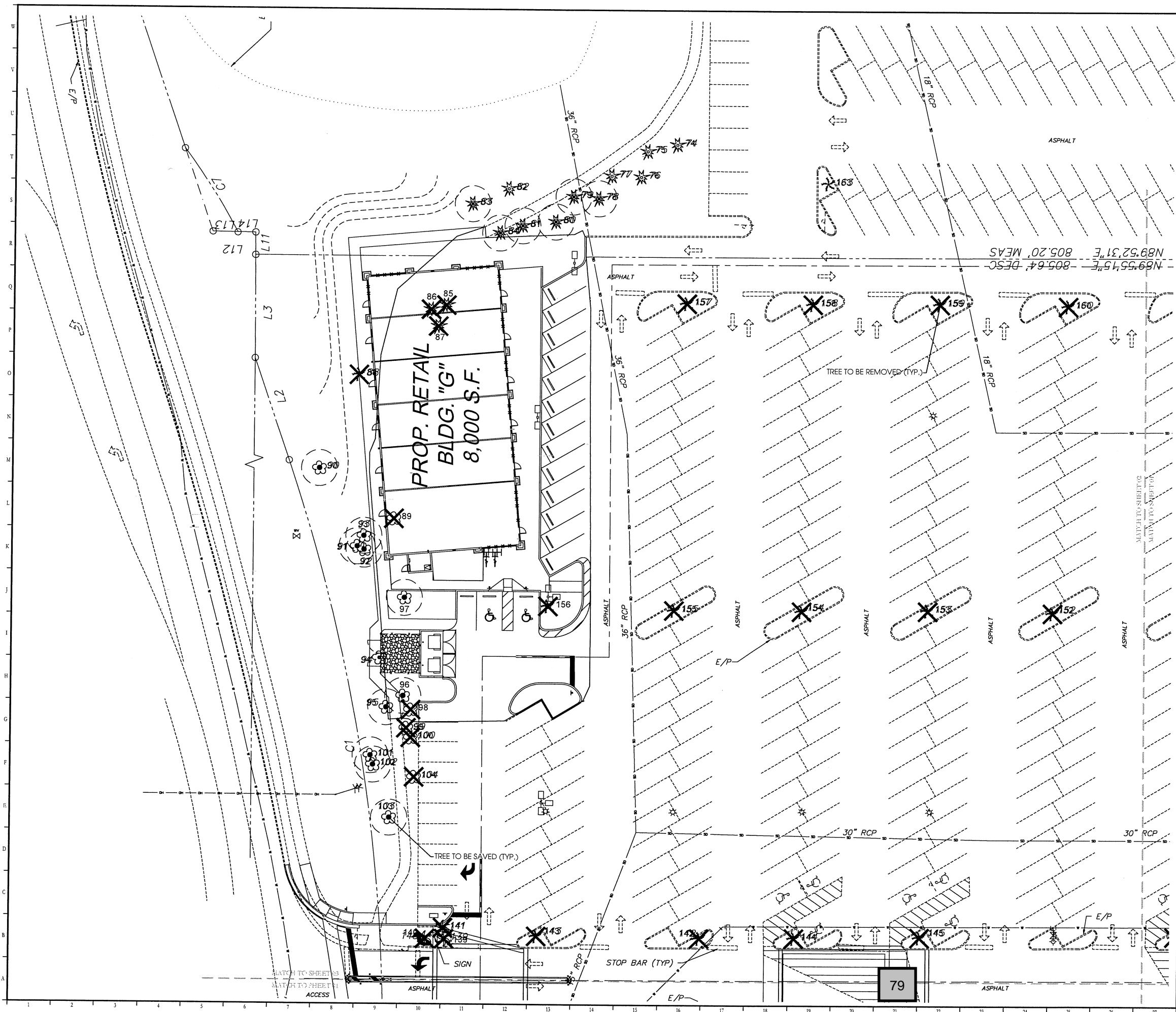
JOB NUMBER
 16-3755

SHEET No.
 SP6

SEAL

Aug 18 2016
 CLIFFORD R. LOUTAN, P.E.
 FL. REG. NO. 56890

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 DRAWING SIZE: 24" X 36"



P.O. BOX 540292 ■ ORLANDO ■ FLORIDA ■ 32854
 WWW.INNOVATIONS-DESIGN.COM ■ 407-440-3574

Consultants:

Owner:

PIEDMONT PLAZA
 CITY OF APOPKA, FLORIDA

LANDSCAPE PLANS

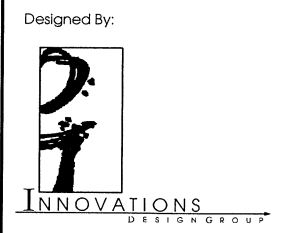
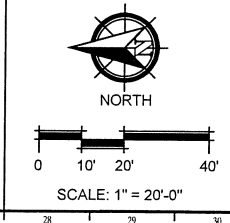
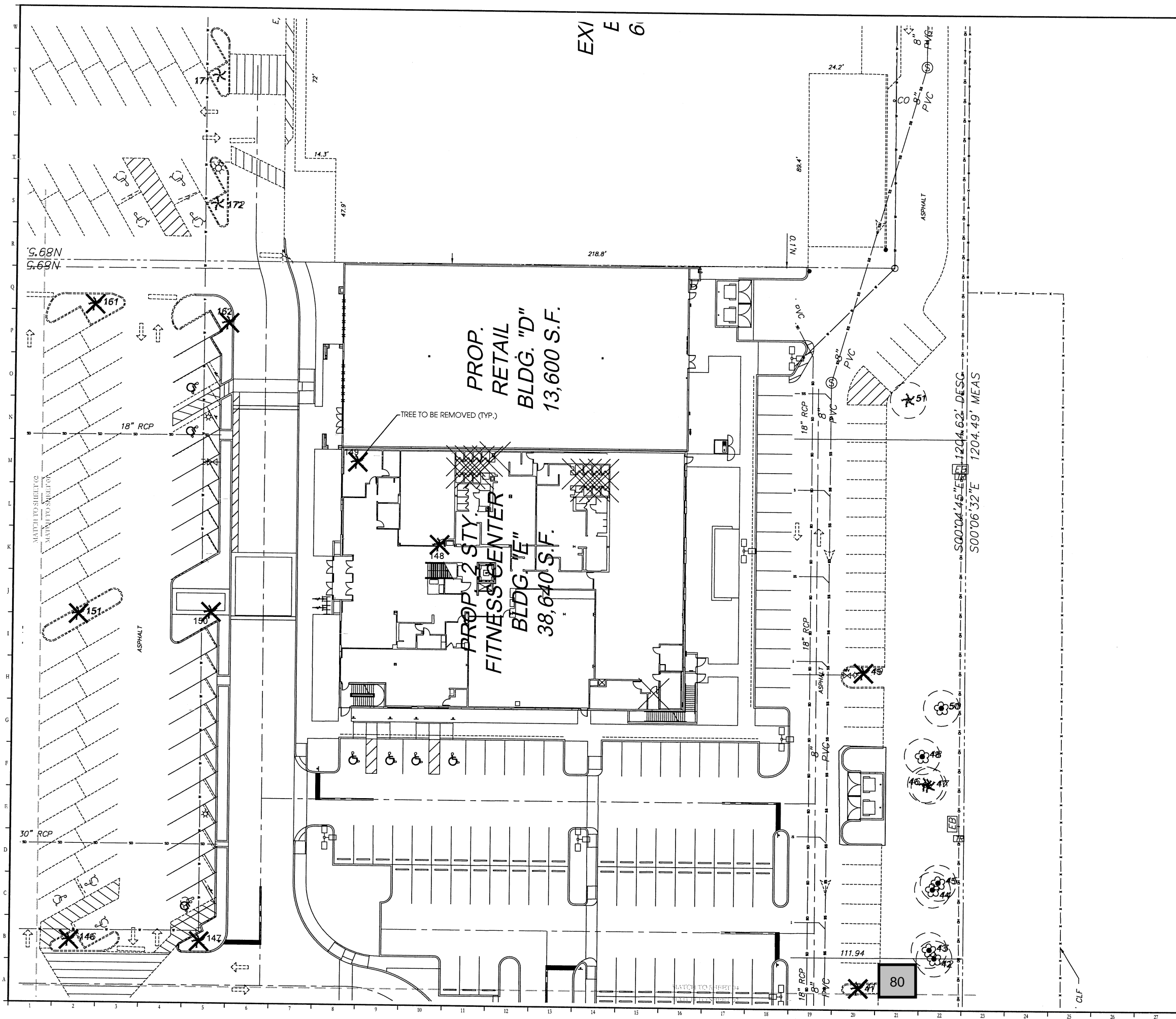
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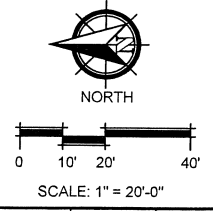
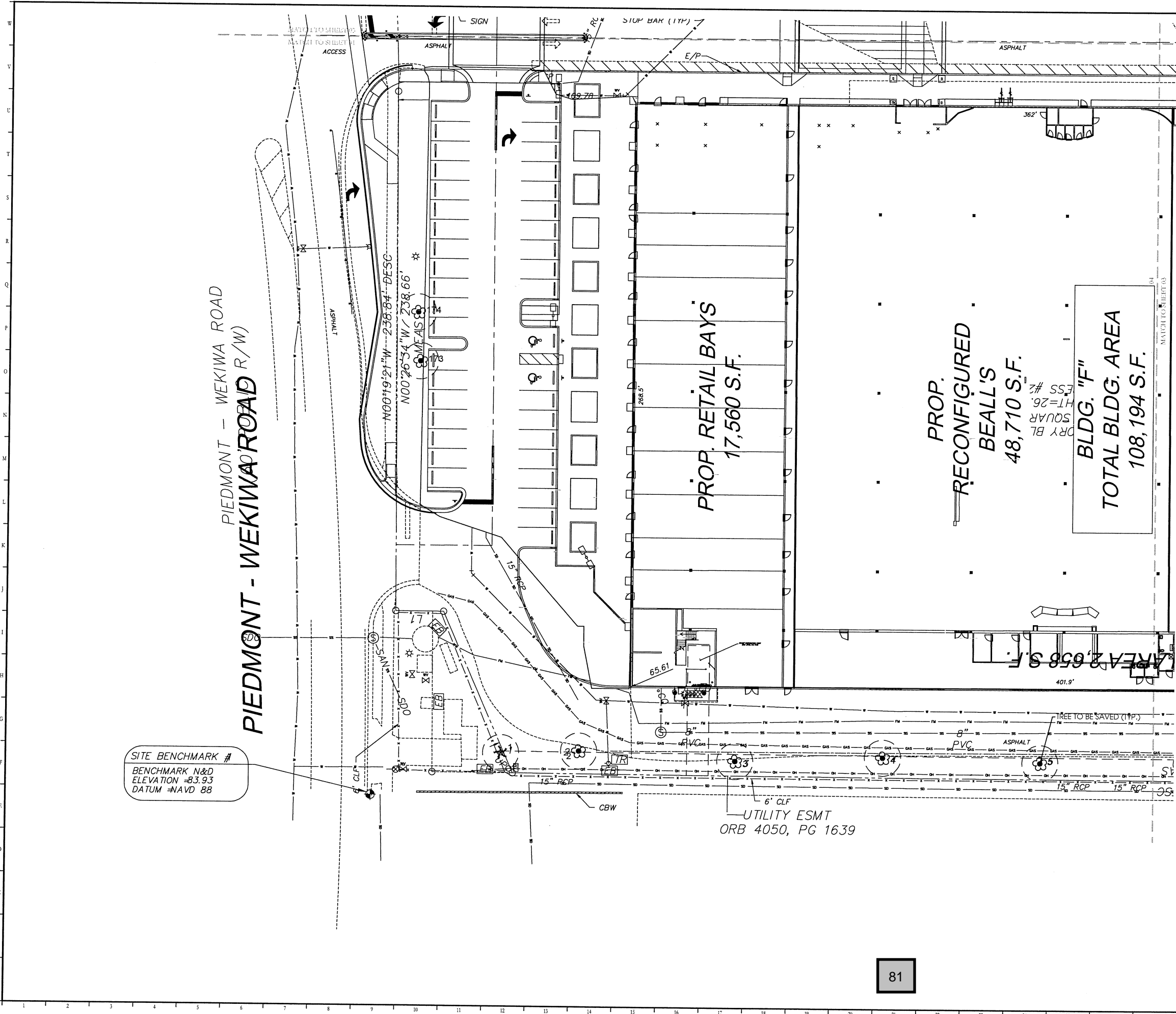
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LANDSCAPE PLANS

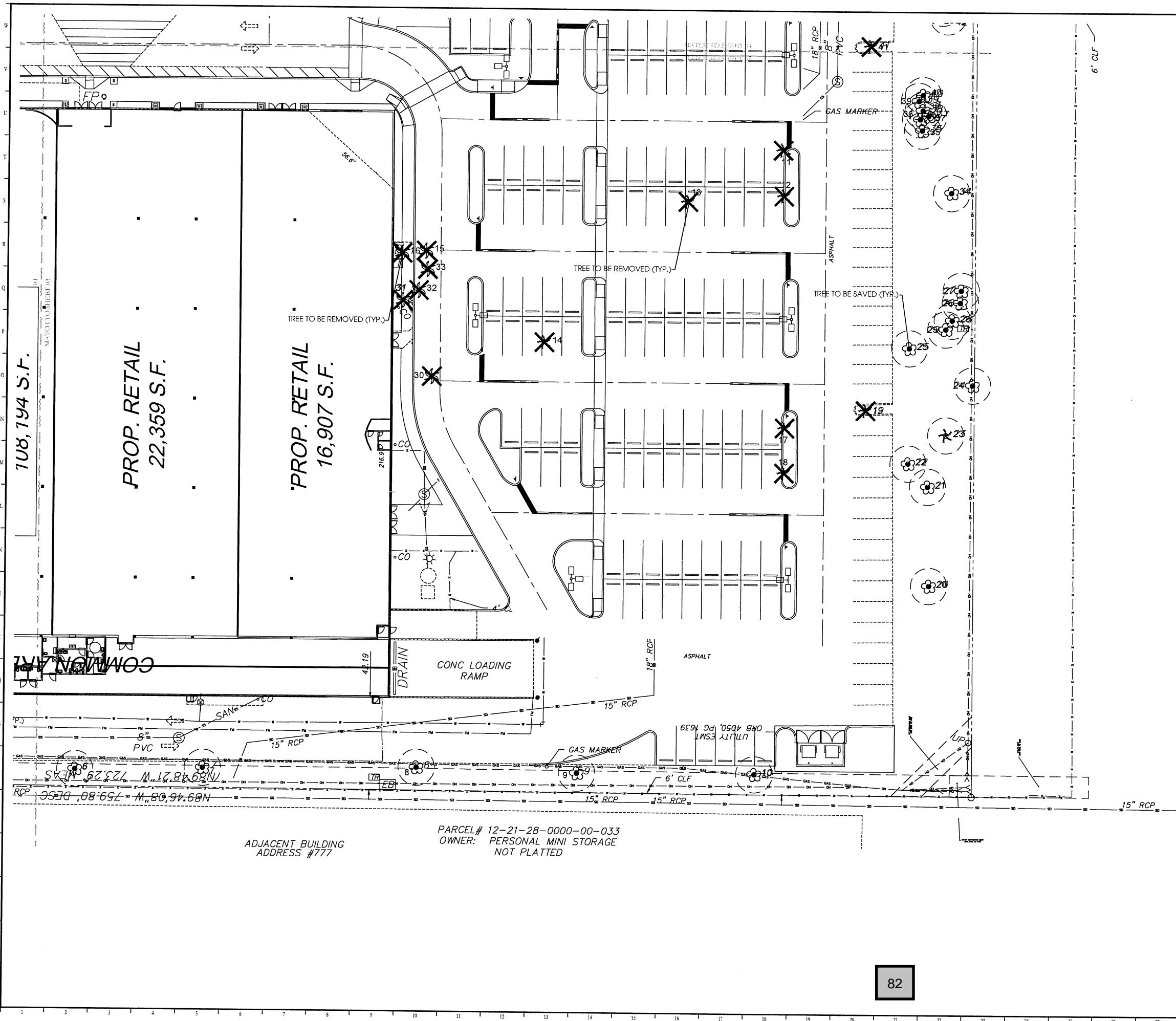
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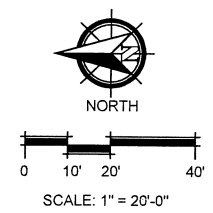
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LANDSCAPE INSTALLATION NOTES:

- THE CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONDITIONS AND BASE INFORMATION PRIOR TO INITIATING PLANTING INSTALLATION. ALL EXISTING PLANTING SHALL REMAIN INTACT AND UNDISTURBED UNLESS OTHERWISE NOTED ON THE PLANS.
- CONTRACTOR SHALL NOTIFY ALL NECESSARY UTILITY COMPANIES 48 HOURS MINIMUM PRIOR TO DIGGING FOR VERIFICATION OF ALL UNDERGROUND UTILITIES, IRRIGATION AND ALL OTHER OBSTRUCTIONS AND COORDINATE WITH OWNER'S REPRESENTATIVE PRIOR TO INITIATING OPERATIONS. DRAWINGS ARE PREPARED ACCORDING TO THE BEST INFORMATION AVAILABLE AT THE TIME OF PREPARING THESE DOCUMENTS.
- CONTRACTOR SHALL FAMILIARIZE HIMSELF/HERSELF WITH EXISTING SITE CONDITIONS PRIOR TO INITIATING PLANTING. ALL EXISTING SITE FURNISHINGS, PAVING, LANDSCAPE AND OTHER ELEMENTS TO REMAIN SHALL BE PROTECTED FROM ANY DAMAGE UNLESS OTHERWISE NOTED.
- UNLESS OTHERWISE NOTED, THE LIMITS OF CONSTRUCTION ARE THE CLEARING LIMITS NOTED ON THE DRAWINGS. (REFER TO CIVIL ENGINEERING DRAWINGS.)
- REPORT ANY DISCREPANCIES BETWEEN THE CONSTRUCTION DRAWINGS AND FIELD CONDITIONS TO THE OWNER'S REPRESENTATIVE IMMEDIATELY.
- LANDSCAPE CONTRACTOR SHALL COORDINATE ALL WORK WITH RELATED CONTRACTORS AND WITH THE GENERAL CONSTRUCTION OF THE PROJECT IN ORDER NOT TO IMPEDE THE PROGRESS OF THE WORK OF OTHERS OR THE CONTRACTOR'S OWN WORK.
- CONTRACTOR SHALL BE RESPONSIBLE TO REMOVE EXISTING GROUND COVER FOR ALL PLANTING BEDS AS SPECIFIED PRIOR TO PLANTING INSTALLATION. CONTRACTOR SHALL BE RESPONSIBLE TO REPLACE ALL PORTIONS OF EXISTING LAWN AREAS DAMAGED WHILE COMPLETING PLANTING INSTALLATION WITH THE SAME GRASS SPECIES TO THE SATISFACTION OF THE OWNER'S REPRESENTATIVE.
- THE CONTRACTOR SHALL BEAR ALL COSTS OF TESTING OF SOILS, AMENDMENTS, ETC. ASSOCIATED WITH THE WORK AND INCLUDED IN THE SPECIFICATIONS. PRIOR TO COMMENCEMENT OF THE LANDSCAPE PLANTING WORK, THE CONTRACTOR SHALL PROVIDE COMPLETE SOIL TESTS FOR AT LEAST TWO ON-SITE AREAS.
- ALL PLANT MATERIAL SHALL BE IN FULL AND STRICT ACCORDANCE WITH THE "AMERICAN STANDARDS FOR NURSERY STOCK" AS PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN (AAN) AND THE PROJECT MANUAL AND SPECIFICATIONS. PLANT MATERIALS SHALL EXCEED IN SOME INSTANCES SOME SPECIFICATIONS IF NECESSARY TO MEET THE MINIMUM REQUIREMENTS OF OTHERS.
- ALL TREES SHALL HAVE SIX FEET (6') CLEAR TRUNK UNLESS OTHERWISE SPECIFIED.
- ALL CONTAINER SIZES NOTED ON PLANT LIST ARE MINIMUM. INCREASE SIZE IF NECESSARY TO CONFORM TO PLANT SIZE AND SPECIFICATIONS.
- ALL TREE CALIPER SIZES NOTED ON PLANT LIST ARE MINIMUM. INCREASE SIZE IF NECESSARY TO CONFORM TO PLANT SIZE AND SPECIFICATIONS.
- ANY TREES WITH A TRUNK FORMED "V" SHAPE CROTCH WILL BE REJECTED.
- EROSION CONTROL FABRIC SHALL BE INSTALLED IN ALL SHRUB AND GROUND COVER PLANTING AREAS AS PER SPECIFICATIONS FOR ALL SLOPES THAT EXCEED 3:1. SEE GRADING PLANS FOR LOCATION OF SLOPES GREATER THAN 3:1.
- TYPICALLY, SHRUB AND GROUND COVER PLANTINGS ARE SHOWN AS MASS PLANTING BEDS. PLANTS SHALL BE PLACED ON A TRIANGULAR SPACING CONFIGURATION (STAGGERED SPACING). PLANT CENTER TO CENTER DIMENSIONS (O.C.) ARE LISTED UNDER "COMMENTS" ON THE PLANT LIST.

- LANDSCAPE CONTRACTOR SHALL FIELD STAKE THE LOCATION OF ALL PLANT MATERIAL PRIOR TO INITIATING INSTALLATION FOR THE REVIEW AND APPROVAL OF THE OWNER'S REPRESENTATIVE AND/OR LANDSCAPE ARCHITECT.
- LANDSCAPE CONTRACTOR SHALL FIELD ADJUST LOCATION OF PLANT MATERIAL AS NECESSARY TO AVOID DAMAGE TO ALL EXISTING UNDERGROUND UTILITIES AND/OR EXISTING ABOVE GROUND ELEMENTS. ALL CHANGES REQUIRED SHALL BE COMPLETED AT THE CONTRACTOR'S EXPENSE AND SHALL BE COORDINATED WITH THE OWNER'S REPRESENTATIVE AND THE LANDSCAPE ARCHITECT.
- CONTRACTOR SHALL MULCH ALL NEW PLANT MATERIAL THROUGHOUT AND COMPLETELY TO DEPTH SPECIFIED.
- ANY SUBSTITUTIONS IN SIZE AND/OR PLANT MATERIAL MUST BE APPROVED BY LANDSCAPE ARCHITECT AND/OR OWNER'S REPRESENTATIVE BEFORE PLANTING CAN BEGIN.
- CONTRACTOR SHALL REFER TO THE LANDSCAPE PLANTING DETAILS, PLANT LIST, GENERAL NOTES AND THE PROJECT MANUAL AND SPECIFICATIONS FOR FURTHER AND COMPLETE LANDSCAPE PLANTING INSTRUCTIONS.
- LANDSCAPE CONTRACTOR SHALL COORDINATE ALL PLANTING WORK WITH IRRIGATION WORK. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL HAND WATERING AS REQUIRED BY OWNER'S REPRESENTATIVE TO SUPPLEMENT IRRIGATION WATERING AND RAINFALL. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR HAND WATERING IN ALL PLANTING AREAS, REGARDLESS OF THE STATUS OF EXISTING OR PROPOSED IRRIGATION.
- LANDSCAPE CONTRACTOR SHALL CLEAN THE WORK AREAS AT THE END OF EACH WORKING DAY. RUBBISH AND DEBRIS SHALL BE COLLECTED AND DEPOSITED OFF-SITE DAILY. ALL MATERIALS, PRODUCTS AND EQUIPMENT SHALL BE STORED IN AN ORGANIZED FASHION AS DIRECTED BY THE OWNER'S REPRESENTATIVE.
- LANDSCAPE CONTRACTOR SHALL REGRADE ALL AREAS DISTURBED BY PLANT REMOVAL, RELOCATION AND/OR INSTALLATION WORK. LANDSCAPE CONTRACTOR SHALL REPLACE (BY EQUAL SIZE AND QUALITY) ANY AND ALL EXISTING PLANT MATERIAL DISTURBED OR DAMAGED BY PLANT REMOVAL, RELOCATION AND/OR INSTALLATION.

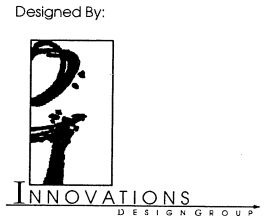
PIEDMONT PLAZA PLANT SCHEDULE

QTY.	KEY	BOTANICAL NAME	COMMON NAME	SIZE/SPECIFICATION	B&B or CONT.	SPACING	COMMENTS
TREES							
AR		Acer rubrum	Red Maple	12' Hgt. x 5' Spd./3" Cal.	65 Gal. Cont.	as shown	Single, straight trunk/Full/6' C.T.
CV		Callistemon viminalis	Weeping Bottlebrush	10' hgt. x 6' spd./3" Cal.	45 Gal. Cont.	as shown	Standard/Full
LM		Lagerstroemia indica 'Muskogee'	Muskogee Crape Myrtle	12' Hgt. x 6' Spd./3" Cal.	30 Gal. Cont.	as shown	Standard/Full
UN		Lagerstroemia indica 'Natchez'	Natchez Crape Myrtle	12' Hgt. x 6' Spd./3" Cal.	30 Gal. Cont.	as shown	Standard/Full
U		Ligustrum japonicum	Japanese Privet	8' Hgt. x 6' Spd./3" Cal.	65 Gal. Cont.	as shown	Multi-trunk/Full
MG		Magnolia grandiflora 'Blanchard'	Southern Magnolia	10' Hgt. x 4' Spd./3" Cal.	65 Gal. Cont.	as shown	Single, straight trunk/Full/4' C.T.
QV		Quercus virginiana	Live Oak	14' Hgt. x 8' Spd./3" Cal.	100 Gal. Cont.	as shown	Single, straight trunk/Full/6' C.T.
UP		Ulmus parvifolia 'Drake'	Drake Elm	12' Hgt. x 6' Spd./3" Cal.	65 Gal. Cont.	as shown	Single, straight trunk/Full/6' C.T.
PALMS							
LC		Livistona chinensis	Chinese Fan Palm	16' O.A.	B&B	as shown	
PS		Phoenix sylvestris	Wild Indian Date Palm	12-14' O.A.	B&B	as shown	Sgl., strght., hvy., undam. trunk/Full,45 deg. boot cut
SPB		Sabal palmetto	Cabbage Palm	14'-18' O.A.(See plan)/14" Cal.	B&B	as shown	No boots, regenerated 5 fronds min.
WR		Washingtonia robusta	Washington Palm	16' O.A.	B&B	as shown	Heavy, straight trunk void of damage/Boots intact
SHRUBS							
AZ		Alphitonia zerumbet	Shell Ginger	30" Hgt.	3 Gal. Cont.	36" O.C.	Full/3 plants per pot
BD		Bougainvillea 'Helen Johnson'	Dwarf Bougainvillea 'Helen Johnson'	18" O.A.	3 Gal. Cont.	30" O.C.	Full/3 trailing runners min.
CQ		Camellia sasanqua	Sasanqua Camellia	30" O.A.	3 Gal. Cont.	36" O.C.	Full
CS		Cortaderia selloana	Pampas Grass	36" O.A.	3 Gal. Cont.	48" O.C.	Full clump/Plant as shown
CA		Crinum asiaticum	Crinum Lily	36" O.A.	7 Gal. Cont.	48" O.C.	Full/10 leaves min. with no scars/Plant as shown
DR		Duranta repens	Golden Dewdrop	24" O.A.	3 Gal. Cont.	30" O.C.	Full
GA		Galphimia glauca	Thyallid	20" O.A.	3 Gal. Cont.	30" O.C.	Full
HRR		Hibiscus rosa-sinensis 'Brilliant Red'	Single Red Hibiscus	30" O.A.	3 Gal. Cont.	36" O.C.	Full
IB		Ilex cornuta 'Burfordii'	Burfordii Holly	20" O.A.	3 Gal. Cont.	36" O.C.	Full
MF		Myrcianthes fragrans	Simpsons Stopper	24" O.A.	3 Gal. Cont.	36" O.C.	Full
MC		Muhlenbergia capillaris	Pink Muhley Grass	18" ht. x 14" spr.	3 Gal. Cont.	24" O.C.	Full
ND		Nandina domestica	Nandina	24" O.A.	3 Gal. Cont.	30" O.C.	Full/3 plants per pot
NOD		Nerium oleander 'Dwarf'	Dwarf Oleander	24" O.A.	3 Gal. Cont.	30" O.C.	Full
PG		Plumbago articulata	Plumbago	24" O.A.	3 Gal. Cont.	36" O.C.	Full
PM		Podocarpus macrophyllus	Japanese Yew	30" Hgt. x 12" Spd.	3 Gal. Cont.	36" O.C.	Full
RD		Rhododendron 'Duc de Rohan'	Duc de Rohan Azalea	18" O.A.	3 Gal. Cont.	30" O.C.	Full
SE		Strelitzia reginae	Bird of Paradise	18" O.A.	3 Gal. Cont.	36" O.C.	Full/3 plants per pot
TD		Tripsacum dactyloides	Fakahatchee Grass	24" hgt.	3 Gal. Cont.	36" O.C.	Full clump
VO		Viburnum odoratissimum	Sweet Viburnum	28" O.A.	3 Gal. Cont.	36" O.C.	Full
VO1		Viburnum odoratissimum	Sweet Viburnum	36" O.A.	7 Gal. Cont.	48" O.C.	Full
ZF		Zamia pumila	Coontie	18" O.A.	3 Gal. Cont.	30" O.C.	Full/11 leaves min.
GROUNDCOVERS							
AN		Annuals	Annuals	12" O.A.	4" Pot	12" O.C.	Full/ 3 plants per pot
DT		Dianella tasmanica 'Variegata'	Variegated Flax Lily	18" O.A.	1 Gal. Cont.	18" O.C.	Full
DV		Dietsa vegeta	White African Iris	14" O.A.	1 Gal. Cont.	18" O.C.	Full/3 plants per pot
JP		Juniperus 'parson's'	Parson's Juniper	18" Hgt. x 16" Spd.	3 Gal. Cont.	30" O.C.	Full/3 trailing runners min.
LM		Lantana montevidensis	Trailing Lantana	8" Hgt. x 12" Spd.	1 Gal. Cont.	18" O.C.	Full/3 trailing runners min.
LE		Liriope muscari 'Evergreen Giant'	Evergreen Giant Lily Turf	12" O.A.	1 Gal. Cont.	18" O.C.	Full/7 plants per pot
TA		Trachelospermum asiaticum	Asian Jasmine	12" runners	1 Gal. Cont.	18" O.C.	Full/5 runners min.
TJ		Trachelospermum jasminoides	Confederate Jasmine	18" runners	3 Gal. Cont.	30" O.C.	Full/5 runners min.
TURF							
		Sod	St. Augustine				

- NOTES:
- LANDSCAPING AND IRRIGATION PLANS SHALL BE IN COMPLIANCE WITH WATER WISE ORDINANCE 2069
 - ALL EQUIPMENT (INCLUDING ROOF TOP) AND UTILITY BOXES MUST BE FULLY SCREENED (INCLUDING THE BACK OF THE BUILDINGS)
 - TREES MUST BE MEASURED AT DIAMETER AT BREAST HEIGHT (D.B.H.)
 -

CITY OF APOPKA, FLORIDA
 CODE OF ORDINANCES ARTICLE V
 C 5.01.08.- REQUIRED LANDSCAPING

- MINIMUM TREE SIZE: 2.5" CAL (DBH) , 8FT HEIGHT.
- MINIMUM TREE REQUIREMENT: 1 TREE PER 8,000 SF
 LOT SIZE: 765,435 SF (17.57 AC.) = 96 TREES REQUIRED
 77 TREES PROVIDED
 53 TREES EXISTING
- PARKING REQUIREMENTS: 1 TREE PER 20 PARKING SPACES
 608 PARKING SPACES/20= 30 TREES REQUIRED
 42 TREES PROVIDED



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**LANDSCAPE PLANS
 GENERAL NOTES**

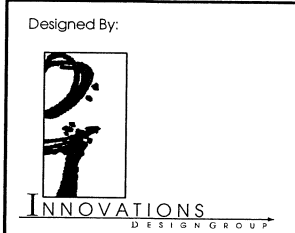
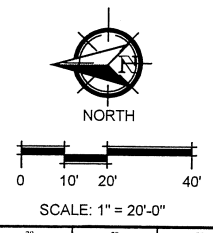
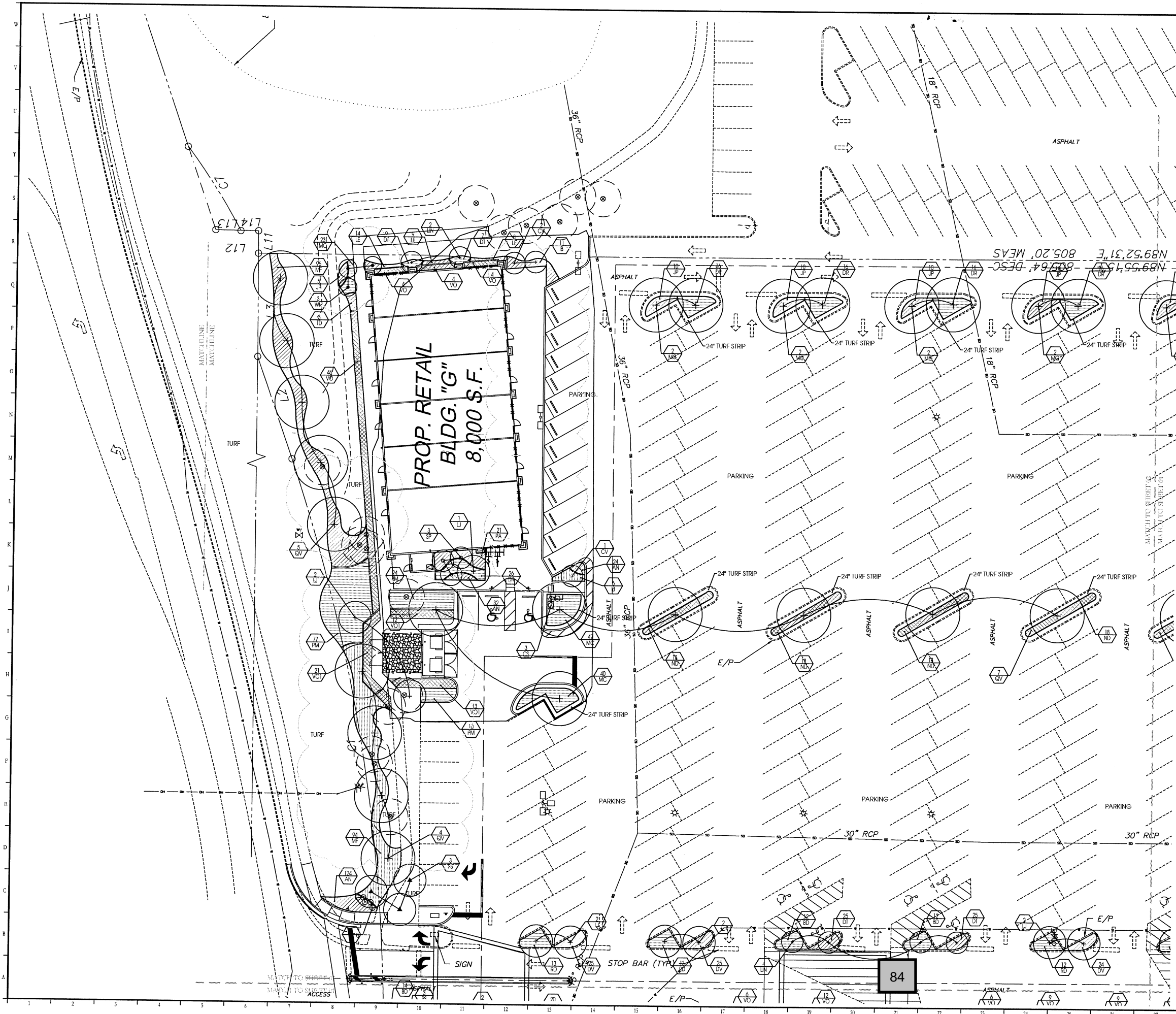
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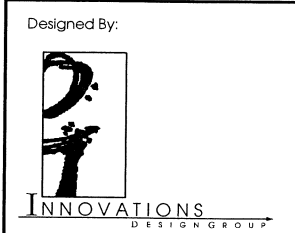
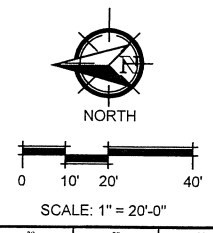
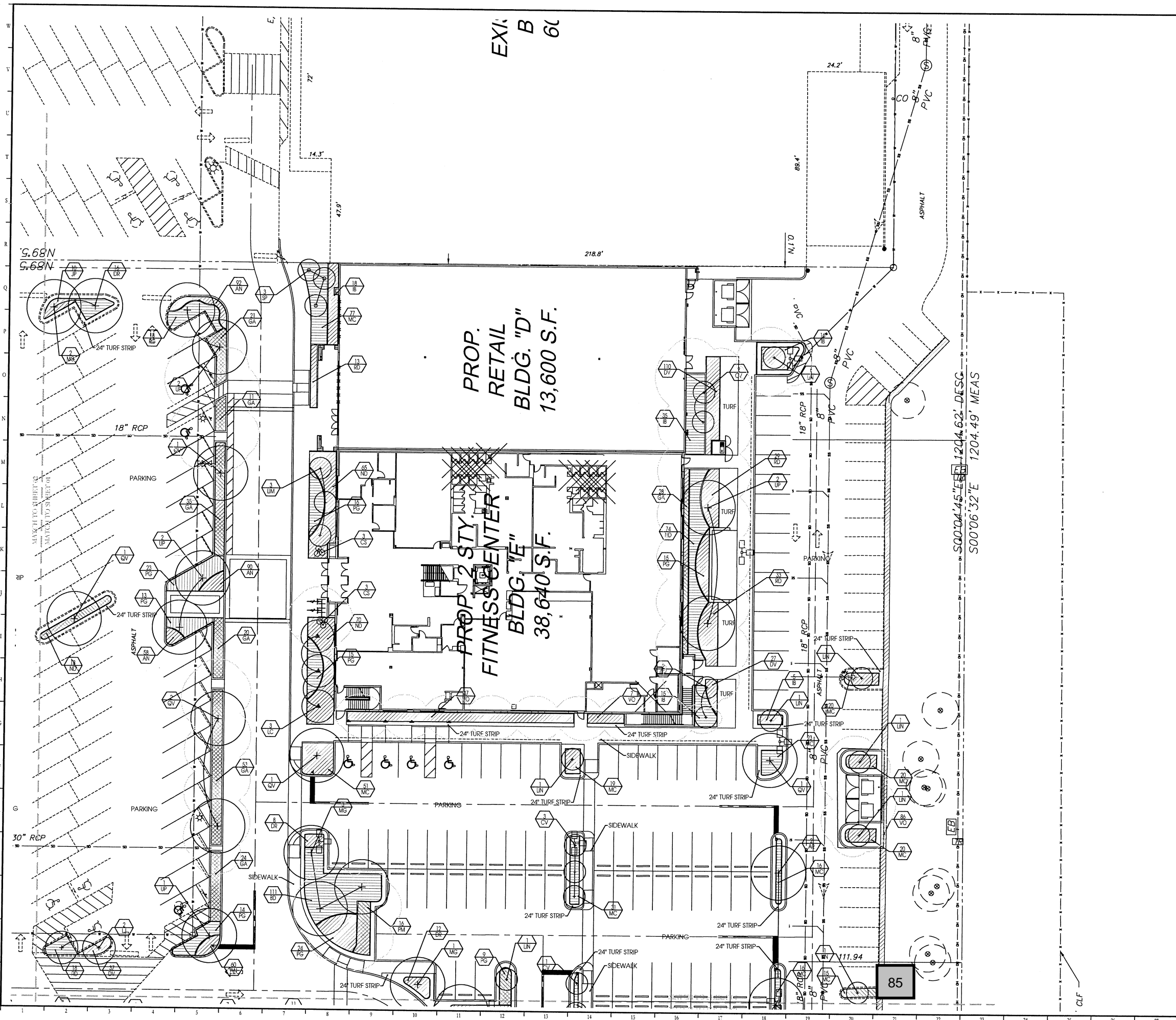
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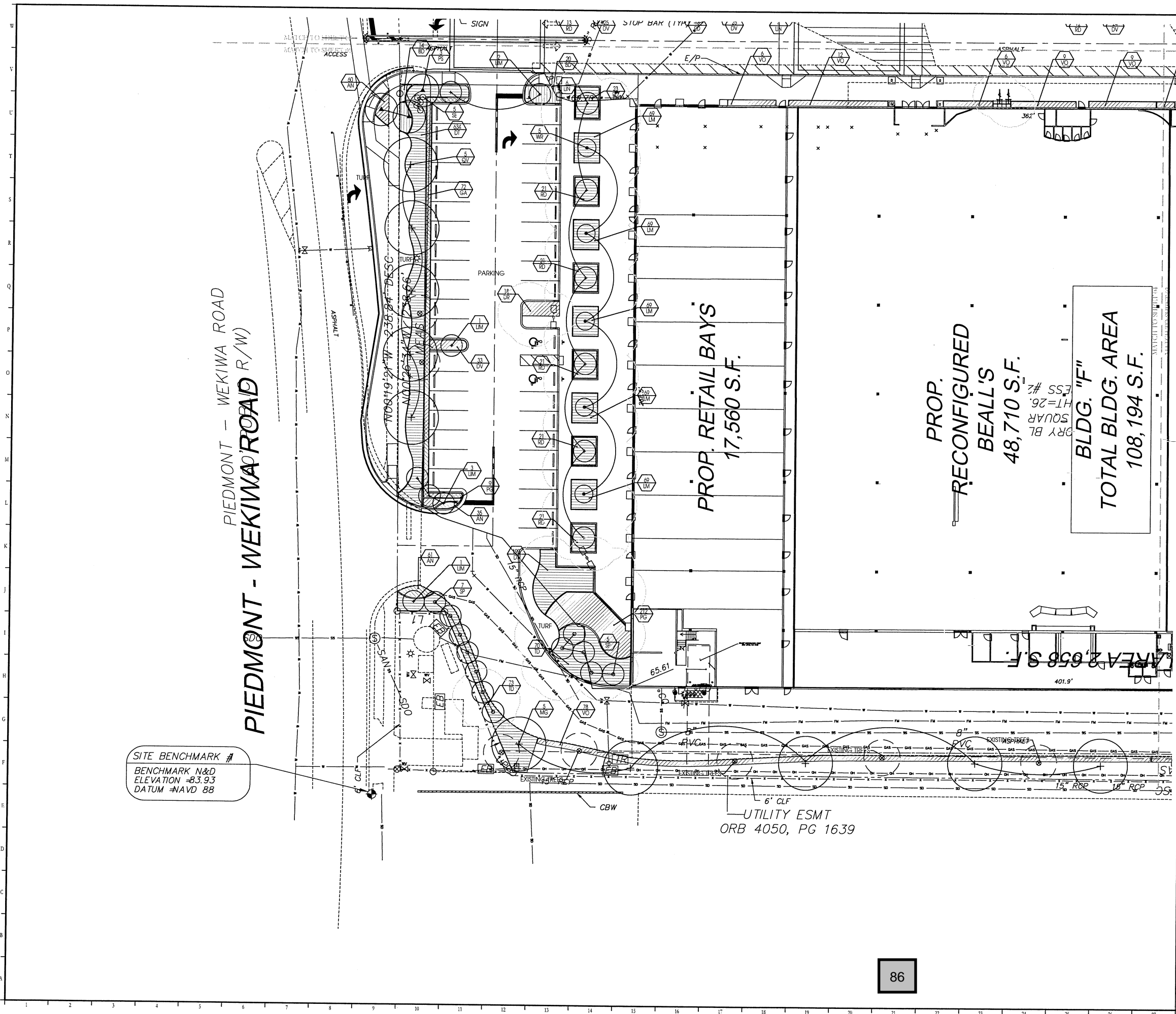
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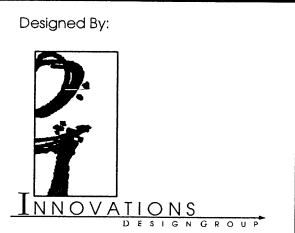
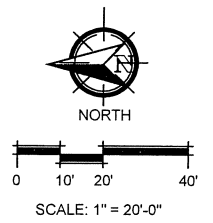


SITE BENCHMARK #
 BENCHMARK N&D
 ELEVATION =83.93
 DATUM =NAVD 88

PROP. RECONFIGURED
 BEALL'S
 48,710 S.F.
 GRAY BL
 SQUARE
 HT=26'
 FSS #12

PROP. RETAIL BAYS
 17,560 S.F.

