



## **City of Apopka Planning Commission Meeting Agenda**

**August 25, 2015**

**5:01 PM @ CITY COUNCIL CHAMBERS**

### **I. CALL TO ORDER**

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

### **II. OPENING AND INVOCATION**

### **III. APPROVAL OF MINUTES:**

1. Approve minutes of the Planning Commission meeting held August 11, 2015, at 5:01 p.m.

### **IV. PUBLIC HEARING:**

1. CHANGE OF ZONING – Cantero Holdings, LLC, from AG (Agriculture) to AG-E (Agriculture Estates) for property located east of Golden Gem Road, north of Ponkan Road. (Parcel ID #s: 24-20-27-0000-00-097; 24-20-27-0000-00-098; 24-20-27-0000-00-100; 24-20-27-0000-00-101; 24-20-27-0000-00-102; 24-20-27-0000-00-103; 24-20-27-0000-00-104; 24-20-27-0000-00-105)
2. CHANGE OF ZONING – PUD MASTER PLAN – Third Amendment to the Mullinax Ford of Central Florida, Inc. Planned Unit Development Master Plan, for property located north of S.R. 436 (a.k.a. Semoran Boulevard) and east of Roger Williams Road. (Parcel ID #s: 24-21-28-0000-00-002; 24-21-28-0000-00-049; 24 -21-28-0000-00-083; 24-21-28-0000-00-084)

**V. SITE PLANS:**

1. REVISED FINAL DEVELOPMENT PLAN – Northwest Distribution Facility Building “C” – Owned by Oakmont Apopka Road, LLC and located at 1349 Ocoee-Apopka Road (Between S.R. 451 and Ocoee-Apopka Road and east of Boy Scout Road). (PARCEL ID #: 17-21-28-5953-01-000)

**VI. OLD BUSINESS:**

**VII. NEW BUSINESS:**

**VIII. ADJOURNMENT:**

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

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

**Backup material for agenda item:**

- 1 Approve minutes of the Planning Commission meeting held August 11, 2015, at 5:01 p.m.

**MINUTES OF THE PLANNING COMMISSION MEETING HELD ON AUGUST 11, 2015, AT 5:01 P.M. IN THE CITY COUNCIL CHAMBERS, APOPKA, FLORIDA.**

**MEMBERS PRESENT:** James Greene, Robert Ryan, Melvin Birdsong, and Pam Toler

**ABSENT:** Tony Foster, Linda Laurendeau, Jeremiah Jaspon, Orange County Public Schools (Non-voting)

**OTHERS PRESENT:** R. Jay Davoll, P.E. - Community Development Director/City Engineer, David Moon, AICP - Planning Manager, Rogers Beckett - Special Projects Coordinate, Kyle Wilkes - Planner II, Robert Sargent - Public Information Officer, Andrew Hand, Esq., Karen Valiente, Victor Valiente, Evan Chesney, Christian Walter, Michael Voll, Bret Bienkonski, Jan Chesney, Suzanne Kidd, Don Bieger, David Yergey, Howard Washington, Shaunda Brown, Mike Cooper, and Jeanne Green – Community Development Department Office Manager/Recording Secretary.

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

**APPROVAL OF MINUTES:** Chairperson Greene asked if there were any corrections or additions to the regular meeting minutes of July 14, 2015, at 5:01 p.m. minutes.

**Motion:** **Melvin Birdsong made a motion to approve the Planning Commission minutes from the regular meeting on July 14, 2015, meeting at 5:01. Pam Toler seconded the motion. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, and Pam Toler (4-0).**

Chairperson Greene asked if there were any corrections or additions to the special meeting minutes of July 28, 2015, at 5:01 p.m. minutes.

**Motion:** **Melvin Birdsong made a motion to approve the Planning Commission minutes from the special meeting on July 28, 2015, meeting at 5:01. Robert Ryan seconded the motion. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, and Pam Toler (4-0).**

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

**VARIANCE – LOAVES & FISHES - PONKIN ROAD PROPERTIES, LLC** – Mr. Greene stated this is a request to approve a variance for Loaves & Fishes, located at 206 E. 8th Street, of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.02.01.A. to allow for a reduction in the rear yard setbacks to allow a portion of a building to encroach 5’ into the required 10’ setback.

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

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: David, Moon, Planning Manager, stated this is a request to approve a variance for Loaves & Fishes, located at 206 E. 8th Street, of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.02.01.A. to allow for a reduction in the rear yard setbacks to allow a portion of a building to encroach 5’ into the required 10’ setback. The engineer is Unroe Engineering. The future land use is Industrial and the zoning is I-1. The existing and proposed use is a public use food pantry. The tract is 0.48 +/- acre.



The applicant requests up to a 5 feet reduction in the required 10 feet rear yard setbacks. The applicant is proposing to construct an additional 156 square feet of storage space on to the existing food pantry. As appearing in the exhibit, the proposed 12'x 13' storage room will encroach 5 feet into the required 10 feet setback along rear of the property abutting the CSX/FCEN railroad right-of-way. If approved and constructed per the attached exhibit, the variance will leave a 5 feet building setback rear property.

The applicable City Code is Code of Ordinances, Part III - Land Development Code, Article II, Section 2.02.01.A., Minimum rear setback of 10 feet.

Planning Commission follows the below procedures, as set forth in the City Land Development Code, reviewing a request for a variance:

1. Section 10.02.02.A. *Initial Determination*. The Planning Commission shall first determine if the proposed variance arises out of the physical surroundings, shape, topographical conditions or other physical or environmental conditions that are unique to the specific property involved.
2. If Planning Commission determines that the variance arises out of the physical and environmental conditions described above, then it must make the following required finds, assets forth in Section 10.02.02.B.

When evaluating a variance application, the Planning Commission shall not vary from the requirements of the code unless it makes a positive finding, based on substantial competent evidence on each of the following required findings (Section 10.02.02.B):

1. (Initial Determination). There are practical difficulties in carrying out the strict letter of the regulation [in] that the requested variance relates to a hardship due to characteristics of the land and not solely on the needs of the owner. (Does the proposed variance arise out of the physical surroundings, shape, topographical conditions or other physical or environmental conditions that are unique to the specific property involved?)

**Applicant Response:** The lot is triangular in shape with an existing warehouse building. The rear setback is adjacent to a railroad ROW. The proposed variance is for an encroachment into the rear of 5'. The strict implementation of the rear setback would serve no practical purpose and would restrict the ability of the non-profit from serving the needs of the community.

**Staff Response:** DRC finds that the variance request is supported by the shape of the parcel and physical surroundings, creating a valid hardship that supports a variance. DRC does not object to the Applicant's Response. The south property line abuts CSX/FCEN railroad right-of-way, preventing an ability to acquire additional contiguous land to the south. Further, encroachment into the setback will not place the building addition near another building or structure, creating no further risk to other nearby buildings.

If Planning Commission supports that Initial Determination, then it must address variance criteria 2 through 7.

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

**Applicant's Response:** No reduction in cost is anticipated with the granting of this variance.

**Staff Response:** A hardship is created by the odd triangular shape of the lot, inability to expand land area to the south because of the CSX/FCEN railroad right-of-way. DRC does not object to the Applicant's Response.

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

**Applicant's Response:** The proposed construction will not increase the traffic on adjacent streets. The granting of the variance will have no effect on the amount of additional traffic generated.

**Staff Response:** DRC does not object to the Applicant's Response. Traffic impacts created by an encroachment of a small portion of the building into the setback will have a de minimus (minor or un-noticeable) impact on nearby roads.

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

**Applicant's Response:** The proposed encroachment into the rear setback is not visible to the surrounding property and will have no impact on the character of the surrounding property.

**Staff Response:** DRC does not object to the Applicant's Response. Expansion of the existing building and the proposed variance will not interfere with the ability of abutting property owners to use their property.

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

**Applicant's Response:** The setback requirements are intended to allow for sufficient open space. The proposed variance will result in 60 sq. ft. of additional building on a 1/2 acre site.

**Staff Response:** The subject property is assigned an I-1 Industrial zoning category. Properties to the south and west are assigned I-1 zoning category. DRC does not object to the Applicant's Response.

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

**Applicant's Response:** The proposed addition will "square off" the existing building. The existing building was constructed before the current owner purchased the property.

**Staff Response:** DRC finds that a valid hardship occurs and does not object to the Applicant's Response. The southern property line abuts CSX/FCEN railroad right-of-way, preventing an ability to acquire additional land to the south.

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

**Applicant's Response:** The proposed variance is behind the existing building and will not impact the public in any way.

**Staff Response:** DRC does not object to the Applicant's Response.

The Development Review Committee finds that a valid hardship exists and does not object to the variance request to allow the proposed building addition to encroach 5 feet into the 10 foot rear setback.