AREA 2,658 S.F.
 401.9'



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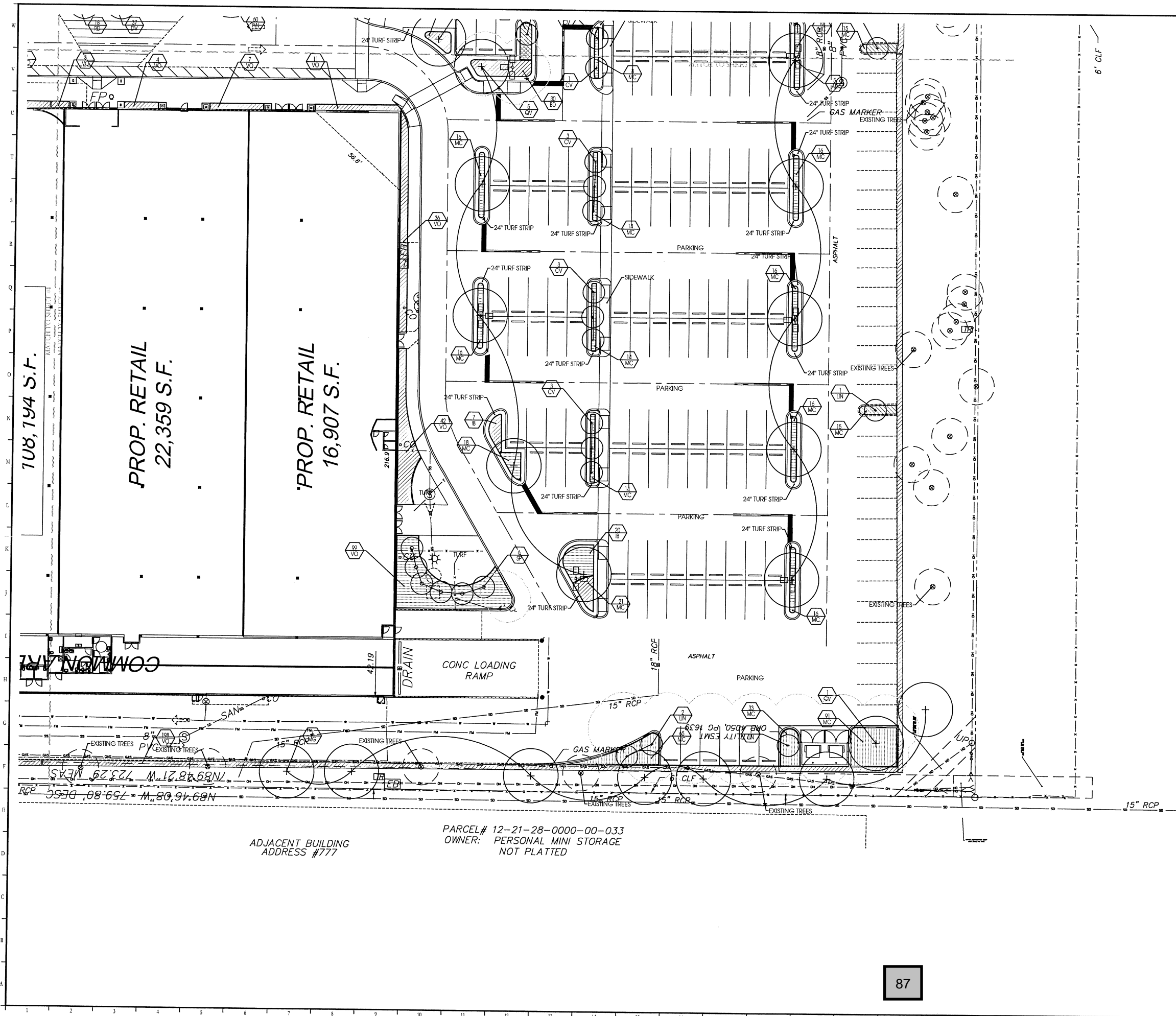
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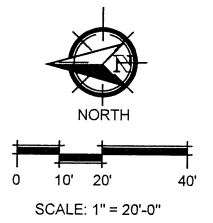
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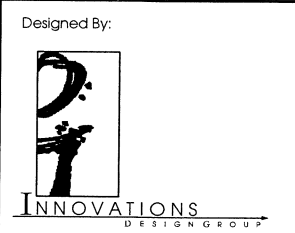


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LANDSCAPE PLANS

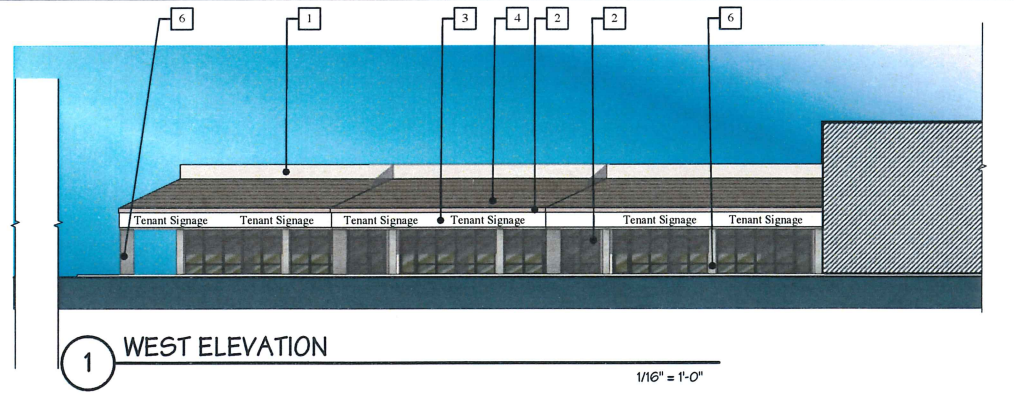
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 6/17/16

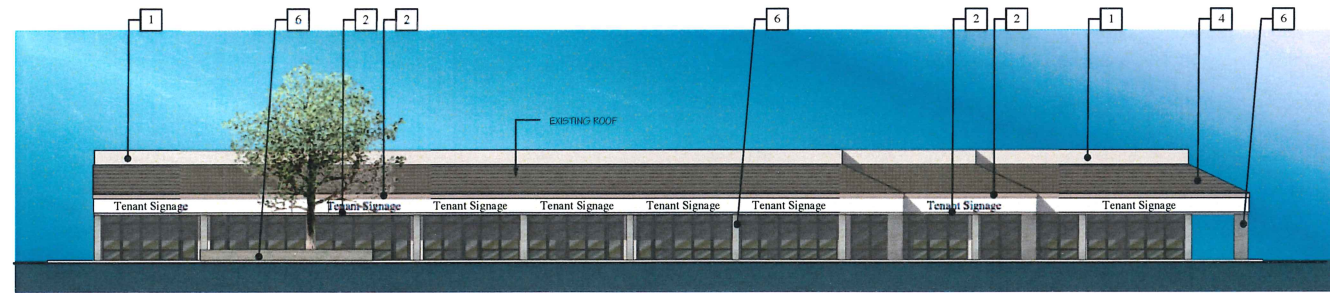
Sheet Number:
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 By _____



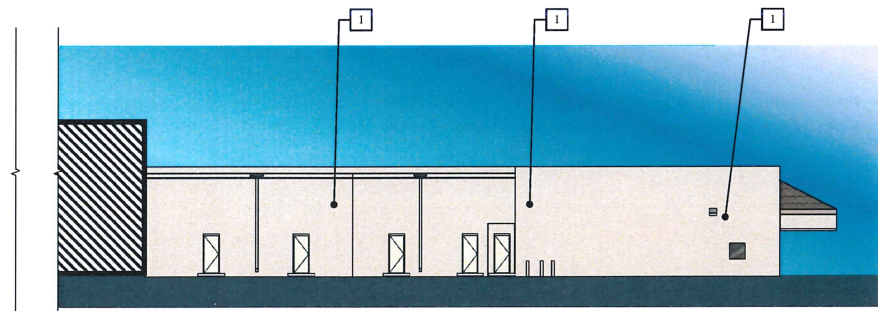
1 WEST ELEVATION

1/16" = 1'-0"



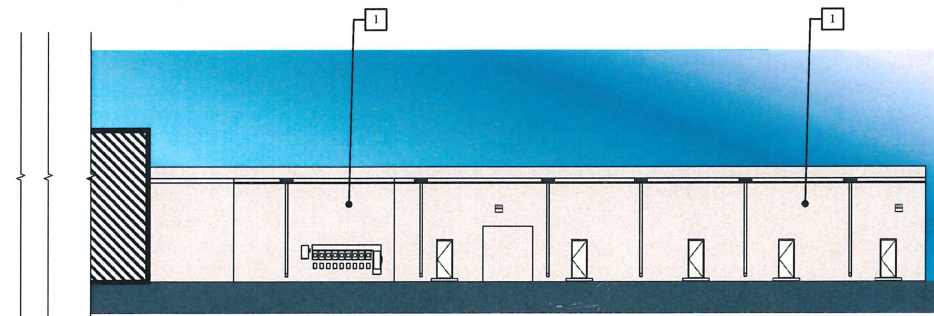
2 NORTH ELEVATION

1/16" = 1'-0"



3 SOUTH EXISTING ELEVATION

1/16" = 1'-0"



4 SOUTH EXISTING ELEVATION

1/16" = 1'-0"

MATERIAL SCHEDULE					
PIEDMONT PLAZA					
16.05.03					
CATEGORY	MARK	MATERIAL	FINISH	COLOR	MANUFACTURER #
					SHERWIN WILLIAMS
EXTERIOR WALLS					
FIELD	1	STUCCO	PAINT	POPULAR GRAY	SW 6071
ACCENT	2	STUCCO	PAINT	PERFECT GREIGE	SW 6073
ACCENT	3	STUCCO	PAINT	AESTHETIC WHITE	SW 7035
ACCENT	4	STUCCO	PAINT	SPALDING GRAY	SW 6074
TRIM	5	STUCCO/EIFS	PAINT	AESTHETIC WHITE	SW 7035
WAINSCOT	6	CULTURED STONE	CORAL STONE	CARAMEL	BORAL
CHAIRRAIL	7	PRECAST CONCRETE	NATURAL	OFF WHITE	
WINDOWS/STOREFRONT	8	ALUMINUM & GLASS	ANODIZED	CLEAR	
LIGHT FIXTURE	9	ALUMINUM		BRONZE ESP	
EGRESS DOORS	10	HOLLOW METAL	PAINT	POPULAR GRAY	SW 6071
AWNING	11	FABRIC		CHARCOAL & TAN STRIPES	



MARK	DESCRIPTION	DATE

ARCHITECTURE/PLANNING
 MARC WIENER, A.I.A.
 AR # 0000495
 851 SOUTH FEDERAL HWY, STE 2025
 BOCA RATON, FLORIDA 33432
 561-750-4111 FAX: 561-750-0286

WOOLBRIGHT
 DEVELOPMENT INC.

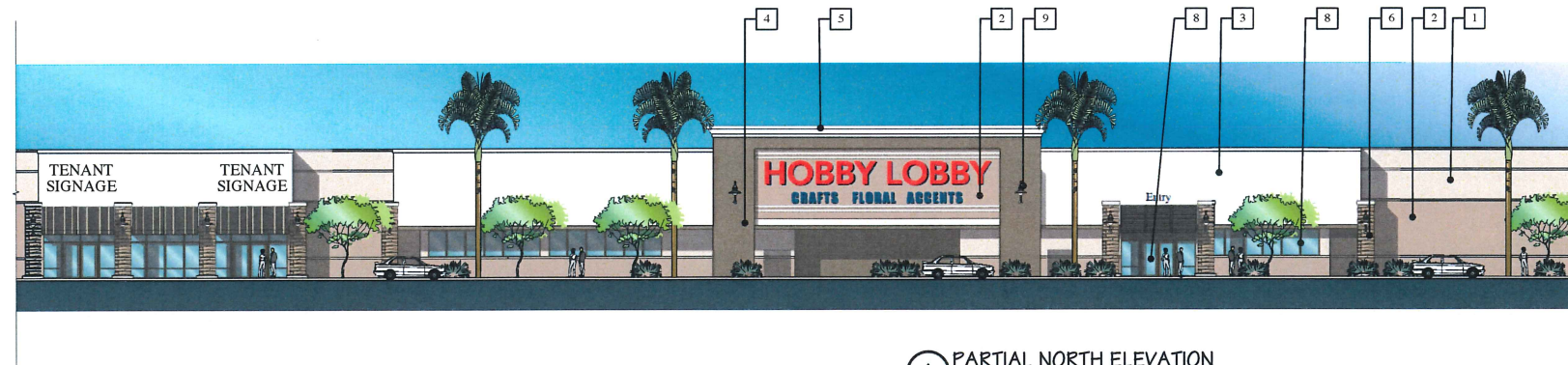
2240 NW 19th St.
 Suite 801
 Boca Raton, Florida 33431
 561-989-2240

PIEDMONT PLAZA
 FACADE MODIFICATION

APOPKA, FLORIDA

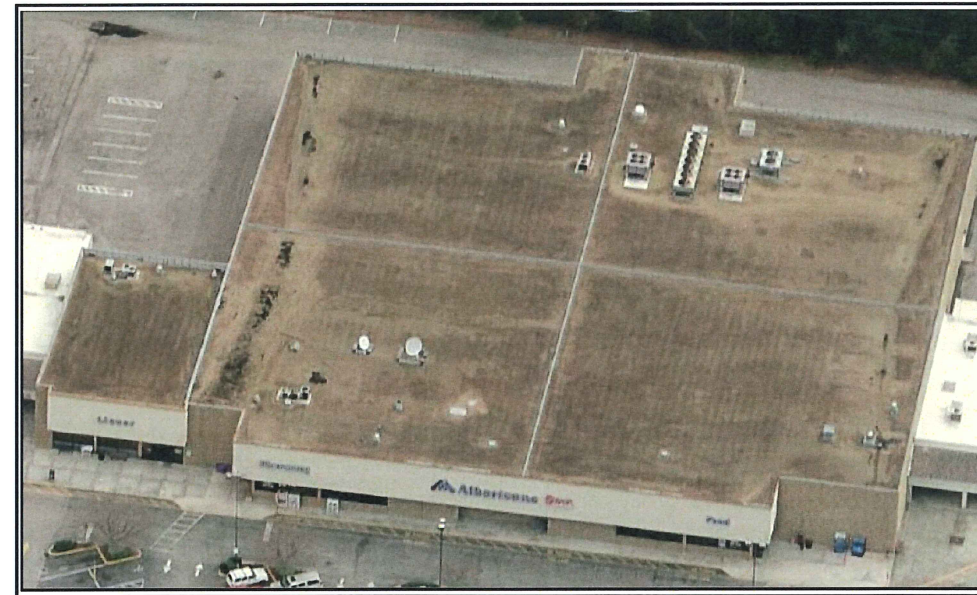
JOB NUMBER	15054
SCALE	AS NOTED
PROJECT DATE	
ISSUE DATE	5.13.16
BID DATE	

DRAWN BY	
CHECKED BY	MW
DISCIPLINE	ARCHITECTURE
PLAN TYPE	
SHEET NUMBER	AC3.01 A



**(A) PARTIAL NORTH ELEVATION
PROPOSED FACADE MODIFICATIONS** SCALE 1/16" = 1'-0"

NOTE:
EXISTING CHATTAHOOCHEE STONE
FINISH TO BE REFINISHED W/ PAINTED STUCCO



(A) PARTIAL NORTH ELEVATION - EXISTING CONDITION

PIEDMONT PLAZA					
					16.06.03
CATEGORY	MARK	MATERIAL	FINISH	COLOR	MANUFACTURER #
EXTERIOR WALLS					SHERWIN WILLIAMS
FIELD	1	STUCCO	PAINT	POPULAR GRAY	SW 6071
ACCENT	2	STUCCO	PAINT	PERFECT GREIGE	SW 6075
ACCENT	3	STUCCO	PAINT	AESTHETIC WHITE	SW 7036
ACCENT	4	STUCCO	PAINT	SPALDING GRAY	SW 6074
TRIM	5	STUCCO/EIFS	PAINT	AESTHETIC WHITE	SW 7036
WAINSCOT	6	CULTURED STONE	CORAL STONE	CARAMEL	BOKAL
CHAIRRAIL	7	PRECAST CONCRETE	NATURAL	OFF WHITE	
WINDOWS/STOREFRONT	8	ALUMINUM & GLASS	ANODIZED	CLEAR	
LIGHT FIXTURE	9	ALUMINUM		BRONZE ESP	
EGRESS DOORS	10	HOLLOW METAL	PAINT	POPULAR GRAY	SW 6071
AWNING	11	FABRIC		CHARCOAL & TAN STRIPES	

MARK	DESCRIPTION	DATE
△		
△		
△		
△		
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△		

ARCHITECTURE/PLANNING
MARC WIENER, A.I.A.
 AR # 001046
 251 SOUTH FEDERAL HWY, STE 205
 BOCA RATON, FLORIDA 33432
 561-750-4111 FAX: 561-750-9298

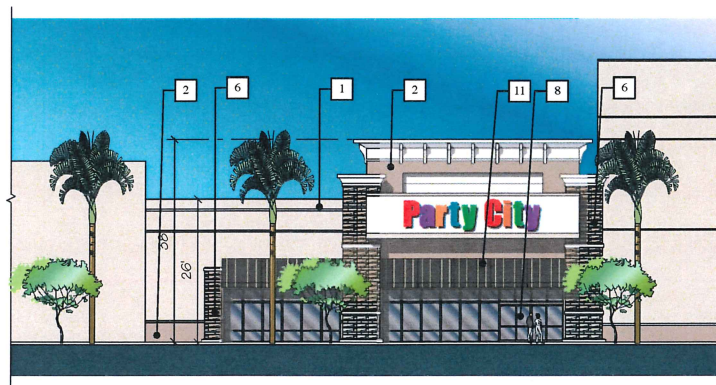
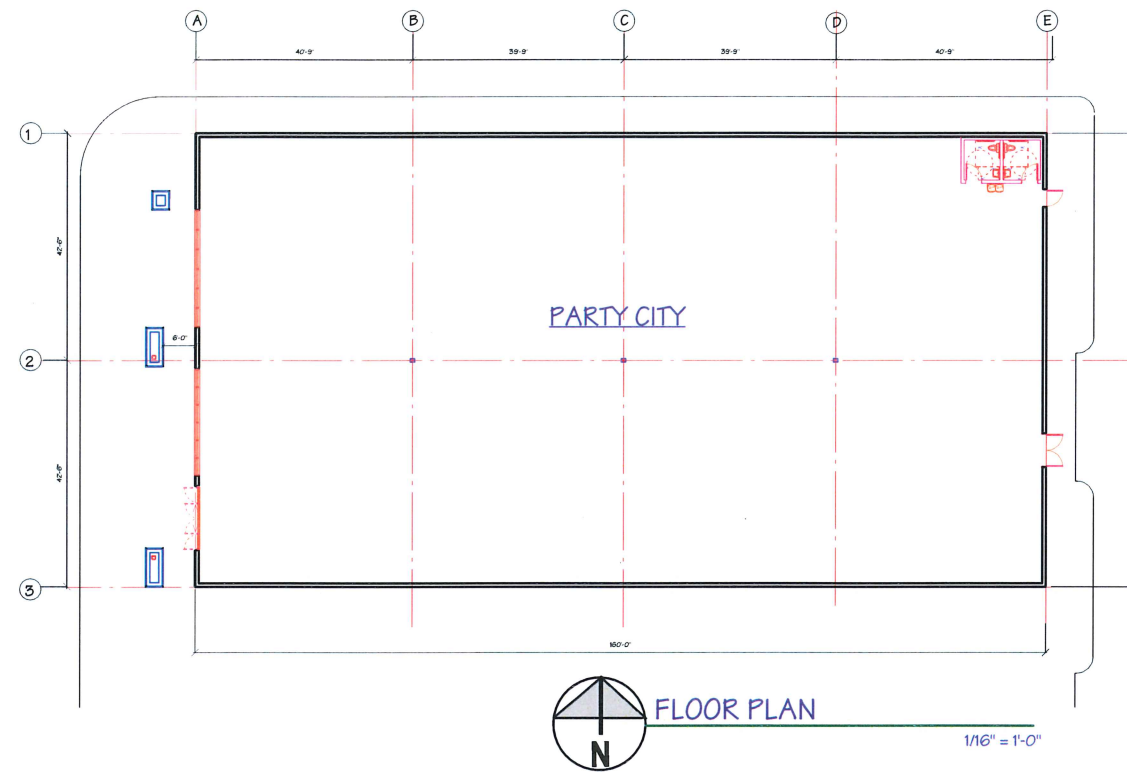
WOOLBRIGHT
 DEVELOPMENT INC
 2240 NW 19th St,
 Suite 201
 Boca Raton, Florida 33431
 561-989-2240

**PIEDMONT PLAZA
 SITE MODIFICATION
 BUILDING 'C'
 AFOPKA, FLORIDA**

JOB NUMBER	15054
SCALE	AS NOTED
PROJECT DATE	
ISSUE DATE	5.13.16
BID DATE	

DRAWN BY	
CHECKED BY	MW
DISCIPLINE	ARCHITECTURE
PLAN TYPE	
SHEET NUMBER	AC3.01 C

15054 - A3.01.07 - 16.06.16
 PLOT : 16.06.16



WEST ELEVATION

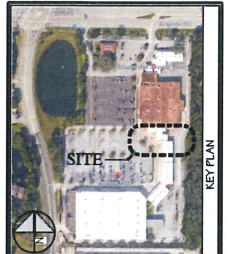
SCALE 1/16" = 1'-0"

MATERIAL SCHEDULE

PIEDMONT PLAZA					16.05.03
CATEGORY	MARK	MATERIAL	FINISH	COLOR	MANUFACTURER #
SHERWIN WILLIAMS					
EXTERIOR WALLS					
FIELD	1	STUCCO	PAINT	POPULAR GRAY	SW 6071
ACCENT	2	STUCCO	PAINT	PERFECT GREIGE	SW 6073
ACCENT	3	STUCCO	PAINT	AESTHETIC WHITE	SW 7035
ACCENT	4	STUCCO	PAINT	SPALDING GRAY	SW 6074
TRIM	5	STUCCO/EIFS	PAINT	AESTHETIC WHITE	SW 7035
WAINSCOT	6	CULTURED STONE		CORAL STONE	BORAL
CHAIRRAIL	7	PRECAST CONCRETE	NATURAL	OFF WHITE	
WINDOWS/STOREFRONT	8	ALUMINUM & GLASS	ANODIZED	CLEAR	
LIGHT FIXTURE	9	ALUMINUM		BRONZE ESP	
EGRESS DOORS	10	HOLLOW METAL	PAINT	POPULAR GRAY	SW 6071
AWNING	11	FABRIC		CHARCOAL & TAN STRIPES	

90

PROPOSED BUILDING 'D'



MARK	DESCRIPTION	DATE
▲		
▲		
▲		
▲		
▲		
▲		

REVISION BLOCK

ARCHITECTURE/PLANNING
MARC WIENER, A.I.A.
 AR. # 000046
 851 SOUTH FEDERAL HWY, STE 205
 BOCA RATON, FLORIDA 33432
 561-753-4111 FAX: 561-753-0299

ARCHITECT

WOOLBRIGHT
 DEVELOPMENT INC.

2240 NW 19th St.
 Suite 801
 Boca Raton, Florida 33431
 561-989-2240

OWNER IDENTIFICATION

PIEDMONT PLAZA
SITE MODIFICATION

APOPKA, FLORIDA
 BUILDING

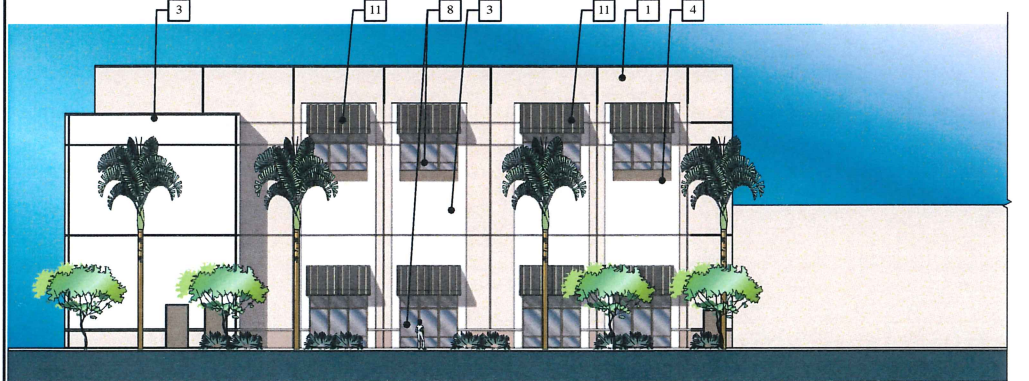
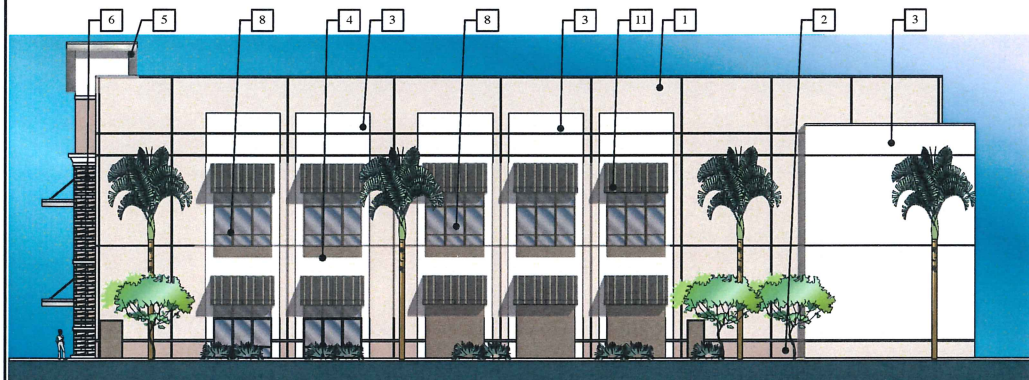
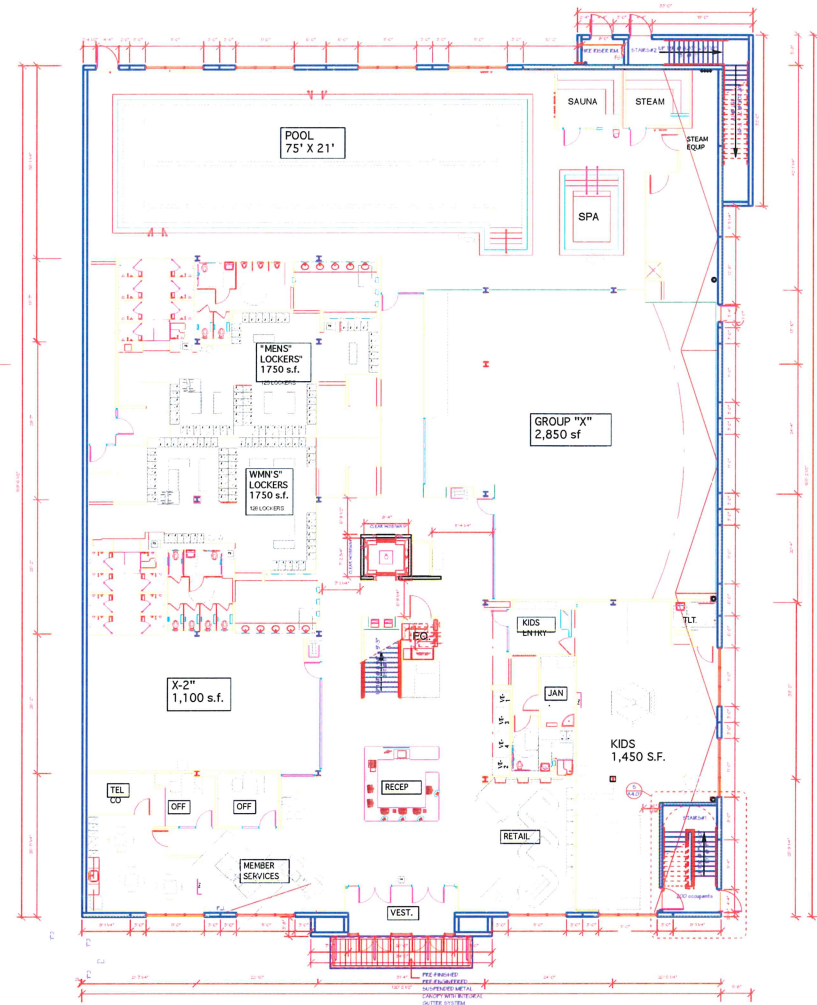
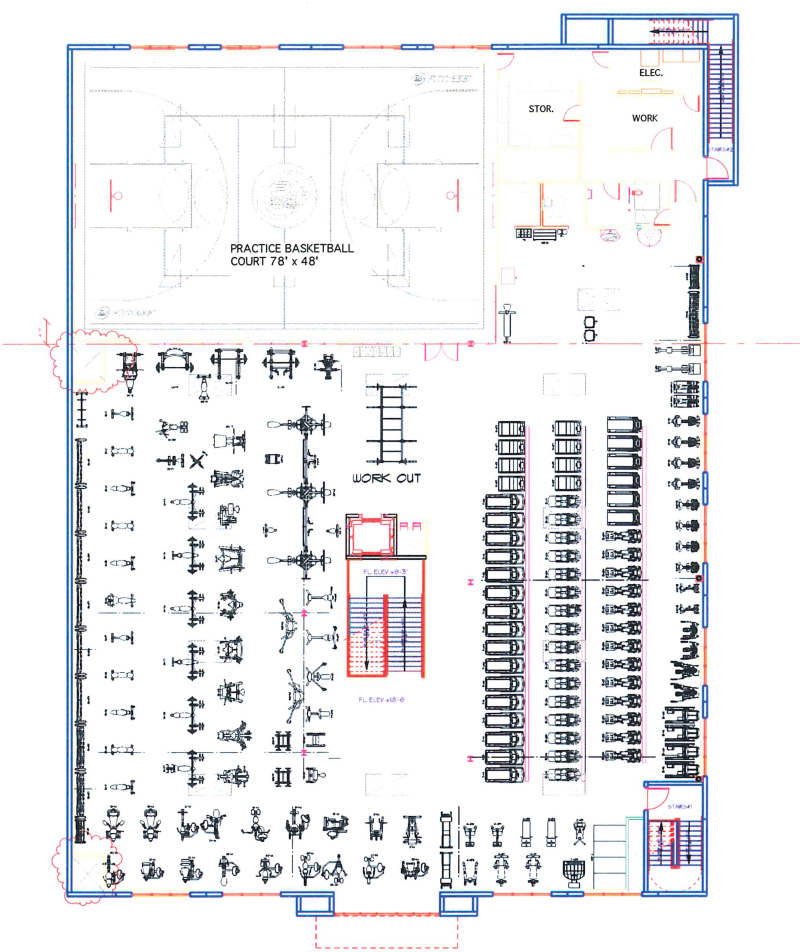
JOB NUMBER	15054
SCALE	AS NOTED
PROJECT DATE	
ISSUE DATE	5.13.16
BID DATE	

PROJECT

DRAWN BY		SHEET
CHECKED BY	MW	
DISCIPLINE	ARCHITECTURE	
PLAN TYPE		
SHEET NUMBER	AC3.01 D	

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MATERIAL SCHEDULE					
PIEDMONT PLAZA					
16.05.03					
CATEGORY	MARK	MATERIAL	FINISH	COLOR	MANUFACTURER #
					SHERWIN WILLIAMS
EXTERIOR WALLS					
FIELD	1	STUCCO	PAINT	POPULAR GRAY	SW 6071
ACCENT	2	STUCCO	PAINT	PERFECT GREIGE	SW 6073
ACCENT	3	STUCCO	PAINT	AESTHETIC WHITE	SW 7035
ACCENT	4	STUCCO	PAINT	SPALDING GRAY	SW 6074
TRIM	5	STUCCO/EIFS	PAINT	AESTHETIC WHITE	SW 7035
WAINSCOT	6	CULTURED STONE	CORAL STONE	CARAMEL	BORAL
CHAIRRAIL	7	PRECAST CONCRETE	NATURAL	OFF WHITE	
WINDOWS/STOREFRONT	8	ALUMINUM & GLASS	ANODIZED	CLEAR	
LIGHT FIXTURE	9	ALUMINUM		BRONZE ESP	
EGRESS DOORS	10	HOLLOW METAL	PAINT	POPULAR GRAY	SW 6071
AWNING	11	FABRIC		CHARCOAL & TAN STRIPES	



MARK	DESCRIPTION	DATE

REVISION BLOCK

ARCHITECTURE/PLANNING
MARC WIENER, A.I.A.
AR # 000416
261 SOUTH FEDERAL HWY, STE 2205
BOCA RATON, FLORIDA 33432
561-750-4111 FAX 561-750-5029

REGISTERED ARCHITECT
STATE OF FLORIDA
10116

WOOLBRIGHT
DEVELOPMENT INC
2240 NW 19th St.
Suite 201
Boca Raton, Florida 33431
561-969-2240

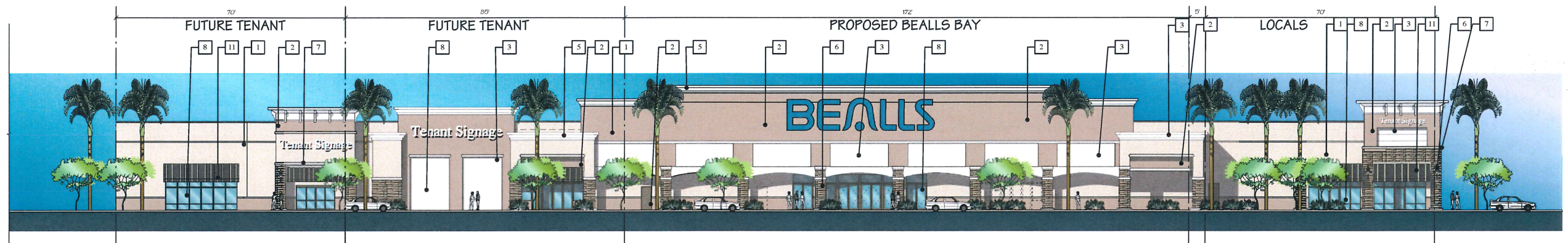
OWNER IDENTIFICATION

PIEDMONT PLAZA
SITE MODIFICATION

AFOPKA, FLORIDA
BUILDING

JOB NUMBER	15054
SCALE	AS NOTED
PROJECT DATE	
ISSUE DATE	5.13.16
BID DATE	
DRAWN BY	
CHECKED BY	MW
DISCIPLINE	ARCHITECTURE
PLAN TYPE	
SHEET NUMBER	AC 3.01 E

15054 - E AC3.01.03 - 16.06.16
PLOT : 16.06.16

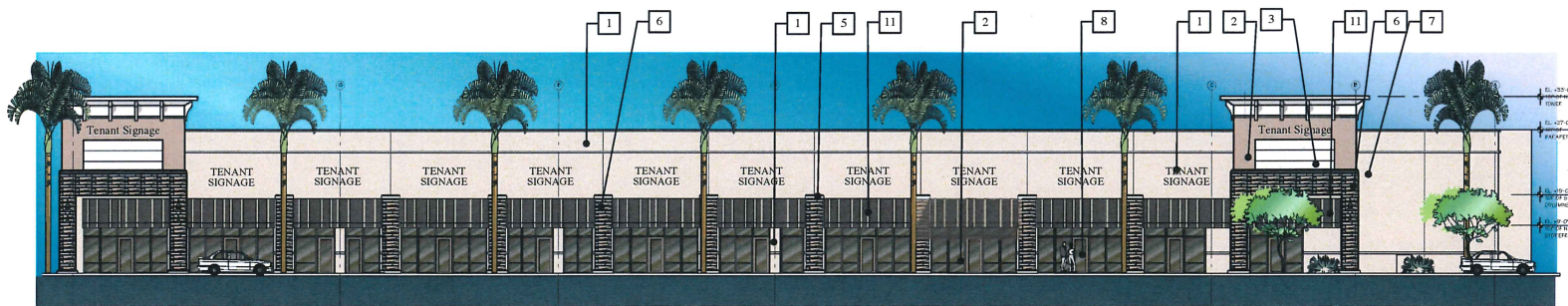


**(A) PARTIAL NORTH ELEVATION (EXISTING BEALL'S)
PROPOSED FACADE MODIFICATIONS** SCALE 1/16" = 1'-0"

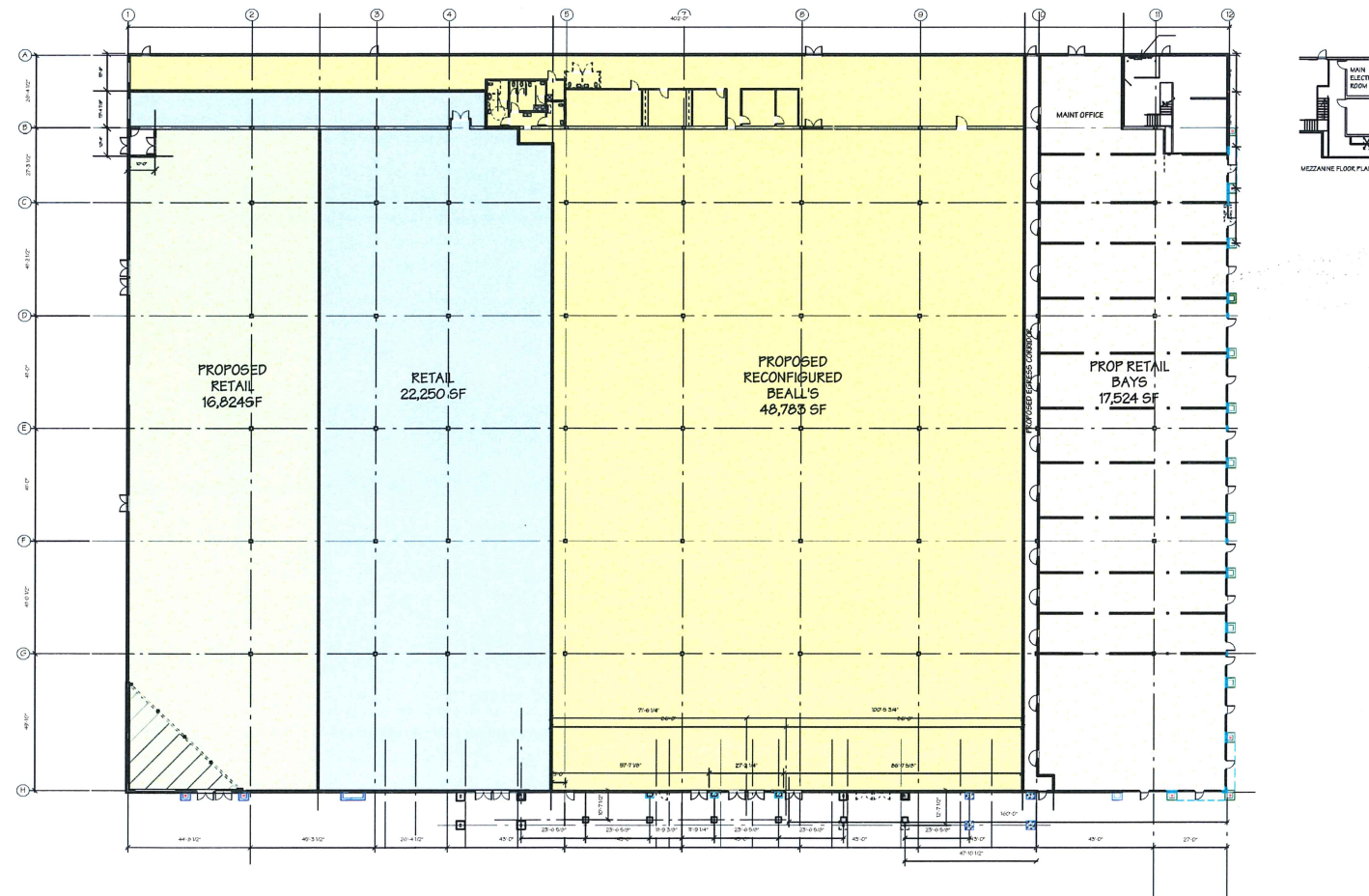


(A) PARTIAL NORTH ELEVATION - EXISTING CONDITION

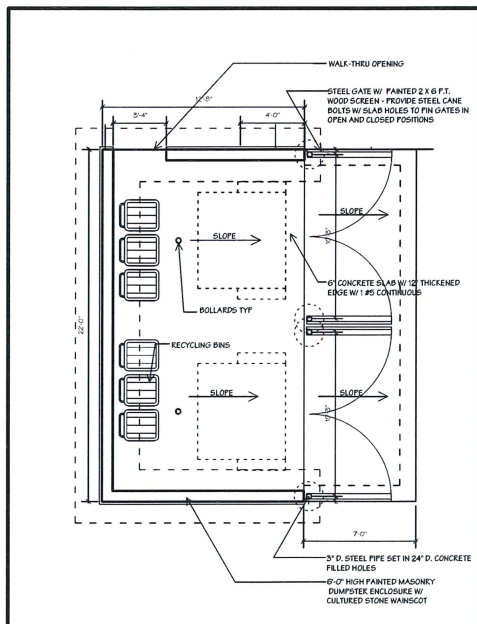
MATERIAL SCHEDULE				
PIEDMONT PLAZA				
MARK	MATERIAL	FINISH	COLOR	MANUFACTURER #
EXTERIOR WALLS				
1	STUCCO	PAINT	POPULAR GRAY	SW 6071
2	STUCCO	PAINT	PERFECT GREIGE	SW 6073
3	STUCCO	PAINT	AESTHETIC WHITE	SW 7036
4	STUCCO	PAINT	SPALLING GRAY	SW 6074
5	STUCCO/GIPS	PAINT	AESTHETIC WHITE	SW 7036
6	CULTURED STONE	NATURAL	CORAL STONE	BORAL
7	PRECAST CONCRETE	NATURAL	OFF WHITE	
8	ALUMINUM & GLASS	ANDORIZED	CLEAR	
9	ALUMINUM	ANDORIZED	BRONZE ESP	
10	HOLLOW METAL	PAINT	POPULAR GRAY	SW 6071
11	FABRIC		CHARCOAL & TAN STRIPES	
WAINSCOT				
CHAIRRAIL				
WINDOWS/STOREFRONT				
LIGHT FIXTURE				
EGRESS DOORS				
AWNINGS				