The Planning Commission may authorize the approval of a variance to Sections 2.02.01.A., of the Land Development Code, to allow a portion of the building addition, as shown in the site plan, to encroach no more than five feet into the ten foot rear yard setback.

As per the Land Development Code, Article XI - 11.05.00.A. - The Planning Commission has been established as a citizen board to review and approve variances.

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

Petitioner Presentation: None.

Affected Party Presentation: None.

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

**Motion:** Pam Toler made a motion to determine that the variance request for Loaves & Fishes, located at 206 E. 8th Street, arises out of the physical surroundings, shape, topographical conditions or other physical or environmental conditions that are unique to the specific property involved; and Robert Ryan seconded the motion.

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

**Aye votes were cast by James Greene, Melvin Birdsong, Robert Ryan and Pam Toler (4-0). (Vote taken by poll.)**

**Motion:** Melvin Birdsong made a motion to find Positive Findings for Criteria 2 through 7 for the variance request for Loaves & Fishes, located at 206 E. 8th Street, of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.02.01.A. to allow for a reduction in the rear yard setbacks to allow a portion of a building to encroach 5' into the required 10' setback; and Pam Toler seconded the motion.

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

**Aye votes were cast by James Greene, Melvin Birdsong, Robert Ryan and Pam Toler (4-0). (Vote taken by poll.)**

**SPECIAL EXCEPTION - PONKIN ROAD PROPERTIES, LLC** – Mr. Greene stated this is a request to approve the Special Exception request by Ponkin Road Properties, LLC, for property located south of West Ponkan Road, west of Plymouth Sorrento Road, in accordance with the Apopka Code of Ordinances, Part II,

Chapter 75, Section 75-26.b.3.c and Part III, Land Development Code, Article II, Section 2.02.19 to allow a monopole telecommunication tower within the AG-E zoning district; and to approve the request for a variance in accordance of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.02.19.g. to allow for a reduction in the rear yard setbacks.

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

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: Mr. Moon stated that this is a request to approve the Special Exception request by Ponkin Road Properties, LLC, for property located south of West Ponkan Road, west of Plymouth Sorrento Road, in accordance with the Apopka Code of Ordinances, Part II, Chapter 75, Section 75-26.b.3.c and Part III, Land Development Code, Article II, Section 2.02.19 to allow a monopole telecommunication tower within the AG-E zoning district; and to approve the request for a variance in accordance of the Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.02.19.g. to allow for a reduction in the rear yard setbacks. The property is located south of West Ponkan Road, west of Plymouth Sorrento Road. The owner is Ponkin Road Property, LLC; the applicant is GM2 Communications, LLC. c/o Michael Voll; and the engineer is Avcon, Inc. c/o Donald C. Bieger, P.E. The property is located at 3320 West Ponkan Road. The land use is Residential Low Suburban (0-3.5 du/ac). The existing zoning is "County" A-1 (ZIP). The first reading of Ordinance No. 2442 was accepted by the City Council, at its meeting on August 6 5, 2015, to change the zoning to "City" AG-E. Second reading and adoption are scheduled for the August 19, 2015, City Council meeting. The existing use is vacant land and the proposed use is the installation of a 150 foot high telecommunication monopole tower. The entire tract size is 7.28 +/- acres. The tower site will cover 0.14 +/- acre of the entire tract.

The applicant is proposing a 150 foot tall monopole telecommunications tower located at the southwest end of parcel number 25-20-27-0000-00-003, as depicted in the Vicinity Map. The tower will allow for the future co-location of additional users. A special exception approval from the Planning Commission must be obtained by the applicant before a telecommunication tower can be installed site. The applicant has obtained a contract with a telecommunication company desiring to use the tower. A final development plan has been submitted by the applicant and will be reviewed by the Planning Commission. Staff has determined the following:

1. The proposed tower site complies with the distance separation requirements between other telecommunications towers. Based on location of existing towers, the nearest tower is 6,785 feet (1.285) miles from the proposed monopole site. City standards require a minimum distance of 1,500 (0.28 miles) linear feet between monopole towers.
2. The tower will accommodate up to four (4) telecommunication antennae.
3. Access to the property will occur through a cross-access easement agreement to Ponkan Road.

The parent parcel may experience future residential development either within its boundaries or at adjacent parcels.

Typically, the main issue associated with telecommunication towers is the separation distance from residential areas, particularly existing home and established neighborhoods. Based on the location of the

proposed site for the telecommunications tower, the nearest existing residential neighborhood – Wekiva Run – more than 1700 feet to the southeast and situated on the east side of Plymouth Sorrento Road. Individual single family homes or mobile homes do occur on abutting parcels, the nearest single family home is approximately 428 feet from the tower site.

The extensive requirements for a telecommunications tower Special Exception are presented in Chapter 75 of the Apopka Code of Ordinances. Excerpts from this chapter, particularly section 75-27 are provided for reference. A final development plan must appear before the Planning Commission, at which time all applicable requirements of the telecommunications ordinance and Land Development Code must be met. The Planning Commission has the authority to grant or deny this Special Exception request.

The applicant requests a fifteen (15) foot reduction in the required fifty (50) feet rear yard setback. The applicant is proposing to construct a 150 feet high telecommunication tower. As appearing on the Final Development Plan, the proposed 80'x 80' tower site will encroach into the rear yard setback. If approved and constructed per the Final Development Plan, the variance would provide a thirty-five (35) foot rear yard buffer between the tower and the abutting parcel.

As set forth in the City Land Development Code, the Planning Commission follows the procedures below when reviewing a request for a variance:

1. Section 10.02.02.A. *Initial Determination.* The Planning Commission shall first determine if the proposed variance arises out of the physical surroundings, shape, topographical conditions or other physical or environmental conditions that are unique to the specific property involved.
2. If Planning Commission determines that the variance arises out of the physical and environmental conditions described above, then it must make the following required finds, assets forth in Section 10.02.02.B.

Applicable City Code: City of Apopka, Code of Ordinances, Part III - Land Development Code, Article II, Section 2.02.19.G., minimum rear yard setback of 50 feet.

Applicant's Response To Seven Variance Criteria: When evaluating a variance application, the Planning Commission shall not vary from the requirements of the code unless it makes a positive finding, based on substantial competent evidence on each of the following:

1. (Initial Determination). There are practical difficulties in carrying out the strict letter of the regulation [in] that the requested variance relates to a hardship due to characteristics of the land and not solely on the needs of the owner. (Does the proposed variance arise out of the physical surroundings, shape, topographical conditions or other physical or environmental conditions that are unique to the specific property involved?)

**Applicant Response:** The applicant proposes to decrease the south setback requirement to minimize the removal of existing trees and native vegetation and to leave more open space for future development of the parent property.

**Staff Response:** DRC determines that the physical surroundings abutting the west and south side of the subject parcel support the variance request. A future retention pond for S.R. 429 (Wekiva Parkway) and right-of-way for S.R. 429 abut the south and west sides of the parcel. Placement of the tower and equipment further to the south and west places them a little bit further away from

existing and future residential homes to the north and east and places no impacts on abutting future highway development to the west and south.

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

**Applicant's Response:** The variance request is based on minimizing the removal of the existing oak trees and native vegetation.

**Staff Response:** Staff supports the applicant's response and includes reasons addressed in the Initial Determination.

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

**Applicant's Response:** The project proposes to build a cell phone tower and the necessary infrastructure to serve it. It has a very low impact to the traffic on the public roads surrounding the project.

**Staff Response:** Staff supports the applicant's response and includes reasons addressed in the Initial Determination.

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

**Applicant's Response:** The applicant will lease 0.14 acres of land from the parent property increasing the revenue and value for the property owner. Also, this project requires a low land area footprint, it is design to blend to the surrounding area and not change the essential characteristics of the properties around it.

**Staff Response:** Staff supports the applicant's response and includes reasons addressed in the Initial Determination.

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

**Applicant's Response:** This project requires a low land area footprint and it is design to minimize the impact on the rural and agriculture surroundings.

**Staff Response:** Staff supports the applicant's response and includes reasons addressed in the Initial Determination.

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

**Applicant's Response:** This site is heavily wooded mainly composed of old oak trees. The applicant is proposing to reduce the rear lot setback to minimize the impact on the existing land and the removal of the existing native vegetation.

**Staff Response:** Staff supports the applicant's response and includes reasons addressed in the Initial Determination.

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

**Applicant's Response:** The proposed rear lot setback variance will leave more developable area on the parent property for future development and it is design to blend to the surrounding environment minimizing the impact on the properties around it and not creating any safety hazard and other detriments to the public.

**Staff Response:** Staff supports the applicant's response and includes reasons addressed in the Initial Determination.

The City notified Orange County on July 9, 2015. The City has not received any correspondence from Orange County in regards to this Special Exception.