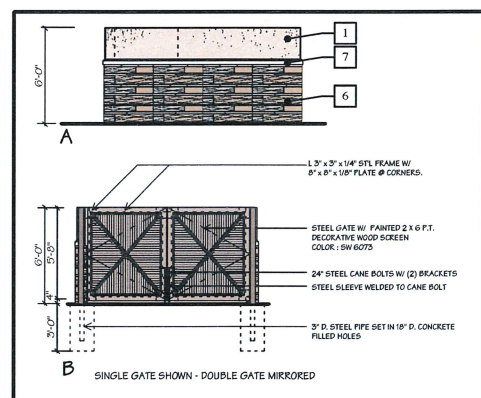
**(B) WEST ELEVATION (EXISTING BEALL'S)
PROPOSED FACADE MODIFICATIONS** SCALE 1/16" = 1'-0"



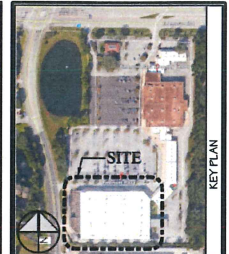
PROPOSED FLOOR PLAN (EXISTING BEALL'S) SCALE 1" = 30'



DUMPSTER ENCLOSURE SCALE 3/16" = 1'-0"



DUMPSTER ELEVATIONS SCALE 3/16" = 1'-0"



MARK	DESCRIPTION	DATE

ARCHITECTURE/PLANNING
MARC WIENER, AIA
 AR # 00046
 861 SOUTH FEDERAL HWY, STE 2025
 BOCA RATON, FLORIDA 33432
 561-750-4111 FAX 561-750-9289

STATE OF FLORIDA
 REGISTERED ARCHITECT
 10416

WOOLBRIGHT
 DEVELOPMENT INC

2240 NW 19th St.
 Suite 801
 Boca Raton, Florida 33431
 561-989-2240

OWNER IDENTIFICATION

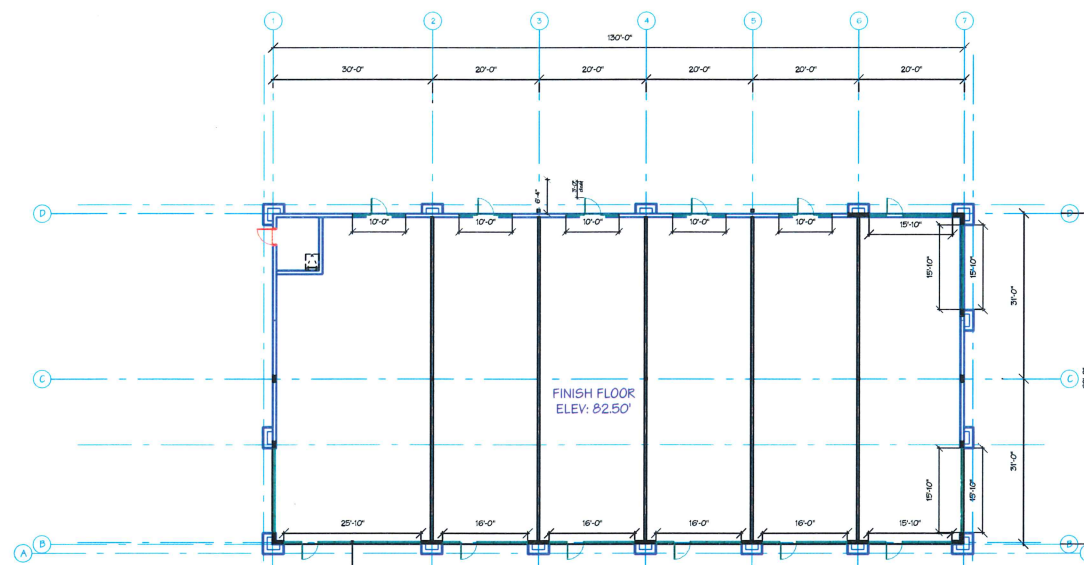
PIEDMONT PLAZA
 SITE MODIFICATION

APOPKA, FLORIDA

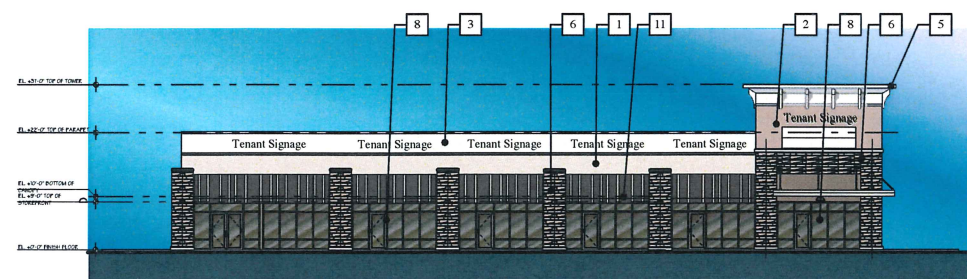
JOB NUMBER	15054
SCALE	AS NOTED
PROJECT DATE	
ISSUE DATE	5.13.16
BID DATE	
DRAWN BY	
CHECKED BY	MW
DISCIPLINE	ARCHITECTURE
PLAN TYPE	
SHEET NUMBER	AC3.01 F

15054 - F AC3.01.07 - 16.06.16
 PLOT : 16.06.16

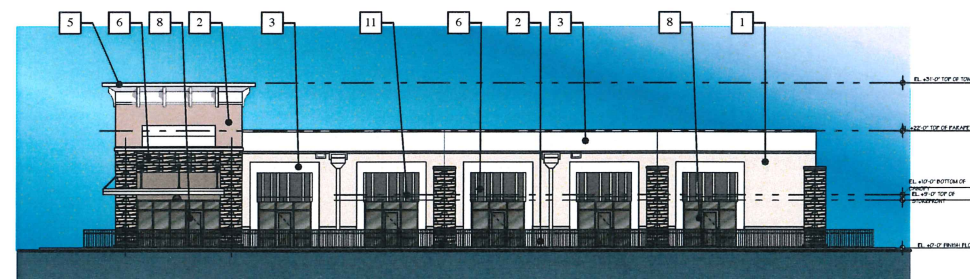
15054 - A2.016 FLO1 - 16.04.205 PLOT:



PRELIMINARY
FLOOR PLAN - BUILDING 'G' RETAIL: 8,060 SF (GROSS)
 OCCUPANCY - GROUP M MERCANTILE (FBC 2014 SEC. 309) 1/16" = 1'-0"
 TYPE III - B CONSTRUCTION (FBC 2014 SEC. 602), 1-STORY; 100% SPRINKLERED



PRELIMINARY FRONT FACADE
 1/16" = 1'-0"



PRELIMINARY REAR FACADE
 1/16" = 1'-0"

PIEDMONT PLAZA					16.05.03
CATEGORY	MARK	MATERIAL	FINISH	COLOR	MANUFACTURER #
EXTERIOR WALLS					
FIELD	1	STUCCO	PAINT	POPULAR GRAY	SW 6071
ACCENT	2	STUCCO	PAINT	PERFECT GREIGE	SW 6073
ACCENT	3	STUCCO	PAINT	AESTHETIC WHITE	SW 7035
ACCENT	4	STUCCO	PAINT	SPAUDLING GRAY	SW 6074
TRIM	5	STUCCO/EIFS	PAINT	AESTHETIC WHITE	SW 7035
WAINSCOT	6	CULTURED STONE	CORAL STONE	CARAMEL	BORAL
CHAIRRAIL	7	PRECAST CONCRETE	NATURAL	OFF WHITE	
WINDOWS/STOREFRONT	8	ALUMINUM & GLASS	ANODIZED	CLEAR	
LIGHT FIXTURE	9	ALUMINUM		BRONZE ESP	
EGRESS DOORS	10	HOLLOW METAL	PAINT	POPULAR GRAY	SW 6071
AWNING	11	FABRIC		CHARCOAL & TAN STRIPES	



MARK	DESCRIPTION	DATE
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MARC WIENER, A.I.A.
 ARCHITECTURE/PLANNING
 AR # 0000416
 881 SOUTH FEDERAL HIGHWAY SUITE 203
 BOCA RATON, FLORIDA 33432
 561-750-4111 FAX: 561-750-9238
 ARCHITECT

WOOLBRIGHT
 DEVELOPMENT INC.
 2240 NW 19th St.
 Suite 801
 Boca Raton, Florida 33431
 561-989-2240
 OWNER REPRESENTATION

PIEDMONT PLAZA
RETAIL BUILDING G
 APOPKA, FLORIDA

JOB NUMBER	15054
SCALE	AS NOTED
ISSUE DATE	
PERMIT DATE	
BID DATE	

DRAWN BY	dpb
CHECKED BY	MW
DISCIPLINE	ARCHITECTURE
PLAN TYPE	
SHEET NUMBER	AC3.01 G

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Revised June 15, 2016
May 4, 2016

David B. Moon
Planning Manager
120 East Main Street
Apopka, FL 32703, Second Floor
(407) 703- 1739
DMoon@apopka.net

Re: Piedmont Shopping Plaza – Parking Analysis

Dear Mr. Moon,

Wantman Group Inc (WGI) has been retained to prepare a parking analysis associated with a parking variance request in the City of Apopka, Florida. The project is located on the southeast corner of E Semoran Boulevard (SR 436) and Piedmont Wekiva Road. Figure 1 shows an aerial location of the site in relation to the transportation network. The parcel ID Number associated with this request is 12-21-28-0000-00-003.

Given the unique character of the Piedmont Shopping Plaza, a rate or methodology to determine the parking demand of such project is not included in the Code of Ordinances. Therefore, a technical deviation from *Section 6.03.02. - Number of parking spaces required* is being requested. This analysis is divided in two sections. Section One examines parking ratios in other shopping centers within Orange County, as well as centers recently remodeled, owned and operated by Woolbright Development. Section Two compares the research from Section One with industry standards.

According to the proposed site plan for the property, the center is proposing 979 parking spaces while 1,226 parking spaces are required by code. This results in a proposed parking ratio of 3.99 spaces for each 1,000 square feet of gross floor area instead of the 5 spaces for each 1,000 square feet of gross floor area required by code. Exhibit 1 includes a copy of the proposed site plan.

Exhibit 2 includes a summary table from a parking analysis prepared for the *Rio Pinar Plaza* property located at 515 S Chickasaw Trail, in Orlando, Florida. This analysis shows that based on parking counts at Rio Pinar Plaza, 3.90 spaces for each 1,000 square feet of gross floor area at the Peak 15 Minute Parking Demand of the week are needed. In addition, the Rio Pinar Plaza study included existing parking ratios for three (3) other shopping centers within Orange County indicating an average of 3.72 spaces for each 1,000 square feet of gross floor area. Those shopping centers are Frederica Square, Chickasaw Trails and Alafaya Commons.

Likewise, included in Exhibit 2 are two shopping centers remodeled within the last twelve months located in Broward County also successfully owned and operated by Woolbright development that show a parking ratio of 3.62 spaces for each 1,000 square feet of gross floor area.

In addition, Woolbright Development also owns Wekiva Riverwalk located across the street from the Piedmont Shopping Plaza. Even though Wekiva Riverwalk and Piedmont Shopping Plaza are similar in size, Wekiva Riverwalk has a 25,000 SF movie theater. If the Institute of Transportation Engineers (ITE) parking rates for movie theaters are used to determine the movie theater parking demand, the parking ratio for the remaining retail at Wekiva Riverwalk will be 3.83 spaces for each 1,000 square feet of gross floor area.



Figure 1: Project Location – Aerial

Furthermore, the existing circulation of Piedmont Shopping Plaza isolates the parking spaces located in the southeast corner of the center. Exhibit 3 includes an aerial of the site highlighting these parking spaces. Therefore, Piedmont Shopping Plaza center is currently operating at 3.91 spaces for each 1,000 square feet of gross floor area. Note that based on the proposed layout for Piedmont Shopping Plaza, the parking spaces located on the southeast corner will become significantly more accessible and will most likely become the preferable parking for patrons visiting the proposed fitness center.

As can be seen in Exhibit 2, overall parking ratios for all sites studied are between 3.27 and 3.98 parking spaces for each 1,000 square feet of gross floor area. In addition, the average parking rate defined under the Institute of Transportation Engineers for Shopping Centers recommends 3.96 parking spaces per 1,000 square feet during Fridays in December which is the busiest weekday time of the year. Therefore, a parking variance is respectfully being requested for providing a minimum of 3.99 spaces for each 1,000 square feet of gross floor area instead of the 5 spaces for each 1,000 square feet of gross floor area required by code.

Sincerely,

WANTMAN GROUP, INC

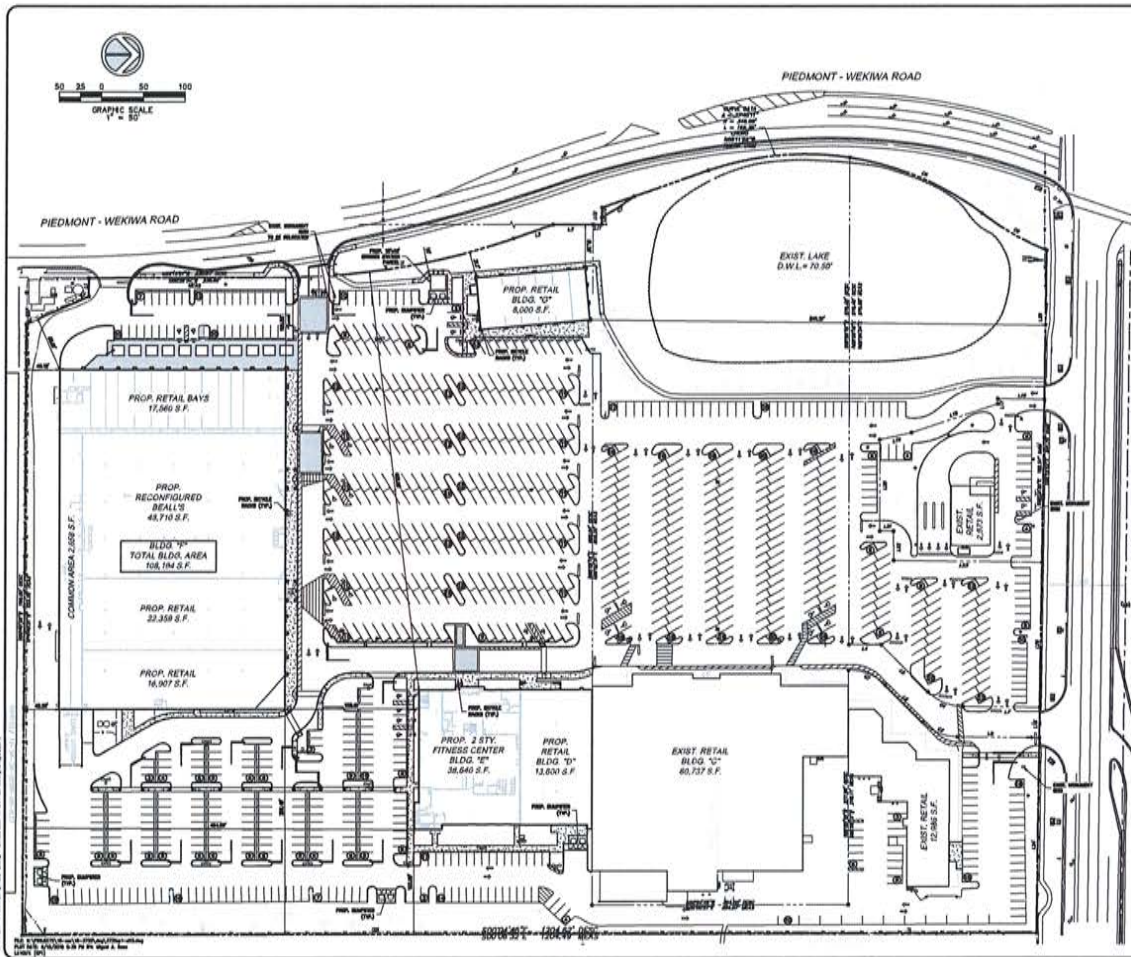
No. 63422

Digitally signed by Juan F. Ortega
DN: cn=Juan F. Ortega, o=WGI, ou=Traffic Division,
email=Juan.Ortega@WantmanGroup.com, c=US
Date: 2016.06.15 20:07:00

Dr. Juan F. Ortega, P.E.
FL Registration No. 63422
Engineering Business No. 6091

Enclosures:

- Exhibit 1: Piedmont Shopping Plaza Site Plan
- Exhibit 2: Parking Ratios Comparison
- Exhibit 3: Piedmont Plaza Underutilized Parking



SITE PLAN DATA

PARCEL ID NUMBER	08710000000000
FUTURE LAND USE	COMMERCIAL
ZONING	G-1 (COMMERCIAL-1)
TOTAL SITE	1,004,700 S.F. 23.07 AC
BLDG. AREA	1,004,700 S.F. 23.07 AC
EXIST. SHOPPING CENTER	18,114 S.F. 0.42 AC
PROPOSED BUILDINGS	
RETAIL	86,800 S.F. 1.97 AC
TOTAL BLDG. EXIST./PROPOSED	248,914 S.F. 5.73 AC
LAKE AREA	16,500 S.F. 0.38 AC
PAVED/PAV. AND CONCRETE AREA	188,134 S.F. 4.28 AC
IMPERVIOUS AREA	188,134 S.F. 4.28 AC
FLOOR AREA RATIO	0.24
BLDG. HEIGHT	PROP. 40' MAX. 30'
OPEN SPACE	84,586 S.F.
HOURS OF OPERATION	10AM - 10PM RETAIL 10AM - 6PM FITNESS CENTER
NUMBER OF EMPLOYEES	170

PERVIOUS CALCULATIONS

PERVIOUS	18,114	0.42	0.22
IMPERVIOUS	84,586	1.97	0.78

PARKING TABULATION

MINIMUM REQUIRED	1,004,700 S.F.	23.07 AC	1,004,700 S.F.	23.07 AC
PROPOSED	1,004,700 S.F.	23.07 AC	1,004,700 S.F.	23.07 AC
TOTAL PARKING PROVIDED	1,004,700 S.F.	23.07 AC	1,004,700 S.F.	23.07 AC
REGULAR SPACES	600 SPACES			
HANDICAP SPACES	20 SPACES			
TOTAL PARKING PROVIDED	620 SPACES			
PARKING DEFICIT	387 SPACES			

VARIANCE TO ZONING CODE TABLE

CODE #	ZONE REQUIREMENT (F/R)	PROPOSED (F/R)	REASON FOR VARIANCE	JUSTIFICATION
1	MAX. BLDG. HEIGHT 35' MAX.	40' MAX.	SEE ZONING CODE	HANDICAP
2	MAX. BLDG. HEIGHT 35' MAX.	40' MAX.	SEE ZONING CODE	HANDICAP

NOTES:
1. ALL BUILDINGS TO BE PROVIDED ACCORDING TO SECTION 16.03.01.02 USE

Sun-Tech Engineering, Inc.
 1000 W. 10th St., Suite 100
 Oklahoma City, OK 73101
 Phone: (405) 442-1111
 Fax: (405) 442-1112

PROJECT INFORMATION

PROJECT: PIEDMONT PLAZA
 SHEET: SITE PLAN

DATE: Jun. 2016
 SCALE: 1"=50'
 DESIGNED BY: M.G.
 DRAWN BY: M.A.S.
 JOB NUMBER: 16-3755
 SHEET No: SP1
 SEAL: [Signature Box]
 DATE: Jun 13 2016

Orange County Comparable Sites

Site	Parking Spaces		Building Size		Parking Ratio
	Occupied	Total	Occupied	Total	
Fredrica Square ¹	-	441	-	118,965 SF	3.70/1,000 sf
Chickasaw Trails ²	-	339	-	85,035 SF	3.98/1,000 sf
Alafaya Commons ³	-	472	-	144,150 SF	3.27/1,000 sf
Rio Pinar ⁴	388 ⁵	- ⁶	99,512 SF	- ⁷	3.90/1,000 sf
Average					3.72/1,000 sf

Source: Rio Pinar Parking Analysis prepared on December 5, 2012 by Land Design South and approved by Orange County

Other South Florida Sites Owned and Operated by Woolbright Development

Site	Municipality -Location-	Parking Spaces	Buildings	Parking Ratio
Plaza at Coral Springs	Coral Springs - NWC of West Atlantic Blvd and Riverside Dr-	542	154,987 SF	3.50/1,000 sf
Westfork Plaza	Pembroke Pines -NEC of SW 160 th Ave and Pines Blvd-	1,924	513,809 SF	3.74/1,000 sf
Average				3.62/1,000 sf

City of Apopka Shopping Centers Owned and Operated by Woolbright Development

Site	Parking Spaces	Buildings	Parking Ratio
Wekiva Riverwalk	871 (1,273 - 402 ⁸)	227,260 SF (252,260 - 25,000 ⁹)	3.83/1,000 sf
Piedmont Shopping Plaza	979	245,130 SF	3.99¹⁰/1,000 sf

¹ Parcel ID: 302309443300010

² Parcel ID: 302301133000010

³ Parcel ID: 31222005100030

⁴ Parcel ID: 30223600000019

⁵ Peak 15 Minute Parking Demand of the week

⁶ 588 Parking Spaces

⁷ 119,438 SF

⁸ ITE Parking Demand based on 1,116 seats and ITE rate of 0.36 vehicles per seat

⁹ Movie Theater size

¹⁰ Currently operating at 3.91 Parking Spaces per 1,000 sf $\frac{211,824 \text{ SF (From Latest Survey)}}{998 \text{ Spaces Provided (Approved Plan)} - 170 \text{ Spaces located behind the center}}$



Exhibit 3

PIEDMONT SHOPPING PLAZA

TRAFFIC IMPACT ANALYSIS

Prepared for:

G & I VIII PIEDMONT PLAZA LLC

Prepared by:

WANTMAN GROUP INC

400 Columbia Drive, Suite 110
West Palm Beach, FL 33409
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DN: cn=Juan F. Ortega, o=WGI, ou=Traffic Division,
email=Juan.Ortega@WantmanGroup.com, c=US
Date: 2016.06.16 22:11:38 -04'00'

Juan F. Ortega, P.E.
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Engineering Business # 6091

Revised June 15, 2016
Revised June 10, 2016
May 4, 2016

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TABLE OF CONTENTS

SECTION	PAGE
I. INTRODUCTION	1
II. TRIP GENERATION	2
III. EXISTING CONDITIONS.....	3
IV. TRIP DISTRIBUTION AND ASSIGNMENT	5
V. ANALYSIS OF TRANSPORTATION IMPACTS.....	7
VI. DRIVEWAY ANALYSES.....	10
VII. INTERSECTION ANALYSIS	12
VIII. CONCLUSIONS AND RECOMMENDATIONS	13
Appendix A: Approved Site Plan	
Appendix B: Site Survey	
Appendix C: Site Plan	
Appendix D: Property Appraiser Information	
Appendix E: ITE Trip Generation Rates	
Appendix F: 2014 Traffic Count Program Excerpt	
Appendix G: Roadway Service Volumes Excerpt	
Appendix H: Traffic Model Analysis	
Appendix I: Area Growth Rate	
Appendix J: Comprehensive Plan Transportation Element Excerpt	
Appendix K: Encumbered Traffic Allocation Excerpt	
Appendix L: HCS Analyses	
Appendix M: Traffic Allocation Form	
Appendix N: Parking Analysis	
Appendix O: TIA Review	

TABLE	PAGE
Table 1: Trip Generation Rates.....	2
Table 2: Trip Generation	2
Table 3: Daily Analysis	8
Table 4: Peak Hour Peak Direction Analysis.....	9
Table 5: HCS Summary – Driveways.....	10
Table 6: HCS Summary – Piedmont-Wekiva Road & E. Semoran Blvd.	12

FIGURE	PAGE
Figure 1: Project Location – Aerial.....	1
Figure 2: Roadway Existing Conditions	4
Figure 3: Project Traffic Assignment.....	6
Figure 4: Project Driveway Volumes	11

I. INTRODUCTION

Wantman Group Inc (WGI) has been retained to evaluate a traffic impact analysis to determine compliance with *Section 4.03.00. - Concurrency Evaluation of the City of Apopka Code of Ordinances* and the requirements of the City of Apopka Concurrency Verification Letter associated with the proposed changes to the Piedmont Shopping Plaza. The project site is located on the southeast corner of Piedmont Wekiva Road and Semoran Boulevard in the City of Apopka, Florida. Property Record Number associated with this project is 12-21-28-0000-00-003. Figure 1 shows an aerial location of the site in relation to the transportation network.



Figure 1: Project Location – Aerial

The site currently consists of 211,824 square feet of General commercial uses. The applicant is proposing to reconfigure the site to add 33,306 square feet of General commercial uses. Appendix A includes a copy of the approved site plan while Appendix B includes a copy of the latest survey for the site. Appendix C includes a copy of a conceptual site plan for the site while Appendix D includes information from the Property Appraiser's office for the parcel included in the proposed project. Project build-out is expected in the year 2017.

II. TRIP GENERATION

Project trip generation and pass-by traffic rates used for this analysis were based on the *ITE Trip Generation, 9th Edition*. Table 1 includes trip generation rates for Daily and PM peak hour while Table 2 includes the trip generation for the proposed project for Daily and PM peak hour conditions. Appendix E includes copies of the trip generation and pass-by rates from the ITE manuals.

Table 1: Trip Generation Rates

Land Use	ITE Code	Pass-By	Daily	PM Peak Hour		
				In	Out	Total
General Commercial	820	34%	42.7	48%	52%	3.71

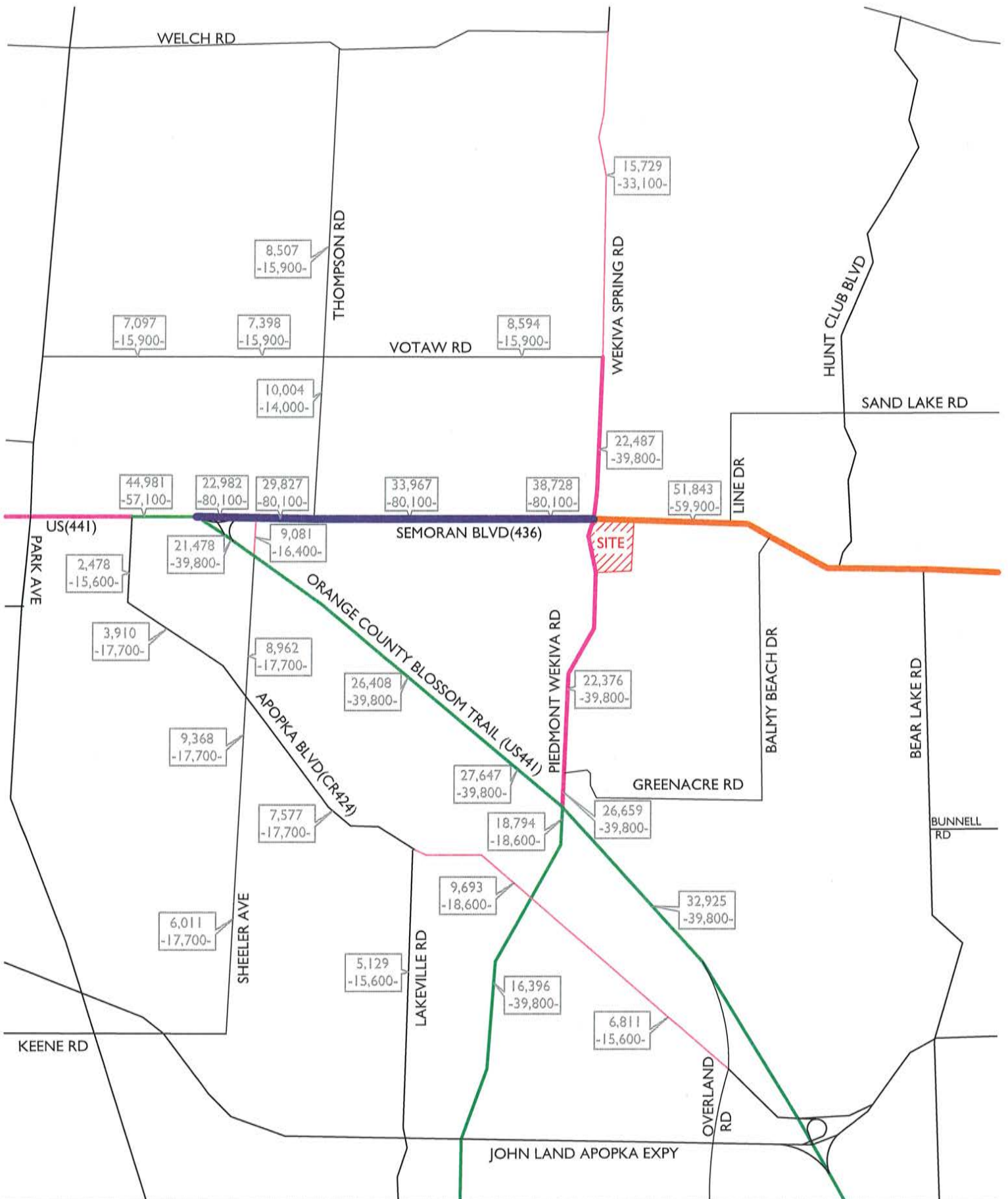
According to Table 2, the net Daily and PM peak hour trips potentially generated due to the planned development are 938 and 81 trips respectively.

Table 2: Trip Generation

Land Use	Intensity	Daily Traffic	PM Peak Hour		
			In	Out	Total
<i>Existing Development</i>					
General Commercial	211,824 SF	9,045	377	409	786
Pass-By	34.00%	3,075	128	139	267
<i>Net Existing Traffic</i>	<i>Σ</i>	<i>5,970</i>	<i>249</i>	<i>270</i>	<i>519</i>
<i>Proposed Development</i>					
General Commercial	245,130 SF	10,467	436	473	909
Pass-by	34.00%	3,559	148	161	309
<i>Net Proposed Traffic</i>	<i>Σ</i>	<i>6,908</i>	<i>288</i>	<i>312</i>	<i>600</i>
<i>Net Traffic</i>					
		<i>938</i>	<i>39</i>	<i>42</i>	<i>81</i>

III. EXISTING CONDITIONS

Piedmont Wekiva Road and Semoran Boulevard are the major roadways serving as primary access roads to the project. They have a five-lane and an eight-lane cross-section, respectively within the project vicinity. Figure 2 shows the lane characteristics of the roadway network considered within the project's area of influence. Appendix F includes an excerpt from the City of Apopka 2014 traffic count program while Appendix G includes the roadway capacity used to evaluate the level of service of the impacted roads.



N.T.S.

LEGEND	
2L	DAILY = XX
3L	L.O.S. 'D' = -XY-
4L	
5L	
6L	
8L	

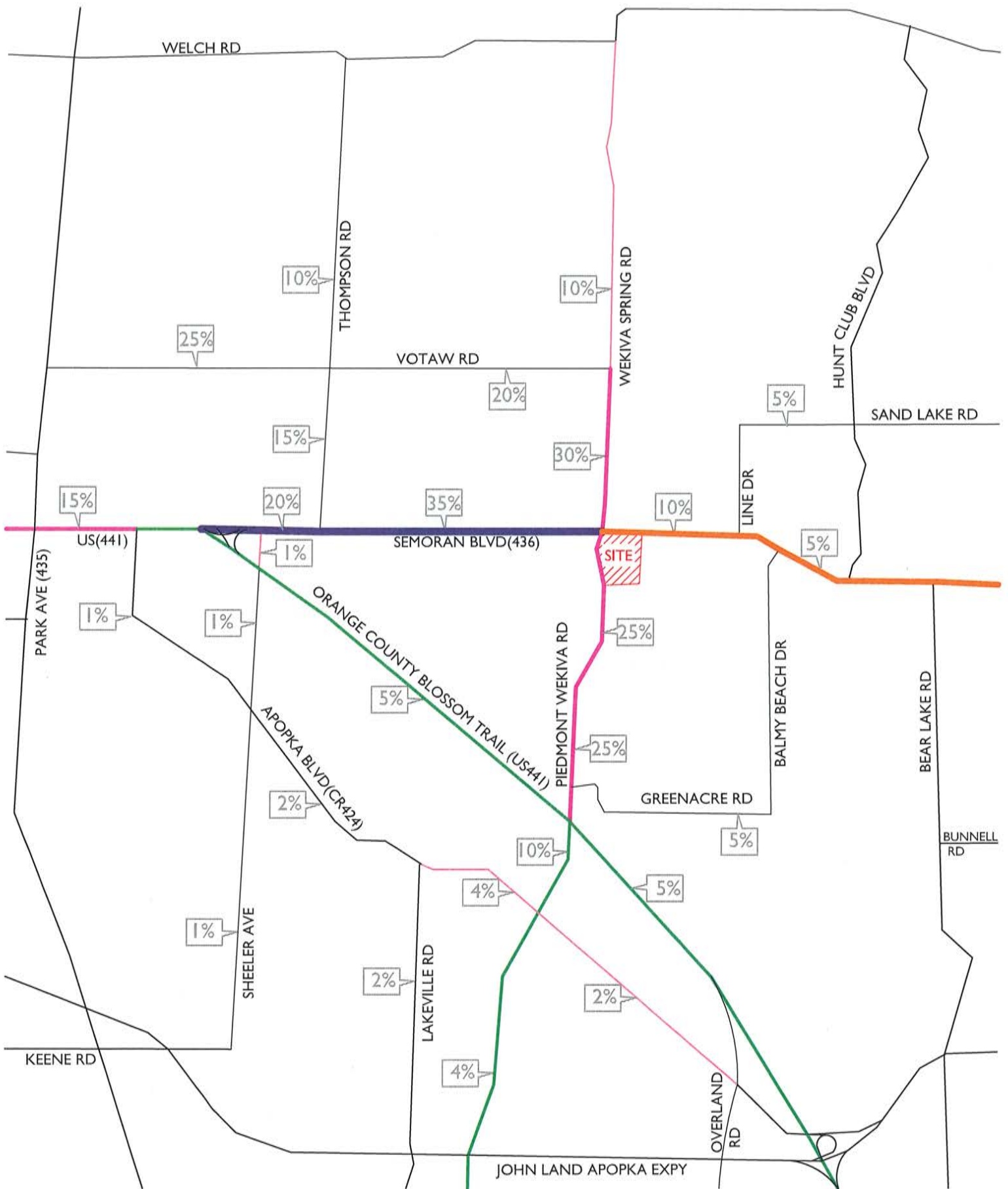
PIEDMONT SHOPPING PLAZA

**FIGURE 2:
EXISTING CONDITIONS**

106

IV. TRIP DISTRIBUTION AND ASSIGNMENT

A computer traffic model analysis was used in order to determine the project traffic distribution on the roadway segments in the vicinity of the project as required in the City of Apopka Concurrency Verification Letter. However, the trip distribution and assignment was modified to incorporate the characteristics of the proposed development as well as the surrounding network configuration. Appendix H includes the project trip distribution generated by the Metroplan Orlando FSUTMS model while Figure 3 shows the modified project trip distribution.



LEGEND	
2L	—
3L	—
4L	—
5L	—
6L	—
8L	—

PIEDMONT SHOPPING PLAZA

FIGURE 3:
TRAFFIC ASSIGNMENT

108

V. ANALYSIS OF TRANSPORTATION IMPACTS

Table 3 includes a traffic analysis for daily conditions within 2 mile of the proposed project while Table 4 does the same for the peak hour peak direction conditions. Appendix I includes the calculations for the area growth analysis. A conservative 2.6% growth was used to determine the 2017 background traffic. Appendix J includes an excerpt from the Transportation Element used to calculate the peak hour peak direction volumes while Appendix K includes the Encumbered Traffic Allocation for the evaluated links.

As shown in Table 3 and Table 4, all links included within the 2-mile radius of influence meet the adopted Level of Service, as defined by the City of Apopka Roadway Service Volumes report.