The Development Review Committee recommends approval of the Ponkan Road Cell Tower – Ponkin Road Property, LLC., Tower Special Exception for the location and height of a telecommunications tower in the AG-E zoning district for the property owned by Ponkin Road Property, LLC and the Variance Request subject to the City Council approval of the AG-E zoning ordinance and the following conditions:

- 1.) The Special Exception shall expire one year from the effective date, which shall be the date that the Planning Commission approves the Special Exception or the date that an appeal is approve by City Council, whichever occurs first. If a final development plan for the telecommunication tower is approved prior to the expiration of the special exception, the special exception shall remain in effect until the final development plan expires.

The role of the Planning Commission is to approve, deny, or approve with conditions the Special Exception requests made by the Applicant.

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

In response to a question by Mr. Ryan, Mr. Moon stated that the applicant could comply with the setback standards by having the cell tower and other site equipment at least 50 feet away from the property lines. It just places it a little further to the north or possibly to the east putting it closer to other residential development.

Mr. Ryan stated that he does not see a hardship in this case and if the applicant can comply with the setback standards he did not see why he needed to move it south.

In response to a question by Mr. Ryan, Mr. Moon stated that he was not prepared to answer questions regarding other cities standards for cell towers. He said there are two types of setbacks. There is a setback from the property line and that falls under the definition of setback; and then there are distance separation requirements. That is the distance between one cell tower and another cell tower or the distance between the cell tower and residential development. In this case, the cell tower has to meet a distance separation requirement between the tower and the nearest residential and that is greater than the required 50 foot setback. He stated while other cities require a setback equivalent to the height of the tower, the Planning Commission's duty is to evaluate an application based on the requirements set forth within the City's ordinances.

Mr. Ryan stated that he was saying that the City is very liberal regarding cell towers compared with other cities. He said that if the tower can be constructed under the current setbacks then we should stick with the existing setbacks.

Chairperson Greene stated that granter the reduced setback moves the tower away from an existing residential area and closer to something, such as the Expressway property, where the tower location wouldn't matter.

Mr. Moon stated the City's retention pond is going to be located to the south, the highway to the west, and there shouldn't be a change of use on either of those properties for the next 100 plus years.

Ms. Toler asked for clarification of the applicant's response to the sixth criteria that reads: "This site is heavily wooded mainly composed of old oak trees. The applicant is proposing to reduce the rear lot setback to minimize the impact on the existing land and the removal of the existing native vegetation."

Petitioner Presentation: Don Beiger, Avcon, Inc., 5555 Michigan Street, Suite 200, Orlando, stated he represents Ponkin Road Properties, LLC and GM2 Communications, LLC. Regarding setbacks, he said they currently have a cell tower going potentially on the ABC Store located between the City of Orlando and Winter Park. They are about 10 feet away from the property line and abutting the building. The cell tower is being constructed and manufactured so that it is a cell tower that, if during high winds, it has to fall within an area and designed and built so that it can break apart. With the urbanization and urban build up in the corridors there and lack of some of the over lag that is going on with cell towers at this point and time, people wanting faster band widths and so on. We have to put things closer and closer. There are some municipalities that have some interesting setbacks and there are other ones that do one way to the other. With regard to the south setback. To keep this thing as far south as possible, GM2, private owner, they are going to put in a long term lease on the property. We already have a couple of people who are providers that have signed up for this. Working with Ponkan Road Properties, LLC, their main focus was to keep us as far to one corner as possible which allows them with the AG-E zoning, at 2.5 acres, maximize that piece of property and get people in there. Regarding the trees. There is less density as you come down to the south side of that piece of property and that is another reason why we put it there. As you go farther north along the property, it is a little denser. We are trying to save trees. He said they have met the St. Johns Water Management District criteria, the City code and the Land Development Code for stormwater within the area with the cell tower. He stated he is available to answer any questions.

Chairperson Greene opened the meeting for public hearing.

Affected Party Presentation: None presented.

Chairperson Greene opened the meeting for public hearing.

Howard Washington, 4389 Marigold Isle Avenue, Apopka, said he doesn't live too far from this property. He expressed his concern about the aesthetic of the cell tower. He said the currently there aren't too many houses around this cell tower but eventually there will be. He asked the Commission to take that into consideration when they make their recommendations.

Mr. Bieger stated this is monopole, single pole with a round at the top with spikes. There will be up to four users on this so it will look like a large flag pole. It won't have guy wires. Another reason for putting it in the far corner is we have a very large right of way for the expressway, a very large tract of land to the south



for a stormwater pond, and then Ponkin Road Properties, LLC is rezoned to a 2.5 acre for one house. There will not be a subdivision in that house. The tower is over 900 feet to the property line. We are over 300 feet to the A-1 zoning north of here before getting to Ponkan Road which most likely go to commercial. We are not in an area where we will see at 40 foot, 50 foot, or 60 foot residential family subdivision.

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

**Motion:** Pam Toler made a motion to approve the request by Ponkin Road Properties, LLC, for property located south of West Ponkan Road, west of Plymouth Sorrento Road, for a Special Exception in accordance with the Apopka Code of Ordinances, Part II, Chapter 75, Section 75-26.B.3.C, and Part III, Land Development Code, Article II, Section 2.02.19 to allow a monopole telecommunication tower within the AG-E Zoning District; subject to the information and findings in the staff report. Motion seconded by Melvin Birdsong. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, and Pam Toler (4-0). (Vote taken by poll.)

**Motion:** Melvin Birdsong made a motion to determine that the variance request for Ponkin Road Properties, LLC, located south of West Ponkan Road, west of Plymouth Sorrento Road, arises out of the physical surroundings, shape, topographical conditions or other physical or environmental conditions that are unique to the specific property involved; and Pam Toler seconded the motion.

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

Aye votes were cast by James Greene, Melvin Birdsong, Robert Ryan and Pam Toler (4-0). (Vote taken by poll.)

**Motion:** Melvin Birdsong made a motion to find Positive Findings for Criteria 2 through 7 for the variance request for Ponkin Road Properties, LLC, located south of West Ponkan Road, west of Plymouth Sorrento Road, in accordance with Apopka Code of Ordinances, Part III, Land Development Code, Article II, Section 2.02.19.G. to allow for a reduction in the rear yard setbacks; and Pam Toler seconded the motion.

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

Aye votes were cast by James Greene, Melvin Birdsong, Robert Ryan and Pam Toler (4-0). (Vote taken by poll.)

**CHANGE OF ZONING – PROPERTY INDUSTRIAL ENTERPRISES, LLC** – Mr. Greene stated this is a request to recommend approval of the change of zoning for Property Industrial Enterprises, LLC, c/o Michael R. Cooper, from I-1 (Restricted) to Planned Unit Development (PUD/I-1), property located North of Marshall Lake Road, west of South Bradshaw Road.

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

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: Mr. Moon stated this is a request for a change of zoning from I-1 (Restricted Industrial) to PUD/I-1 (Planned Unit Development) for the property owned by Property Industrial Enterprises, LLC, and located north of Marshall Lake Road, west of South Bradshaw Road. The existing use is vacant land and the proposed use is office and light industrial development. The future land use is Industrial (max 0.60 FAR). The purpose of the rezoning is to allow a maximum building height of fifty (50) feet. The tract size is 35.59 +/- acres. The existing and proposed maximum allowable development is 930,180 sq. ft.

Applicant desires to have industrial and office buildings that may accommodate a maximum height of fifty (50) feet.

The subject property was annexed into the City of Apopka on July 18, 1990. The proposed zoning change is compatible with the character of the surrounding area and the subject parcels are vacant. The applicant has requested the PUD/I-1 zoning to assure that the 35.59-acre parcels are consistent with the Industrial future land use designation, yet allow for flexibility on the maximum height of proposed development. The property owner intends to use the property for a professional office and light industrial development.

Staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this zoning change as indicated in the Zoning Report.

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

- A. The uses permitted within the PUD district shall be those permitted within the I-1 zoning district.
- B. All development standards set forth in the Land Development Code and Development Design Guidelines shall apply to development within the PUD unless as otherwise allowed and defined as follows:
  - 1. Building Height. Maximum building height is fifty (50) feet above ground elevation.
  - 2. Building Separation. A building shall be no closer than twenty feet to another building whether located on the same lot or parcel or an abutting lot or parcel. However, the City may require a greater building separation distance if determined that a public health or safety risk may potentially occur from the construction of an industrial building or use next to a commercial, office or institutional building or use, or vice versa.
  - 3. Signage shall comply with the City's sign codes unless otherwise approved through a master sign plan.
- C. The I-1 zoning standards shall apply to the development of the subject property unless otherwise established herein this ordinance.

The proposed PUD/I-1 rezoning is consistent with the proposed Future Land Use Designation of Industrial (with a maximum FAR of 0.60) for this property.