Table 3: Daily Analysis

Roadway	Segment	Ln	2014	2017	Capacity at LOS	Encumbered Trips	Trip Assignment	Project Traffic	2017 at Project Buildout	
			Daily Volume	Background Daily Volume					Daily Volume	V/C
CR 424 (Alabama Avenue/Apopka Boulevard)										
	US 441 to 8th St	2L	2,478	2,676	15,600	-	1%	9	2,685	0.17
	8th St to Sheeler Rd	2L	3,910	4,223	17,700	-	1%	9	4,232	0.24
	Sheeler Rd to Lakeville Rd	2L	7,577	8,184	17,700	118	2%	19	8,321	0.47
	Lakeville Rd to Hiwassee Rd	3L	9,693	10,469	18,600	354	4%	38	10,861	0.58
	Hiwassee Rd to Overland Rd	3L	6,811	7,356	15,600	884	2%	19	8,259	0.53
US 441 (Orange Blossom Trail)										
	Highland Ave to Alabama Ave (CR 424)	5L	43,830	47,338	57,100	-	15%	141	47,479	0.83
	Alabama Ave (CR 424) to SR 436	4LD	44,981	48,582	57,100	-	18%	169	48,751	0.85
	SR 436 to Sheeler Rd	4LD	21,478	23,197	39,800	-	1%	9	23,206	0.58
	Sheeler Rd to Roger Williams Rd	4LD	26,408	28,522	39,800	-	5%	47	28,569	0.72
	Roger Williams Rd to Piedmont-Wekiva Rd	4LD	27,647	29,860	39,800	1,179	5%	47	31,086	0.78
	Piedmont-Wekiva Rd to Seminole County Line	4LD	32,925	35,561	39,800	589	5%	47	36,197	0.91
Sheeler Road										
	SR 436 to US 441	3L	9,081	9,808	16,400	-	1%	9	9,817	0.60
	US 441 to Apopka Blvd (CR 424)	2L	8,962	9,679	17,700	-	1%	9	9,688	0.55
	Apopka Blvd (CR 424) to Cleveland St	2L	9,368	10,118	17,700	16	1%	9	10,143	0.57
	Cleveland St to Keene Rd	2L	6,011	6,492	17,700	725	1%	9	7,226	0.41
Thompson Road										
	Welch Rd to Votaw Rd	2L	8,507	9,188	15,900	-	10%	94	9,282	0.58
	Votaw Rd to SR 436	2L	10,004	10,805	14,000	-	15%	141	10,946	0.78
Wekiva Springs Road/Piedmont-Wekiwa Road/Hiwassee Road										
	Welch Rd to Votaw Rd	3L	15,729	16,988	33,100	-	10%	94	17,082	0.52
	Votaw Rd to SR 436	5L	22,487	24,287	39,800	131	30%	281	24,699	0.62
	SR 436 to Piedmont Lakes Blvd	5L	26,376	28,487	39,800	1,621	25%	235	30,343	0.76
	Piedmont Lakes Blvd to US 441	5L	26,659	28,793	39,800	1,587	25%	235	30,615	0.77
	US 441 to Apopka Blvd (CR 424)	4LD	18,794	20,298	39,800	1,296	10%	94	21,688	0.54
	Apopka Blvd (CR 424) to SR 414	4LD	16,396	17,708	39,800	-	4%	38	17,746	0.45
SR 436 (Semoran Boulevard)										
	US 441 to Sheeler Rd	8LD	22,982	24,822	80,100	-	16%	150	24,972	0.31
	Sheeler Rd to Thompson Rd	8LD	29,827	32,215	80,100	-	20%	188	32,403	0.40
	Thompson Rd to Roger Williams Rd	8LD	33,967	36,686	80,100	899	35%	328	37,913	0.47
	Roger Williams Rd to Piedmont-Wekiva Rd	8LD	38,728	41,828	80,100	988	35%	328	43,144	0.54
	Piedmont-Wekiva Rd to Seminole County Line	6LD	51,843	55,993	59,900	578	10%	94	56,665	0.95
Votaw Road										
	Park Ave (CR 435) to Christiana Ave	2L	7,097	7,665	15,900	15	25%	235	7,915	0.50
	Christiana Ave to Thompson Rd	2L	7,398	7,990	15,900	-	25%	235	8,225	0.52
	Thompson Rd to Wekiva Springs Rd	2L	8,594	9,282	15,900	-	20%	188	9,470	0.60

Daily (Net) 938
 Area Growth 2.6%
 Radius 2 Mile

Table 4: Peak Hour Peak Direction Analysis

Roadway	Segment	Ln	2014 Daily Volume	PM		Peak hour Peak direction	2017 Background Volume	Capacity at LOS	Encumbered Trips	Trip Assignment	Project Traffic	2017 at Project Buildout	
				"K" Factor	"D" Factor							Total Peak Hour Traffic	V/C
CR 424 (Alabama Avenue/Apopka Boulevard)													
	US 441 to 8th St	2L	2,478	11.31%	62.30%	175	189	800	-	1%	0	189	0.24
	8th St to Sheeler Rd	2L	3,910	10.94%	66.70%	285	308	880	-	1%	0	308	0.35
	Sheeler Rd to Lakeville Rd	2L	7,577	10.20%	67.80%	524	566	880	6	2%	1	573	0.65
	Lakeville Rd to Hiwassee Rd	3L	9,693	9.82%	67.20%	640	691	920	18	4%	2	711	0.77
	Hiwassee Rd to Overland Rd	3L	6,811	9.82%	67.20%	449	485	800	44	2%	1	530	0.66
US 441 (Orange Blossom Trail)													
	Highland Ave to Alabama Ave (CR 424)	5L	43,830	7.30%	52.30%	1,673	1,807	2,160	-	15%	6	1,813	0.84
	Alabama Ave (CR 424) to SR 436	4LD	44,981	7.50%	53.80%	1,815	1,960	2,160	-	18%	8	1,968	0.91
	SR 436 to Sheeler Rd	4LD	21,478	7.37%	58.60%	928	1,002	2,000	-	1%	0	1,002	0.50
	Sheeler Rd to Roger Williams Rd	4LD	26,408	8.08%	63.50%	1,355	1,463	2,000	-	5%	2	1,465	0.73
	Roger Williams Rd to Piedmont-Wekiwa Rd	4LD	27,647	8.08%	63.50%	1,419	1,533	2,000	59	5%	2	1,594	0.80
	Piedmont-Wekiwa Rd to Seminole County Line	4LD	32,925	8.44%	66.10%	1,837	1,984	2,000	29	5%	2	2,015	1.01
Sheeler Road													
	SR 436 to US 441	3L	9,081	11.16%	56.90%	577	623	840	-	1%	0	623	0.74
	US 441 to Apopka Blvd (CR 424)	2L	8,962	10.31%	56.40%	521	563	880	-	1%	0	563	0.64
	Apopka Blvd (CR 424) to Cleveland St	2L	9,368	10.10%	58.30%	552	596	880	3	1%	0	599	0.68
	Cleveland St to Keene Rd	2L	6,011	10.10%	58.30%	354	382	880	79	1%	0	461	0.52
Thompson Road													
	Welch Rd to Votaw Rd	2L	8,507	9.15%	64.60%	503	543	790	-	10%	4	547	0.69
	Votaw Rd to SR 436	2L	10,004	8.42%	61.10%	515	556	720	-	15%	6	562	0.78
Wekiwa Springs Road/Piedmont-Wekiwa Road/Hiwassee Road													
	Welch Rd to Votaw Rd	3L	15,729	9.33%	67.00%	983	1,062	1,720	-	10%	4	1,066	0.62
	Votaw Rd to SR 436	5L	22,487	9.29%	68.10%	1,423	1,537	2,000	6	30%	13	1,556	0.78
	SR 436 to Piedmont Lakes Blvd	5L	26,376	9.17%	61.60%	1,490	1,609	2,000	88	25%	11	1,708	0.85
	Piedmont Lakes Blvd to US 441	5L	26,659	8.96%	61.00%	1,457	1,574	2,000	88	25%	11	1,673	0.84
	US 441 to Apopka Blvd (CR 424)	4LD	18,794	8.28%	60.90%	948	1,024	2,000	65	10%	4	1,093	0.55
	Apopka Blvd (CR 424) to SR 414	4LD	16,396	8.28%	60.90%	827	893	2,000	-	4%	2	895	0.45
SR 436 (Semoran Boulevard)													
	US 441 to Sheeler Rd	8LD	22,982	8.36%	50.60%	972	1,050	4,040	-	16%	7	1,057	0.26
	Sheeler Rd to Thompson Rd	8LD	29,827	8.36%	50.60%	1,262	1,363	4,040	-	20%	8	1,371	0.34
	Thompson Rd to Roger Williams Rd	8LD	33,967	8.35%	52.00%	1,475	1,593	4,040	127	35%	15	1,735	0.43
	Roger Williams Rd to Piedmont-Wekiwa Rd	8LD	38,728	8.35%	52.00%	1,682	1,817	4,040	131	35%	15	1,963	0.49
	Piedmont-Wekiwa Rd to Seminole County Line	6LD	51,843	8.59%	54.80%	2,440	2,635	3,020	25	10%	4	2,664	0.88
Votaw Road													
	Park Ave (CR 435) to Christiansa Ave	2L	7,097	10.81%	64.30%	493	532	790	1	25%	11	544	0.69
	Christiansa Ave to Thompson Rd	2L	7,398	10.81%	64.30%	514	555	790	-	25%	11	566	0.72
	Thompson Rd to Wekiwa Springs Rd	2L	8,594	9.66%	57.80%	480	518	790	-	20%	8	526	0.67

Net Trips	
IN	39
OUT	42
Area Growth	2.6%

VI. DRIVEWAY ANALYSES

Figure 4 provides Daily and PM peak hour driveway volumes for the proposed Piedmont Shopping Plaza project. Based on the information presented in this figure, an additional right turn lane is recommended at the main project driveway on Piedmont Wekiva Road. Table 5 summarizes HCS results at all driveways while Appendix L includes detailed HCS analyses.

Table 5: HCS Summary – Driveways

		EB			WB			NB			SB		
		L	T	R	L	T	R	L	T	R	L	T	R
Piedmont –Wekiva Rd Southern Driveway	Vehicle Volume	42	-	29	24	-	47	78	1,696	22	44	1,111	54
	Control Delay	-	126.9	-	-	132.6	-	12.6	-	-	17.9	-	-
	V/C	-	0.82	-	-	0.83	-	0.15	-	-	0.15	-	-
	95% Queue Length	-	4.4	-	-	4.5	-	0.5	-	-	0.5	-	-
Piedmont –Wekiva Rd Northern Driveway ¹	Vehicle Volume	-	-	-	95	-	118	-	1,696	87	109	1,111	-
	Control Delay	-	-	-	623.5	-	29.7	-	-	-	23.8	-	-
	V/C	-	-	-	1.97	-	0.47	-	-	-	0.38	-	-
	95% Queue Length	-	-	-	10.2	-	2.4	-	-	-	1.7	-	-
E. Semoran Blvd Western Driveway	Vehicle Volume	-	1,923 ²	65	-	-	-	-	-	47	-	-	-
	Control Delay	-	-	-	-	-	-	-	-	32.3	-	-	-
	V/C	-	-	-	-	-	-	-	-	0.28	-	-	-
	95% Queue Length	-	-	-	-	-	-	-	-	1.1	-	-	-
E. Semoran Blvd Eastern Driveway	Vehicle Volume	-	1,824 ¹	65	44	2,118 ¹	-	-	-	142	-	-	-
	Control Delay	-	-	-	56.4	-	-	-	-	67.6	-	-	-
	V/C	-	-	-	0.41	-	-	-	-	0.78	-	-	-
	95% Queue Length	-	-	-	1.8	-	-	-	-	5.3	-	-	-

¹ Includes proposed improvements shown in Site Plan revised on June 15, 2016

² E Semoran Blvd has four (4) lanes in each direction while HCS for un-signalized intersections considers a maximum of three (3) lanes. Consequently, volume per lane was calculated and then factored by the number of lanes allowed under HCS.

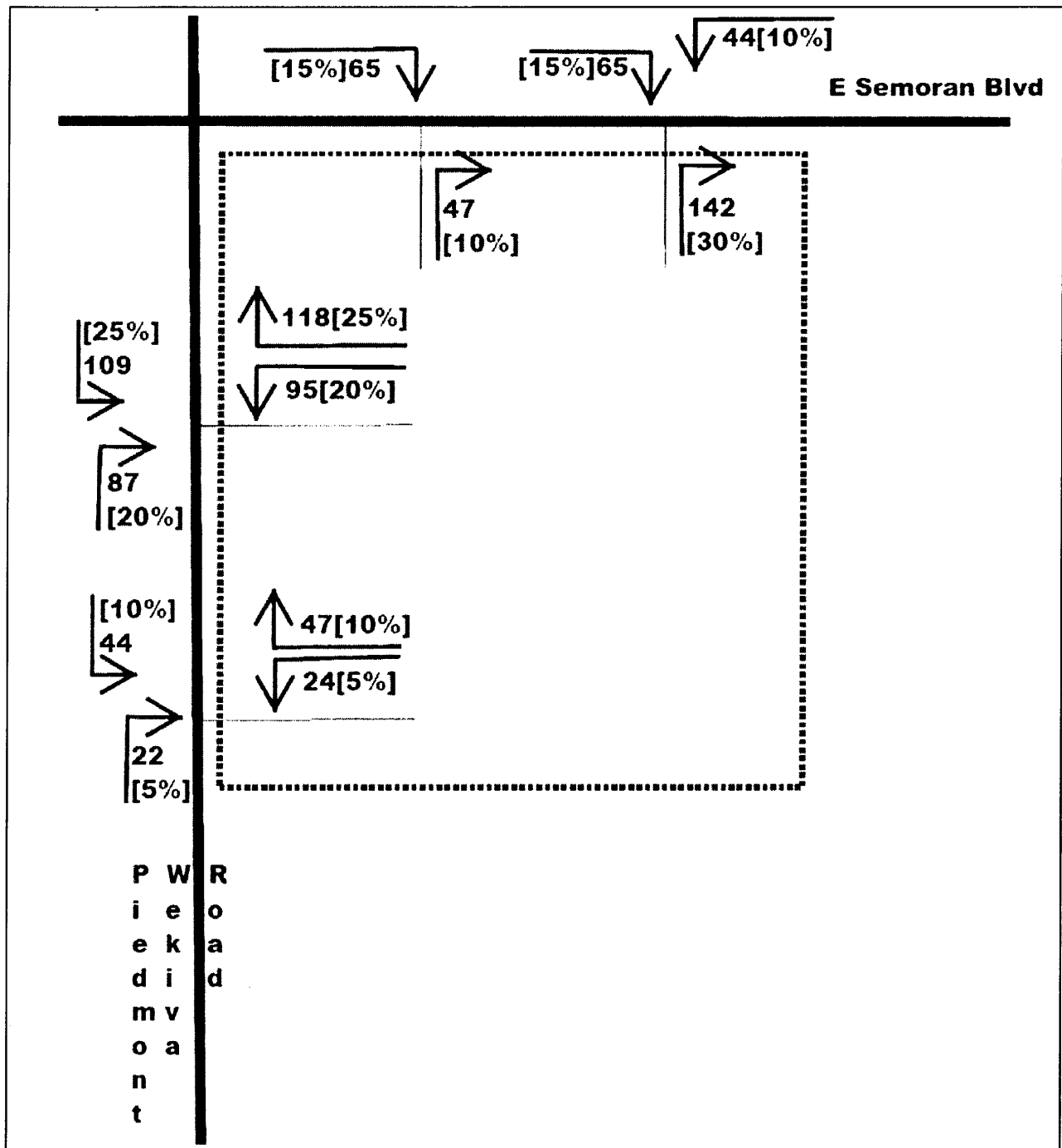


Figure 4: Project Driveway Volumes

VII. INTERSECTION ANALYSIS

Appendix L includes Highway Capacity Software (HCS) analyses for 2107 background and buildout conditions at the intersection of State Road 436 and Piedmont-Wekiva Road, while Table 6 show a comparison of background and build out conditions.

Table 6: HCS Summary – Piedmont-Wekiva Road & E. Semoran Blvd.

		EB			WB			NB			SB		
		L	T	R	L	T	R	L	T	R	L	T	R
2017 Without Project	V/C	0.94	0.72	-	1.94	0.99	-	1.40	2.27	-	0.59	0.40	-
	Control Delay	125.7	51.2	-	522.6	73.1	-	283.8	650.6	-	55.7	44.9	-
	Intersection LOS	F											
	Intersection Delay	203.4											
2017 With Project	V/C	0.94	0.73	-	1.94	1.00	-	1.43	2.28	-	0.59	0.40	-
	Control Delay	125.7	51.4	-	522.6	74.6	-	295.9	655.0	-	55.9	45.0	-
	95 th Back of Queue	13.8	37.5	-	43.2	61.6	-	31.6	127.0	-	24.9	18.6	
	Intersection LOS	F											
	Intersection Delay	205.1											

As shown in Table 6, the highest increase in delay on State Road 436 and Piedmont-Wekiva Road due to the proposed project will occur in the northbound left and will be increased by 13.7 seconds during the PM peak hour. Similarly, as shown in Table 6, it will be expected that the project will add 1.7 seconds of delay to this intersection during the PM peak hour. Furthermore, northbound 95th percentile queue lengths are expected to extend beyond the driveway locations on Piedmont-Wekiva Road. Signalization is recommended to notify drivers not to block the driveways.

VIII. CONCLUSIONS AND RECOMMENDATIONS

The proposed redevelopment for the Piedmont Shopping Plaza is located on the southeast corner of Piedmont Wekiva Road and Semoran Boulevard, in the City of Apopka, Florida. The applicant is proposing to add 33,306 square feet of General Commercial uses to the existing 211,824 square feet of General Commercial uses. This development will most likely generate 938 net Daily trips where 81 two-way trips will occur during the PM peak hour. Project build-out is expected in the year 2017.

Traffic Allocation Form as required in the City of Apopka Concurrency Verification Letter is included in Appendix M.

All links included within the 2-mile radius of influence meet the adopted Level of Service, as defined by the City of Apopka Roadway Service Volumes report.

The proposed Piedmont Shopping Plaza project has been evaluated following *Section 4.03.00. - Concurrency Evaluation of the City of Apopka Code of Ordinances*. This analysis shows that the proposed development will be in compliance with *Section 4.03.00. - Concurrency Evaluation of the City of Apopka Code of Ordinances*.

4. The height of the walls and gates shall be as follows:
 - a. Up to six-cubic-yard container, six feet high.
 - b. Up to eight-cubic-yard container, six feet high.
5. All trash enclosures shall be constructed of a material of sufficient strength to withstand normal daily use of rubbish disposal and pickup. Examples would be concrete block, brick, privacy cypress wood fence, chainlink with slats or any combination of the above in good taste. Any variation of the above must be approved by the public services department prior to construction.
6. The owner assumes all risk and shall indemnify, defend and hold harmless the City of Apopka from and against all loss, damage, cost or expense arising in any manner on account of the enclosure.
7. All locations of the enclosures must be approved by the public services department prior to construction, to determine if the container is accessible.
5. Proposed improvements are less than 50 percent of the value of the property improvements.
 - B. *Unique engineering requirements.* The city may, at the city's sole discretion, approve alternative design standards when evidence satisfactory to the city engineer is presented by a Florida registered professional engineer demonstrating the need and desirability to use the alternative construction standard.
 - C. *Adjustments to requirements, parking.* The development review committee may, in accordance with this site plan application, authorize parking requirements upon demonstration by the developer that the characteristics of the proposed use required a greater or lesser number of parking spaces than that required or proposed.

6.08.00. CRITERIA FOR ISSUANCE OF BUILDING PERMITS*

A. No building permit shall be issued by the city unless the following conditions have been satisfied:

1. Final development shall be approved.
2. Plat shall be recorded and bonding capacity provided as required in article XII.
3. Fire protection and stabilized access shall be provided, as approved by the fire department.
4. All applicable impact fees shall be paid.
5. Payment of any and all associated fees, permits, taxes, or any other cost as may be imposed by the city.

*Cross references—Buildings and building regulations, ch. 22; building code requirements, § 22-36 et seq.



6.07.00. HARDSHIP WAIVER

A. *Existing sites.* An application for redevelopment plan approval for proposed redevelopment improvements on an existing site may qualify for waivers of portions of this code. In order for the plan to be eligible for waivers the site must meet all of the following criteria:

1. Existing structure ten years of age or greater.
2. The proposed improvements enhance the economic value of the property.
3. The proposed improvements enhance the esthetics of the project site.
4. The developer/owner demonstrates to the satisfaction of the DRC the proposed improvements would not adversely impact any surrounding properties.

Julle P. Kendig-Schrader
Tel 407.418.2471
Fax 407.420.5909
Kendig@gtlaw.com

May 10, 2016

VIA EMAIL and OVERNIGHT:

Mark Reggentin
Community Development Director
City of Apopka
120 E. Main St.
Apopka, Florida, 32703

Re: Waiver Request Regarding Building Height Restrictions – Wekiva Piedmont Shopping Center

Dear Mr. Reggentin:

On behalf of G and I VIII Piedmont Plaza, LLC (“*Owner*”), we are respectfully requesting a waiver pursuant to Section 6.07 of Apopka Land Development Code (the “*Code*”) for building height restrictions imposed on certain real property located at 2400 E. Semoran Blvd., Apopka, FL 32703 and 2448 E. Semoran Blvd., Apopka, FL 32703 (the “*Property*”).

The Property is in the “C-1, Commercial Retail” zoning district, and therefore is subject to a maximum building height of 35 feet [§2.02]. Owner desires to redevelop an existing building on the Property into a two story 38,640 square foot fitness facility (the “*Fitness Facility*”) with a building height of 65 feet.

In accordance with Section 6.07 of the Code, we offer the following evidence as satisfaction of the required criteria for obtaining a waiver for the building height restriction:

1. **Existing structure ten years of age or greater.**

The current structure on the Property was built in approximately 1985. It is over ten years old.

2. **The proposed improvements enhance the economic value of the property.**

It is estimated that the assessed value will increase by approximately 2 to 3 times the current amount after revitalization of the shopping center.

3. **The proposed improvements enhance the esthetics of the project site.**

As part of this redevelopment there will be a new façade on the building and additional landscaping, thereby increasing the esthetic value of the Property.

Mark Reggentin
May 10, 2016

4. **The developer/owner demonstrates to the satisfaction of the DRC the proposed improvements would not adversely impact any surrounding properties.**

A copy of the city of Apopka future land use and zoning maps are attached hereto as "Exhibit A".

The Property is surrounded by commercial uses and uses that are similar in nature to that of the proposed use of the Facility. The building height variance which is requested is in the back corner of the existing shopping center away from other properties and is only adjacent to another property that is visually and structurally compatible.

Please refer to "Exhibit B" for pictures of the adjacent property and other properties near the location of the proposed building height waiver.

5. **Proposed improvements are less than 50 percent of the value of the property improvements.**

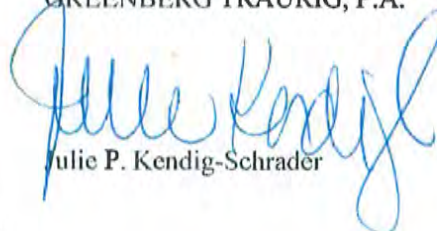
The value of the existing property improvements is estimated at \$11,458,000 as described further below. The total cost of all of the proposed improvements is \$4,750,000, the determination of which is based on the following criteria.

- (i) The existing 27,500 sf of retail, as shown on "Exhibit C", will lease in today's market at \$25/sf providing an annual rent income of \$687,500.
- (ii) Capitalizing the (\$687,500) income at a 6% rate provides a value of \$11,458,000.
- (iii) The cost to construct the Fitness Facility shown on "Exhibit D" is \$3,284,000.
- (iv) The cost to construct the Party City building shown on "Exhibit D" is \$1,215,000.
- (v) The cost of the new parking area on the south side of the Fitness Facility is \$250,000.

Therefore total cost of (iii)-(v) above is \$4,750,000 or 45% of the value of existing property improvements and meets the requirement of Section 6.07 A-5 of the Code.

If you have any questions you can reach me at the e-mail address and phone number listed above.

Very truly yours,
GREENBERG TRAUIG, P.A.



Julie P. Kendig-Schrader

cc: Donald Stiller, Woolbright Development

Mark Reggentin
May 9, 2016

EXHIBIT A
FUTURE LAND USE AND ZONING MAPS

[See Attached]

City of Apopka Future Land Use Map

updated February 2016

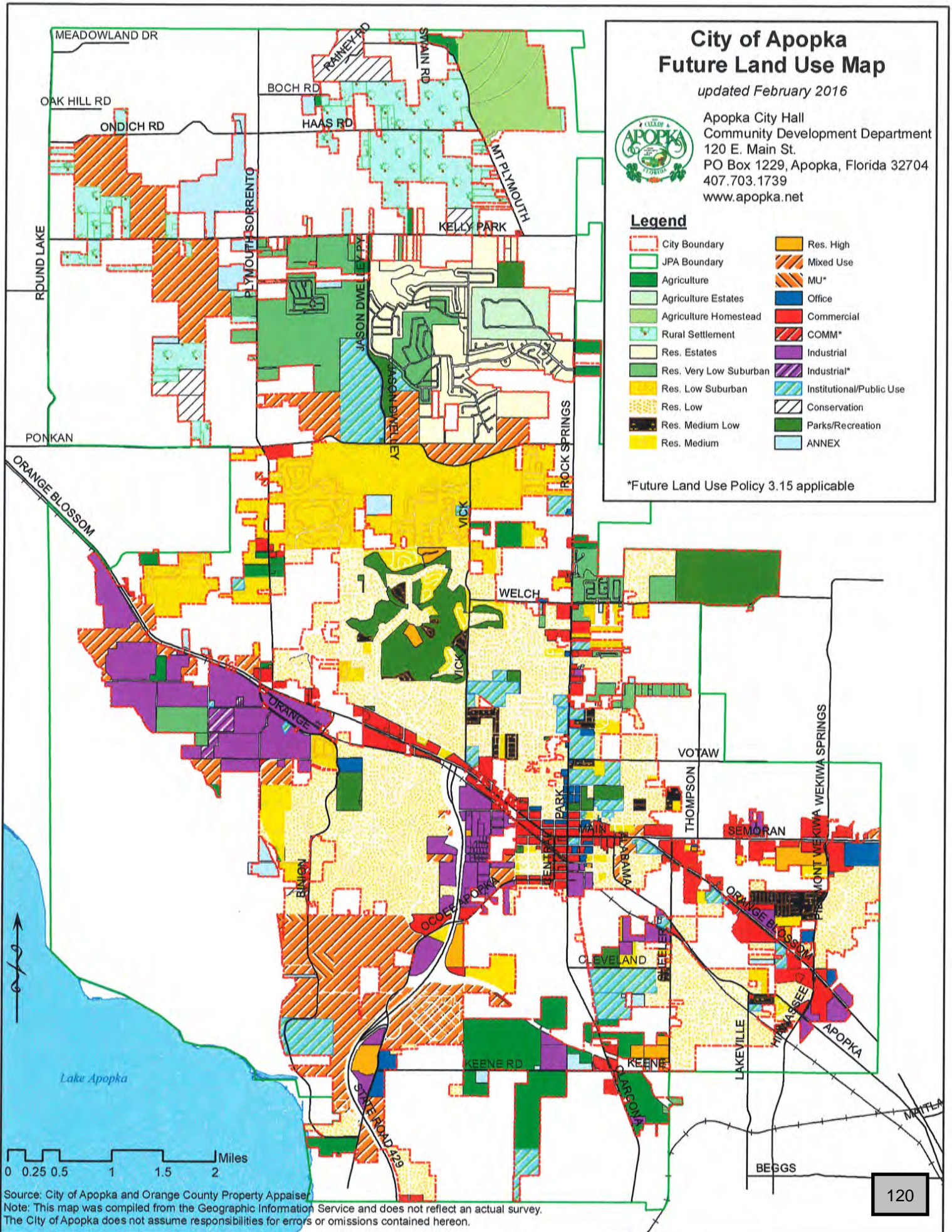


Apopka City Hall
Community Development Department
120 E. Main St.
PO Box 1229, Apopka, Florida 32704
407.703.1739
www.apopka.net

Legend

- | | |
|------------------------|--------------------------|
| City Boundary | Res. High |
| JPA Boundary | Mixed Use |
| Agriculture | MU* |
| Agriculture Estates | Office |
| Agriculture Homestead | Commercial |
| Rural Settlement | COMM* |
| Res. Estates | Industrial |
| Res. Very Low Suburban | Industrial* |
| Res. Low Suburban | Institutional/Public Use |
| Res. Low | Conservation |
| Res. Medium Low | Parks/Recreation |
| Res. Medium | ANNEX |

*Future Land Use Policy 3.15 applicable



Source: City of Apopka and Orange County Property Appaiser
 Note: This map was compiled from the Geographic Information Service and does not reflect an actual survey.
 The City of Apopka does not assume responsibilities for errors or omissions contained herein.

City of Apopka Zoning Map

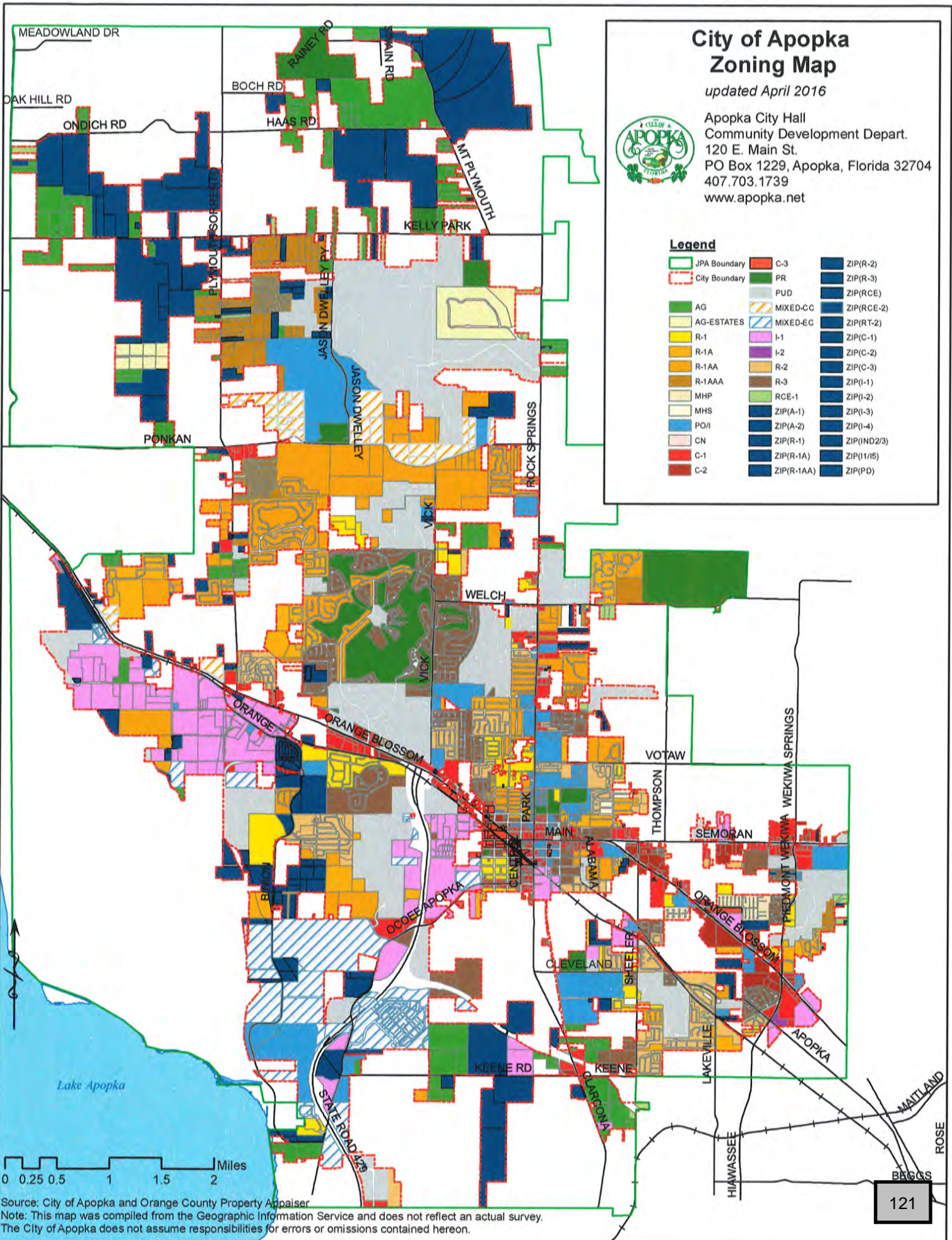
updated April 2016



Apopka City Hall
 Community Development Dept.
 120 E. Main St.
 PO Box 1229, Apopka, Florida 32704
 407.703.1739
 www.apopka.net

Legend

JPA Boundary	C-3	ZIP(R-2)
City Boundary	PR	ZIP(R-3)
AG	PUD	ZIP(RCE)
AG-ESTATES	MIXED-CC	ZIP(RCE-2)
R-1	MIXED-EC	ZIP(RT-2)
R-1A	I-1	ZIP(C-1)
R-1AA	I-2	ZIP(C-2)
R-1AAA	R-2	ZIP(C-3)
MHP	R-3	ZIP(I-1)
MHS	RCE-1	ZIP(I-2)
PO/I	ZIP(A-1)	ZIP(I-3)
CN	ZIP(A-2)	ZIP(I-4)
C-1	ZIP(R-1)	ZIP(IND2/3)
C-2	ZIP(R-1A)	ZIP(I1/15)
	ZIP(R-1AA)	ZIP(PD)



Source: City of Apopka and Orange County Property Appaiser
 Note: This map was compiled from the Geographic Information Service and does not reflect an actual survey.
 The City of Apopka does not assume responsibilities for errors or omissions contained herein.

Mark Reggentin
May 9, 2016

EXHIBIT B
NEARBY PROPERTIES

Century Link

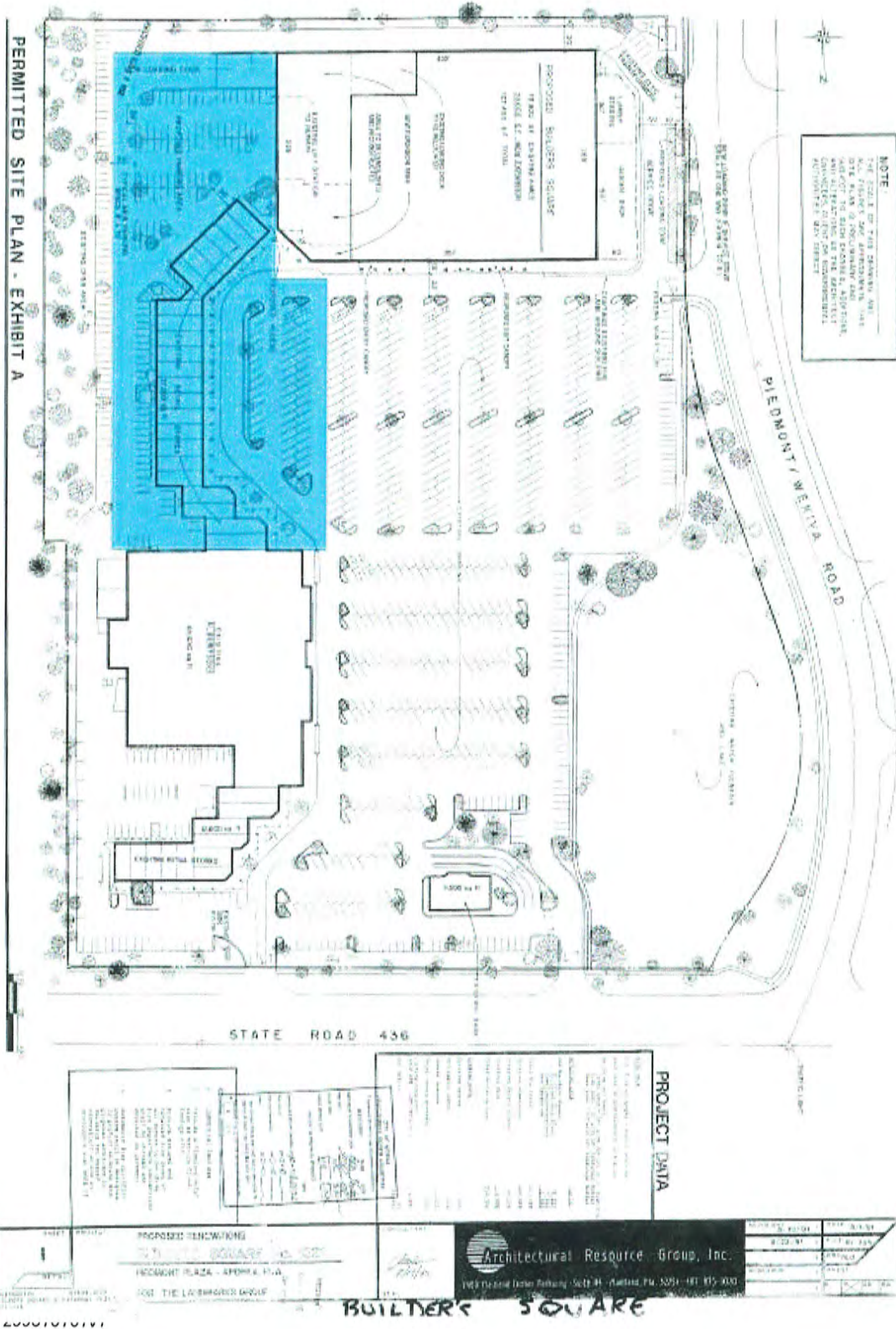


Hampton and Holiday Inn



Mark Reggentin
 May 9, 2016

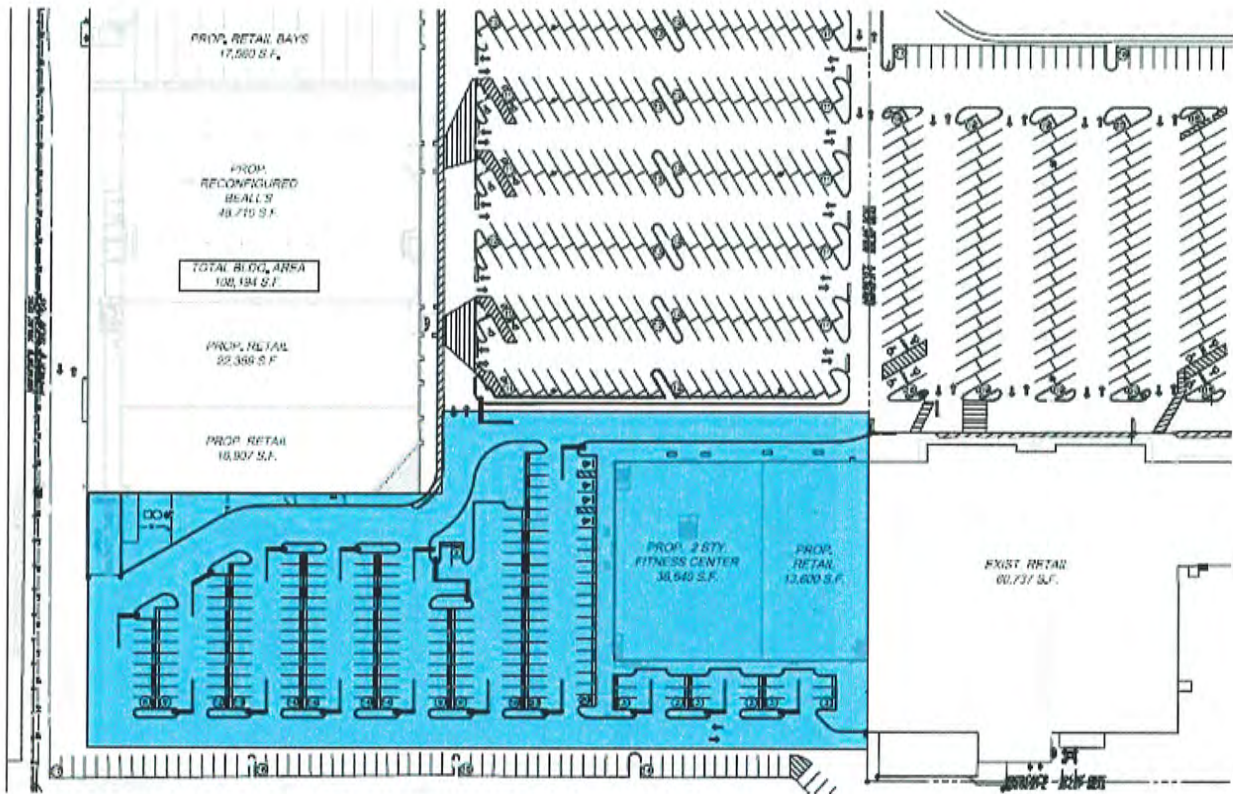
EXHIBIT C EXISTING RETAIL (SITE PLAN)



ORL 200610701V

BUILDER'S SQUARE

EXHIBIT D
PROPOSED CONSTRUCTION SITES



Julie Kendlg-Schrader
Tel 407.418.2418
Fax 407.650.8439
kendlg@gtlaw.com

May 12, 2016

VIA EMAIL: mreggentin@apopka.net

Mark Reggentin
Community Development Director
City of Apopka
120 E. Main St.
Apopka, FL, 32703

Re: Redevelopment Hardship Waiver Request Regarding Parking Requirements, Wekiva Piedmont Shopping Center

Dear Mr. Reggentin:

On behalf of G and I VIII Piedmont Plaza, LLC (“*Owner*”), we are respectfully requesting a waiver pursuant to Section 6.07 and/or a parking deferral pursuant to Section 6.03.02(d) of Apopka Land Development Code (the “*Code*”) for parking requirements imposed on the real property located at 2400 E. Semoran Blvd., Apopka, FL 32703 and 2448 E. Semoran Blvd., Apopka, FL 32703 (the “*Property*”). Submitted under separate cover to the City is the Piedmont Shopping Plaza Parking Analysis dated May 4, 2016 by the Wantman Group, Inc. (the “*Parking Report*”). The Parking Report provides the technical analysis and justification for the request set forth herein.

The Property is in the “C-1, Commercial Retail” zoning district, and therefore is required to have 1,226 parking spaces [§6.03]. Owner desires to redevelop multiple existing buildings on the Property with a total of 975 parking spaces. In accordance with Section 6.07 of the Code, we offer the following evidence as satisfaction of the required criteria for obtaining a waiver for the parking requirement:

1. **Existing structure ten years of age or greater.**
The current structure on the Property was built in approximately 1985. It is over ten years old.
2. **The proposed improvements enhance the economic value of the property.**
It is estimated that the assessed value will increase by approximately 2 to 3 times the current amount after revitalization of the shopping center.
3. **The proposed improvements enhance the esthetics of the project site.**

As part of this redevelopment there will be a new façade on the building and additional landscaping, thereby increasing the esthetic value of the Property.

ALBANY
AMSTERDAM
ATLANTA
AUSTIN
BERLIN*
BOSTON
BRUSSELS*
CHICAGO
DALLAS
DELAWARE
DENVER
FORT LAUDERDALE
HOUSTON
LAS VEGAS
LONDON*
LOS ANGELES
MIAMI
MILAN*
NEW JERSEY
NEW YORK
ORANGE COUNTY
ORLANDO
PALM BEACH COUNTY
PHILADELPHIA
PHOENIX
ROME*
SACRAMENTO
SHANGHAI
SILICON VALLEY
TALLAHASSEE
TAMPA
TOKYO*
TYSONS CORNER
WASHINGTON, D.C.
WHITE PLAINS
ZURICH

Mark Reggentin
May 12, 2016

4. **The developer/owner demonstrates to the satisfaction of the DRC the proposed improvements would not adversely impact any surrounding properties.**

A copy of the city of Apopka future land use and zoning maps are attached hereto as "Exhibit A".

The Property is surrounded by commercial uses and uses that are similar in nature to that of the proposed redevelopment use.

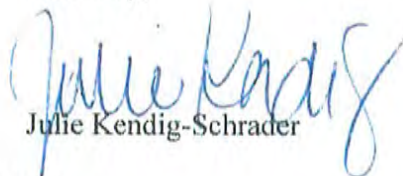
5. **Proposed improvements are less than 50 percent of the value of the property improvements.**

Please refer to "Exhibit B" for an analysis of the value of the proposed improvements versus the property improvements. The proposed improvements are approximately 45% of the property improvements.

In addition to the waiver provisions of Section 6.07 of the Code, or in the alternative, as demonstrated by the Parking Report, the Property qualifies for a parking deferral under Section 6.03.02(d) of the Code. The complete analysis of the parking requirements for the Property and the justification for a parking deferral are set forth in the Parking Report.

If you have any questions you can reach me at the e-mail address and phone number listed above.

Sincerely,


Julie Kendig-Schrader

Cc: Donald B. Stiller, Woolbright Development

EXHIBIT A
FUTURE LAND USE AND ZONING MAPS

[See Attached]

City of Apopka Future Land Use Map

updated February 2016

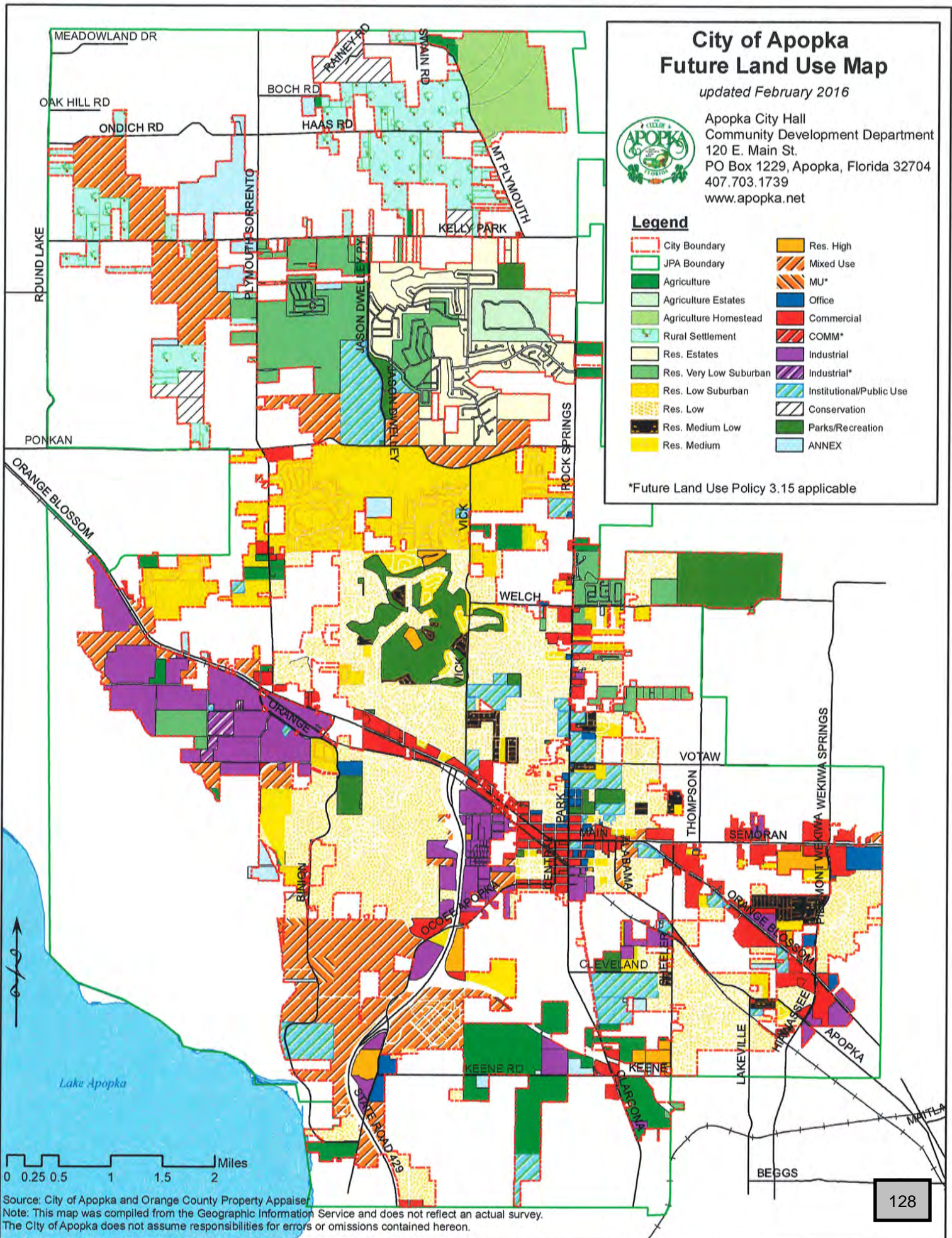


Apopka City Hall
Community Development Department
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PO Box 1229, Apopka, Florida 32704
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Legend

- | | |
|------------------------|--------------------------|
| City Boundary | Res. High |
| JPA Boundary | Mixed Use |
| Agriculture | MU* |
| Agriculture Estates | Office |
| Agriculture Homestead | Commercial |
| Rural Settlement | COMM* |
| Res. Estates | Industrial |
| Res. Very Low Suburban | Industrial* |
| Res. Low Suburban | Institutional/Public Use |
| Res. Low | Conservation |
| Res. Medium Low | Parks/Recreation |
| Res. Medium | ANNEX |

*Future Land Use Policy 3.15 applicable



Source: City of Apopka and Orange County Property Appaiser
Note: This map was compiled from the Geographic Information Service and does not reflect an actual survey.
The City of Apopka does not assume responsibilities for errors or omissions contained herein.

City of Apopka Zoning Map

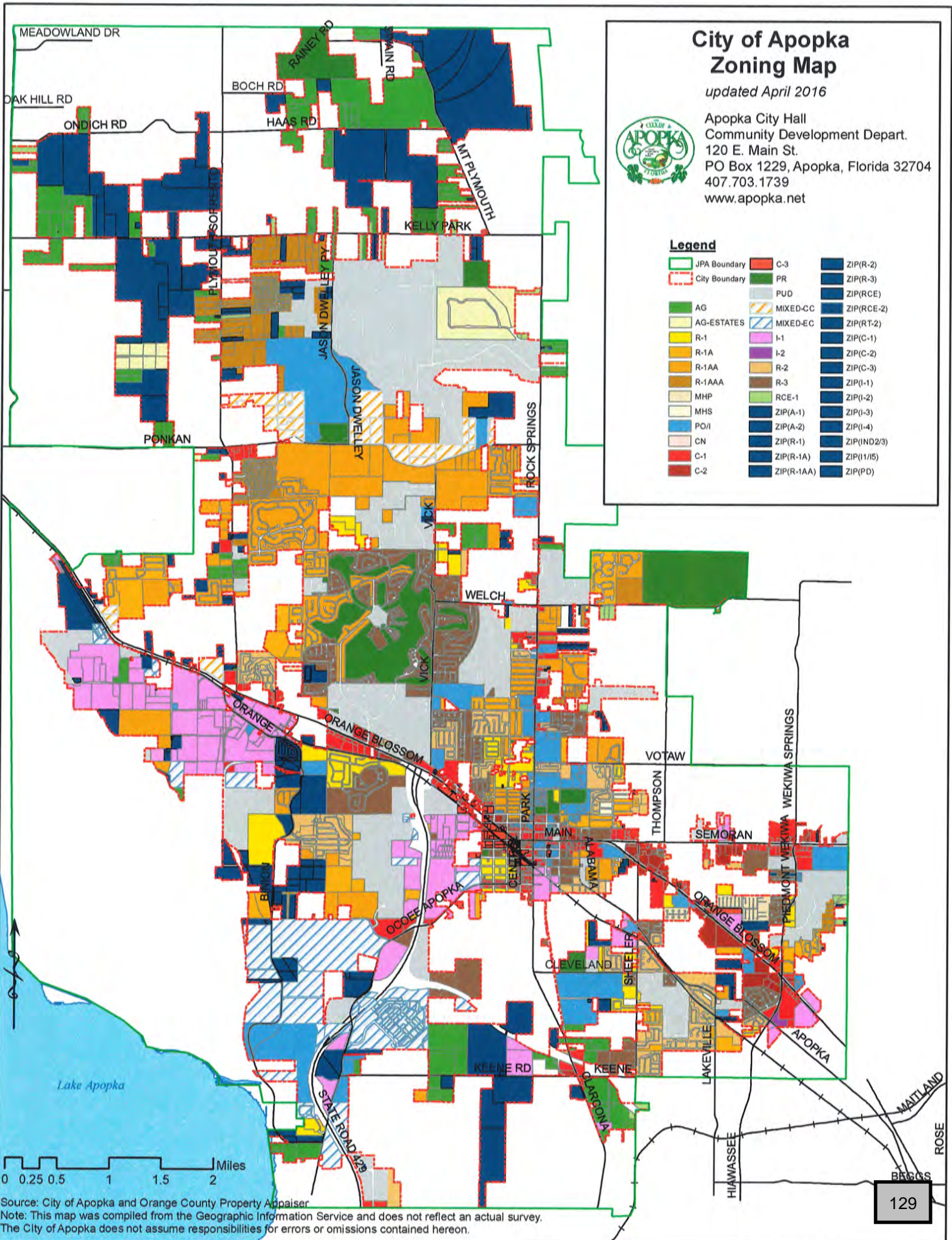
updated April 2016



Apopka City Hall
Community Development Dept.
120 E. Main St.
PO Box 1229, Apopka, Florida 32704
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Legend

JPA Boundary	C-3	ZIP(R-2)
City Boundary	PR	ZIP(R-3)
AG	PUD	ZIP(RCE)
AG-ESTATES	MIXED-CC	ZIP(RCE-2)
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R-1A	I-1	ZIP(C-1)
R-1AA	I-2	ZIP(C-2)
R-1AAA	R-2	ZIP(C-3)
MHP	R-3	ZIP(I-1)
MHS	RCE-1	ZIP(I-2)
PO/I	ZIP(A-1)	ZIP(I-3)
CN	ZIP(A-2)	ZIP(I-4)
C-1	ZIP(R-1)	ZIP(IND2/3)
C-2	ZIP(R-1A)	ZIP(I1/5)
	ZIP(R-1AA)	ZIP(PD)



Source: City of Apopka and Orange County Property Appaiser
 Note: This map was compiled from the Geographic Information Service and does not reflect an actual survey.
 The City of Apopka does not assume responsibilities for errors or omissions contained herein.

EXHIBIT B

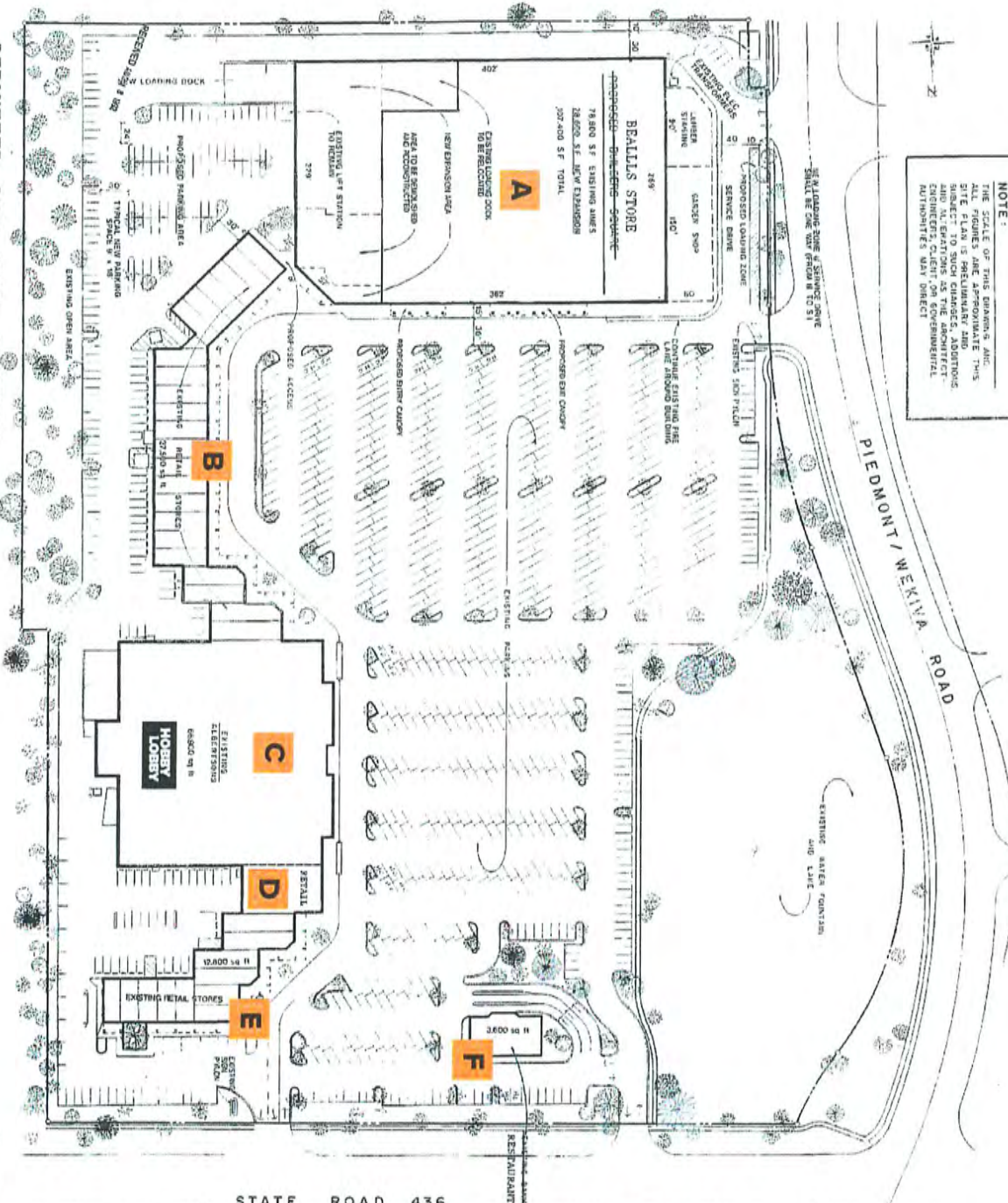
Piedmont Plaza

Value of Existing Center Occupied/ Cost to Redevelop

5/10/2016

	Tenant	SF	Rent/SF	Annual	
A	Bealls	107,400	7.50	805,500	
B	Retail	27,500	18.00	495,000	
C	Hobby Lobby	62,000	8.00	416,000	
D	Retail	7,000	18.00	108,000	
E	Retail	12,800	18.00	230,400	
F	Restaurant	3,600	30.00	108,000	
	TOTAL	220,300			2,162,900
	Capitalize NOI Income at 6.0% for value of				35,500,000
	Cost to redevelop				16,000,000
	Cost as percentage of value				45%

PERMITTED SITE PLAN - EXHIBIT A



NOTE:
 THE SCALE OF THIS DRAWING AND ALL FIGURES ARE APPROXIMATE. THIS SITE PLAN IS PRELIMINARY AND SUBJECT TO SUCH CHANGES, ADDITIONS, DELETIONS, AND OMISSIONS AS THE ARCHITECT'S CLIENT, OR GOVERNMENTAL AUTHORITIES MAY DIRECT.

0 10 20 30

STATE ROAD 436

PROJECT DATA

CLIENT:
 THE LANDMARKS GROUP
 1400 HIGHLAND CENTER PARKWAY, SUITE 114 • APOPKA, FL 32751 • 407-875-1020

ARCHITECT:
 ARCHITECTURAL RESOURCE GROUP, INC.
 1400 HIGHLAND CENTER PARKWAY, SUITE 114 • APOPKA, FL 32751 • 407-875-1020

DATE: 8/1/99

REVISIONS:

NO.	DATE	DESCRIPTION
1	8/22/99	REVISED PER COMMENTS

PROPOSED RENOVATIONS
 1. RENOVATE EXISTING HOBBY LOBBY AND ADJACENT AREAS.
 2. REPAIR AND MAINTAIN EXISTING SIDEWALKS AND DRIVEWAYS.
 3. REPAIR AND MAINTAIN EXISTING LIGHT FIXTURES AND WIRING.
 4. MAINTAIN THE EXISTING LANDSCAPE AND PLANTINGS.
 5. MAINTAIN THE EXISTING PAVING AND DRIVEWAYS.

CONSULTANTS:
 CIVIL ENGINEER: [Signature]
 ELECTRICAL ENGINEER: [Signature]
 MECHANICAL ENGINEER: [Signature]
 PLUMBING ENGINEER: [Signature]
 STRUCTURAL ENGINEER: [Signature]

Architectural Resource Group, Inc.
 1400 Highland Center Parkway, Suite 114 • Apopka, FL 32751 • 407-875-1020

PROJECT: PIEDMONT PLAZA - APOPKA, FLA.
FOR THE LANDMARKS GROUP

BUILDER'S SQUARE

Backup material for agenda item:

1. Ordinance No. 2513 – First Reading – Annexation - Legislative
Rogers Beckett



CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: September 7, 2016
FROM: Community Development
EXHIBITS: Exhibit "A" – Summary
Ordinance No. 2513
Vicinity Map

SUBJECT: 2016 ANNEXATION – CYCLE NO. 3

REQUEST: FIRST READING OF ORDINANCE NO. 2513 – ANNEXATION - CENTRAL FLORIDA EXPRESSWAY AUTHORITY; AND HOLD OVER FOR SECOND READING & ADOPTION.

SUMMARY:

OWNER: Central Florida Expressway Authority
LOCATION: West of Plymouth Sorrento Road and South of Yothers Road
LAND USE: Refer to Exhibit "A"
EXISTING USE: Refer to Exhibit "A"
TRACT SIZE: 0.30 +/- acre

ADDITIONAL COMMENTS: The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning Designations. The assignment of a City Future Land Use and Zoning designation will occur at a later date, and through action by the City Council.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on August 19, 2016.

DULY ADVERTISED:

August 26, 2016 - 1/4 Page Public Hearing Advertisement
September 2, 2016 - 1/4 Page Public Hearing Advertisement
September 9, 2016 - Ordinance Headings Advertisement

PUBLIC HEARING SCHEDULE:

September 7, 2016 (1:30 pm) - City Council 1st Reading
September 21, 2016 (7:00 pm) - City Council 2nd Reading and Adoption

FUNDING SOURCE: N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the 2016 Annexation – Cycle No. 3

Accept the First Reading of Ordinance No. 2513, and Hold it Over for Second Reading and Adoption on September 21, 2016.

EXHIBIT "A"
CITY OF APOPKA
2016 ANNEXATION CYCLE # 3

TOTAL ACRES: 5.77+/-

ANNEXATION ORDINANCE NO.: 2513 -2517

Adopted this 21st day of SEPTEMBER, 2016

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-	EXISTING USE	FUTURE LAND USE (COUNTY)
2513	1	CENTRAL FLORIDA EXPRESSWAY AUTHORITY	PLYMOUTH SORRENTO ROAD	36-20-27-0000-00-124 36-20-27-0000-00-126	0.15 <u>0.15</u> 0.30	VACANT LAND	RURAL 1DU/10ACRES/ AGRICULTURAL
2514	2	CHARLES L. KOHL KATHY E. KOHL	1030 EAST SANDPIPER STREET	02-21-28-0000-00-112	1.79	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC
2515	3	DEBBIE NELSON BRYAN NELSON	1157 OAKPOINT CIRCLE	02-21-28-9090-00-020	1.27	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC
2516	4	WILLIAM D. COOK TRUST ROBYN D. COOK TRUST	1163 OAKPOINT CIRCLE	02-21-28-9090-00-010	1.27	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC
2517	5	VERDUZCO INVESTMENT, LLC	1175 OAKPOINT CIRCLE	02-21-28-7328-00-080	1.14	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC

g:\Shared\4020\PLANNING_ZONING\Annexations\2016 Cycle 3 Spreadsheet

ORDINANCE NO. 2513

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY CENTRAL FLORIDA EXPRESSWAY AUTHORITY LOCATED WEST OF PLYMOUTH SORRENTO ROAD AND SOUTH OF YOTHERS ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, Central Florida Expressway Authority, owner thereof, has petitioned the City Council of the City of Apopka, Florida, to annex the property located west of Plymouth Sorrento Road and south of Yothers Road; and

WHEREAS, Florida Statute 171.044 of the General Laws of Florida provide that a municipal corporation may annex property into its corporate limits upon voluntary petition of the owners, by passing and adopting a non-emergency ordinance to annex said property; and

WHEREAS, the City Council of the City of Apopka, Florida is desirous of annexing and redefining the boundaries of the municipality to include the subject property pursuant to Florida Statute 171.044.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Apopka, Florida, as follows:

SECTION I: That the following described properties, being situated in Orange County, Florida, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Legal Descriptions:

Comm At Ne Cor Of Se1/4 Of Sec 36-20-27 T S89-28-38w 278.71 Ft Along N Line Of Ne1/4 Of Se1/4 To Pob Th S00-27-45e 20.1 Ft To Pt On S Line Of N 20 Ft Of E 300 Ft Of Ne1/4 Of Se1/4 Th S89-27-24w 20.58 Ft Th S37-23-29w 106.13 Ft Along Ely Lines Of Lands Desc In 6077/2248 Th N52-36-26w 29.99 Ft Th N00-31-19w 85.41 Ft To Pt On Aforesaid N Line Th N89-28-38e 109.48 Ft To Pob. Containing: 0.15 acre;

and

Comm At Ne Cor Of Se1/4 Of Sec 36-20-27 Th S02-14-21e 20.01 Ft To Pt On S Line Of N 20 Ft Of E 300 Ft Of Ne1/4 Of Se1/4 Th S89-27-24w 279.34 Ft To Pob Th S00-27-45e 114.23 Ft Th S89-31-59w 46.60 Ft Th N52-36-26w 49.54 Ft To Pt On Wly Line Of Lands Desc In Or 8943/2342 Th N37-23-29e 106.13 Ft To A Pt On Aforesaid S Line Th N89-27-24e 20.58 Ft To Pob. Containing 0.15 +/- acre

Containing: 0.30 acres

ORDINANCE NO. 2513
PAGE 2

SECTION II: That the corporate territorial limits of the City of Apopka, Florida, are hereby redefined to include said land herein described and annexed.

SECTION III: That the City Council will designate the land use classification and zoning category of these annexed lands in accordance with applicable City ordinances and State laws.

SECTION IV: That the land herein described and future inhabitants of the land herein described shall be liable for all debts and obligations and be subject to all species of taxation, laws, ordinances and regulations of the City.

SECTION V: That if any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or portion of a section or subsection or part of this ordinance.

SECTION VI: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION VII: That this ordinance shall take effect upon passage and adoption, thereafter the City Clerk is hereby directed to file this ordinance with the Clerk of the Circuit Court in and for Orange County, Florida; the Orange County Property Appraiser; and the Department of State of the State of Florida.

READ FIRST TIME: September 7, 2016

READ SECOND TIME
AND ADOPTED: September 21, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: August 26, 2016
September 2, 2016
September 9, 2016

ANNEXATION
CENTRAL FLORIDA EXPRESSWAY AUTHORITY



Exhibit "A"
Ord. # 2513
Parcel ID: 36-20-27-0000-00-0124
36-20-27-0000-00-0126

Total Acres: 0.30 +/-

VICINITY MAP



Backup material for agenda item:

2. Ordinance No. 2514 – First Reading – Annexation - Legislative
Rogers Beckett



CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: September 7, 2016
 FROM: Community Development
 EXHIBITS: Exhibit "A" – Summary
 Ordinance No. 2514
 Vicinity Map

SUBJECT: 2016 ANNEXATION – CYCLE NO. 3

REQUEST: FIRST READING OF ORDINANCE NO. 2514 – ANNEXATION - CHARLES L. KOHL AND KATHY E. KOHL; AND HOLD OVER FOR SECOND READING & ADOPTION.

SUMMARY:

OWNER: Charles L. Kohl and Kathy L. Kohl
 LOCATION: 1030 East Sandpiper Street
 LAND USE: Refer to Exhibit "A"
 EXISTING USE: Refer to Exhibit "A"
 TRACT SIZE: 1.79 +/- acres

ADDITIONAL COMMENTS: The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning Designations. The assignment of a City Future Land Use and Zoning designation will occur at a later date, and through action by the City Council.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on April 1, 2016.

DULY ADVERTISED:

August 26, 2016 - 1/4 Page Public Hearing Advertisement
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 September 9, 2016 - Ordinance Headings Advertisement

PUBLIC HEARING SCHEDULE:

September 7, 2016 (1:30 pm) - City Council 1st Reading
 September 21, 2016 (7:00 pm) - City Council 2nd Reading and Adoption

FUNDING SOURCE: N/A

DISTRIBUTION

Mayor Kilsheimer
 Commissioners
 City Administrator
 Community Development Director

Finance Director
 HR Director
 IT Director
 Police Chief

Public Services Director
 Recreation Director
 City Clerk
 Fire Chief

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the 2016 Annexation – Cycle No. 3

Accept the First Reading of Ordinance No. 2514, and Hold it Over for Second Reading and Adoption on September 21, 2016.

EXHIBIT "A"
CITY OF APOPKA
2016 ANNEXATION CYCLE # 3

TOTAL ACRES: 5.77+/-

ANNEXATION ORDINANCE NO.: 2513 -2517

Adopted this 21st day of SEPTEMBER, 2016

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-	EXISTING USE	FUTURE LAND USE (COUNTY)
2513	1	CENTRAL FLORIDA EXPRESSWAY AUTHORITY	PLYMOUTH SORRENTO ROAD	36-20-27-0000-00-124 36-20-27-0000-00-126	0.15 <u>0.15</u> 0.30	VACANT LAND	RURAL 1DU/10ACRES/ AGRICULTURAL
2514	2	CHARLES L. KOHL KATHY E. KOHL	1030 EAST SANDPIPER STREET	02-21-28-0000-00-112	1.79	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC
2515	3	DEBBIE NELSON BRYAN NELSON	1157 OAKPOINT CIRCLE	02-21-28-9090-00-020	1.27	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC
2516	4	WILLIAM D. COOK TRUST ROBYN D. COOK TRUST	1163 OAKPOINT CIRCLE	02-21-28-9090-00-010	1.27	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC
2517	5	VERDUZCO INVESTMENT, LLC	1175 OAKPOINT CIRCLE	02-21-28-7328-00-080	1.14	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC

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ORDINANCE NO. 2514

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY CHARLES L. KOHL AND KATHY E. KOHL LOCATED AT 1030 EAST SANDPIPER STREET; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, Charles L. Kohl and Kathy E. Kohl, owner thereof, has petitioned the City Council of the City of Apopka, Florida, to annex the property located at 1030 East Sandpiper Street; and

WHEREAS, Florida Statute 171.044 of the General Laws of Florida provide that a municipal corporation may annex property into its corporate limits upon voluntary petition of the owners, by passing and adopting a non-emergency ordinance to annex said property; and

WHEREAS, the City Council of the City of Apopka, Florida is desirous of annexing and redefining the boundaries of the municipality to include the subject property pursuant to Florida Statute 171.044.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Apopka, Florida, as follows:

SECTION I: That the following described properties, being situated in Orange County, Florida, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Legal Description:

N 342 FT OF W 250 FT OF NE1/4 OF SW1/4 OF NW1/4 (LESS N 30 FT FOR RD) OF
SEC 02-21-28
CONTAINING: 1.79 ACRES

SECTION II: That the corporate territorial limits of the City of Apopka, Florida, are hereby redefined to include said land herein described and annexed.

SECTION III: That the City Council will designate the land use classification and zoning category of these annexed lands in accordance with applicable City ordinances and State laws.

SECTION IV: That the land herein described and future inhabitants of the land herein described shall be liable for all debts and obligations and be subject to all species of taxation, laws, ordinances and regulations of the City.

SECTION V: That if any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or portion of a section or subsection or part of this ordinance.

ORDINANCE NO.: 2514

PAGE 2

SECTION VI: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION VII: That this ordinance shall take effect upon passage and adoption, thereafter the City Clerk is hereby directed to file this ordinance with the Clerk of the Circuit Court in and for Orange County, Florida; the Orange County Property Appraiser; and the Department of State of the State of Florida.

READ FIRST TIME: September 7, 2016

READ SECOND TIME
AND ADOPTED: September 21, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: August 26, 2016
September 2, 2016
September 9, 2016

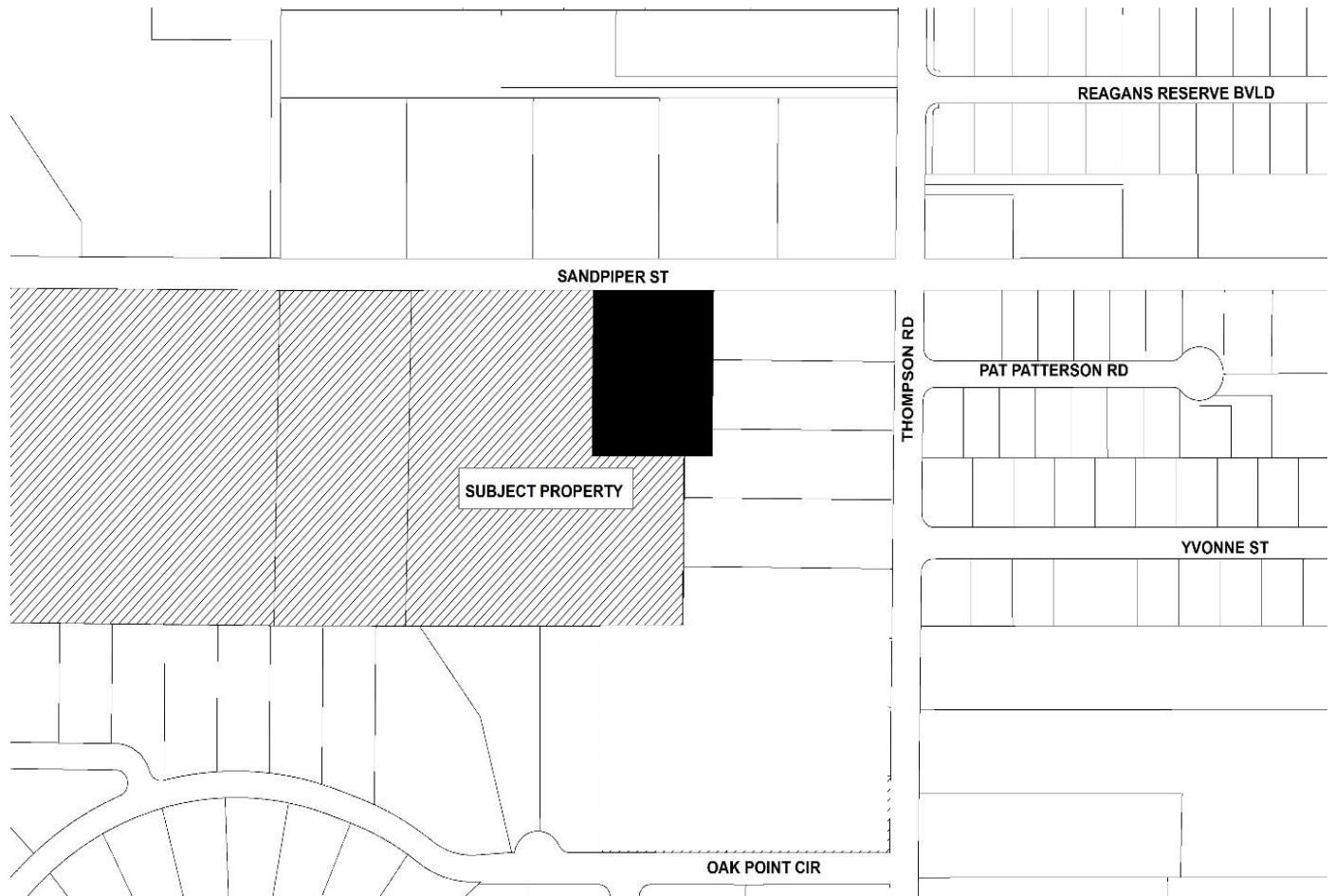
ANNEXATION
CHARLES L. KOHL AND KATHY E. KOHL



Exhibit "A"
Ord. # 2514
Parcel ID: 02-21-28-0000-00-112

Total Acres: 1.79 +/-

VICINITY MAP



Backup material for agenda item:

3. Ordinance No. 2515 – First Reading – Annexation - Legislative
Rogers Beckett



CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: September 7, 2016
FROM: Community Development
EXHIBITS: Exhibit "A" – Summary
Ordinance No. 2515
Vicinity Map

SUBJECT: 2016 ANNEXATION – CYCLE NO. 3

REQUEST: FIRST READING OF ORDINANCE NO. 2515 – ANNEXATION - BRYAN NELSON AND DEBBIE NELSON; AND HOLD OVER FOR SECOND READING & ADOPTION.

SUMMARY:

OWNER: Bryan Nelson and Debbie Nelson
LOCATION: 1157 Oakpoint Circle
LAND USE: Refer to Exhibit "A"
EXISTING USE: Refer to Exhibit "A"
TRACT SIZE: 1.27 +/- acres

ADDITIONAL COMMENTS: The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning Designations. The assignment of a City Future Land Use and Zoning designation will occur at a later date, and through action by the City Council.

PUBLIC SERVICES DEPARTMENT

“With regards to the three parcels located on Oakpoint Circle, the only comment we have concerns sanitation services. Since we are not currently providing sanitation in this area, it may present a hardship for our Sanitation Division to take on only these three parcels of the subdivision.”

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on August 19, 2016.

DULY ADVERTISED:

August 26, 2016 - 1/4 Page Public Hearing Advertisement
September 2, 2016 - 1/4 Page Public Hearing Advertisement
September 9, 2016 - Ordinance Headings Advertisement

PUBLIC HEARING SCHEDULE:

September 7, 2016 (1:30 pm) - City Council 1st Reading
September 21, 2016 (7:00 pm) - City Council 2nd Reading and Adoption

FUNDING SOURCE: N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the 2016 Annexation – Cycle No. 3

Accept the First Reading of Ordinance No. 2515, and Hold it Over for Second Reading and Adoption on September 21, 2016.

EXHIBIT "A"
CITY OF APOPKA
2016 ANNEXATION CYCLE # 3

TOTAL ACRES: 5.77+/-

ANNEXATION ORDINANCE NO.: 2513 -2517

Adopted this 21st day of SEPTEMBER, 2016

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-	EXISTING USE	FUTURE LAND USE (COUNTY)
2513	1	CENTRAL FLORIDA EXPRESSWAY AUTHORITY	PLYMOUTH SORRENTO ROAD	36-20-27-0000-00-124 36-20-27-0000-00-126	0.15 <u>0.15</u> 0.30	VACANT LAND	RURAL 1DU/10ACRES/ AGRICULTURAL
2514	2	CHARLES L. KOHL KATHY E. KOHL	1030 EAST SANDPIPER STREET	02-21-28-0000-00-112	1.79	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC
2515	3	DEBBIE NELSON BRYAN NELSON	1157 OAKPOINT CIRCLE	02-21-28-9090-00-020	1.27	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC
2516	4	WILLIAM D. COOK TRUST ROBYN D. COOK TRUST	1163 OAKPOINT CIRCLE	02-21-28-9090-00-010	1.27	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC
2517	5	VERDUZCO INVESTMENT, LLC	1175 OAKPOINT CIRCLE	02-21-28-7328-00-080	1.14	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC

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ORDINANCE NO. 2515

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY BRYAN NELSON AND DEBBIE NELSON LOCATED AT 1157 OAKPOINT CIRCLE; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, Bryan Nelson and Debbie Nelson, owner thereof, has petitioned the City Council of the City of Apopka, Florida, to annex the property located at 1157 Oakpoint Circle; and

WHEREAS, Florida Statute 171.044 of the General Laws of Florida provide that a municipal corporation may annex property into its corporate limits upon voluntary petition of the owners, by passing and adopting a non-emergency ordinance to annex said property; and

WHEREAS, the City Council of the City of Apopka, Florida is desirous of annexing and redefining the boundaries of the municipality to include the subject property pursuant to Florida Statute 171.044.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Apopka, Florida, as follows:

SECTION I: That the following described properties, being situated in Orange County, Florida, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Legal Description:

WEKIVA LANDING SUB 14/43 LOT 2
CONTAINING: 1.27 ACRES

SECTION II: That the corporate territorial limits of the City of Apopka, Florida, are hereby redefined to include said land herein described and annexed.

SECTION III: That the City Council will designate the land use classification and zoning category of these annexed lands in accordance with applicable City ordinances and State laws.

SECTION IV: That the land herein described and future inhabitants of the land herein described shall be liable for all debts and obligations and be subject to all species of taxation, laws, ordinances and regulations of the City.

ORDINANCE NO.: 2515

PAGE 2

SECTION V: That if any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or portion of a section or subsection or part of this ordinance.

SECTION VI: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION VII: That this ordinance shall take effect upon passage and adoption, thereafter the City Clerk is hereby directed to file this ordinance with the Clerk of the Circuit Court in and for Orange County, Florida; the Orange County Property Appraiser; and the Department of State of the State of Florida.

READ FIRST TIME: September 7, 2016

READ SECOND TIME
AND ADOPTED: September 21, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: August 26, 2016
September 2, 2016
September 9, 2016

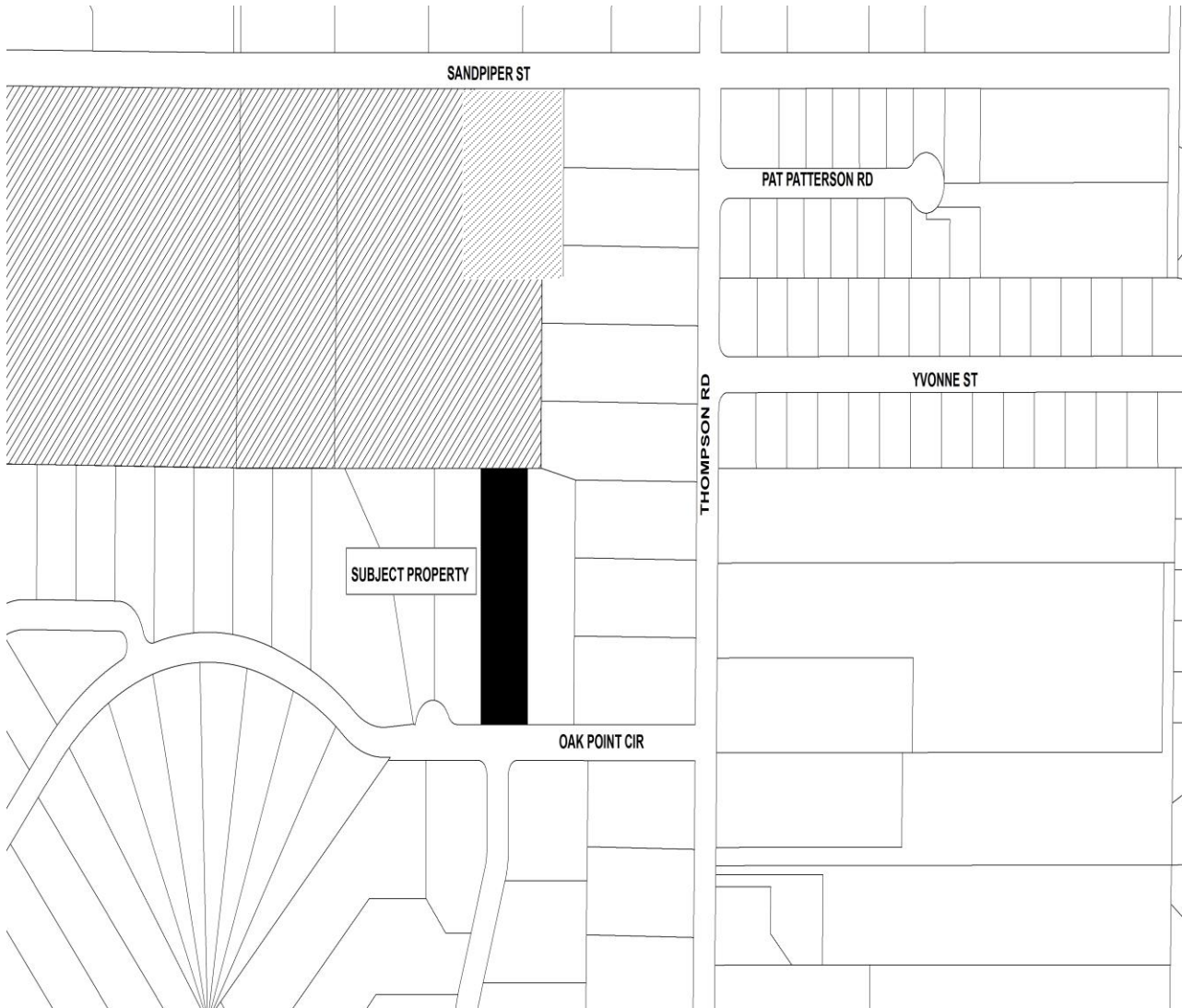
ANNEXATION
BRYAN NELSON AND DEBBIE NELSON
1157 OAKPOINT CIRCLE



Exhibit "A"
Ord. # 2516
Parcel ID: 02-21-28-9090-00-020

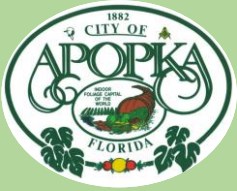
Total Acres: 1.27 +/-

VICINITY MAP



Backup material for agenda item:

4. Ordinance No. 2516 – First Reading – Annexation - Legislative
Rogers Beckett



CITY OF APOPKA CITY COUNCIL

 CONSENT AGENDA
 X PUBLIC HEARING
 SPECIAL REPORTS
 X OTHER: Ordinance

MEETING OF: September 7, 2016
FROM: Community Development
EXHIBITS: Exhibit "A" – Summary
Ordinance No. 2516
Vicinity Map

SUBJECT: 2016 ANNEXATION – CYCLE NO. 3

REQUEST: FIRST READING OF ORDINANCE NO. 2516 – ANNEXATION - WILLIAM D. COOK AND ROBYN D. COOK TRUST; AND HOLD OVER FOR SECOND READING & ADOPTION.

SUMMARY:

OWNER: William D. Cook and Robyn D. Cook Trust
LOCATION: 1163 Oakpoint Circle
LAND USE: Refer to Exhibit "A"
EXISTING USE: Refer to Exhibit "A"
TRACT SIZE: 1.27 +/- acres

ADDITIONAL COMMENTS: The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning Designations. The assignment of a City Future Land Use and Zoning designation will occur at a later date, and through action by the City Council.