A capacity enhancement agreement with OCPS is not necessary because the proposed change of zoning is to a non-residential zoning district.

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on July 10, 2015.

The Development Review Committee recommends approval of the change in Zoning from I-1 to PUD/I-1 for the parcel owned by Property Industrial Enterprises LLC.

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

Land Use & Traffic Compatibility: The subject property fronts and is accessed by a local roadway (Marshall Lake Road). The zoning application covers approximately 35.59 acres. The property owner intends to use the property for a professional office and light industrial development.

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

I-1 District Requirements:

Minimum Living Area:	NA
Minimum Site Area:	15,000 sq. ft.
Minimum Lot Width	100 ft.
Setbacks:	Front: 25 ft.
	Rear: 10 ft.
	Side: 10 ft.
	Corner 25 ft.

Based on the above zoning standards, the existing 35.59 acre parcels comply with code requirements for the I-1 zoning district.

Bufferyard Requirements:

1. Areas adjacent to all road rights-of-way shall provide a minimum 25-foot landscaped bufferyard.
2. Areas adjacent to agricultural uses or districts shall provide a minimum of ten feet abutting the property line with landscaping and a six-foot-high masonry wall.
3. Areas adjacent to residential uses or districts shall provide a six-foot-high masonry wall within a minimum of 500-foot landscaped bufferyard.
4. Industrial uses adjacent to nonresidential, nonindustrial uses or districts shall provide one of the following:

A minimum of 25 feet abutting the property with landscaping and an earth berm, measuring three feet with a 3:1 slope; or A minimum six-foot-high masonry wall within a minimum of ten-foot landscaped bufferyard.

Allowable Uses: Wholesale distribution, storage, and light manufacturing uses and other similar and compatible uses.

In response to a question by Mr. Ryan, Mr. Moon stated that the only additional condition that staff added was based on the increase height. The distance separation between adjacent buildings is at least 20 feet. Under the building codes it could be as close as 10 feet otherwise. Based on comments from DRC members such as the Fire Department, 20 feet was more suitable to be able to get emergency vehicles between the buildings. Particularly is they are increased in height.

In response to questions by Ms. Toler, Mr. Moon stated that the number of buildings for this location is yet to be determined. This property will eventually be subdivided into an industrial complex that could have multiple parcels or just two parcels. It depends on the market and the interest of the property owner. Right now there is one user to be located at the eastern side of the property and what occurs in the future will depend on the market. He said the building on the property to the southeast, the Sports Complex, is 50 feet high and that additional height increase was approved through a planned unit development zoning because the Land Development Code has not been revised to address changing increased building heights. The Land Development Code currently establishes the maximum building height at 35 feet.

Ms. Toler expressed her concern that there will be various building heights in this area.

Mr. Moon stated that this project is separated by a roadway and the railroad tracks from other properties. Typically an industrial area, while urban form is important, the primary goal or function of that area is to create jobs and support jobs. Architectural design of the buildings isn't a high criteria from a staff standpoint as it is the ability to create jobs and employment. The building heights would be based on the needs of the industry on a piece of property.

Petitioner Presentation: Michael R. Cooper, Property Industrial Enterprises, LLC, 517 Cooper Oaks Court, Apopka, stated the building is about a 29,000 square foot building with 18,000 square feet being manufacturing. It's a specialty manufacturing facility that specializes in aluminum siding which is a high grade aluminum siding. The aluminum siding is snap in panels and they have manufacturing facilities throughout the country. They have a firm in Europe that is making the same type of panels. The office area is 11,000 plus square feet, 3-story office complex. The actual height is a little less than 45 feet. It's a unique building and is very pretty. It matches the Sports Center to a degree. The landscaping is very nice. It's not something that is going to be an eyesore. It's going to be an asset to the community.

Mr. Moon stated clarified that the PUD ordinance application covers the entire 35 acres.

Affected Party Presentation: None.

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

**Motion:** **Melvin Birdsong made a motion to recommend approval of the Change in Zoning from I-1 (Restricted Industrial) to PUD/I-1 (Planned Unit Development) for the property owned by Property Industrial Enterprises, LLC, and located north of Marshall Lake**

**Road, west of N Hawthorne Road; subject to the information and findings in the staff report; and Robert Ryan seconded the motion. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, Robert Ryan and Pam Toler (4-0). (Vote taken by poll.)**

**CHANGE OF ZONING – D. ARTHUR YERGEY TRUST** – Mr. Greene stated this is a request to recommend approval of the change of zoning for D. Arthur Yergey from “County” A-1 (ZIP) (Agriculture) to “City” I-1 (Industrial), for property located at 203 and 215 West Keene Road.

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

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

Staff Presentation: Mr. Moon stated this is a request for a change of zoning from “County” A-1 (ZIP) (Agriculture) to “City” I-1 (Restricted Industrial) for the property owned by D. Arthur Yergey Trust and located at 203 and 215 West Keene Road. The future land use is Industrial (0.60 FAR) and the minimum lot size is 15,000 sq. ft. The existing use is a small runway for model airplanes and ancillary structures. The proposed use is to be determined and will be consistent with the I-1 zoning district. The tract size is 50.77 +/- acres. The existing maximum allowable development is 5 residential units and the proposed maximum allowable development is 1,326,924 sq. ft.

The subject property was annexed into the City of Apopka on November 7, 2008 through the adoption of Ordinance No. 2049. Since annexation into the City, a “City” zoning category has not been assigned to the subject parcels. The property owner is requesting the City to assign a zoning category compatible with the Industrial Future Land Use Designation assigned to the property. Planning staff has determined that an I-1 zoning category is the most suitable for the subject parcel.

The proposed zoning change is compatible with the character of the surrounding area and the subject parcels are vacant. The applicant has requested the I-1 zoning to assure that the 50.77-acre parcel is consistent with the Industrial Future Land Use Designation. The property owner is asking for the change of zoning to market the property for future uses permissible within the I-1 zoning district.

Pursuant to Florida Statute, an interlocal agreement with between the City and Orange County government, and policy set forth in the City’s Comprehensive Plan, a City zoning category must be assigned to property after it annexes into a municipality. The subject property is assigned an Industrial Future Land Use Designation, and I-1 is the least intensive zoning category compatible with the assigned Future Land Use Designation.

Staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this zoning change as indicated in the Zoning Report.

The proposed I-1 rezoning is consistent with the proposed Future Land Use Designation of Industrial, with a maximum FAR of 0.60, for this property. Minimum lot size for property assigned the I-1 zoning category is 15,000 sq. ft.

A capacity enhancement agreement with OCPS is not necessary because the proposed change of zoning to a non-residential zoning district. Such rezoning will not result in an increase in the number of residential

The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on July 10, 2015.

The Development Review Committee recommends approval of the change in Zoning from “County” A-1 (ZIP) to “City” I-1 for the parcel owned by the D. Arthur Yergey Trust.

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

Land Use & Traffic Compatibility: The subject property fronts and is accessed by a local roadway (W Keene Road). The zoning application covers approximately 50.77 acres. The property owner intends to use the property for ancillary buildings related to a model airplane airport/air field.

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

I-1 District Requirements:

Minimum Living Area:	NA
Minimum Site Area:	15,000 sq. ft.
Minimum Lot Width	100 ft.
Setbacks:	Front: 25 ft.
	Rear: 10 ft.
	Side: 10 ft.
	Corner 25 ft.

Based on the above zoning standards, the existing 50.77 acre parcels comply with code requirements for the I-1 zoning district.

Bufferyard Requirements:

1. Areas adjacent to all road rights-of-way shall provide a minimum 25-foot landscaped bufferyard.
2. Areas adjacent to agricultural uses or districts shall provide a minimum of ten feet abutting the property line with landscaping and a six-foot-high masonry wall.
3. Areas adjacent to residential uses or districts shall provide a six-foot-high masonry wall within a minimum of 500-foot landscaped bufferyard.
4. Industrial uses adjacent to nonresidential, nonindustrial uses or districts shall provide one of the following:

A minimum of 25 feet abutting the property with landscaping and an earth berm, measuring three feet with a slope; or A minimum six-foot-high masonry wall within a minimum of ten-foot landscaped bufferyard.

Allowable Uses: Wholesale distribution, storage, and light manufacturing uses and other similar and compatible uses.

Petitioner Presentation: David Yerger, 211 North Magnolia Avenue, Orlando, stated he is D. Arthur Yerger's son who is the trustee. He said they are merely seeking to carry out what they started a few years which is to actually apply a zoning classification to the property. He said there are no immediate plans for the property as far as an industrial use.

Affected Party Presentation: None.