PUBLIC SERVICES DEPARTMENT: "With regards to the three parcels located on Oakpoint Circle, the only comment we have concerns sanitation services. Since we are not currently providing sanitation in this area, it may present a hardship for our Sanitation Division to take on only these three parcels of the subdivision."

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on August 19, 2016.

DULY ADVERTISED:
August 26, 2016 - 1/4 Page Public Hearing Advertisement
September 2, 2016 - 1/4 Page Public Hearing Advertisement
September 9, 2016 - Ordinance Headings Advertisement

PUBLIC HEARING SCHEDULE:
September 7, 2016 (1:30 pm) - City Council 1st Reading
September 21, 2016 (7:00 pm) - City Council 2nd Reading and Adoption

FUNDING SOURCE: N/A

DISTRIBUTION

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

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the 2016 Annexation – Cycle No. 3

Accept the First Reading of Ordinance No. 2516, and Hold it Over for Second Reading and Adoption on September 21, 2016.

EXHIBIT "A"
CITY OF APOPKA
2016 ANNEXATION CYCLE # 3

TOTAL ACRES: 5.77+/-

ANNEXATION ORDINANCE NO.: 2513 -2517

Adopted this 21st day of SEPTEMBER, 2016

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-	EXISTING USE	FUTURE LAND USE (COUNTY)
2513	1	CENTRAL FLORIDA EXPRESSWAY AUTHORITY	PLYMOUTH SORRENTO ROAD	36-20-27-0000-00-124 36-20-27-0000-00-126	0.15 <u>0.15</u> 0.30	VACANT LAND	RURAL 1DU/10ACRES/ AGRICULTURAL
2514	2	CHARLES L. KOHL KATHY E. KOHL	1030 EAST SANDPIPER STREET	02-21-28-0000-00-112	1.79	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC
2515	3	DEBBIE NELSON BRYAN NELSON	1157 OAKPOINT CIRCLE	02-21-28-9090-00-020	1.27	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC
2516	4	WILLIAM D. COOK TRUST ROBYN D. COOK TRUST	1163 OAKPOINT CIRCLE	02-21-28-9090-00-010	1.27	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC
2517	5	VERDUZCO INVESTMENT, LLC	1175 OAKPOINT CIRCLE	02-21-28-7328-00-080	1.14	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC

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ORDINANCE NO. 2516

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY WILLIAM D. COOK AND ROBYN D. COOK TRUST LOCATED AT 1163 OAKPOINT CIRCLE; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, William D. Cook and Robyn D. Cook Trust, owner thereof, has petitioned the City Council of the City of Apopka, Florida, to annex the property located at 1163 Oakpoint Circle; and

WHEREAS, Florida Statute 171.044 of the General Laws of Florida provide that a municipal corporation may annex property into its corporate limits upon voluntary petition of the owners, by passing and adopting a non-emergency ordinance to annex said property; and

WHEREAS, the City Council of the City of Apopka, Florida is desirous of annexing and redefining the boundaries of the municipality to include the subject property pursuant to Florida Statute 171.044.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Apopka, Florida, as follows:

SECTION I: That the following described properties, being situated in Orange County, Florida, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Legal Description:

WEKIVA LANDING SUB 14/43 LOT 1
CONTAINING: 1.27 ACRES

SECTION II: That the corporate territorial limits of the City of Apopka, Florida, are hereby redefined to include said land herein described and annexed.

SECTION III: That the City Council will designate the land use classification and zoning category of these annexed lands in accordance with applicable City ordinances and State laws.

SECTION IV: That the land herein described and future inhabitants of the land herein described shall be liable for all debts and obligations and be subject to all species of taxation, laws, ordinances and regulations of the City.

ORDINANCE NO.: 2516

PAGE 2

SECTION V: That if any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or portion of a section or subsection or part of this ordinance.

SECTION VI: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION VII: That this ordinance shall take effect upon passage and adoption, thereafter the City Clerk is hereby directed to file this ordinance with the Clerk of the Circuit Court in and for Orange County, Florida; the Orange County Property Appraiser; and the Department of State of the State of Florida.

READ FIRST TIME: September 7, 2016

READ SECOND TIME
AND ADOPTED: September 21, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: August 26, 2016
September 2, 2016
September 9, 2016

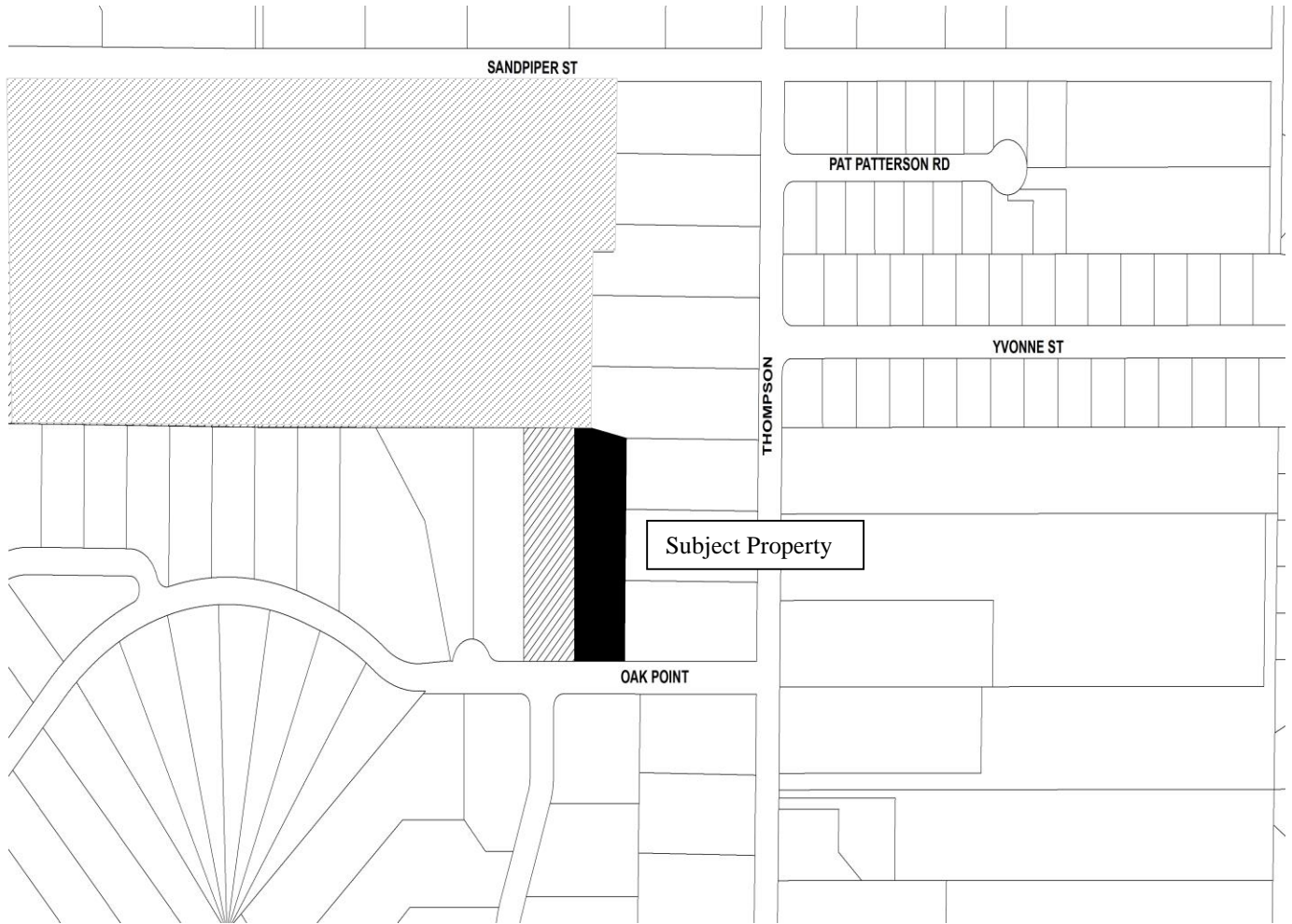
ANNEXATION
WILLIAM D. COOK AND ROBY D. COOK TRUST
1163 OAKPOINT CIRCLE



Exhibit "A"
Ord. # 2516
Parcel ID: 02-21-28-9090-00-010

Total Acres: 1.27 +/-

VICINITY MAP



Backup material for agenda item:

5. Ordinance No. 2517 – First Reading – Annexation - Legislative
Rogers Beckett



CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: September 7, 2016
 FROM: Community Development
 EXHIBITS: Exhibit "A" – Summary
 Ordinance No. 2517
 Vicinity Map

SUBJECT: 2016 ANNEXATION – CYCLE NO. 3

REQUEST: FIRST READING OF ORDINANCE NO. 2517 – ANNEXATION - VERDUZCO INVESTMENT, INC; AND HOLD OVER FOR SECOND READING & ADOPTION.

SUMMARY:

OWNER: Verduzco Investment, Inc.
 LOCATION: 1175 Oakpoint Circle
 LAND USE: Refer to Exhibit "A"
 EXISTING USE: Refer to Exhibit "A"
 TRACT SIZE: 1.14 +/- acres

ADDITIONAL COMMENTS: The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning Designations. The assignment of a City Future Land Use and Zoning designation will occur at a later date, and through action by the City Council.

PUBLIC SERVICES DEPARTMENT: "With regards to the three parcels located on Oakpoint Circle, the only comment we have concerns sanitation services. Since we are not currently providing sanitation in this area, it may present a hardship for our Sanitation Division to take on only these three parcels of the subdivision."

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on August 24, 2016.

DULY ADVERTISED:
 August 26, 2016 - 1/4 Page Public Hearing Advertisement
 September 2, 2016 - 1/4 Page Public Hearing Advertisement
 September 9, 2016 - Ordinance Headings Advertisement

PUBLIC HEARING SCHEDULE:
 September 7, 2016 (1:30 pm) - City Council 1st Reading
 September 21, 2016 (7:00 pm) - City Council 2nd Reading and Adoption

FUNDING SOURCE: N/A

DISTRIBUTION

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

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the 2016 Annexation – Cycle No. 3

Accept the First Reading of Ordinance No. 2517, and Hold it Over for Second Reading and Adoption on September 21, 2016.

EXHIBIT "A"
CITY OF APOPKA
2016 ANNEXATION CYCLE # 3

TOTAL ACRES: 5.77+/-

ANNEXATION ORDINANCE NO.: 2513 -2517

Adopted this 21st day of SEPTEMBER, 2016

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-	EXISTING USE	FUTURE LAND USE (COUNTY)
2513	1	CENTRAL FLORIDA EXPRESSWAY AUTHORITY	PLYMOUTH SORRENTO ROAD	36-20-27-0000-00-124 36-20-27-0000-00-126	0.15 <u>0.15</u> 0.30	VACANT LAND	RURAL 1DU/10ACRES/ AGRICULTURAL
2514	2	CHARLES L. KOHL KATHY E. KOHL	1030 EAST SANDPIPER STREET	02-21-28-0000-00-112	1.79	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC
2515	3	DEBBIE NELSON BRYAN NELSON	1157 OAKPOINT CIRCLE	02-21-28-9090-00-020	1.27	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC
2516	4	WILLIAM D. COOK TRUST ROBYN D. COOK TRUST	1163 OAKPOINT CIRCLE	02-21-28-9090-00-010	1.27	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC
2517	5	VERDUZCO INVESTMENT, LLC	1175 OAKPOINT CIRCLE	02-21-28-7328-00-080	1.14	SFR	LOW DENSITY RESIDENTIAL MAX. 4DU/AC

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ORDINANCE NO. 2517

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY VERDUZCO INVESTMENT, INC., LOCATED AT 1175 OAKPOINT CIRCLE; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, Verduzco Investment, Inc., owner thereof, has petitioned the City Council of the City of Apopka, Florida, to annex the property located at 1175 Oakpoint Circle; and

WHEREAS, Florida Statute 171.044 of the General Laws of Florida provide that a municipal corporation may annex property into its corporate limits upon voluntary petition of the owners, by passing and adopting a non-emergency ordinance to annex said property; and

WHEREAS, the City Council of the City of Apopka, Florida is desirous of annexing and redefining the boundaries of the municipality to include the subject property pursuant to Florida Statute 171.044.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Apopka, Florida, as follows:

SECTION I: That the following described properties, being situated in Orange County, Florida, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Legal Description:

RAVENS HAVEN 7/12 LOT 8
CONTAINING: 1.14 ACRES

SECTION II: That the corporate territorial limits of the City of Apopka, Florida, are hereby redefined to include said land herein described and annexed.

SECTION III: That the City Council will designate the land use classification and zoning category of these annexed lands in accordance with applicable City ordinances and State laws.

SECTION IV: That the land herein described and future inhabitants of the land herein described shall be liable for all debts and obligations and be subject to all species of taxation, laws, ordinances and regulations of the City.

SECTION V: That if any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or portion of a section or subsection or part of this ordinance.

SECTION VI: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION VII: That this ordinance shall take effect upon passage and adoption, thereafter the City Clerk is hereby directed to file this ordinance with the Clerk of the Circuit Court in and for Orange County, Florida; the Orange County Property Appraiser; and the Department of State of the State of Florida.

READ FIRST TIME: September 7, 2016

READ SECOND TIME
AND ADOPTED: September 21, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: August 26, 2016
September 2, 2016
September 9, 2016

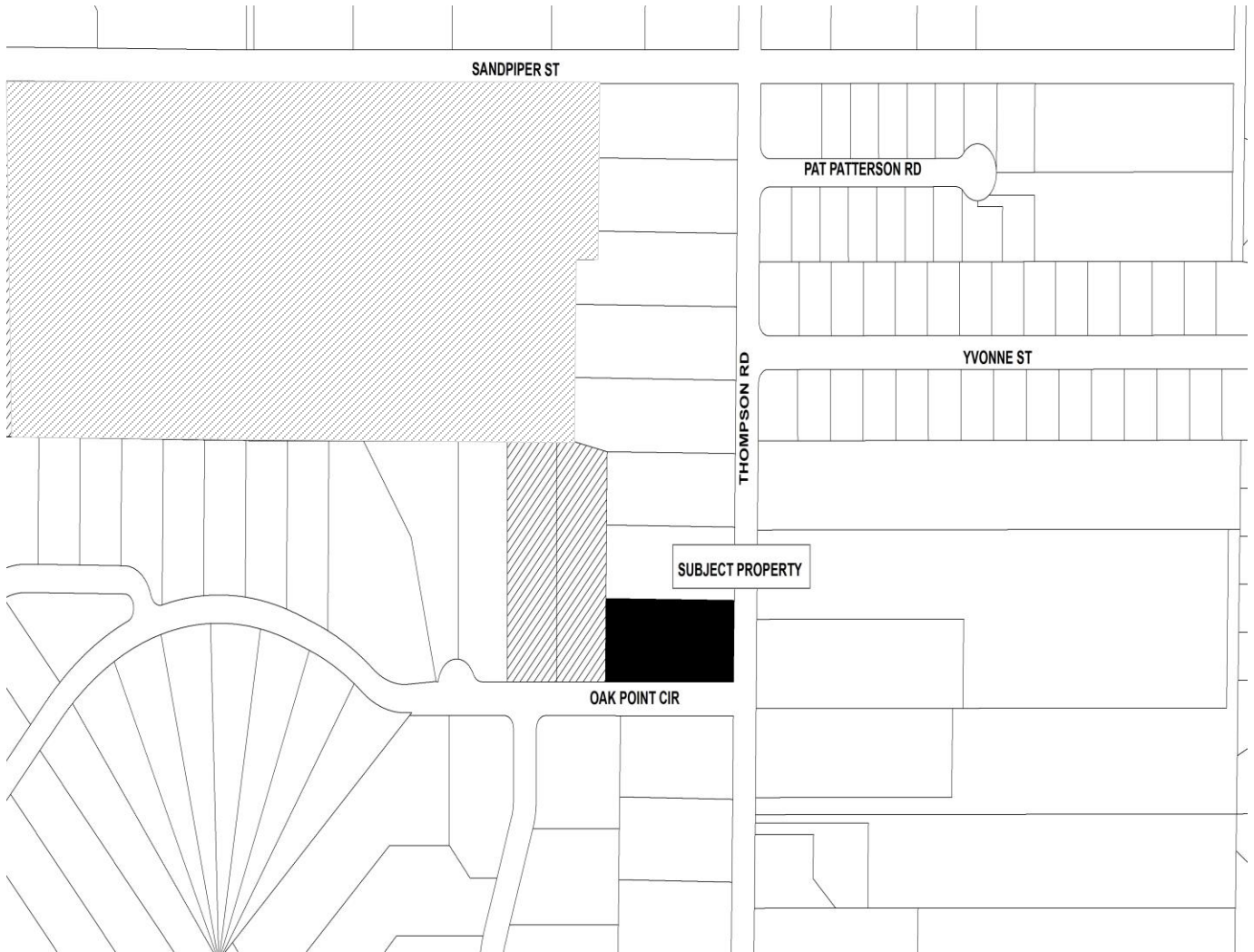
ANNEXATION
VERDUZCO INVESTMENT, INC.
1175 OAKPOINT CIRCLE



Exhibit "A"
Ord. # 2517
Parcel ID: 02-21-28-7326-00-080

Total Acres: 1.14 +/-

VICINITY MAP



Backup material for agenda item:

6. Ordinance No. 2503 – First Reading – Land Development Code – Ex Parte Contact – Legislative Reggentin

Mark



CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: September 7, 2016
FROM: Community Development
EXHIBITS: Ordinance No. 2503

SUBJECT: ORDINANCE NO. 2503 - AMENDING THE LAND DEVELOPMENT CODE.

REQUEST: ACCEPT FIRST READING OF ORDINANCE NO. 2503 – TO ADOPT EX-PARTE COMMUNICATION RULES AND PROCEDURES.

SUMMARY:

It has been the recent policy of the city to allow ex’parte communication between elected and appointed board members and the public. This policy is based upon the belief that the public should be able to voice their opinions on quasi-judicial matters to city officials prior to a public hearing on the issue. In order to address this concern on a state wide basis, the legislature enacted Section 286.0115 of the Florida Statutes to address a process for disclosure of ex’parte communications and without a presumption of prejudice.

During a review of the Land Development Code, it was discovered that Section 1.01.10 of the Land Development Code specifically prohibits ex’parte communications. Based upon the standing policy and practice of the city, ex’parte communications have been allowed following the procedures outlined in the statutes. To rectify this inconsistency, staff has prepared an amendment to the Land Development Code to address ex’parte communications, and disclosure procedures.

PUBLIC HEARING SCHEDULE:

August 9, 2016 - Planning Commission (5:30 pm)
September 7, 2016 - City Council 1st Reading (1:30 pm)
September 21, 2016 – City Council 2nd Reading (7:00 pm)

DULY ADVERTISED:

July 29, 2016 – Public Hearing Notice
August 26, 2016 – Ordinance Heading

FUNDING SOURCE:

N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the amendment to the City of Apopka, Code of Ordinances, Part III, Article I, Section 1.01.01 – Ex Parte Contact to adopt provisions to provide access to public officials of the City of Apopka regarding quasi-judicial matters by removing prohibitions on ex-parte communications; establishing procedures to disclose ex-parte communications pursuant to section 286.0115, Florida Statutes; creating procedures for the disclosure of ex-parte communications, investigations, site visits, and expert opinions to remove the presumption of prejudice arising therefrom.

The **Planning Commission**, at its meeting on August 9, 2016, unanimously recommended approval of the amendment to the City of Apopka, Code of Ordinances, Part III, Article I, Section 1.01.01 – Ex Parte Contact to adopt provisions to provide access to public officials of the City of Apopka regarding quasi-judicial matters by removing prohibitions on ex-parte communications; establishing procedures to disclose ex-parte communications pursuant to section 286.0115, Florida Statutes; creating procedures for the disclosure of ex-parte communications, investigations, site visits, and expert opinions to remove the presumption of prejudice arising therefrom.

Accept the First Reading of Ordinance No. 2503 and Hold it over for Second Reading and Adoption on September 21, 2016.

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

ORDINANCE NO. 2503

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE APOPKA CODE OF ORDINANCES, PART III, LAND DEVELOPMENT CODE, ARTICLE I, TO ADOPT PROVISIONS TO PROVIDE ACCESS TO PUBLIC OFFICIALS OF THE CITY OF APOPKA REGARDING QUASI-JUDICIAL MATTERS BY REMOVING PROHIBITIONS ON EX-PARTE COMMUNICATIONS; ESTABLISHING PROCEDURES TO DISCLOSE EX-PARTE COMMUNICATIONS PURSUANT TO SECTION 286.0115, FLORIDA STATUTES; CREATING PROCEDURES FOR THE DISCLOSURE OF EX-PARTE COMMUNICATIONS, INVESTIGATIONS, SITE VISITS, AND EXPERT OPINIONS TO REMOVE THE PRESUMPTION OF PREJUDICE ARISING THEREFROM; AND PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka believes that it is in the best interest of the City for the public to be able to voice its opinions regarding quasi-judicial matters to the elected and appointed public officials of the City of Apopka; and

WHEREAS, Section 286.0115, Florida Statutes, creates procedures to disclose ex-parte communications to allow public access to local public officials without a presumption of prejudice arising from such ex-parte communications; and

WHEREAS, the City Council of the City of Apopka finds it in the best interest of the City of Apopka to adopt procedures for the disclosure of ex-parte communications as set forth in Section 286.0115, Florida Statutes so as to remove the presumption of prejudice arising therefrom.

LEGISLATIVE UNDERSCORING: Underlined words constitute additions to the City of Apopka Land Development Code, ~~strikethrough~~ constitutes deletions from the original, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, as follows:

SECTION 1. Section 1.01.01, “Ex Parte Contacts” of the City of Apopka Land Development Code is hereby deleted in its entirety:

~~Sec. 1.01.01. -- Ex parte contacts.~~

~~Except as otherwise provided by law, ex parte contacts by city council members or the members of other boards, commissions, or agencies of the city are prohibited with regard to administrative or quasijudicial matters pending before said body.~~

SECTION 2. Article 12.09.00, “Ex-Parte Communications” of the City of Apopka Land Development Code is hereby created as follows:

Sec. 12.09.01. Purpose.

The purpose of this Section is to establish procedures, to remove the presumption of prejudice from ex parte communications, that is, any communication which occurs outside of a public hearing, with local public officials who are members of any City of Apopka board, agency or commission, including the City Council, which recommends or takes quasi-judicial action as a member of such board, agency, authority, commission or City Council. Further, the purpose of this Part is to entitle the public officials of the City of Apopka and its citizens to all of the benefits available pursuant to 286.0115, Florida Statutes.

Sec. 12.09.02. Definitions.

As used herein:

- (a) ‘Ex-parte communication’ means any form of communication, either oral or written, including any other form of non-verbal communication, with public officials which occurs outside of a public hearing. Such communications include, but are not limited to: conversations, meetings, site visits, mailings, or presentations during which substantial factual information about an item is gathered by or submitted to a local public official.
- (b) ‘Local public official’ or ‘public official’ means any elected or appointed public official of a City of Apopka board, agency, authority or commission, including the City Council, which recommends or takes quasi-judicial action.
- (c) ‘Quasi-judicial’ is a term which applies to the action of public officials or bodies who are required to investigate facts, or ascertain the existence of facts, hold hearings, weigh evidence and draw conclusions from them, as a basis for their official action, and to exercise discretion of a judicial nature.

Sec. 12.09.03. Applicability.

This Part shall apply to any and all quasi-judicial proceedings of all commissions, boards and agencies of the City of Apopka and the City Council.

Sec. 12.09.04. Access Permitted.

Any person not otherwise prohibited by statute, charter provision, or ordinance may discuss with any member of a board, agency, council, or commission of the City of Apopka the merits of any

matter on which action may be taken by such board, agency, council, or commission. Adherence to the following procedures shall remove the presumption of prejudice arising from ex-parte communications regarding quasi-judicial matters provided that any disclosure made pursuant to (a), (b), or (c) below must be made before or during the public meeting at which a vote is taken on such matters so that persons who have opinions contrary to those expressed in the ex-parte communications are given a reasonable opportunity to refute or respond to the communications.

- (a) Any public official who has verbal ex-parte communications on quasi-judicial matters pending before his or her board, agency, council, or commission shall disclose and make a part of the public record the subject of the verbal communications and the identity of the person, group, or entity with whom the communications took place.
- (b) Any public official who receives written ex-parte communications on quasi-judicial matters pending before his or her board, agency, council, or commission shall make such written communications a part of the public records by stating the subject of the communications and the person, group, or entity from which the communications were received and providing a copy of the written communications to recording secretary for inclusion in the public record.
- (c) Any public official who conducts any investigations or site visits or who receives any expert opinions regarding quasi-judicial matters pending before his or her board, agency, council, or commission shall disclose and make part of the public record the existence of such investigations, site visits, or expert opinions and state the findings made therein. If any written opinion was received by the public official, a copy of said written opinion shall be provided to the recording secretary for inclusion in the public record.

Sec. 12.09.05. No Penalties for Nondisclosure.

The failure of a public official to disclose the substance of any ex parte communication shall not be deemed to constitute a violation of the Ordinance Code, and public officials shall not be subject to fines or penalties as a result of such nondisclosure or non-compliance with these procedures.

Sec. 12.09.06. Additional Rules and Procedure Permitted.

Each board, agency, authority, or commission governed by these procedures may adopt additional rules and procedures or more stringent rules and procedures relating to ex parte communications, so long as such are not in conflict with this Article.

SECTION 3. CODIFICATION. It is the intention of the City Council that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Apopka; and the City Clerk is directed to take the necessary steps to effect codification into the Code, and Sections of this ordinance may be numbered or renumbered or lettered or re-lettered and the word "ordinan

may be changed to " chapter ", "section ", "article", or such other appropriate word or phrase in order to accomplish such codification. Typographical errors which do not affect the intent may be authorized by the Mayor, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 4. CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 6. EFFECTIVE DATE. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon its passage and adoption.

READ FIRST TIME: September 7, 2016

READ SECOND TIME
AND ADOPTED: September 21, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda G. Goff, City Clerk

APPROVED as to form and legality for use and reliance by the City of Apopka, Florida.

Cliff B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: July 29, 2016
September 9, 2016

Backup material for agenda item:

7. Ordinance No. 2504 – First Reading – Land Development Code – Building Heights – Legislative Reggentin

Mark



CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: Ordinance

MEETING OF: September 7, 2016
 FROM: Community Development
 EXHIBITS: Ordinance No. 2504

SUBJECT: ORDINANCE NO. 2504 – AMENDING THE LAND DEVELOPMENT CODE.

REQUEST: ACCEPT FIRST READING OF ORDINANCE NO. 2504 – TO ALLOW INCREASED BUILDING HEIGHTS.

SUMMARY:

As Community Development staff has been reviewing the Land Development Code in anticipation of the update scheduled to begin in the next few months, one issue was discovered that could adversely affect economic development while the code is in the process of being updated. This issue is related to building height. Currently building height is limited to 35 feet except within the downtown overlay district. The downtown overlay district permits the following maximum building heights: single family residential uses - 35 feet; multi-family uses – 75 feet; and commercial or non-residential uses – 100 feet provided no residential uses or a residential zoning district is located within 200 feet. This distance is measured from property line to property line. Otherwise the maximum building height is 35 feet. This is a very common standard contained in codes from the late 1980’s and early 1990’s. It was primarily based upon the height that a ladder truck could reach. With the advent of modern building and fire codes, buildings have become much safer in relation to fire hazards.

Currently, in order to construct a building in excess of 35 feet, an applicant must rezone the property to Planning Unit Development (PUD) and go through a time consuming review and approval process. According to Community Development staff, development interests have approached the City to develop office buildings over 35 feet but did not move forward due to the process involved with a PUD application which may take several months. This represents lost opportunity.

To address this, staff is proposing an amendment to the Land Development Code to allow an applicant to request a special exception to height requirements. If building height is the only issue, an applicant can request a special exception and avoid the costly and time consuming PUD process. This will allow an applicant requesting non-residential development over 35 feet to have that issue addressed in an expeditious and straight forward fashion. The review criteria has been developed to avoid potential adverse effects on surrounding properties.

FUNDING SOURCE: N/A

DISTRIBUTION

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

PUBLIC HEARING SCHEDULE:

August 9, 2016 - Planning Commission (5:30 pm)
September 7, 2016 - City Council 1st Reading (1:30 pm)
September 21, 2016 – City Council 2nd Reading (7:00 pm)

DULY ADVERTISED:

July 29, 2016 – Public Hearing Notice
September 9, 2016 – Ordinance Heading

RECOMMEDATION ACTION:

The **Development Review Committee** recommends approval of the amendment to the City of Apopka, Code of Ordinances, Part III, Land Development Code, Article II, Section 2.02.01 to allow building heights in excess of 35 Feet when expressly permitted by Special Exception or Planned Unit Development.

The **Planning Commission**, at its meeting on August 9, 2016, unanimously recommended approval of the amendment to the City of Apopka, Code of Ordinances, Part III, Article II, Section 2.02.01 to allow building heights in excess of 35 Feet when expressly permitted by Special Exception or Planned Unit Development.

Accept the First Reading of Ordinance No. 2504 and Hold it Over for Second Reading and Adoption on September 21, 2016.

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

ORDINANCE NO. 2504

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE APOPKA CODE OF ORDINANCES, PART III, LAND DEVELOPMENT CODE, TO ALLOW BUILDING HEIGHTS IN EXCESS OF 35 FEET WHEN EXPRESSLY PERMITTED BY SPECIAL EXCEPTION OR PLANNED UNIT DEVELOPMENT, PROVIDING FOR EXCEPTIONS, AND PROVIDING CRITERIA; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka finds it in the best interest of the City of Apopka to allow building heights in excess of 35 feet when expressly permitted by special exception.

LEGISLATIVE UNDERSCORING: Underlined words constitute additions to the City of Apopka Land Development Code, ~~strike through~~ constitutes deletions from the original, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, as follows:

SECTION 1. Article II, Sec. 2.02.01 of the City of Apopka Land Development Code is amended as follows:

- B. There are several standards which are applied within all zoning districts. They are:
 - 1. *Accessory structures and uses.* Accessory structures and uses shall conform to article VII, section 7.01.00 of this code.
 - 2. *Additional development requirements:*
 - a. The city council, may impose additional requirements which in their judgment are required as a result of unique circumstances with respect to site, the district in which it is located, and the type of development proposed.

If these additional standards are found necessary as part of a rezoning, zoning districts which are subject to such additional conditions, restrictions, or requirements shall include additional performance standards in the rezoning ordinance, the performance standards shall run with the land. Such conditions shall be in line with the intent and purpose of this code.
 - b. When a change of occupancy classification as determined by the Standard Building Code, or a change of permitted use as determined by the community development director, and/or the number of persons in a building significantly increases the entire site shall, as much as practicable, comply with the requirements of this code. The specific provisions of the code with which the site will be required to comply shall be in accordance with the redevelopment standards included in article XII of this code.
 - 3. *Building height:*
 - a. ~~No structure shall exceed 35 feet in height.~~ Building height in excess of 35 feet is unlawful unless expressly permitted by special exception issued pursuant to the requirements of Article II, Sec. 2.02.01(B)(3)(c) of this Code or addressed through a Planned Unit Development zoning application. ‘Building height’ is defined in Article I, Sec. 1.08.13 of this Code.
 - b. ~~Exclusions.~~ Exceptions.

- (1) The building height limitations contained in this code do not apply to, nor is a special exception required for: spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or to other appurtenances usually required to be placed above the roof level and not intended for human occupancy provided; however, the heights of these structures or appurtenances thereto shall not exceed any height limitations prescribed by the FAA or when there is conflict in other sections of this code.
- (2) For non-residential development, a building's facade may extend up to a maximum of five feet above the building's height (as calculated according to Article I, Sec. 1.08.13 of this Code) to a maximum of forty feet without the need for a special exception, if the facade is utilized to conceal and/or screen roof top equipment, including, but not limited to: air conditioning equipment, antennas, etc...

c. Special Exception for Building Height.

- (1) The special exception criteria and requirements specified in Article II, Sec. 2.02.01(B)(5) of this Code are not applicable to building height.
- (2) Special exceptions may only be applied for and granted non-residential development.
- (3) All special exception applications for building height shall include a development plan and shall be reviewed by the planning commission for approval to ensure that the application meets all requirements of this Code and the following criteria:
 - (a) Whether the height exception will have an adverse effect on land uses in adjacent areas.
 - (b) Whether the height exception will severely reduce light and air in adjacent areas.
 - (c) Whether the height exception will be a detriment to the improvement or development of adjacent property in accord with existing regulations.
 - (d) Whether the height exception will adversely affect property values in adjacent areas.
 - (e) Whether the height exception will adversely influence living conditions in adjacent areas.
 - (f) Whether the height exception is compatible with adjacent areas, neighborhoods, and urban form.
 - (g) Whether the height exception will impair scenic views.

SECTION 2. CODIFICATION. It is the intention of the City Council that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Apopka; and the City Clerk is directed to take the necessary steps to effect codification into the Code, and Sections of this ordinance may be numbered or renumbered or lettered or re-lettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such codification. Typographical errors which do not affect the intent may be authorized by the Mayor, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 3. CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 5. EFFECTIVE DATE. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon its passage and adoption.

READ FIRST TIME: September 7, 2016

READ SECOND TIME
AND ADOPTED: September 21, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda G. Goff, City Clerk

APPROVED as to form and legality for use and reliance by the City of Apopka, Florida.

Cliff B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: July 29, 2016
September 9, 2016

Backup material for agenda item:

8. Ordinance No. 2509 – First Reading - Code of Ordinances, “Peddlers and Solicitors” - Legislative Mark Reggentin



CITY OF APOPKA CITY COUNCIL

<input type="checkbox"/>	CONSENT AGENDA	MEETING OF:	September 7, 2016
<input checked="" type="checkbox"/>	PUBLIC HEARING	FROM:	Community Development
<input type="checkbox"/>	SPECIAL REPORTS	EXHIBIT(S):	Ordinance No. 2509
<input checked="" type="checkbox"/>	OTHER: Ordinance		

SUBJECT: ORDINANCE NO. 2509 - AMENDING THE CODE OF ORDINANCES.

REQUEST: ACCEPT FIRST READING OF ORDINANCE NO. 2509 – TO ALLOW ADMINISTRATIVE APPROVAL OF PEDDLERS AND SOLICITORS PERMITS.

SUMMARY:

Currently, the process to review a Peddler or Solicitor Permit application requires a public hearing before the City Council to make a determination of approval, approval with conditions, or denial. Review by City Council has produced little or no public benefit for having the extended review process. These processes are costly and time consuming for the City as well as permit applicants. Staff is requesting that Chapter 62, Pertaining to Peddlers and Solicitors be amended by empowering the City Administrator or his or her designee to administer provisions regarding permitting of peddlers or solicitors.

PUBLIC HEARING SCHEDULE:

September 7, 2016 - City Council 1st Reading (1:30 pm)
September 21, 2016 – City Council 2nd Reading (7:00 pm)

DULY ADVERTISED:

August 19, 2016 – Public Hearing Notice
September 9, 2016 – Ordinance Heading

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the amendment to the City of Apopka, Code of Ordinances, amending Chapter 62 – Peddlers and Solicitors empowering the City Administrator or his or her designee to administer provisions regarding permitting of peddlers and solicitors.

Accept the First Reading of Ordinance No. 2509 and Hold it Over for Second Reading and Adoption on September 21, 2016.

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

DISTRIBUTION

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

ORDINANCE NO. 2509

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 62, PEDDLERS AND SOLICITORS; EMPOWERING THE CITY ADMINISTRATOR OR HIS OR HER DESIGNEE TO ADMINISTER PROVISIONS REGARDING PERMITTING OF PEDDLERS AND SOLICITORS; AND PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka believes that it is necessary and in the best interest of the City for the City Administrator or his or her designee to administer provisions regarding permitting of peddlers and solicitors.

LEGISLATIVE UNDERSCORING: Underlined words constitute additions to the City of Apopka Code of Ordinances, ~~strike through~~ constitutes deletions from the original, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, as follows:

SECTION 1. The provisions of CHAPTER 62, PEDDLERS AND SOLICITORS, shall be amended as follows:

Chapter 62 - PEDDLERS AND SOLICITORS

Sec. 62-38. - Issuance; ~~temporary permit.~~

- (a) *Issuance generally.* The ~~city clerk~~ city administrator or designee is hereby empowered to interview and to investigate all persons seeking to engage in house-to-house and business canvassing, soliciting, selling, peddling or vending merchandise within the corporate limits of the city, and to ~~recommend to the city council the issuance or rejection of~~ issue or reject permits and identification cards to persons so applying. ~~The city council shall determine whether to issue permits and identification cards, except as otherwise provided in this section.~~
- (b) *Authority to require additional information.* The ~~city clerk~~ city administrator or designee, may, in order to facilitate his or her investigation, require from any person desiring to secure a permit ~~or~~ and identification card for house-to-house and business canvassing the submission of credit reports, references, fingerprints and such other information as may facilitate the due and proper investigation of the person so applying.
- ~~(c) *Temporary permit and card.* The city clerk may, if he deems it advisable and in the public interest, after preliminary investigation, issue to the applicant a temporary interim permit and identification card to engage in house to house and business canvassing, soliciting, selling, peddling or vending of merchandise of every kind and nature within the corporate limits of the city. The temporary interim permit and card shall be subject to confirmation or rejection by the city council.~~

~~(c)~~ ~~(d)~~ *Criteria for issuance.* The ~~city clerk~~ city administrator or designee shall issue a permit and identification card, ~~or recommend the issuance of such a permit and card,~~ whenever ~~the city clerk~~ he or she finds the following facts to exist:

- (1) All of the statements made in the application are true.
- (2) The applicant has not engaged in any fraudulent transaction or enterprise.

~~(d)~~ ~~(e)~~ *Application for occupational license.* All persons who may be granted an ~~interim temporary~~ ~~or~~ annual permit and identification card under the terms of this section shall, prior to engaging in house-to-house or business activities, make application for any required occupational license, and such licenses shall be issued upon payment of the fees therefor as prescribed by ordinance. ~~If the city council rejects any interim temporary permit or identification card issued under this section, the applicant shall receive an equitable rebate of the occupational license fee which may have been paid upon the issuance of an interim temporary permit or identification card.~~

~~(f)~~ *Recommendation to council.* The city clerk shall submit, after his final determination, to the city council, his recommendations as to the issuance of permits and cards to applicants, which list shall include all interim temporary permits issued, and the city council shall consider and act upon the recommendations of the city clerk at the next regular meeting following receipt of the recommendatory lists, provided the applicant shall have had sufficient notice of the recommendations as provided in this section.

~~(e)~~ ~~(g)~~ *Time limit for action, by clerk.* The ~~city clerk~~ city administrator or designee shall in every case make his or her recommendations as to the advisability of the issuance or rejection of decision to issue or reject permits and cards ~~to the city council~~ within a maximum period of four weeks from his or her receipt of the original application by the person seeking to engage in house-to-house and business activities within the corporate limits of the city.

~~(h)~~ *Right to hearing.* The city clerk shall, at the time he makes his recommendations, afford the applicant an opportunity, if desired, to appear before and be heard by the city council. The city clerk shall place upon the agenda of the next regular meeting of the city council all recommendations; provided, however, that, if any applicant shall have received notification by the city clerk of the rejection of an application for a permit or card to engage in house-to-house and business activities less than three days before the next regular meeting of the city council, such applicant may request, if desired, an opportunity to be heard before the city council at the regular meeting following the meeting immediately forthcoming. If the applicant so rejected does not make request to the city clerk for a hearing before the city council by the Friday noon immediately preceding a regular council meeting, the recommendation of the city clerk shall be considered at the next ensuing regular city council meeting and the decision of the council will be final and not subject to appeal.

Sec. 62-43. - Revocation.

(a) Identification cards and permits issued under the provisions of this article may be revoked by the ~~city clerk~~ city administrator or designee and the chief of police, after notice and hearing, for any of the following causes:

- (1) Fraud, misrepresentation or false statement contained in the application for the permit.

- (2) Fraud, misrepresentation or false statement made in the course of carrying on his business as a solicitor or peddler.
 - (3) Any violation of this chapter.
 - (4) Conviction of any crime or misdemeanor involving moral turpitude.
 - (5) Conducting the business of soliciting or peddling in an unlawful manner, or in such manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.
- (b) Notice of the hearing for revocation of a permit or identification card shall be given in writing, setting forth specifically the grounds of complaint and the time and place of the hearing. Such notice shall be mailed, postage prepaid, to the permittee, at his last known address, at least five days prior to the date for the hearing.

Sec. 62-44. - Appeals.

- (a) Any solicitor or peddler aggrieved by the action of the ~~city clerk~~ city administrator or designee and/or chief of police in the denial of an application for a permit or in the decision with reference to the revocation of the permit as provided in this article shall have the right of appeal to the mayor. Such appeal shall be taken by filing with the mayor, within 14 days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for appeal.
- (b) The mayor shall set a time and place for hearing such appeal, and notice of such hearing shall be given to the appellant in the same manner as provided in section 62-43(b) for notice of hearing on revocation. The decision and order of the mayor on such appeal shall be final and conclusive.

SECTION 2. CODIFICATION. It is the intention of the City Council that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Apopka; and the City Clerk is directed to take the necessary steps to effect codification into the Code, and Sections of this ordinance may be numbered or renumbered or lettered or re-lettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such codification. Typographical errors which do not affect the intent may be authorized by the Mayor, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 3. CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 5. EFFECTIVE DATE. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon its passage and adoption.

READ FIRST TIME:

September 7, 2016

READ SECOND TIME
AND ADOPTED:

September 21, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda G. Goff, City Clerk

APPROVED as to form and legality for use and reliance by the City of Apopka, Florida.