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

**Motion:** **Melvin Birdsong made a motion to recommend approval of the Change in Zoning from "County" A-1 (ZIP) (Agriculture) to "City" I-1 (Restricted Industrial) for the property owned by D. Arthur Yerger Trust and located at 203 and 215 West Keene Road; subject to the information and findings in the staff report; and Pam Toler seconded the motion. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, Robert Ryan and Pam Toler (4-0). (Vote taken by poll.)**

**PLAT - MARDEN RIDGE** - Mr. Greene stated this is a request to recommend approval of the Plat for Marden Ridge, owned by Emerson Point Associates, LLLP. The Applicant is MMI Development, Inc., c/o Michael E. Wright, Esq. and the Engineer is GAI Consultants, Inc., c/o Anthony Call, P.E. The property is located Between S.R. 451 and Marden Road, south of Ocoee Apopka Road, and north of the Apopka Expressway.

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

Chairperson Greene asked if the Commission members had any ex parte communications to divulge regarding this item. No one spoke.

Staff Presentation: R. Jay Davoll, P.E., Community Development Director/City Engineer stated this is a request to recommend approval of the Plat for Marden Ridge. The property is owned by Emerson Point Associates, LLLP; the applicant is MMI Development, Inc., c/o Michael E. Wright, Esq.; and the engineer is GAI Consultants, Inc., c/o Anthony Call, P.E. The property is located Between S.R. 451 and Marden Road, south of Ocoee Apopka Road, and north of the Apopka Expressway. The land use is Commercial and Residential High Density (0-15 du/ac). The zoning is PUD/C-1/R-3. The existing use is harvested planted pine and the proposed development is a four lot subdivision with Lot 1 being a C-1 Commercial tract, and lots 2 through 4 being multi-family. The tract size is 42.17 +/- Acres.

The Marden Ridge Plat proposes a total of 4 lots with 17 dedicated tracts located on approximately 42.17 +/- acres. The overall site is comprised of 6.43 acres being designated for Commercial (C-1) use and 35.74 acres of the property designated for Residential High (PUD/R-3) use.

The Development Review Committee recommends approval of the Marden Ridge Plat subject to the information and comments in the staff report for the property owned by Emerson Point Associates, LLLP.

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

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

Petitioner Presentation: None provided.

Affected Party Presentation: None.

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

**Motion:** **Melvin Birdsong made a motion to recommend approval of the Plat for Marden Ridge, owned by Emerson Point Associates, LLLP and located Between S.R. 451 and Marden Road, south of Ocoee Apopka Road, and north of the Apopka Expressway; subject to the information and findings in the staff report. Robert Ryan seconded the motion. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, and Pam Toler (4-0). (Vote taken by poll.)**

**FINAL DEVELOPMENT PLAN – PONKIN ROAD PROPERTIES, LLC – CELL TOWER** - Mr. Greene stated this is a request to recommend approval of the Final Development Plan for the Ponkin Road Properties, LLC, c/o James L. Gissy, Cell Tower, for property located south of West Ponkan Road, west of Plymouth Sorrento Road.

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

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

Staff Presentation: Mr. Davoll stated this is a request to recommend approval of the Final Development Plan for the Ponkin Road Properties, LLC Cell Tower. The owner is Ponkin Road Property, LLC; the applicant is GM2 Communications, LLC. c/o Michael Voll; and the engineer is Avcon, Inc. c/o Donald C. Bieger, P.E. The property is located at 3320 West Ponkan Road. The future land use is Residential Low Suburban (0-3.5 du/ac). The current zoning is “County” A-1 (ZIP) and that zoning is in the process of being changed to “City” AG-E. The current use is vacant land and the proposed use is the installation of a maximum 150 foot high telecommunication monopole tower. The entire tract size is 7.28 +/- acres and the tower site will be 0.14 +/- acre.

The applicant is proposing a 150 foot tall monopole telecommunications tower located at the southwest end of parcel number 25-20-27-0000-00-003, as depicted in the Vicinity Map. The tower will allow for the future co-location of four (4) telecommunication users.

Staff has determined the following:

1. The proposed tower site complies with the distance separation requirements between other telecommunications towers. Based on location of existing towers, the nearest tower is 6,785 feet



(1.285) miles from the proposed monopole site. City standards require a minimum distance of 1,500 (0.28 miles) linear feet between monopole towers.

2. The tower will accommodate up to four (4) telecommunication antennae.
3. Access to the property will occur through a cross-access easement agreement to Ponkan Road.

The parent parcel may experience future residential development either within its boundaries or at adjacent parcels.

Typically, the main issue associated with telecommunication towers is the separation distance from residential areas, particularly existing home and established neighborhoods. Based on the location of the proposed site for the telecommunications tower, the nearest existing residential neighborhood – Wekiva Run – more than 1700 feet to the southeast and situated on the east side of Plymouth Sorrento Road. Individual single family homes and mobile homes do occur on abutting parcels, the nearest single family home is approximately 428 feet from the tower site.

Access to the site is provided by a 20' feet wide cross access easement agreement extending to Ponkan Road. Prior to any construction activities occurring on-site a copy of the recorded cross access agreement shall be filed with the Community Development Department. The site will include parking for service trucks.

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

The applicant is requesting a waiver to eliminate the installation of the landscaping around the perimeter if the site.

The applicant has committed to pay \$10.00 per deficient tree inch (totaling \$1,090) into the Tree Bank prior to issuance of the initial Arbor/Clearing permit.

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

Total inches on-site:	356
Total number of specimen trees:	35
Total inches removed:	273
Total inches retained:	83
Total inches replaced:	0
Total inches (Post Development):	<u>83</u>
Tree inches mitigated:	190

**WAIVER REQUEST** - Code of Ordinances, Chapter 75 – Telecommunications, Section 75-27.B.7 requires a landscape buffer around the perimeter of communication tower sites. The applicant is requesting not to install a landscape buffer around the perimeter of the site. The applicant's justification is that the property will be adjacent to the proposed S.R. 429 extension and stormwater facilities. The other two sides are blocked from public view by several hundred feet of existing wooded conditions. DRC supports this waiver request.

The City notified Orange County on July 9, 2015. The City has not received any correspondence from Orange County.

The Development Review Committee recommends approval of the Ponkan Road Cell Tower – Ponkin Road Property, LLC, (Minor) Final Development Plan subject to the following conditions:

1. Prior to any construction activities occurring on-site a letter must be obtained from the Florida Fish and Wildlife Conservation Commission (FFWCC) regarding wildlife management plan for the Gopher Tortoises.
2. Prior to any construction activities occurring on-site a copy of the recorded cross access agreement shall be filed with the Community Development Department.

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

In response to questions by Ms. Toler, Mr. Davoll stated that the applicant can clarify why they are requesting the waiver of landscaping. He stated that it could be due to there not being anything to buffer it from. The road and their fence are on the west side. The retention pond with fencing is on the south side. A buffer is usually to hide a site from what's being seen. Ponkan Road to the north is quite a distance from the tower. To the east there are a lot of trees.

In response to questions by Mr. Ryan, Mr. Davoll stated that, at this time, staff does not know the elevation of S.R. 429 that runs along this property. He said that you would be able to see the tower; however, depending on the elevation of S.R. 429 you may not be able to see the base of the tower where buffering would normally be required. He said that normally the Expressway builds bridges and they are all over top. This portion is going underground. They are building a bridge at Yothers Road to go over the Wekiva Parkway and as it approaches Ponkan, because of the grade at Ponkan, it is coming back up so the road may actually be below grade in this location. The applicant may have more information.

Petitioner Presentation: Mr. Beiger stated they will have approximately 25 feet to 26 feet from the property line to the fencing. We had a tree survey done and there are a number of mature trees between the property line and the fencing at this time on both the west and the south side of the property. Those are not going to be touched. The Land Development Code requires planting canopy trees adjacent to the fencing. Those canopy trees are a short distance apart from each other. One of the things that we have found is that large canopy trees over top of communications equipment does not tend to go well together. That is one of the reasons that they want to request not to put in the canopy trees near the perimeter line which is part of the landscaping code. The other part is a hedge and, as stated previously, we're over 300 feet to the north to the next property line and another 200 feet from Ponkan Road. We are in excess of 900 feet to the east to the next property line and then an additional 200 to 300 feet to Plymouth Sorrento Road. The visibility is not there to put in young trees and with canopy over the top of it, it doesn't make sense in a tree planting sense and then also with the proximity of those towers. He said that he believes that the Expressway will start going over Ponkan Road at this point and that there will be a little rise in that area. He said their site is at ground elevation and most of that ground is flat across that area. He said that being a civil engineer and having done roadway work in the past the Expressway will be higher at that point but there is still going to be approximately 25 to 26 feet of natural vegetative buffer between the property line and our fencing.

Affected Party Presentation: None.

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

In response to question by Mr. Birdsong if the Commission could recommend that a condition be added that if S.R. 429 is not constructed in the manner that the petitioner predicts then the buffer would be required, Mr. Hand stated that future conditions placed on a project are not addressed in the Code and cannot be placed on a property. The Commission can either recommend approval or denial of the waiver request.

**MOTION:** Robert Ryan made a motion to recommend denial of the request to waive the Code of Ordinances, Chapter 75 – Telecommunications, Section 75-27.B.7, that requires a landscape buffer around the perimeter of communication tower sites. Melvin Birdsong seconded the motion. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, and Pam Toler (4-0). (Vote taken by poll.)

**Motion:** Pam Toler made a motion to recommend approval of the Final Development Plan for the Ponkin Road Properties, LLC, Cell Tower, to be located south of West Ponkan Road, west of Plymouth Sorrento Road; subject to the conditions set forth by the Development Review Committee: (1) Prior to any construction activities occurring on-site a letter must be obtained from the Florida Fish and Wildlife Conservation Commission (FFWCC) regarding wildlife management plan for the Gopher Tortoises; and (2) Prior to any construction activities occurring on-site a copy of the recorded cross access agreement shall be filed with the Community Development Department; and the information and findings in the staff report. Melvin Birdsong seconded the motion. Aye votes were cast by James Greene, Robert Ryan, Melvin Birdsong, and Pam Toler (4-0). (Vote taken by poll.)

**OLD BUSINESS:** None.

**NEW BUSINESS:** Mr. Moon announced that due to the number of projects that are wanting to expedite the review and approval process; and that regular the September 8<sup>th</sup> Planning Commission meeting falls just after the Labor Day holiday, staff has scheduled a special Planning Commission meeting for March 25, 2015.

The attending Planning Commission members stated that they would be available to meet on March 25, 2015.

**ADJOURNMENT:** The meeting was adjourned at 6:07 p.m.

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James Greene, Chairperson

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

**Backup material for agenda item:**

1. CHANGE OF ZONING – Cantero Holdings, LLC, from AG (Agriculture) to AG-E (Agriculture Estates) for property located east of Golden Gem Road, north of Ponkan Road. (Parcel ID #s: 24-20-27-0000-00-097; 24-20-27-0000-00-098; 24-20-27-0000-00-100; 24-20-27-0000-00-101; 24-20-27-0000-00-102; 24-20-27-0000-00-103; 24-20-27-0000-00-104; 24-20-27-0000-00-105)



## CITY OF APOPKA PLANNING COMMISSION

<input checked="" type="checkbox"/> PUBLIC HEARING	DATE:	August 25, 2015
<input type="checkbox"/> ANNEXATION	FROM:	Community Development
<input type="checkbox"/> PLAT APPROVAL	EXHIBITS:	Zoning Report
<input type="checkbox"/> OTHER:		Vicinity Map
		Adjacent Zoning Map
		Adjacent Uses Map
		Existing Uses

**SUBJECT:** CANTERO HOLDINGS LLC

**PARCEL ID NUMBERS:** 24-20-27-0000-00-097; 24-20-27-0000-00-098; 24-20-27-0000-00-100;  
24-20-27-0000-00-101; 24-20-27-0000-00-102; 24-20-27-0000-00-103  
24-20-27-0000-00-104; 24-20-27-0000-00-105

**Request:** CHANGE OF ZONING  
FROM: AG (AGRICULTURE)  
TO: AG-E (AGRICULTURE-ESTATES)

### **SUMMARY**

OWNER: Cantero Holdings, LLC

APPLICANT: City of Apopka

LOCATION: East of Golden Gem Rd, north of Ponkan Rd

EXISTING USE: Timberland

FUTURE LAND USE: Rural Settlement (1 du/5 acres)

ZONING: AG

PROPOSED DEVELOPMENT: Single-family homes

PROPOSED ZONING: AG-E

TRACT SIZE: 81.39 acres

MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING ZONING: 16 Residential Units  
PROPOSED ZONING: 32 Residential Units

### **DISTRIBUTION**

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

**ADDITIONAL COMMENTS:**

The subject properties were annexed into the City of Apopka on December 1, 2004, through the adoption of Ordinance No. 1692, 1693, 1694 and 1695.

The proposed city zoning category is comparable to the densities and intensities and uses allowed under the existing “county” zoning classification, and the proposed zoning change is compatible with the character of the surrounding area. The property owner intends to develop the property as twelve (12) single-family residential lots. The AG-E zoning category does not allow for trailer homes and requires a minimum house livable area of 2,200 sq. ft., a minimum lot area of two and a half acres, and a minimum lot width of 150 feet.

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

**COMPREHENSIVE PLAN COMPLIANCE:** The proposed zoning classification is consistent with the Future Land Use Designation assigned to the property.

**SCHOOL CAPACITY REPORT:** The impact on the number of residential units under the proposed rezoning will be de minimus and, therefore, a school capacity enhancement agreement with OCPS is not necessary.

**JOINT PLANNING AREA/OVERLAY:** The subject properties are located within the “Northern Area” of the Joint Planning Area with Orange County. The subject properties are not located within any other city zoning overlay or protection area.

**ORANGE COUNTY NOTIFICATION:** The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on July 24, 2015.

**PUBLIC HEARING SCHEDULE:**

August 25, 2015 – Planning Commission (5:01 pm)  
September 16, 2015 - City Council (7:00 pm) - 1st Reading  
October 7, 2015 – City Council (1:30 pm) - 2nd Reading

**DULY ADVERTISED:**

August 7, 2015 – Public Hearing Notice Ad  
September 25, 2015 – Ordinance Heading Ad & ¼ page ad w/map

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**RECOMMENDED ACTION:**

The **Development Review Committee** recommends approval of the change in zoning from AG to AG-E for Cantero Holdings, LLC subject to the information and findings in this staff report.

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

## ZONING REPORT

### RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Rural	A-1	Ornamental nursery & manuf. home
East (County)	Rural	A-2	Grazing & manufactured home
South (City)	Rural Settlement & Conservation	A-1 (ZIP)	Manufactured home & municipal conservation
West (County)	Rural	A-1	Vacant (Non-Ag Acreage)

### LAND USE &

**TRAFFIC COMPATIBILITY:** The subject property fronts and is accessed by a local roadway (Golden Gem Road).

### COMPREHENSIVE PLAN COMPLIANCE:

The proposed AG-E zoning is consistent with the City’s Rural Settlement (1 du/5 acres) Future Land Use designation and with the character of the surrounding area and future proposed development. The AG-E zoning classification is one of the acceptable zoning categories allowed within the Rural Settlement Future Land Use category. Development Plans shall not exceed the density allowed in the adopted Future Land Use Designation.

### AG-E DISTRICT REQUIREMENTS:

Minimum Living Area:	2,200 sq. ft.
Minimum Site Area:	At 2.5 acres (or 108,900 sq. ft)
Minimum Lot Width	150
Setbacks:	
Front:	45 ft.
Rear:	50 ft.
Side:	35 ft.
Corner	35 ft.

Based on the above zoning standards, the subject parcels comply with code requirements for the AG-E district.

### BUFFERYARD REQUIREMENTS:

1. Developments shall provide a minimum six-foot high brick or stone finished wall adjacent to all external roadways, erected inside a minimum ten-foot landscaped bufferyard. Landscape materials shall be placed adjacent to the right-of-way, on the exterior of the buffer wall.
2. Areas adjacent to agriculture districts or activities shall provide a minimum five foot bufferyard and a minimum six-foot high brick or stone finished wall unless acceptable alternatives are submitted for approval.