Cliff B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: August 19, 2016
September 9, 2016

Backup material for agenda item:

9. Ordinance No. 2510 – First Reading – Code of Ordinances, “Business Tax Receipts” – Legislative

Mark Reggentin



CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: Ordinance

MEETING OF: September 7, 2016
 FROM: Community Development
 EXHIBIT(S): Ordinance No. 2510

SUBJECT: ORDINANCE NO. 2510 - AMENDING THE CODE OF ORDINANCES.

REQUEST: ACCEPT FIRST READING OF ORDINANCE NO. 2510 – TO ALLOW ADMINISTRATIVE APPROVAL OF VEHICLE FOR HIRE PERMITS.

SUMMARY:

Currently, the process to review a Vehicle for Hire Permit application requires a public hearing before the City Council to make a determination of approval, approval with conditions, or denial. Review by City Council has produced little or no public benefit for having the extended review process. These processes are costly and time consuming for the City as well as permit applicants. Staff is requesting that Chapter 74, Article IV, Section 74-104 pertaining To “Vehicles for Hire” be amended by removing language indicating that City Council approval is required for Vehicle for Hire permits.

PUBLIC HEARING SCHEDULE:

September 7, 2016 - City Council 1st Reading (1:30 pm)
 September 21, 2016 – City Council 2nd Reading (7:00 pm)

DULY ADVERTISED:

August 19, 2016 – Public Hearing Notice
 September 9, 2016 – Ordinance Heading

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the amendment to the City of Apopka, Code of Ordinances, amending Chapter 74, Article IV, Section 74-104, pertaining To “Vehicles for Hire” by removing language indicating that City Council approval is required for drivers.

Accept the First Reading of Ordinance No. 2510 and Hold it Over for Second Reading and Adoption on September 21, 2016.

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

DISTRIBUTION

Mayor Kilsheimer
 Commissioners
 City Administrator
 Community Development Director

Finance Director
 HR Director
 IT Director
 Police Chief

Public Services Director
 Recreation Director
 City Clerk
 Fire Chief

ORDINANCE NO. 2510

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING CHAPTER 74, ARTICLE IV, SECTION 74-104 OF THE CITY OF APOPKA CODE OF ORDINANCES PERTAINING TO “VEHICLES FOR HIRE” BY REMOVING LANGUAGE INDICATING THAT CITY COUNCIL APPROVAL IS REQUIRED FOR DRIVERS; AND PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka believes that it is necessary and in the best interest of the City to remove requirements for City Council approval of drivers for “vehicles for hire.”

LEGISLATIVE UNDERSCORING: Underlined words constitute additions to the City of Apopka Code of Ordinances, ~~strike through~~ constitutes deletions from the original, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, as follows:

SECTION 1. Section 74-104 of the City of Apopka Code of Ordinances is hereby amended as follows:

Sec. 74-104. - Schedule.

There is hereby assessed, levied and imposed upon every business, trade, occupation and profession carried on within the city an annual business tax in the following amounts:

Vehicle for hire. (with driver) Must comply with requirements of City Code Chapter 86.

~~(City council approval required)~~

(1) 1 to 6 passengers, first vehicle61.00

(2) 7+ passengers, first vehicle61.00

(3) Each additional vehicle24.00

SECTION 2. CODIFICATION. It is the intention of the City Council that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Apopka; and the City Clerk is directed to take the necessary steps to effect codification into the Code, and Sections of this ordinance may be numbered or renumbered or lettered or re-lettered and the word "ordinance" may be changed to " chapter ", "section ", "article", or such other appropriate word or phrase in order to accomplish such codification. Typographical errors which do not affect the intent may be authorized by the Mayor, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 3. CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 5. EFFECTIVE DATE. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon its passage and adoption.

READ FIRST TIME: September 7, 2016

READ SECOND TIME
AND ADOPTED: September 21, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda G. Goff, City Clerk

APPROVED as to form and legality for use and reliance by the City of Apopka, Florida.

Cliff B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: August 19, 2016
September 9, 2016

Backup material for agenda item:

10. Ordinance No. 2511 – First Reading - Code of Ordinances, “Vehicles for Hire.” – Legislative

Mark Reggentin



CITY OF APOPKA CITY COUNCIL

<input type="checkbox"/>	CONSENT AGENDA	MEETING OF:	September 7, 2016
<input checked="" type="checkbox"/>	PUBLIC HEARING	FROM:	Community Development
<input type="checkbox"/>	SPECIAL REPORTS	EXHIBIT(S):	Ordinance No. 2511
<input checked="" type="checkbox"/>	OTHER: Ordinance		

SUBJECT: ORDINANCE NO. 2511 - AMENDING THE CODE OF ORDINANCES.

REQUEST: ACCEPT FIRST READING OF ORDINANCE NO. 2511 – UPDATING THE VEHICLE FOR HIRE REQUIREMENTS.

SUMMARY:

The current process for review and approval of a Vehicle for Hire Permit (VHP) is to have an applicant submit the appropriate application and back up documentation, submit for a criminal background check, schedule to have the application reviewed by the Development Review Committee (DRC) and finally scheduled for review by the City Council. This process has caused difficulties and angst among the applicants which is inevitably directed toward administrative staff. This has increased with the popularity of Transportation Network Application companies such as Uber and Lyft. A review of the VHP process revealed that there were greater efficiencies that could be achieved if the process were administratively based. This would allow transportation service providers to receive their permits in approximately one week versus the current process which can take 1-2 months dependent upon the timing of the application submittal as it relates to DRC and City Council schedules.

Initially it was determined that a simple ordinance revision would be required to remove the DRC and City Council from the process. However as staff and the City Attorney reviewed the Chapter 86 of the Code of Ordinances it became evident that the code was so outdated that a complete revision was necessary. This is primarily based upon the fact that when the code was written, the only option available to hire a vehicle was through a taxi company. This has changed drastically based upon the advent of digitally based companies. The City Attorney conducted a preliminary review of the current requirements to identify possible amendments to address the emerging technologies and practices in the provision of passenger transportation services. Based on this preliminary review, it was determined that the current chapter be repealed and replaced it in its entirety.

Many of the vehicle for hire permitting requirements relate directly to ensuring public safety, including a satisfactory criminal background check, and proof of insurance. Such requirements are important for any type of vehicle for hire service, whether it is a traditional taxicab company or a network of independent contractors providing transportation services through a transportation network company.

The proposed ordinance is based upon models in Orlando and Tallahassee which have proven successful.

PUBLIC HEARING SCHEDULE:

September 7, 2016 - City Council 1st Reading (1:30 pm)
September 21, 2016 – City Council 2nd Reading (7:00 pm)

DISTRIBUTION

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

CITY COUNCIL – SEPTEMBER 7, 2016
CHAPTER 86 – VEHICLE FOR HIRE
PAGE 2

DULY ADVERTISED:

August 19, 2016 – Public Hearing Notice
September 9, 2016 – Ordinance Heading

FUNDING SOURCE:

N/A

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the amendment to the City of Apopka, Code of Ordinances, amending the City of Apopka, Code of Ordinances, Chapter 86 – Vehicle for Hire - vacating and deleting the provisions of chapter 86 of the city code as currently written, adopting new provisions in said chapter amending the permitting and regulation of taxicabs and creating regulations for transportation services and transportation network application companies and operators.

Accept the First Reading of Ordinance No. 2511 and Hold it Over for Second Reading and Adoption on September 21, 2016.

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

ORDINANCE NO. 2511

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, VACATING AND DELETING THE PROVISIONS OF CHAPTER 86 OF THE CITY CODE OF ORDINANCES AS CURRENTLY WRITTEN, ADOPTING NEW PROVISIONS IN SAID CHAPTER AMENDING THE PERMITTING AND REGULATION OF TAXICABS AND CREATING REGULATIONS FOR TRANSPORTATION SERVICES AND TRANSPORTATION NETWORK APPLICATION COMPANIES AND OPERATORS; AND PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Apopka believes that it is necessary and in the best interest of the City to update its regulations for vehicles for hire in recognition of changes and advances in modern business models of private automobile transportation.

LEGISLATIVE UNDERSCORING: Underlined words constitute additions to the City of Apopka Code of Ordinances, ~~strike through~~ constitutes deletions from the original, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, as follows:

SECTION 1. The provisions of CHAPTER 86, VEHICLES FOR HIRE, shall be vacated and deleted in its entirety, and the following shall be adopted in their place. The provisions to be vacated and deleted are attached as Exhibit "A."

Chapter 86 - VEHICLES FOR HIRE

ARTICLE I. - IN GENERAL

Sec. 86-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Company means any person, association, corporation or other organization which operates or intends to engage in the business of operating vehicles for hire or operate as a TNC.

Conviction means the conviction by a court including an adjudication of guilt on a plea of guilty or nolo contendere or the forfeiture of a bond when charged with a crime.

Digital platform means any online or smartphone enabled application that allows passengers to request transportation network vehicle services.

Digital credential means the permission or access given to a driver to operate on a company's digital platform.

Driver means an individual permitted to drive a vehicle for hire.

Fees mean nonrefundable payments required in this chapter.

Limousine means a specialized vehicle not equipped with a taximeter and for hire only by prearrangement at a rate charged per hour, or fixed in advance, and provided also that each such vehicle for hire is: (1) chauffeured, (2) a luxury class passenger vehicle built or modified for the purpose of a limousine as defined and recognized by the limousine industry; and (3) operated on a reserved, hourly

basis for a continuous period. A vehicle which is held out to be a limousine or which has an appearance deceptively similar to a limousine is a limousine for the purposes of this chapter.

Narcotic drugs, barbituric acid derivatives and central nervous system stimulants. The term "narcotic drugs" as used in this chapter shall mean coca leaves, opium, cannabis, marijuana, isonipecaine and every synthetic substance known to have narcotic action. The term "barbituric acid derivative" means each of the salts and derivatives of barbituric acid, also known as malonyl urea, and derivatives, compounds, mixtures or preparations thereof. "Barbiturate" or "barbiturates" shall include all hypnotic or somnifacient drugs, whether or not derivatives of barbituric acids. The term "central nervous system stimulants" means amphetamine and desocyphedrine, and any derivative, compounds, mixture or preparation thereof.

Permit means the authority granted to companies to operate, or persons who qualify to drive, vehicles for hire.

Revocation means the rescinding of a permit. A person or entity whose permit is revoked shall not be entitled to reinstatement or an opportunity to reapply for such permit for a period of two years except as provided in subsection 86-61(5).

Shuttle bus means a vehicle with a capacity of at least eight persons, including the driver, that is operated on a fixed route, or owner and operated directly by a motel or hotel and limited to registered guests thereof.

Suspension means the temporary rescinding of a permit or license. The suspension may be for a time certain or indefinite pending compliance with the terms of this chapter.

Taxicab means a vehicle for hire with a capacity of not more than eight persons, including the driver, equipped with a taximeter operated under a company and vehicle permit required by this article, which is routed under the direction of the person hiring the vehicle.

Taximeter means an instrument or device attached to a vehicle and designed to measure mechanically or electronically the distance traveled by such vehicle, to record the times such vehicle travels or is in waiting, and to indicate the fare to be obtained.

Transportation service means a vehicle for hire with a capacity of not more than eight persons, including the driver, which is not equipped with a taximeter, which charges passengers a fare generally based on a flat fee, and does not operate over a fixed or defined route but routed under the direction of the person hiring the vehicle.

Transportation network application company ("TNC company") means any company operating in the city that uses a digital network or software application to connect a passenger to transportation network services provided by a transportation network operator.

Transportation network operator means any driver or operator who operates a personal vehicle that utilizes any digital platform to arrange transportation of a passenger between points chosen by the passenger and that is in connection with a digital platform controlled by a TNC company.

Transportation network service means the provision of transportation by a transportation network operator to a rider, beginning when the transportation network operator accepts a ride requested through a digital platform controlled by a TNC company, continuing while the transportation network operator transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle.

Use of narcotic drugs. The word "use" as employed in this chapter in relation to the drugs described in this chapter shall apply to any person who uses one or more of the narcotic drugs or barbituric acid derivatives or central nervous system stimulants as defined this section to any extent, with or without medical need or authority or prescription.

Vehicle for hire means any vehicle, whether owned by the driver or company, that is operated by a taxicab driver, transportation service driver, transportation network operator, any other motor vehicle

with driver transporting passengers for a fare, fee, or other charge in the city. The term vehicle for hire, by definition, excludes:

- (1) School, church, college or university buses;
- (2) Sightseeing cars and buses;
- (3) Ambulances;
- (4) Funeral home vehicles;
- (5) Interstate buses;
- (6) Limousines;
- (7) Shuttle buses.

Vehicle for hire administrator means the City Administrator or his/her designee.

ARTICLE II. - COMPANY PERMIT

Sec. 86-31. - Application; contents.

- (a) No taxicab company, transportation service, or TNC company shall operate or engage in the business of operating vehicles for hire or operating a TNC within the city without having first obtained a company permit from the vehicle for hire administrator or designee. An application shall be submitted on forms furnished by the vehicles for hire administrator or designee containing appropriate information which is reasonably related to the business of operating vehicles for hire.
- (b) In order to secure or renew a company permit, the company applicant shall file an application with the vehicles for hire administrator or designee, and such application shall be verified under oath and shall furnish the following information:
 - (1) The name and address of the company. If the company is a corporation or partnership, the name and address of all officers, shareholders, partners or any principals or owners with an interest greater than five percent of the company must be listed.
 - (2) The color scheme and insignia to be used to designate the vehicles of any taxicab company.
 - (3) No company permit shall be granted to a taxicab company operating less than five vehicles. The vehicles must be currently operating, licensed, and inspected as required by this chapter. Each vehicle must conform to the United States Department of Transportation (USDOT) maximum passenger standards allowed for the vehicle to operate.
 - (4) Proof of proper amount of insurance coverage as provided in section 86-93, with the insurance coverage being filed with vehicle for hire administrator and approved by the City.
 - (5) Such other information as the vehicle for hire administrator may require.
- (c) Payment of an annual company permit fee of \$250.00.

Sec. 86-32. - Maintaining a company permit.

- (a) In order to maintain a company permit to operate or engage in the business of operating vehicles for hire or operating a TNC, the company must:
 - (1) Obtain and hold a current business tax receipt from the city as required by chapter 74, if applicable.
 - (2) Maintain a telephone number that is monitored 24 hours a day for emergency contact by the vehicle for hire administrator or designee or law enforcement, and an e-mail address for citizen complaints or concerns.

- (3) Maintain the name, home address, and telephone number of each driver affiliated with the company.
- (4) Maintain a log listing the year, make, model, license plate number, and vehicle identification number (serial number) and ownership status of all vehicles in the company's fleet or that operate on a company's platform.
- (5) Maintain proper amount of insurance as provided in section 86-93.
- (6) Maintain records available for inspection, upon request by the vehicle for hire administrator or designee, pursuant to a complaint received or if the vehicle for hire administrator has a reasonable basis to suspect that a company or driver is violating the requirements of this chapter. The records shall include, but not be limited to, records pertaining to permitted/certified drivers, vehicle inspection records, daily logs, and that the maximum rate charged in compliance with section 86-95. Unless otherwise agreed to by the company and the vehicle for hire administrator, such records shall be made available for inspection to the vehicle for hire administrator at a permit holder's place of business or a mutually agreed location in the city.
- (7) Each company shall implement a zero-tolerance policy on the use of drugs or alcohol applicable to all drivers, and provide notice of the policy to all company drivers and to the public through its website, if applicable. In addition, the company shall provide notice to the public on the procedure for reporting a driver the passenger reasonably suspects was under the influence of drugs or alcohol during the course of the ride. The company shall cooperate with the vehicle for hire administrator or designee during the pendency of the investigation pursuant to subsection 86-63(b)(3).
- (8) The vehicle for hire administrator or police chief is authorized to conduct annual audits of any company authorized to operate under this chapter. The company shall provide to the vehicle for hire administrator, on request, up to 250 unique identification numbers, each of which has been assigned to an individual driver affiliated with the company. The vehicle for hire administrator may send to the company a list of up to ten driver identification numbers and request copies of records held by the company for those ten drivers. Within five business days of receiving a request seeking records, the company shall make available to the vehicle for hire administrator at a company's place of business or a mutually agreed setting in the city, records to verify that the company has properly screened drivers in accordance with section 86-61; provided, that the company may redact any records it provides access to in order to protect the privacy and identifying information of the driver.

Sec. 86-33. - Revocation or suspension of a company permit; grounds; right of appeal.

- (a) *Revocation or suspension of company permit; grounds.* Upon a finding of due cause, as defined in subsection (b) of this section, the vehicle for hire administrator or designee shall have the authority to revoke or suspend any company permit which has been granted or which may hereinafter be granted by the city. Prior to suspension or revocation, the company shall be served notice by certified mail or hand delivery of the proposed action to be taken and shall have an opportunity to present to the vehicle for hire administrator or designee evidence as to why the company permit should not be revoked or suspended.
- (b) *Causes for revocation or suspension.* Due cause for revocation or suspension of a company permit shall include but shall not be limited to the following:
 - (1) The failure of the company to maintain any of the general qualifications applicable to the initial granting of the company permit as set forth in section 86-31 or maintaining a company permit as set forth in section 86-32.
 - (2) Obtaining a company permit by providing false information.

- (3) Conviction by a court of competent jurisdiction of any shareholder, officer, partner, member, principal or owner of any corporation, partnership, firm or association holding a five percent interest or more in the entity, of any of the following: criminal homicide, rape, sexual battery, aggravated battery, burglary, aggravated assault, kidnapping, robbery, child molestation, lewd and lascivious acts, armed trespassing, carrying a concealed firearm, criminal solicitation to commit any of the above, criminal attempt to commit any of the above, or possession, sale or distribution of narcotic drugs, barbituric acid derivatives and/or central nervous system stimulants if such violation or violations are related to operation of the company, or violation of any ordinance of the city governing the conduct of a company.
- (4) Allowing any person to operate a company's designated vehicle for hire, or operate on the company's digital platform, without an active driver permit or credential, or when said person's permit or credential has been suspended or revoked because of a positive drug test pursuant to section 86-63.
- (c) *Right of appeal.* Any company whose permit is revoked or suspended by the vehicle for hire administrator or designee may appeal such decision to the City Council. Such appeal shall be taken by filing written notice thereof, in duplicate, with the city administrator's office within five days after the decision of the vehicles for hire administrator or designee. The notice of the appeal shall contain the grounds for the appeal and shall contain information that either the finding is contrary to the law or is not supported by competent substantial evidence. The vehicle for hire administrator or designee shall forthwith transmit copies of the appeal to the City Council along with all papers constituting the record upon which the action appealed from is based. The filing of a notice of appeal will not delay the effectiveness of any suspension or revocation.

ARTICLE III. - VEHICLE FOR HIRE DRIVERS

Sec. 86-60. - Prohibition against unauthorized operation.

- (a) It shall be unlawful for any person to drive or operate on behalf of a taxicab company, transportation service, or other vehicle for hire for the transportation of passengers within the city, or on a TNC's digital platform, or to cause or permit any other person to drive or operate a vehicle for hire:
 - (1) Without first obtaining a written permit for the operation of a motor vehicle for hire from the vehicle for hire administrator or designee;
 - (2) Without having been certified to operate a motor vehicle for hire on behalf of a company or on the company's digital platform; or
 - (3) When the company permit has previously been revoked pursuant to section 86-33.
- (b) Any person found to have violated this section shall be punished by the following:
 - (1) A fine \$150.00 for the first citation;
 - (2) A fine of \$250.00 for the second citation; and
 - (3) A fine of \$500.00 for the third or subsequent citation.

Sec. 86-61. - Application for driver's permit.

- (a) In order to secure a driver permit or to obtain certification from a company, an applicant must:
 - (1) Be at least 18 years of age;
 - (2) Possess a valid state driver's license;
 - (3) For a period of three years prior to the date of application not have been convicted of:
 - a. Driving under the influence of intoxicating beverages or drugs; or

- b. Violation of any ordinance or law, other than minor traffic offenses, in connection with the operation of a motor vehicle.
- (4) For a period of three years prior to the date of application not have more than three moving violations;
- (5) Not have been convicted within the seven years previous to the date of application for the violation of any of the following criminal offenses of the state or any other state or of the United States: aggravated battery, burglary, aggravated assault, kidnapping, robbery, lewd and lascivious acts, armed trespassing, carrying a concealed firearm, criminal solicitation to commit any of the above, criminal attempt to commit any of the offenses listed in this subsection, or been convicted within the last seven years of any felony in the commission of which a motor vehicle was used, perjury or false swearing in making any statement under oath in connection with application for a driver's permit, any felony involving theft, or possession, sale or distribution of narcotic drugs, barbituric acid derivative and/or central nervous system stimulants. Applicants who have been convicted or served any time, probation, or parole for a criminal offense of homicide, rape, sexual battery, or child molestation must have their complete criminal history reviewed and approved by the vehicle for hire administrator;
- (6) Be able to communicate in the English language.
- (b) An applicant may apply for a permit or credential by completing a form provided by the vehicle for hire administrator establishing that the applicant meets the requirements of subsection.
- (c) Upon approval by the vehicle for hire administrator or designee, or certification by the taxicab company, transportation service, or TNC company, the driver shall be issued:
 - (1) A permit from the vehicle for hire administrator or designee; or
 - (2) Credentials from the taxicab company, transportation service, or TNC company, which may be digital credentials, indicating that the driver was certified by the company, and the credential shall include the following information:
 - a. The name or logo of the company;
 - b. The name of the driver;
 - c. The license plate number associated with the vehicle that the driver has been authorized to use.
 - (3) The driver shall display the permit or credential in a manner that it is visible to the passengers of the vehicle while the vehicle is operating, or make available at a minimum the driver's first name, photograph, and make, model, and license plate number to the passenger through the company's digital platform. The driver shall present the permit or credential upon request to a law enforcement officer, the vehicle for hire administrator or designee, or designated airport personnel upon request. If the driver maintains a digital credential, upon a traffic stop, a driver shall provide law enforcement with access to a device containing the information required to be maintained as part of the driver's digital credential and an electronic record sufficient to establish that the trip in question was prearranged through a digital platform.
- (d) An applicant must pay an annual driver application fee of \$100.00.

Sec. 86-62. - Maintaining driver's permit.

In order to maintain a valid permit or credential to drive a taxicab, transportation service, or other vehicle for hire, a driver must:

- (1) Wear proper dress while operating a vehicle for hire.
- (2) Maintain a neat appearance.

- (3) Not smoke while carrying passengers.
- (4) Maintain a log upon which are recorded all trips made each day, showing time and place of origin and destination of each trip and amount of fare. Such logs must be maintained by the company or the vehicle owner, if not maintained by the driver, and shall be made available to the vehicle for hire administrator or designee for a compliance inquiry if the administrator has a reasonable basis to suspect that a company or driver is violating the requirements of this chapter.
- (5) Renew his driver's permit or credential during the month of the driver's permit or credential expiration date.
- (6) Wear a seatbelt at all times while operating a vehicle for hire or providing transportation network services.

Sec. 86-63. - Revocation or suspension of driver's permits; grounds; right of appeal.

- (a) *Revocation or suspension of driver's permits or credential.* Upon a finding of due cause, as defined in subsection (b) of this section, the vehicle for hire administrator or designee shall have the authority to revoke or suspend any driver's permit or credential which has been issued or which may hereinafter be issued by the city. Before a driver's permit or credential shall be denied, suspended or revoked, notice of intention thereof shall be served upon the driver either by registered mail or personal service; however, such notice shall not be necessary for a denial of an original permit or credential. However, any such applicant or driver shall be given an opportunity to be heard by the vehicle for hire administrator or designee.
- (b) *Causes for revocation or suspension.* Due cause for revocation or suspension of a driver's permit or credential shall include but shall not be limited to the following:
 - (1) The failure of the driver to maintain any and all of the general qualifications as applicable to the initial issuance of a permit as set forth in section 86-61;
 - (2) Obtaining a permit or credential by providing false information;
 - (3) Violation by a driver of any of the following offenses:
 - a. Driving under the influence of intoxicating beverages or drugs. A driver shall be required to submit to a drug and/or alcohol test at the request of the vehicle for hire administrator or designee:
 1. Where reasonable suspicion exists that a driver is abusing alcohol or misusing prescription drugs or controlled substances; or
 2. Where a driver has been involved in a crash with serious injury or serious property damage while operating a vehicle for hire or providing transportation network services. "Serious injury" is defined as a physical condition that creates a substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of any bodily member or organ. "Serious property damage" is defined as one or more of the motor vehicles involved in the crash is "totaled", or one or more of the vehicles sustains significant disabling damage to public and/or private property which equals or exceeds an apparent damage of \$5,000.00 or more as estimated by the law enforcement officer who conducts the investigation at the scene of the traffic crash; or
 - b. Refusing or failing to submit to a drug test at the request of the vehicle for hire administrator or designee shall be due cause for revocation of the driver's permit or credential with no reapplication for one year. Failing a drug or alcohol test shall be due cause for revocation of the driver's permit or credential with no reapplication for one year.
 - c. Criminal homicide, rape, sexual battery, aggravated battery, burglary, aggravated assault, kidnapping, robbery, child molestation, lewd and lascivious acts, armed trespassing.

carrying a concealed firearm, criminal solicitation to commit any of the above, criminal attempt to commit any of the above, or possession, sale or distribution of narcotic drugs, barbituric acid derivatives and/or central nervous system stimulants, violation of any ordinance of the city governing the conduct of drivers of a vehicle for hire.

- (4) Charging a fare contrary to any fares established and approved by the city commission pursuant to section 86-95;
- (5) Violation of any ordinances or law, other than minor traffic offenses, in connection with the operation of a taxicab, transportation service, TNC company, or other vehicle for hire;
- (6) Whenever it shall appear that a driver has disorders characterized by lapses of consciousness or other mental or physical disabilities affecting his or her ability to drive safely;
- (7) Accumulating nine or more points within a six-month period as outlined in F.S. § 322.27(3)d.
- (8) Violating the requirements of section 86-96.

Sec. 86-64. - Duration of driver permit.

Each driver permit or credential issued pursuant to section 86-61 above shall be valid for one year from the date of issuance.

ARTICLE IV. - VEHICLES FOR HIRE

Sec. 86-91. - Identifying signs, monograms and insignias.

(a) *Taxicabs.*

Each taxicab shall be readily identifiable as a taxicab and shall bear on the outside of each rear or front door, in letters not less than two inches in height, the name of the person or corporation to whom the franchise is issued. Each such taxicab shall also be numbered consecutively, with such numbers being placed conspicuously on each vehicle, with such numerals being not less than four and one-half inches nor more than six inches in height.

(b) *Transportation services.*

- (1) Each vehicle operated by a transportation service shall be readily identifiable as a transportation service and shall bear on the outside of each rear or front door, in letters not less than two inches in height, the name of the person or corporation to whom the vehicle is owned or operated by.
- (2) No transportation service shall have any insignia or sign that identifies itself as a "taxi" or "cab" or otherwise gives the impression that it is a taxicab.

(c) *Transportation network application (TNC) company/transportation network operator.*

- (1) Each vehicle operated by a TNC company or transportation network operator shall bear on the outside of each rear or front door, in letters not less than two inches in height, the name of the person or corporation to whom the vehicle is owned or operated by, or any symbol or insignia approved by the vehicle for hire administrator.
- (2) No transportation network operator vehicle shall have any insignia or sign that identifies itself as a "taxi" or "cab" or otherwise gives the impression that it is a taxicab, or otherwise give the impression that the operator is available to solicit passengers other than through the digital platform.
- (3) No transportation network operator vehicle shall place any type or form of light device or other device on the roof, commonly known as a top light or top hat, whether or not permanently or temporarily affixed to the vehicle, or have within the interior of the vehicle.

Sec. 86-92. - Taximeter.

- (a) All taxicabs operated under the authority of this chapter shall be equipped with taximeters fastened in a manner so that the face thereof shall be visible and readable to passengers at all times both day and night. The face of the taximeter shall be set so that it will register and compute on a mileage basis while such taxicab is moving and on a time basis while such taxicab is standing and while the service is being rendered the fare to be charged. Such taximeter shall be operated mechanically by a mechanism of standard design and construction, driven either from the transmission or from one of the front wheels by a flexible and permanently attached driving mechanism.
- (b) No vehicle for hire other than a taxicab is authorized to install or be equipped with a taximeter.

Sec. 86-93. - Liability insurance required.

No vehicle for hire shall be placed in service unless such vehicle is in compliance with Florida law for liability insurance purposes. Proof of such insurance coverage, which may be provided on a blanket basis, shall be filed annually with and approved by the vehicle for hire administrator or designee for the carriage of passengers.

Sec. 86-94. - Seat belts required.

All vehicles for hire covered by this chapter shall be equipped with operational seat belts for each passenger.

Sec. 86-95. - Authority of city commission to establish rates and charges; displaying rate cards.

- (a) Taxicabs.
 - (1) The city commission may by ordinance establish maximum rates and charges for the transportation of persons and their baggage within the corporate limits of the city and suburban territory adjacent thereto. Any ordinance establishing rates as provided by this section shall become effective 24 hours after its adoption.
 - (2) Every taxicab operating under this chapter shall have posted in a conspicuous place therein a schedule of rates for the transportation of person within the corporate limits of the city, and no charges shall be made in excess of the rates so posted.
 - (3) There is hereby established a schedule of the maximum rates which can be charged by all taxicab drivers operating taxicabs within the city. A taximeter may be set so that it will register and compute on a mileage or other basis at less than the maximum rates set forth in this section.
- (b) Transportation service.
 - (1) All fares as agreed to between any transportation service operator and any passenger must be agreed upon prior to leaving the point of origin. No transportation service operator may increase the agreed upon fare after leaving the point of origin.
 - (2) No transportation service shall be authorized to charge for wait time, or to charge any other rates or fees except for mileage.
 - (3) Every transportation service vehicle shall have cards displayed visibly from the outside of the vehicle on the passenger side and on the inside of the right rear window at the eye level of a seated passenger that state the following: "RATE OF TRANSPORT IS BY FLAT FEE ONLY".
- (c) Transportation network application (TNC) company or transportation network operator.
 - (1) All TNC companies shall disclose the fare calculation method, the applicable rates being charged, and the option for an estimated fare to a passenger before the passenger arranges or books a trip with the transportation network application company or transportation network operator.

- (2) Upon completion of the trip, a TNC company shall transmit an electronic receipt to the passenger's e-mail or mobile application that lists the: origin and destination of the trip; the total time and distance of the trip; and a breakdown of the total fare paid, if any.

Sec. 86-96. - Miscellaneous regulations and other penalties.

- (a) It shall be unlawful for any driver or operator of a vehicle for hire to drive or operate or be on duty or on call for the operation of a vehicle for hire for more than 12 hours within any 24-hour period.
- (b) A driver shall take the most direct route to a passenger's destination unless otherwise authorized or directed by the passenger.
- (c) No driver shall refuse to accept a passenger unless the passenger is obviously disorderly, dangerous, or otherwise a threat to the safety or welfare of the driver.
- (d) It shall be unlawful for the driver operating in the city to permit any person to accompany or use such vehicle for hire for the purpose of prostitution, or to direct, take or transport any other person with knowledge or reasonable cause to believe that the purpose of such directing, taking or transporting is for the purpose of prostitution.
- (e) No vehicle for hire shall be permitted to carry nonpaying passengers while transporting a paying passenger or passengers except for the purpose of driver training.
- (f) No vehicle for hire shall solicit or carry a paying passenger while in the process of carrying another paying passenger except when requested to do so by the latter passenger.
- (g) Transportation network operators shall exclusively accept passengers booked through a transportation network company's digital platform, and shall not solicit or accept street-hails.
- (h) No TNC company may provide personal information about a passenger to a transportation network operator, including a passenger's full name, e-mail address, or telephone number.

Sec. 86-97. - Enforcement.

The city police department and the vehicles for hire administrator shall be authorized to enforce the regulations contained in this chapter, including the promulgation of rules consistent with this chapter and the setting of fees.

SECTION 2. CODIFICATION. It is the intention of the City Council that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Apopka; and the City Clerk is directed to take the necessary steps to effect codification into the Code, and Sections of this ordinance may be numbered or renumbered or lettered or re-lettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such codification. Typographical errors which do not affect the intent may be authorized by the Mayor, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk.

SECTION 3. CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 5. EFFECTIVE DATE. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon its passage and adoption.

READ FIRST TIME: September 7, 2016

READ SECOND TIME
AND ADOPTED: September 21, 2016

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda G. Goff, City Clerk

APPROVED as to form and legality for use and reliance by the City of Apopka, Florida.

Clifford B. Shepard, City Attorney

DULY ADVERTISED FOR PUBLIC HEARING: August 19, 2016
September 9, 2016

EXHIBIT "A"

~~Sec. 86-39. Liability insurance.~~

- ~~(a) It shall be unlawful for the owner, operator, driver or chauffeur of any taxicab to drive or operate the taxicab or to permit the taxicab to be driven or operated upon the public streets, unless such owner, operator, driver or chauffeur shall have first procured and filed with the city clerk a liability insurance policy issued by a good and responsible surety company, which insurance company or surety company must have authority to do business as such in the state and must be acceptable to and approved by the city council. The amount of liability insurance or surety bond for each taxicab shall be the minimum required by the state for liability insurance, or, if liability insurance is not required by state law, the minimum financial responsibility requirements of the Financial Responsibility Law, F.S. ch. 324.~~
- ~~(b) Such policy of insurance or surety bond may be in the form of a separate policy or separate surety bond for each taxicab, or may be in the form of a fleet policy covering all taxicabs operated by such owner, operator, driver or chauffeur, in which latter event such policy of insurance or surety bond shall provide the same liability for each taxicab operated in service as specified in subsection (a) of this section. Every taxicab hired in service shall have conspicuously displayed therein or thereon some sign evidencing the fact that the provisions of this section have been complied with, with the form thereof to be prescribed by the chief of police.~~
- ~~(c) No policy of insurance or surety bond as provided for in this section shall be cancelled until the expiration of five days after notice of intended cancellation thereof has been given in writing to the city clerk by registered mail or personal delivery of such notice, and a provision therefor shall be embodied in the policy or surety bond.~~

~~Sec. 86-40. Use of streets for transacting business.~~

~~Except as provided in this article, no taxicab shall occupy space on the streets for the transaction of business other than the picking up of passengers. All places of business of taxicabs shall be maintained off the streets.~~

~~Sec. 86-41. Use of improper vehicles.~~

~~It shall be unlawful for any person to operate or drive, as a taxicab, in or upon any street, any motor-driven vehicle, unless the vehicle is a taxicab as defined in this article.~~

~~Sec. 86-42. Name of owner or operator to be displayed on vehicle.~~

~~It shall be unlawful for any taxicab to be driven upon the streets unless the name of the person either owning or operating such taxicab, or the trade name under which such taxicab is operated, is conspicuously painted on such taxicab in letters not less than two inches in height.~~

~~Sec. 86-43. Meters.~~

- ~~(a) All taxicabs shall be equipped with mechanical devices, commonly called taxicab meters, for registering the fare to be charged.~~

- ~~(b) Every meter in use shall be placed in such taxicabs at a location that will be plainly visible at all times to the occupants of such taxicabs. Between the hours of sunset and sunrise, the dial of the meter shall be illuminated whenever it is in use.~~
- ~~(c) Whenever a taxicab is not in service, the meter shall show no fare and the flag shall be in the upright position. When a taxicab is in service, the flag or indicator on the meter shall be lowered and the meter shall be in the calculating position.~~
- ~~(d) Upon the completion of service by a taxicab, the flag or indicator on the meter shall be raised and the meter shall be returned to the noncalculating position and its dials cleared.~~
- ~~(e) It shall be unlawful for the operator or driver of any taxicab to operate the taxicab on the streets of the city with any occupant in such taxicab other than the driver when the flag or indicator on the taxicab meter is upright and in the noncalculating position, except when operating on an hourly or trip rate.~~
- ~~(f) When the hourly rate or the special trip rate is used, an appropriate sign indicating that the cab is on a trip or hourly rate shall be exhibited.~~
- ~~(g) It shall be the duty of the person owning and operating taxicabs to have the meter in good working condition and operating accurately as to the registration of mileage and fare. Such meters shall be sealed in a manner that will prevent any person from tampering with or changing the adjustment of the meter. It shall be unlawful for any person to tamper with or change the adjustment of a meter, except the owner operating the taxicab to which such meter is affixed, or a person duly designated by the owner, or a meter mechanic.~~
- ~~(h) It shall be unlawful for any person owning and operating taxicabs with meters affixed thereto to permit the taxicabs to be operated on the streets of the city when such meters do not accurately register the mileage and the rate as set forth by the ordinances of the city. All meters shall be subject to inspection and test by any police officer at all times when cabs are not carrying passengers.~~

~~Sec. 86-44. Rates and charges.~~

- ~~(a) *Posting.* Each taxicab shall have posted in a conspicuous place therein a schedule of rates for the transportation of persons within the corporate limits of the city, and no charges shall be made in excess of the rates so posted.~~
- ~~(b) *Determination.* All rate charges or fees for the use of taxicabs using meters shall be determined by a meter rate, hourly rate or special trip rate and by no other method. All charges are for the exclusive use of the taxicab, and shall apply regardless of the number of passengers transported.~~

~~Sec. 86-45. Fare receipts; right to demand payment of fare in advance.~~

~~If demanded by the passenger, the driver in charge of a taxicab shall deliver to the person paying for the hiring of the taxicab, at the time of such payment, a receipt therefor in legible writing, containing the name of the owner and the city license or permit number, showing upon such receipt all items for which a charge is made, the total amount paid and the date of payment. Every driver of any such taxicab shall have the right to demand payment of the legal fare in advance, and may refuse employment unless so prepaid.~~

~~Sec. 86-46. Soliciting passengers near intersection.~~

~~It shall be unlawful for any person owning or operating one or more vehicles for hire in the city to operate such motor vehicles over and upon the streets of the city for the purpose of soliciting patronage, picking up passengers or delivering passengers at any point within 100 feet of any intersecting street corner along such street. It is the purpose and intent of this section to prohibit such practice within 100 feet in all directions from such intersections. Such distance in all cases shall be measured from the center of the intersection. Nothing in this subsection shall be construed as prohibiting the driver of any taxicab or vehicle operated for hire from responding to any specific request for passage from any person seeking the services offered by such taxi or motor vehicle or from stopping at any point within the city for the purpose of delivering a passenger who has been picked up at any part of the city in a manner not prohibited by law. This section shall not apply to any buses or motor vehicles owned or operated by any bus or transit company under an exclusive franchise from the city.~~

~~Sec. 86 47. — Soliciting passengers by preceding or following scheduled bus.~~

~~It shall be unlawful for any person operating motor vehicles for hire in the city to operate such motor vehicle over and upon the streets of the city for the purpose of soliciting the patronage of passengers by immediately preceding or following any duly scheduled bus or motor vehicle operated for such purpose by any bus or transit company under an exclusive franchise from the city along the streets of the city. Nothing contained in this section shall be construed as prohibiting the driver of any duly licensed taxi from responding to any specific request for passage from any patron seeking the services offered by such duly licensed taxi.~~

~~Sec. 86 48. — Smoking by driver.~~

~~It shall be unlawful for any driver, operator or chauffeur of any taxicab to smoke while the taxicab is occupied by a passenger.~~

~~Sec. 86 49. — Use for immoral purposes.~~

~~It shall be unlawful for the driver of a taxicab to permit any person to accompany or use such taxicab for the purpose of prostitution, lewdness or assignation, or to direct, take or transport, or to offer or agree to direct, take or transport, any other person, with knowledge or reasonable cause to believe that the purpose of such directing, taking or transporting is for the purpose of prostitution, lewdness or assignation.~~

~~Sec. 86 50. — Display of political advertisements.~~

~~It shall be unlawful for any person licensed by the city to operate or drive a taxicab upon any street within the city with a political ad displayed for anyone seeking public office at any time.~~

~~DIVISION 2. — BUSINESS PERMIT~~

~~Sec. 86 66. — Required.~~

~~It shall be unlawful to operate or cause to be operated any taxicab business unless a permit for the operation thereof shall have been first issued by the city council in the manner provided in this division.~~

~~Sec. 86 67. — Application and investigation.~~

~~(a) An application for the permit required by this division shall be made in writing to the city council. Such application shall set forth the name, residence address, and address of place of business of the applicant and the kind, make and model of the vehicle to be used in the business. If the applicant is~~

~~a copartnership, the application shall give the names and residence addresses of the copartners. If the application is a corporation, the application shall set forth the name of the corporation and the residence address of its officers and board of directors. The application shall set forth the trade name, if any, under which the applicant does or proposes to do business.~~

~~(b) Upon the filing of an application, the city clerk shall make an investigation, including any hearing deemed necessary, as to each application for a permit for the operation of taxicabs. In determining whether a permit shall be issued, the city council shall investigate the fitness of the applicant to engage in the business of operating taxicabs and the fitness of the equipment to be used, and shall also consider and determine whether the demands of public convenience, necessity and safety justify the issuance of such permit.~~

~~Sec. 86-68. — Issuance or denial.~~

~~If the city council finds favorably to the applicant and decides to grant a permit for the operation of taxicabs, a permit as provided in this division shall be issued to the applicant. If the city council finds against the applicant and decides that the public convenience, necessity and safety do not justify the issuance of such permit or that the applicant is not fit to conduct the taxicab business or the equipment is not fit for such business, then no permit shall be issued, and notice of the action of the city council shall be given to the applicant, setting forth the reason for the refusal of such permit.~~

~~Sec. 86-69. — Occupational license required.~~

~~Prior to the issuance of a permit for the operation of taxicabs, the applicant shall obtain an occupational license.~~

~~Sec. 86-70. — Transfer.~~

~~A permit for the operation of taxicabs shall not be transferable, except upon application to and consent of the city council.~~

~~Sec. 86-71. — Suspension or revocation.~~

~~Whenever any person engaged in the taxicab business is found to be in violation of the provisions of this article or the traffic ordinances of the city or of any of the laws of the state, the city council may, upon complaint or upon its own motion, issue an order to such person to appear at a fixed time and place for investigation. If the city council is satisfied, after such hearing, that such person is guilty of the violations charged, it may, in its discretion, suspend for a fixed period or revoke entirely the permit issued to such person.~~

~~DIVISION 3. — DRIVER'S PERMIT~~

~~Sec. 86-91. — Required.~~

~~No person shall operate or drive a taxicab upon any street unless he has obtained a permit pursuant to the provisions of this division.~~

~~Sec. 86-92. — Application and investigation.~~

~~Any person having resided continuously in the state for not less than six months immediately preceding the making of application for a permit to operate a taxicab and being 18 years of age or over may make application to the city clerk for a permit to operate a taxicab. A verbal or written examination,~~

ORDINANCE NO. 2511

PAGE 16 of 16

~~or both, may be given by the chief of police to each applicant to determine knowledge of city streets, locations and environs.~~

~~Sec. 86-93.— Issuance; contents.~~

~~It shall be the duty of the chief of police, if the applicant for a permit under this division is knowledgeable of the provisions of this article and of the traffic ordinance of the city, and the applicant pays the required fee and otherwise complies with this division for the initial year, to issue such person a written permit, which permit shall be signed by the city clerk and sealed with the corporate seal of the city, and shall bear the name, address, sex, age, signature, photograph and fingerprints of the applicant. The chief of police shall procure the fingerprints and a photograph of the applicant and shall keep the fingerprints and photograph on permanent file in his office. The fingerprints and photograph shall be voluntarily furnished by the applicant at the time of filing his application.~~

~~Sec. 86-94.— State commercial license required.~~

~~No person shall be issued a taxicab driver's permit unless he holds a commercial license issued by the state.~~

~~Sec. 86-95.— Alteration or destruction prohibited.~~

~~It shall be unlawful for any person holding a taxicab driver's permit to wilfully alter, deface, obliterate or destroy the permit, or to cause the permit to be defaced, obliterated or destroyed.~~

~~Sec. 86-96.— Display.~~

~~Every driver or operator of any taxicab operated shall have his driver's permit displayed in such taxicab in a conspicuous place so as to be easily observed by any person occupying such taxicab.~~

~~Sec. 86-97.— Suspension or revocation.~~

~~Whenever any operator or driver of a taxicab is found to be violating the provisions of this article, or the traffic ordinances of the city, or any of the laws of the state, the city council may, upon complaint or upon its own motion, issue an order to such operator or driver to appear at a fixed time and place for investigation. If the city council shall be satisfied after such hearing of the violation as charged, it may, in its discretion, suspend for a fixed period, or revoke entirely, the driver's permit issued.~~

~~Sec. 86-98.— Appeals.~~

~~Any person whose taxicab driver's permit is refused, suspended or revoked by the chief of police may appeal, by filing notice thereof with the city clerk within 30 days from the time of such refusal, revocation or suspension. Such appeal as filed shall not act as a supersedeas until such time as the city council shall take final action on such appeal.~~

Backup material for agenda item:

1. Youth Council Proposal

Commissioner Becker



City of Apopka | Youth Council Proposal Brief

As presented by Commissioner Kyle Becker

Mayor Kilsheimer and Commissioners:

Fellow members of Council, please find attached my proposal for the creation of a Youth Council for the City of Apopka. It is my desire to establish a Youth Council to help foster the development of our next generation of community leaders through active civic engagement and service learning.

As you are aware, many times during and before our individual tenures, fellow residents have come before Council to voice support and a desire to invest in our youth and youth programs. This appeal has come from all corners of Apopka, and space between. Some highlight athletics, others education, some after-school programs, but they all share a theme of ensuring our young residents can follow a path to being productive citizens within our community.

Having had a previous interest in this endeavor, I made sure to visit the Youth Council portion of the recent Florida League of Cities Conference, and had the opportunity to meet and discuss ideas with staff members from the League of Cities, and other municipalities with youth programs in place. The proposal I submit below is a combination of those conversations, as well as the framework established by the Florida League of Cities in 2008, courtesy of the *A Guide for Creating a City Youth Council* document also attached to this proposal. It is simply that, a guide or framework, allowing us as leaders to form a Youth Council befitting our great city of Apopka and talented youth population.

The proposal I am putting forth is a mere idea, but I hope the will of this Council will be to turn this idea into a reality, and another avenue in which our City can serve our young people. My ask is that you review this proposal package, as well as the attached guide, and bring questions/ideas to a Council meeting agreeable to provide time for review. If there is interest, I would ask that each member of Council identify a resource to serve on an exploratory/organizational committee to organize the Youth Council for formal adoption.

I thank you in advance for your consideration, and further conversation on this topic.

Kind Regards,

A handwritten signature in blue ink, appearing to read "K. Becker".

Commissioner Kyle Becker, Seat Four
City of Apopka



City of Apopka | Youth Council Proposal Brief

As presented by Commissioner Kyle Becker

Proposed Purpose

To engage a diverse population of youth in Apopka's civic process; to promote tomorrow's leaders through service learning and community involvement

Proposed Objectives

1. 360 degree view of government function through direct access to city leaders and staff
2. Community Service
3. Educational speaker series with topics to include: budget/finance, public speaking, personal development
4. Think Tank & Idea Lab

Proposed Structure

Size 25 (partial first year)

Eligible schools Apopka High School, Wekiva High School, Sheeler High School, Home School (within Apopka city limits)

Eligible students Grades 9, 10, & 11

Selection process Students are nominated (or can self-nominate), an application form would then be submitted for review. Committee (TBD) would review applications and determine acceptance into the program (criteria TBD).

Term Accepted members would serve for a maximum of 1 year (school year)

Requirements Members would be required to complete a certain amount of community service hours, and attend a certain number of events to remain in/graduate from program.

Proposed Program

Monthly

- City Department Spotlight – Staff to provide interactive overview of their department function
- Think Tank & Idea Lab – Discuss/debate current issues and come up with ideas to address future needs

Bi-Monthly

- Community Service Project
- Speaker Series – Business or community leader present on breadth of personal development topics

Quarterly

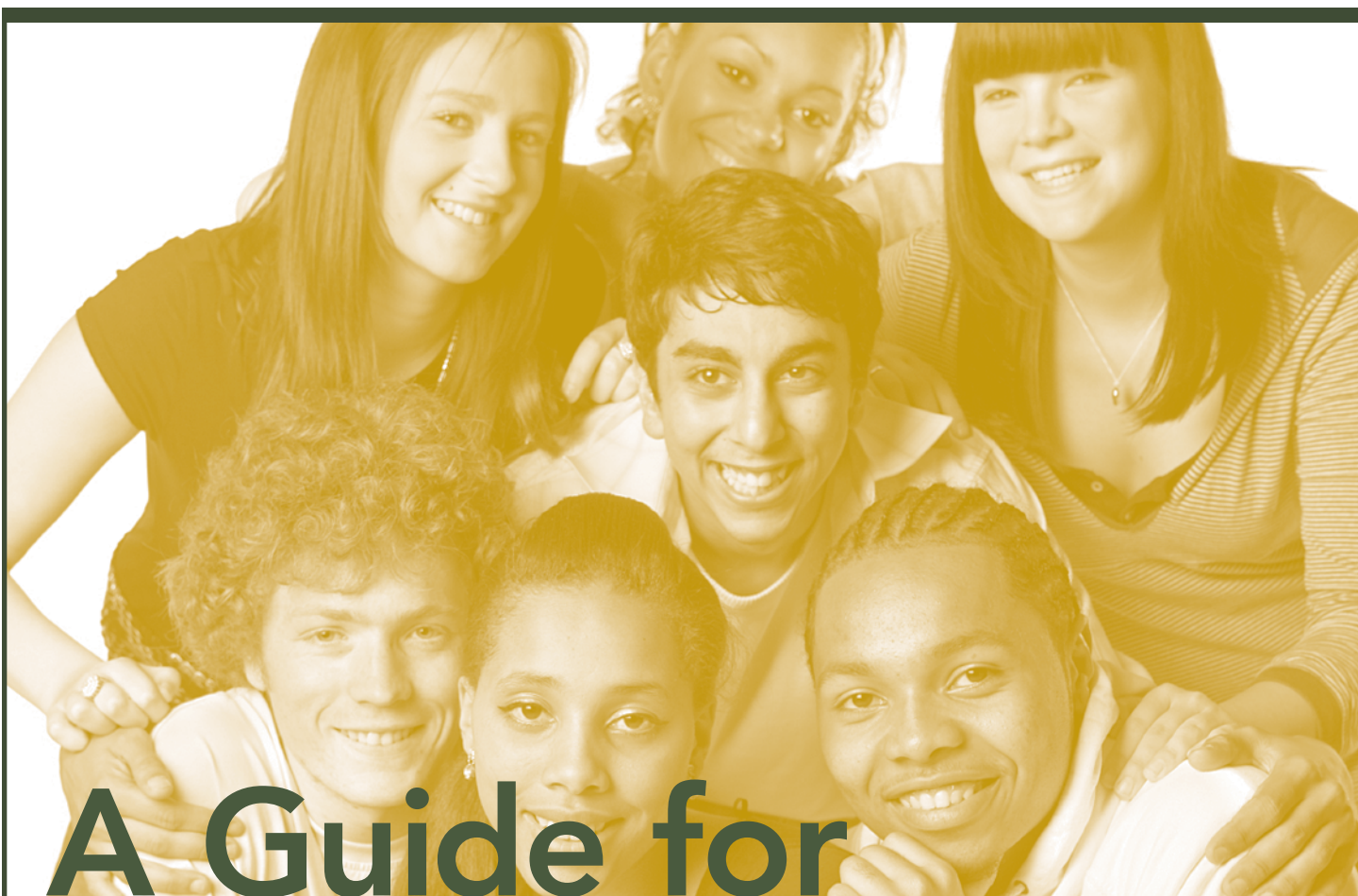
- Meeting with the Mayor – Open forum discussion about current events
- City Council Update – Agenda item to present formal youth update to the City Council

Annual

- Apopka Service Day – Youth would organize a large scale, city-wide community service day
- Annual State of the Youth Address – Recap of the year's successes and further growth opportunities
- Graduation & Awards at City Council Meeting

Throughout Year

- Recurring production of Youth Council programming for broadcast, e.g. Facebook, OrangeTV



A Guide for Creating a City Youth Council

Compiled by the Florida League of Cities, Inc.
P.O. Box 1757, Tallahassee, FL 32302 • (850) 222-9684 • www.flcities.com

In August 2008, Wellington Vice Mayor Carmine Priore was sworn in as president of the Florida League of Cities. In his first speech as president, he spoke about how students are receiving little or no civic education instruction in the classroom and cited surveys and studies showing that a large percentage of high school students know little about their governments. He made it his presidential priority to promote civic education and encouraged cities to create youth councils to educate this younger generation.

While many of Florida's cities already have youth councils, we wanted to create a document that would serve as a "road map" for others wanting to start similar programs. These special citywide councils are composed of students from different high schools within the city and serve as an advisory board to the city commission/council. These students are the leaders of tomorrow and it is important to expose them to municipal government at an early age. We hope that your city will consider forming a youth council.

The Florida League of Cities would like to thank the North Carolina Civic Education Consortium for providing a template for this document. Additionally, the League would like to thank the following Florida governments for providing information on their youth councils: Dade City, West Palm Beach and Destin; and also Greene County, N.C.

For more information, contact Casey Cook at ccook@flcities.com or by phone at (850) 701-3609.

Table of Contents

What is a youth council?	4
Why create a youth council?	4
Who benefits?.....	4
Is your city ready for a youth council?	5
Who creates and oversees the youth council?	5
Who serves on the youth council?	5
How do you establish a youth council?.....	6
Now what?.....	7
What should the youth council do?.....	9

Appendices

An ordinance from the City of Dade City creating the city's Youth Council	11
A sample letter inviting students to apply for a newly established Youth Council	13
A Mayor's Youth Council application form from the City of West Palm Beach	14
A sample Oath of Office for new members of your Youth Council	17
Destin Youth Council By-Laws	18
Destin Youth Council Mission Statement	22

I. What is a youth council?

A youth council is an advisory body composed of local youth (usually high-school aged). They provide advice and counsel to the local governing body and its affiliated advisory and regulatory boards, as well as other community organizations. Additionally, youth councils can implement and participate in a variety of youth-identified community initiatives.

II. Why create a youth council?

According to the Census Bureau, 24.6 percent of the U.S. population is under the age of 18. It goes without saying that young people are the future of our communities. Therefore, it is vitally important that they are vested with the knowledge, skills and abilities to be the next generation of local leaders. Youth councils are an excellent means of doing so because they promote regular and active civic engagement among youth.

Youth councils promote civic engagement among youth by:

- Giving them a formal role in local decision making
- Offering real-world experiences with elected and advisory bodies
- Teaching them about the role of councils, boards and commissions
- Providing them with an opportunity to develop leadership skills and learn how local government operates
- Increasing voice and communication between youth and adults, and among youth themselves
- Increasing youth volunteerism
- Enhancing classroom civic education

III. Who benefits?

Youth councils enable **young people** to:

- Communicate their concerns regarding local matters that affect them
- Directly participate in local government
- Make decisions and take action to potentially improve their community

Youth councils enable **local councils/commissioners** to:

- Be more representative of the community as a whole
- Gain insight regarding the community's "young," dynamic and/or progressive perspective
- Encourage youths to be more actively engaged in the political process
- Improve services that directly affect young people
- Be more sustainable

Pages 4-10 of the guide are reprinted with permission from the **North Carolina Civic Education Consortium**. Some slight modifications have been made for League members. Special thanks to the consortium for providing a template for this document. For more information on the consortium and its other resources, please visit <http://www.sog.unc.edu/programs/civiced/index.php>.

IV. Is your city ready for a youth council?

The following three components serve as positive indicators that your city is poised to establish a local youth council:

- **Concern:** Local leaders recognize some degree of need for youth insight in public decision making
- **Trust:** Local leaders envision youth in a meaningful, visible and advisory role
- **Change:** Local leaders are willing to modify existing codes or adopt specific ordinances to promote youth involvement on councils, boards and commissions

V. Who creates and oversees the youth council?

It is up to the governing body to decide exactly who will create and oversee the youth council. In some communities, a Cooperative Extension (such as the local 4-H) is tasked with creating and maintaining the youth council. In others, a local department (such as parks and recreation) is given the task. In others still, a full-time city employee (such as the public information officer or assistant city manager) is vested with the task as part of his or her job responsibilities. Whatever the governing body decides, the youth council should be aligned with the manager's or clerk's office for the purposes of housing the council's meetings and funding various initiatives.

The important thing to keep in mind is that the primary purpose of the youth council is to advise local government officials. Therefore, it is important that the council is truly viewed as an essential part of the local government structure, and not simply relegated off to the side to one department or extension.

VI. Who serves on the youth council?

When thinking about the composition of the student component of a youth council, the following should be considered:

- Include at least one, and as many as four, representatives from all local high schools (grades 9-12)
- Include a representative for private, charter and home schools
- Include students from diverse backgrounds
- Consider minimum requirements in terms of GPA and number of unexcused school absences. (It is important to realize that oftentimes it is not the students with the highest GPAs and attendance rates that would benefit most from being selected for the youth council. Along the same lines, the city may benefit more from feedback not attained from the "highest" academic achievers.)
- Think about the geographic area from which you will be recruiting. If your city plans on recruiting through the schools, make sure you consider that not all students in the school district live inside the city limits. The important thing is that you are recruiting from a variety of geographic areas within your city.

- Potential council members should be students who have a proven record of leadership, goal-setting, commitment to community service and community values, and who want to create positive opportunities for other youth in the community
- Consider representatives from local youth organizations already in existence
- Consider students who are not necessarily “the usual suspects” – do not simply select all student government presidents

VII. How do you establish a youth council?

- A. **Make it official:** First and foremost, a locality should adopt a **resolution** or **ordinance** that establishes a youth council. The resolution/ordinance should include sections that specify the following:
- Establishment of the youth council
 - Membership composition (How many representatives should the youth council have? How many representatives should there be from each school? From each grade level?)
 - Appointment (What will the application process entail? Who will make the final selection of members?)
 - Length of terms
 - Member rights, powers, duties, authority, discretion and privileges
 - Compensation for the youth council liaison if not included in scope of work
 - Organizational structure
 - Meeting requirements and procedures
 - Fundraising

***See Appendix 1 for an example an ordinance establishing a youth council.*

- B. **Invest in the youth council:** Align your youth council with the manager’s or clerk’s office through provision of funding and staffing. Develop a thoughtful, inclusive and rigorous application process.

C. **Connect, publicize, recruit:**

Work with parents and schools to publicize the program:

- Send a letter to all parents/guardians describing the purpose and goals of the youth council, the application and selection process, and a contact person for further questions
***See Appendix 2 for an example of a parent letter*
***See Appendix 3 for an example of a youth council application form*
- Ask civics and economics teachers to share with students information about the purpose and importance of youth councils and details on applying for the local youth council
- Ask school counselors to actively solicit student applications for the youth council
- Have an elected official visit classrooms and clubs

- Request an assembly in which the youth council contact person can discuss specifics with potential candidates
- Develop posters or flyers for classrooms and counselors' offices
- Post information on Web sites that are visited frequently by high school students (e.g. school Web sites/Facebook/etc.)

Make efforts to advertise in the community (outside of schools):

- Contact supervisors of local youth programs/groups, such as Boy Scouts, Girl Scouts, church youth groups, recreation sports teams, etc.
- Partner with local youth outreach programs, such as the YMCA and 4-H
- Run an advertisement in local newspapers/publications
- Make announcements at youth conferences or summits
- Put flyers up in popular youth "spots," such as the mall, local record store, athletic fields, etc.
- Ask local radio disc jockeys (perhaps local NPR affiliate) to make a short plug on air

- D. **Make decisions:** Thoroughly evaluate applicants in a competitive process. You may wish to hold interviews, either in person or over the phone, to narrow down prospective candidates. You may also want to have a small committee of people, including youth, evaluate the final applicants.

Once decisions have been made, the youth council liaison should return to schools to acknowledge the selected members, send acceptance letters and/or make congratulatory phone calls. Additionally, the decision should be honored through a formal vote by the council/commissioners.

Likewise, a polite letter should be sent to all applicants who were not selected, encouraging them to apply again in the future.

VIII. Now what?

First Meeting – Orientation

Once youth council members have been selected, the first order of business should be to hold an "orientation meeting," to establish the youth council as a safe, fun forum that members will look forward to attending. The initial meeting should essentially be a "get to know you session" where youth council members have an opportunity to learn more about each other and the youth council liaison. In order to do so, students can participate in an "ice-breaker" activity and a variety of team-building exercises.

The orientation meeting also should have an informational component where members learn more about the specific purpose and mission of the youth council, and discuss some of the member/meeting

requirements. Of course, youth council members should be able to contribute their own ideas regarding the purpose, mission and requirements of the youth council and its members. The first meeting should last about two hours, setting the standard for time requirement for future meetings.

Second Meeting – Swearing In of Council Members

After the orientation meeting, youth council members should be required to attend the next scheduled city council/commission meeting. At the meeting, the youth council should be welcomed as an official advisory board and youth council members should be sworn in by the local government officials (youth council facilitators will need to get this on the meeting agenda in advance).

***See Appendix 4 for an example of a youth council oath of office*

Third Meeting – Team Building and Bylaws

The next youth council meeting should begin with some additional icebreaker and team-building exercises, followed by member creation of their own “youth council bylaws.” Have members consider the following topics when discussing and codifying the bylaws:

- Purpose/Mission/Goals
- Membership and membership requirements
- Member at large requirements
- Meetings (structure, length, frequency)
- Attendance requirements
- Officers/Roles (members are likely to need to be placed in additional representative capacities such as voting seats on advisory boards)
- Parliamentary Authority (the procedural rules for the conduct of meetings)
 - ▶ You may want to ask a member of your locality’s governing body to attend this meeting and present a workshop regarding parliamentary authority as it pertains to meetings in your local government. Students can use what they learn to establish their own procedures based on the actual city council procedures
- Quorum (the number of members that must be present in order to conduct the business of a meeting)
- Subcommittees
- Programs and activities

***See Appendix 5 for example of youth council bylaws and procedural guidelines.*

***See Appendix 6 for example of a mission statement.*

Additional note: The bylaws members create may require amendments to the city’s resolution/ordinance.

Fourth Meeting – Additional Team Building and Action Plan

Begin the fourth meeting with a team-building activity. Next, discuss with council members issues they want to address and goals they wish to accomplish as a council throughout the year. Use the information to create an “action plan,” which will help in planning “topics” for future meetings. You will then be able to coordinate activities and guest speakers accordingly. For example, if students are interested in discussing the issues of teen drug and alcohol use or gang violence in schools, you can schedule a law enforcement officer specializing in one of these areas as a guest speaker during the appropriate meeting. Or, if students express interest in the locality funding the development of a new park, you can schedule a parks and recreation employee and/or a local developer to discuss implications and costs to the locality.

IX. What should the youth council do?

Aside from advising local government officials, youth councils can implement and participate in a variety of activities. Some of these activities may include:

- Conduct a youth forum for all local high school students on topics of concern for youths
 - ▶ Raising Student Voice & Participation (RSVP), a student engagement program sponsored by the National Association of Student Councils and the National Association of Secondary School Principals, provides a format for student lead youth forums; information is available at http://www.nasc.us/s_nasc/sec.asp?CID=1266&DID=55678
 - ▶ The North Carolina Civic Education Consortium has a Community Forum Toolkit that can be tailored for youth council use. It is available at <http://www.civics.unc.edu/civindex/aboutforums.htm>
- Create a youth council publication to be distributed at local middle and high schools or as a leaflet in local newspaper
- Organize community service projects such as:
 - ▶ Stream and/or highway cleanups
 - ▶ Senior center volunteering
 - ▶ Tutoring or mentoring youths (e.g. “Big Brother/Big Sister programs”)
 - ▶ Organizing drives (e.g. for food, clothes, school supplies, holiday gifts, etc.)
 - ▶ Adopt-a-pet
 - ▶ Volunteering at a food bank or shelter
- Lead a citywide educational or advocacy campaign addressing a youth identified issue of concern (i.e. water conservation; global warming; school bullying/violence; reduce, reuse, recycling (RRR), etc.)
- Conduct interviews of local government officials and city staff to be aired on local public access channel

-
- Advocate for particular development projects on behalf of local youth (for example, building a skate park or athletic field)
 - Plan and organize fundraising events for youth-related development projects and/or charitable causes
 - Job shadowing day with city elected officials and department heads
 - Organize a “Careers in City Government” career day at local schools
 - Act as liaisons between city council and local youth through school announcements
 - Promote civic involvement of other local youth by spearheading civic-minded clubs/organizations in schools
 - Attend city council/commission meetings (perhaps one member should be present at each meeting and report back to the youth council on topics covered)
 - Maintain a local youth council Web site that provides relevant information to local youth
 - Attend professional development workshops on leadership, goal setting, public speaking, etc.
 - Attending or hosting city forums, conferences and events in order to represent youth perspective

For additional ideas, go to http://www.nasc.us/s_nasc/sec.asp?CID=164&DID=5356. While these ideas are tailored to school’s student governments, many ideas can be replicated at the communitywide level with your youth council.

Appendix I.

An ordinance from the City of Dade City creating the city's Youth Council.

ARTICLE IV. BOARDS AND COMMISSIONS*

DIVISION 2. CITY YOUTH COUNCIL

Sec. 2-171. Creation.

There is created a board to be known as the city youth council, which shall consist of five members plus two alternates from high school and one alternate from middle school (eighth grade only). The members will be city residents who are actively enrolled in a public or private high school in grades nine through 12. The members shall be appointed by the city commission and each member appointed shall serve a term of two years, unless grade 12 is completed during the term, at which time the position shall be declared vacant. Of the five initial members appointed to the first board, three shall serve for a term of two years and two shall serve for a term of one year. The two high school alternates and the eighth grade alternate shall be appointed by the city commission for a one-year term annually. Unlike other boards, the term of the members of the city youth council will expire and be appointed in April of each year. The commissioners will attend board meetings and, along with city staff, coordinate activities.

(Ord. No. 99-0736, § 1, 6-22-1999)

Sec. 2-172. Election of officers.

The city youth council shall elect a chairman to conduct meetings and a vice-chairman to conduct meetings in the absence of the chairman. Elections shall be held at the first regular meeting after annual appointments are made by the city commission.

(Ord. No. 99-0736, § 1, 6-22-1999)

Sec. 2-173. Vacancies.

Irregular vacancies on the city youth council shall be filled as they occur and regular vacancies shall be filled by appointment in April of each year.

(Ord. No. 99-0736, § 1, 6-22-1999)

Sec. 2-174. Meetings; records.

The city youth council shall hold at least one regular meeting per quarter, with option to meet more often as needed or desired. Public record of such meetings shall be kept by the office of the city clerk. All meetings shall be public under F.S. § 286.011.

(Ord. No. 99-0736, § 1, 6-22-1999)

Sec. 2-175. Absences from meetings.

Absences from three consecutive regular meetings of the city youth council shall cause a member to be removed from their seat, unless such absence is

excused by a majority vote of the board, with such excuse duly entered upon its minutes.

(Ord. No. 99-0736, § 1, 6-22-1999)

Sec. 2-176. Duties and responsibilities.

The city youth council shall have the duty and responsibility to:

- (1) Evaluate and review problems facing youth in the city.
- (2) Facilitate neighborhood meetings with youth to discuss problems, needs, suggested improvements for our community.
- (3) Meet regularly with the mayor and city commission to share ideas and discuss issues, concerns, and needed improvements.
- (4) Attend city commission meetings and participate in vision and goal sessions.
- (5) Present recommended improvements to the city commission and city manager of public projects and programs.
- (6) Assist in planning youth/recreation activities.
- (7) Evaluate and advise the city commission and/or city manager on issues forwarded to the city youth council for advice.

(Ord. No. 99-0736, § 1, 6-22-1999)

Secs. 2-177--2-185. Reserved.

Appendix 2.

A sample letter inviting students to apply for a newly established Youth Council.*

Dear Parent/Guardian,

The City of _____ is proud to announce a new and exciting opportunity for rising 8th - 12th grade students. The city's new **Youth Council** will provide our youth an opportunity to increase their knowledge of civic education through practical hands-on experience. The Youth Council will be composed of 20 8th - 12th grade students who will be charged with representing youth in the City of _____.

The Youth Council will:

- Involve youth in local government through participation on local boards and committees;
- Increase youth voice and communication in _____'s future direction;
- Increase volunteerism among youth and adults in civic affairs; and
- Enhance civic education through teacher training.

Youth Council members will be selected through a competitive application process. An ideal Youth Council will be composed of a diverse group of young people that represent ALL youth in _____. Our primary criterion for selection will be a demonstration that the young person wants to make a difference here in _____ – and we will give them an opportunity to do just that.

Seventeen of the Youth Council members will be voting members from the 9th - 12th grades, and three will be non-voting Youth Council apprentices from the 8th grade. These 8th grade members will take part in all Council activities and learn the role of a Council member so that they can assume the role upon entering the 9th grade. All members will be required to attend monthly meetings.

We will be distributing Youth Council applications through the schools in early August, when the students return to school. Applications will be due in _____, with our first meeting in _____. Please discuss this exciting opportunity with your rising 8th grader or high school student and encourage them to apply for service on the Youth Council.

If you have additional questions about the _____ Youth Council, please contact John Doe at: 555-555-5555 or _____@generic.gov.

Sincerely,

*The above letter is based on a letter from Greene County, North Carolina. It has been modified for League members.

Appendix 3.

A Mayor's Youth Council application form from the City of West Palm Beach.

City of _____ Mayor's Youth Council Application

The vision for the Mayor's Youth Council is to empower caring youth dedicated to personal development and servant leadership. If you are interested in applying for membership to the council, please complete the following application. Applicants MUST be a city resident and be in grades 9 through 11. Please type or print clearly in blue or black ink. You may attach additional sheets if necessary: ALL information must be completed in order to be considered for the Mayor's Youth Council.

Name: _____ Age: _____

School: _____ Grade: _____

Home Address: _____ Zip: _____

Telephone: _____ Cell Phone: _____

E-Mail: _____

Parent/Guardian: _____

Optional Information: _____

The City of _____ does not discriminate based on race, ethnicity, sex, creed, national origin or disability. This information need not be provided. It is requested to facilitate the City of _____ goal of assembling a diverse group. Omitting this information will not affect your application.

Race or ethnic group: American Indian African American
 Asian White Middle Eastern Hispanic
Other, please specify _____

Gender: Female Male Birth Date _____

Please check all that apply:
 I have transportation to get to Youth Council meetings/events.
 I initiated my interest in this program.
 I was asked to apply for this position.

By whom? _____ Position: _____

Organization: _____

Why do you want to serve as a member of the Mayor's Youth Council? (feel free to add a sheet of paper)

What are the three most important issues to you, your friends and your family concerning your neighborhood?

1. _____
2. _____
3. _____

Please list any other activities you will be involved in during the school year. Include employment, sports, community, school and religious groups.

What personal skills and characteristics do you possess that would make you a good representative?

If you could bring one thing to this city or change one thing, what would it be?

Are you willing to attend the meetings, events and activities of the Youth Council for one year and commit to making a difference in our city?

Yes ____ No ____

Are you interested in community service points for this project?

Yes ____ No ____

Please list two adult references (non-relatives) with phone numbers. You must also attach letters of recommendation from these individuals. The letters must be no more than one page in length and typed. Please include one letter from your school principal or other school based personnel and one letter from a community member who is familiar with you.

1. _____

2. _____

I have read and understand the commitment required for the Mayor's Youth Council. I also realize the importance of teamwork and cooperation and I am willing to make this commitment.

Student Signature: _____ Date: _____

Parent/Legal Guardian Permission: I give my permission for _____ to seek the position of representative on the Mayor's Youth Council.

Signature of Parent/Guardian: _____

Date: _____

Emergency Telephone Number: _____

Emergency Cell Number: _____

Name of emergency contact and relationship to youth: _____

Deadline to Apply: _____

Mail to: City of _____

Thank You!

Appendix 4

The following is a sample Oath of Office for new members of your Youth Council.

_____ Youth Council

Oath of Office

Florida

CITY OF _____

I, _____, do solemnly swear that I will support, uphold and defend the Constitution of the United States of America, and the laws thereof; that I will support, uphold and defend the Constitution and laws of the State of Florida, not inconsistent therewith, that I will observe and obey the laws and ordinances of the City of _____, Florida; that I will faithfully perform and discharge the duties incumbent upon me as member of the _____ **YOUTH COUNCIL** fairly and honestly and to the best of my skill and ability; so help me GOD.

_____ Council Member

This the 12th day of September 2008.

Appendix 5.

Destin Youth Council By-Laws

ARTICLE I MEMBERSHIP

Section 1 – Representation

A total of no more than fourteen (14) members will serve on the Destin Youth Council. The Destin Youth Council shall seek in its membership a diverse representation reflecting the community.

Section 2 – Membership Qualifications

All members must live within the city limits of Destin and must be between the grades of 9 to 12. Members shall have at least a 2.25 GPA.

Section 3 – Term Limits

Terms shall be for one year, or until the student transfers or graduates from high school. Members may re-apply every year provided they remain within the grade limits of the membership qualifications.

Section 4 – Application Process

Members of the Destin Youth Council shall be chosen through an application process. Interested parties shall complete a simple application form. The Destin City Council shall review the application and select members of the Destin Youth Council.

Section 5 – Appointment of Members

Each member of the Destin City Council shall appoint two members to the Destin Youth Council.

Section 6 – Conduct

Each member of the Destin Youth Council must conduct himself or herself in a positive, friendly and law-abiding manner at all times. There will be no smoking, drinking alcoholic beverages or using illegal drugs by any member of the Youth Council. Such behavior will not be tolerated and is ground for dismissal from the Youth Council.

ARTICLE II

OFFICES

Section 1 – Offices

The City Clerk shall serve as temporary chair for purposes of presiding over the election of the Destin Youth Council Chairperson. The Destin Youth Council shall elect from its members a Chairperson, Vice-Chairperson, and Secretary. The candidate receiving a majority vote of the Destin Youth Council members is elected.

Section 2 – Officer Duties

The duties of the officers shall be as follows:

- a. The Chairperson shall preside at the meetings of the Destin Youth Council and shall be charged with the administration of the affairs of the Youth Council with assistance from the Office of the City Clerk. The Chairperson shall perform such other duties as provided by these by-laws or by rule of the Destin City Council.
- b. The duties of the Vice-Chair shall be to perform the duties and exercise the power of the Chair during the absence of the Chair.
- c. The Secretary shall determine a quorum for the meeting and report back to the City Clerk. The Secretary shall conduct the roll call at the start of the meeting. The Secretary shall preside at the meetings of the Destin Youth Council and perform the duties and exercise the power of the Chair during the absence of both the Chair and the Vice-Chair.

Section 3 – Election of Officers

The officers of the Youth Council shall be elected annually. The officers of the Youth Council shall be elected by a majority vote of the voting members present.

Section 4 – Term of Officers

The term of all offices provided for in Section one hereof shall be for one year; however that all officers shall continue to hold office until their successors are elected. Officers of the Destin Youth Council shall be elected at the first Youth Council meeting held in October of each calendar year.

Section 5 – Vacancies of Officers

Should a vacancy occur in an office of the Destin Youth Council by resignation, removal or by some other reason, the office shall be filled by an election for the vacant office at the next regular meeting of the Destin Youth Council.

ARTICLE III

MEETINGS

Section 1 – Regular Meetings

Regular meetings of the Destin Youth Council shall be held once a month on the fourth Thursday of the month, between the hours of 4:00 p.m. to 5:30 p.m. The principal meeting place of the Youth Council shall be at Destin City Hall. *Robert's Rules of Order* shall govern the proceedings of the Youth Council in all cases to which they are applicable, and in which they are not inconsistent with these by-laws. Matters for consideration by the Youth Council shall be presented only at Youth Council meetings. Before convening a meeting of the Youth Council, the Chairperson of the Youth Council shall inform the Office of the City Clerk of the subject matter of the meeting.

The Office of the City Clerk shall give public notice of the meeting in accordance with the requirements of the Florida Open Meetings Law. This notice shall include posting on the City of Destin's official website.

Section 2 – Special Meetings

Special meetings may be called upon the request of the Chairperson. Request for special meetings shall be sent via electronic mail, or by telephone, to the office of the City Clerk at least 48 hours before the time of the meeting. This request shall include the reason or reasons for requesting the special meeting. The Office of the City Clerk shall notify every member of the Youth Council via electronic mail or by telephone. No subjects other than those stated in the notice shall be considered at the special meeting.

Section 3 – Open Meetings

All meetings of the Destin Youth Council shall be open to the public and be subject to all requirements of the Florida's Open Meeting Law.

Section 4 – Quorum

The presence of a majority of the entire membership of the Destin Youth Council shall constitute a quorum for a meeting of the Youth Council. A quorum is necessary to transact official business at any meeting.

Section 5 – Voting

The affirmative vote of a majority of the members present shall be necessary to adopt a recommendation to be forwarded to the Destin City Council for review and/or possible action.

Section 6 – Order of Business

The Chairperson of the Youth Council shall, when present, call the members of the Youth Council to order. Before proceedings to business, the roll of the members shall be called, and the names of those present (and absent) entered in the minutes. If a quorum is present, the order of the business shall be:

- a. Pledge of allegiance.
- b. Approval of the minutes of the previous meeting.
- c. Unfinished business.
- d. Matters for consideration.
- e. Announcements.
- f. Adjournment.

Section 7 – Recordings of Meetings

The proceedings of the Youth Council shall be recorded by the City Clerk. Records shall be preserved in accordance with the record retention schedule established by the Office of the City Clerk.

Section 8 – Conduct of Members

No member of the Youth Council shall interfere with the orderly progress of the meeting by leaving his or her seat or engaging in unnecessary conversation. Any member guilty of any unprofessional conduct shall be reported to the Destin City Council.

Section 9 – Attendance

Attendance at regular Youth Council meetings is expected from all members. If a member cannot attend due to sickness or for a duly authorized reason, the member shall notify the Office of the City Clerk who shall notify the Chair of the Destin Youth Council. Any member who fails to appear and answer to his or her name when the roll is called at any regular meeting or special meeting shall be recorded as absent (excused or unexcused). Any member of the Destin Youth Council who missed three consecutive meetings (excused or unexcused) shall be reported to the Destin City Council.

ARTICLE IV

REPORTS

Section 1 – Annual Report to the Destin City Council

The Chairperson or his or her designee shall make a report to the Destin City Council of the activities and business of the Youth Council at least once each calendar year.

ARTICLE V

ROLE OF THE DESTIN CITY COUNCIL

Section 1 – Role of City Council

The Destin City Council shall receive recommendations from the Destin Youth Council. The Destin City Council shall provide support staff to the Destin Youth Council to assist them in carrying out their duties. The City Council shall communicate upcoming issues to the Destin Youth Council so they may respond accordingly.

ARTICLE VI

BY-LAWS AND AMENDMENTS

Section 1 – By-Laws and Amendments

The by-laws of the Youth Council shall be reviewed once each year. The by-laws may be amended at a regular stated meeting provided two-thirds of the members of the Youth Council approve the amendment in a roll call vote; providing further that the amendment is part of the agenda for the meeting and the membership has been notified in writing. By-laws and amendments must be approved by the Destin City Council in order to take effect.

Appendix 6.

Destin Youth Council Mission Statement

Mission Statement Destin Youth Council

To provide Destin's youth with the opportunity to participate in the City's decision-making process, through recommendations to the City Council that address youth issues, promote existing positive programs, and develop programs, projects and activities for the young people in the City of Destin; thereby promoting and encouraging the youth to become effective leaders in the community by helping shape the future of Destin.



Backup material for agenda item:

1. Request concerning Junior Bowling Olympian.

July 27, 2016

Mayor Joe Kilsheimer
City of Apopka, FL
P.O. Box 1229
Apopka, FL 32704-1229

Dear Mayor:

This letter is to inform you, in case you have not been notified, but this City now has the number 2 Junior Bowler in the USA. His name is Petey Vergos. Not only is he the number 2 bowler in the USA, but will be in the Summer Olympics in 2017. What an accomplishment. This city should be proud of this youngster. What I suggest we do is have some type of function for Petey to show him how happy we are for him. Also, to let other cities in the USA as well as other cities in Florida know that we have the number 2 Junior Bowler here in Apopka. We need to have signs erected at each city limit to let people traveling through Apopka know how grateful we are to have someone like Petey live here. When our little league baseball team were the USA Champions I asked John Land if the city would do what I have asked of you. Please take care of this. Thank you very much.

Sincerely,

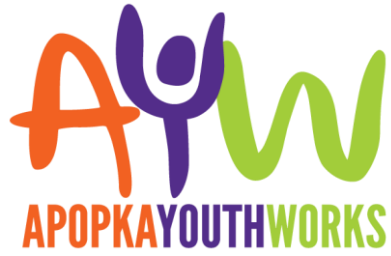
B. E. M.
Bobby Mazingo

██████████, Apopka, FL ██████████

Backup material for agenda item:

1. Apopka Youth Works Program Stats.

Glenn A. Irby

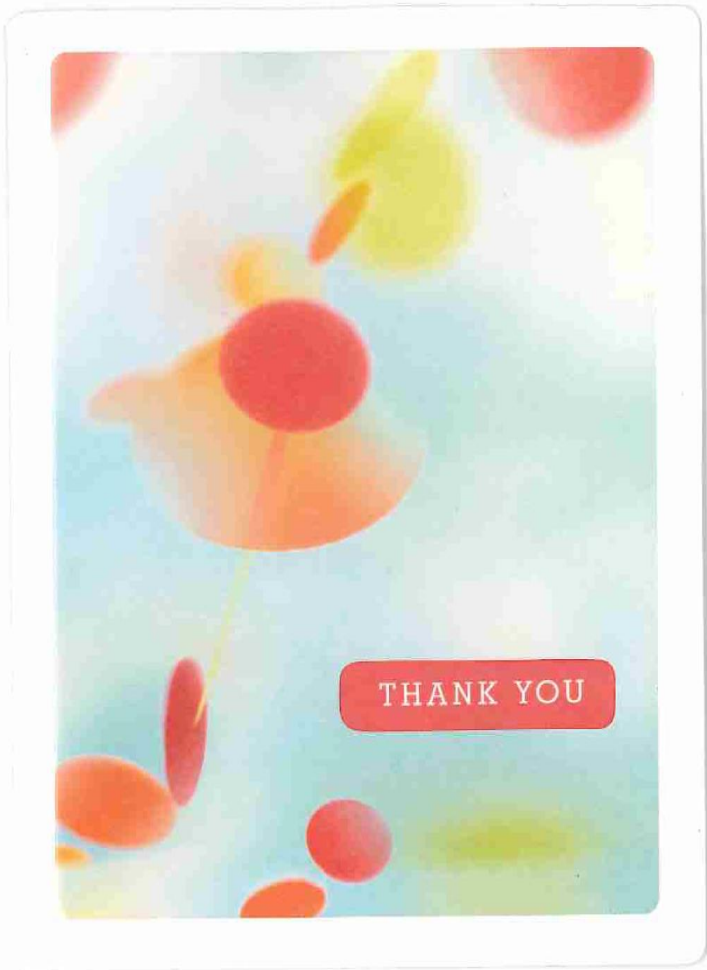


AYW Program Stats

	AYW 2015	AYW 2016
City Contribution	\$30,640	\$50,000
CareerSource Contribution	\$56,273	\$178,696
Applications Received	55	113
Students Accepted	32	75
Students Completed Program	32	74
Students hired/offered positions after AYW	6	7
Businesses Recruited	14	22
New Businesses	*	7
Businesses that participated	13	16

Backup material for agenda item:

2. Thank you letter from Wheatley Elementary for the supplies received from the Apopka School Supply Drive.



Thanks for
all you do
for our students!
City of Apopka
Wheatley Elementary

L. Atkinson - Principal

Veronica Rojas
Phillis Wheatley ES P.T.A.

THANK YOU