**ALLOWABLE**

**USES:**

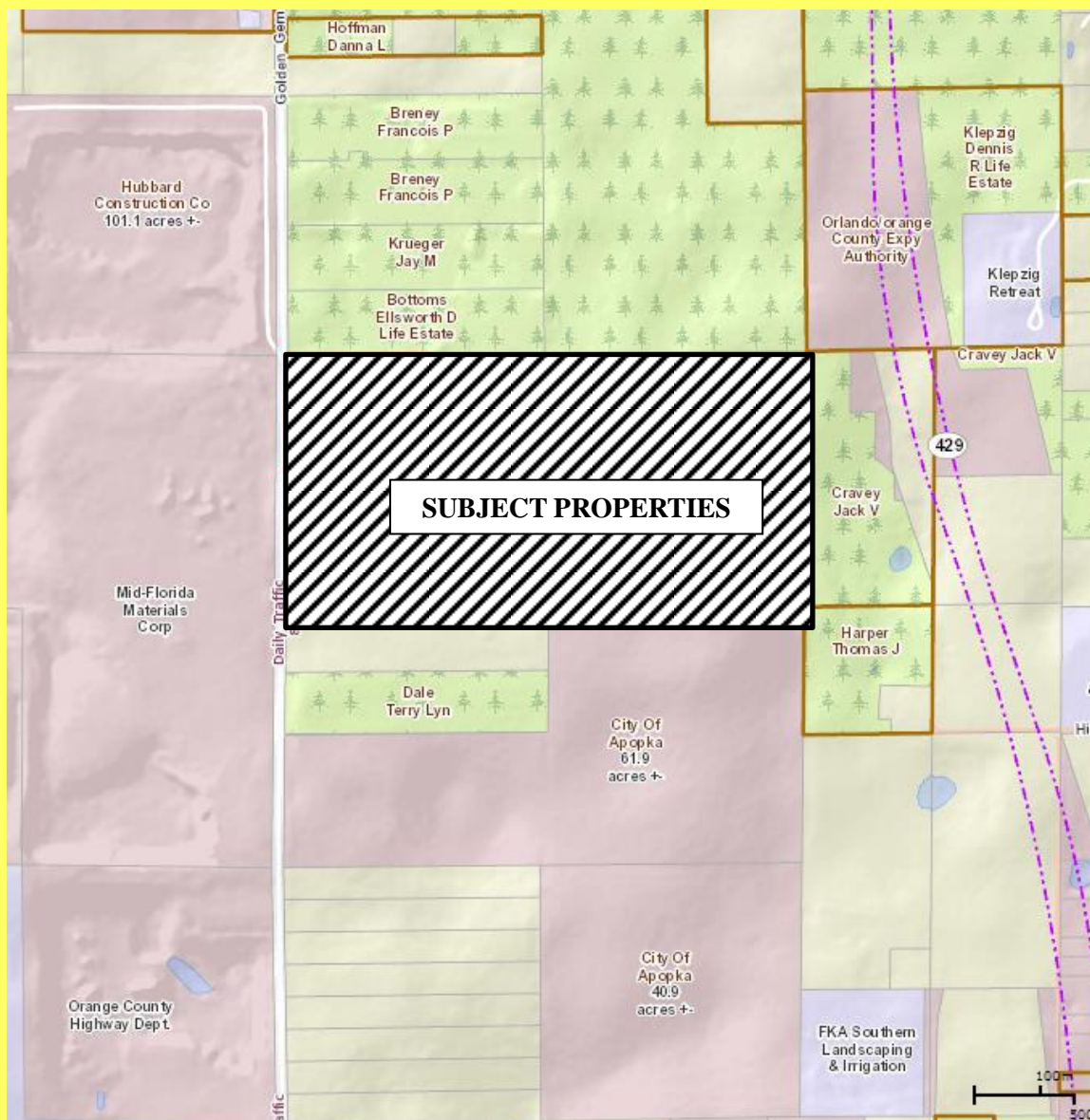
Single-family dwellings providing they are consistent with the stated purpose of this zoning district, commercial wholesale foliage plant production nursery, livestock barns and stables, crop and animal production and the buildings and structures necessary to support such production and other accessory uses in accordance with article VII of the Apopka Land Development Code.





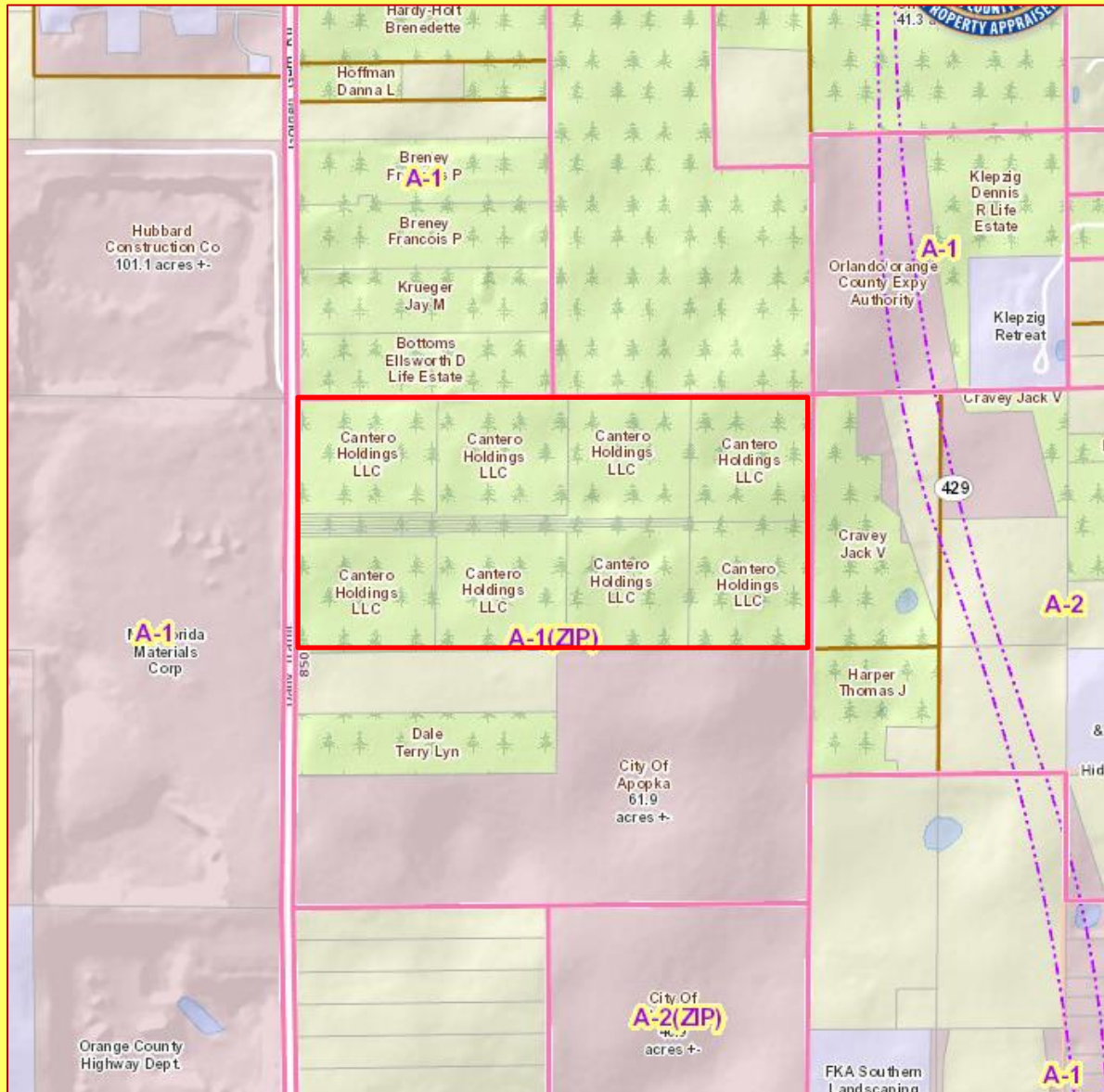
**Cantero Holdings LLC**  
**81.39 +/- Acres**  
**Proposed Zoning Change:**  
**From: AG (Agriculture) (5 acre min. lot)**  
**To: AG-E (Agriculture Estates) (2.5 acre min. lot)**  
**Parcel ID #: 24-20-27-0000-00-097, 24-20-27-0000-00-098,**  
**24-20-27-0000-00-100, 24-20-27-0000-00-101,**  
**24-20-27-0000-00-102, 24-20-27-0000-00-103,**  
**24-20-27-0000-00-104, 24-20-27-0000-00-105**

### VICINITY MAP





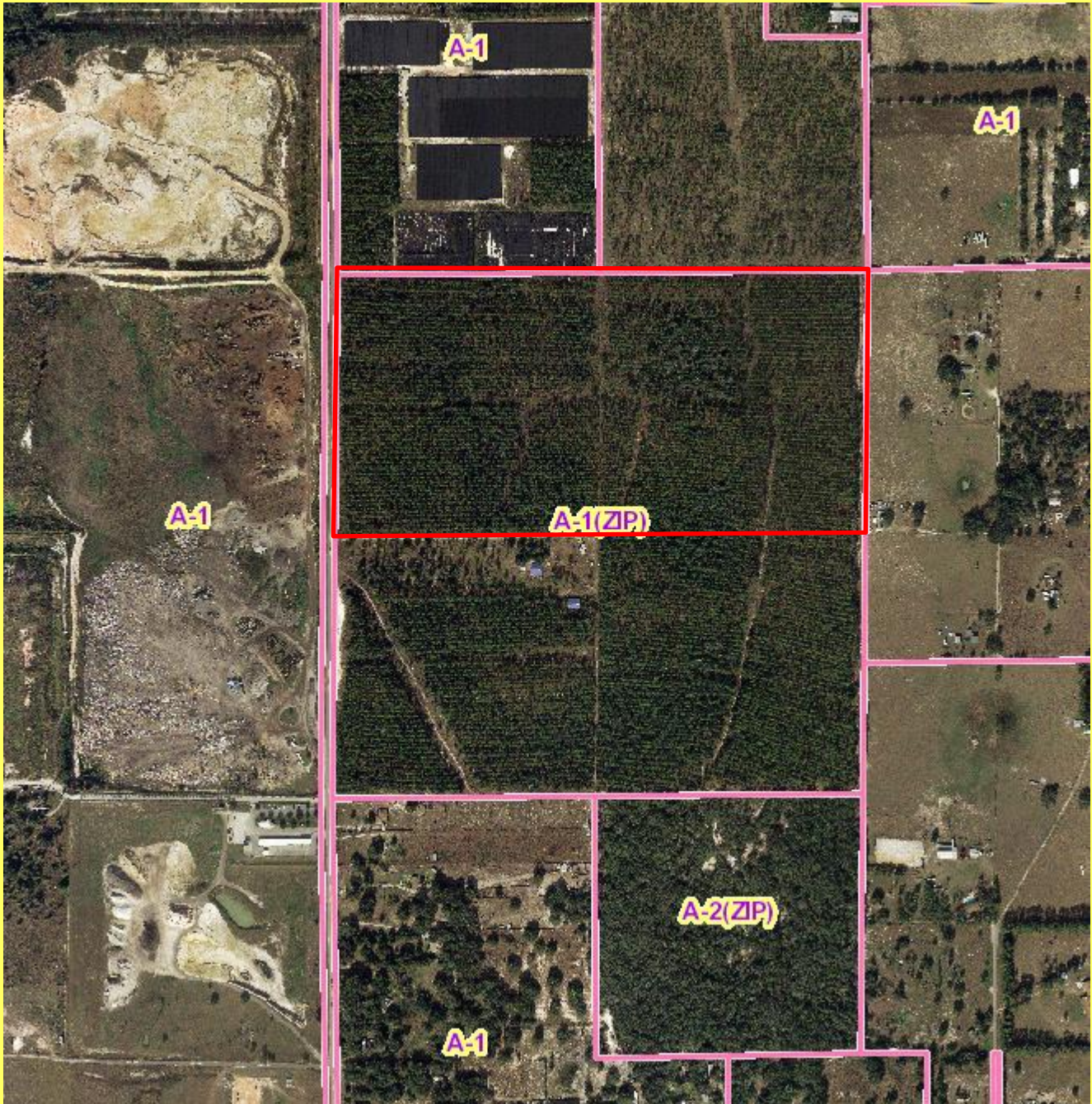
## ADJACENT ZONING







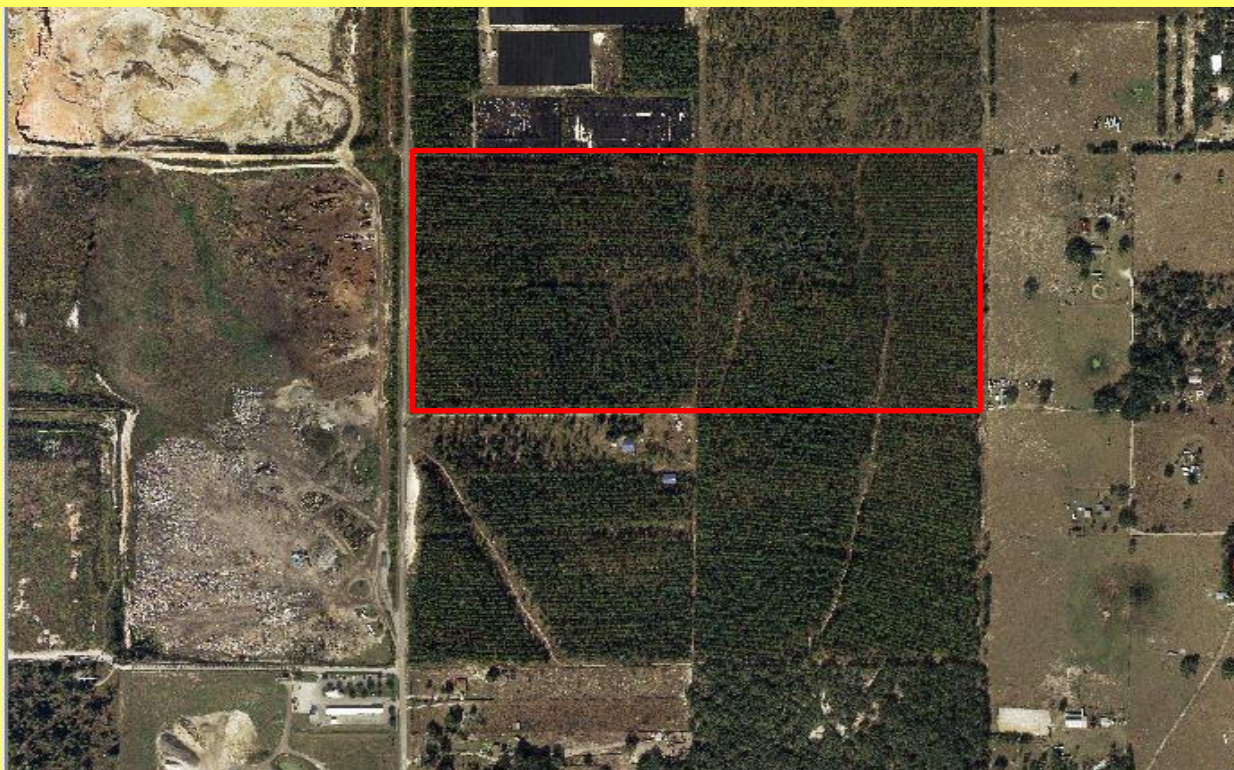
## ADJACENT USES







**EXISTING  
USES**



**Backup material for agenda item:**

2. CHANGE OF ZONING – PUD MASTER PLAN – Third Amendment to the Mullinax Ford of Central Florida, Inc. Planned Unit Development Master Plan, for property located north of S.R. 436 (a.k.a. Semoran Boulevard) and east of Roger Williams Road. (Parcel ID #s: 24-21-28-0000-00-002; 24-21-28-0000-00-049; 24 -21-28-0000-00-083; 24-21-28-0000-00-084)



## CITY OF APOPKA PLANNING COMMISSION

☒ PUBLIC HEARING  
☐ SPECIAL REPORTS  
☐ PLAT APPROVAL  
☒ OTHER:

MEETING OF: August 25, 2015  
FROM: Community Development  
EXHIBITS: Vicinity Map  
Adjacent Zoning Map  
PUD Master Plan  
Site Plan  
Color Rendering

**PROJECT: THIRD AMENDMENT TO THE MULLINAX FORD OF CENTRAL FLORIDA, INC. PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN**

**Request: RECOMMEND APPROVAL OF THE THIRD AMENDMENT TO THE MULLINAX FORD OF CENTRAL FLORIDA PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN. (PARCEL ID #S: 24-21-28-0000-00-002; 24-21-28-0000-00-049; 24-21-28-0000-00-083; 24-21-28-0000-00-084)**

### **SUMMARY:**

OWNER: Mullinax Ford of Central Florida, Inc.

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

LOCATION: North of S.R. 436 (a.k.a. Semoran Boulevard) and East Roger Williams Road

EXISTING USE: Automobile Dealership

LAND USE: Commercial

ZONING: PUD

PROPOSED DEVELOPMENT: Construct a truck display mountain, service building, paved employee parking spaces and vehicle inventory storage area.

TRACT SIZE: 21.51 +/- Acres

### **DISTRIBUTION**

Mayor Kilsheimer  
Commissioners (4)  
City Administrator Irby  
Community Dev. Director

Finance Director  
HR Director  
IT Director  
Police Chief

Public Ser. Director  
City Clerk  
Fire Chief

**RELATIONSHIP TO ADJACENT PROPERTIES:**

Direction	Future Land Use	Zoning	Present Use
North (County)	Low Density Residential	R-2	Residential Subdivision
East (City)	Industrial	I-1	Warehouse and Commercial Retail
South (City)	Commercial	C-1	Vacant Land
South (County)	Commercial	C-1/C-2	Gas Station\ Convenience Store and Commercial Retail
West (County)	Commercial	C-3	Storage Units

**ADDITIONAL COMMENTS:**

The original PUD Master Plan was adopted on January 2, 2003, through Ordinance # 1552, allowing automotive sales and associated uses. The PUD Master Plan amendment identifies four development phases for the site. The first phase includes the construction of a 203' x 73' truck display mountain 23' in height and 96 paved employee parking spaces. The second phase of the proposed PUD Master Plan includes the development of a 6,290 sq. ft. service building with phases 3 and 4 expanding the employee parking and vehicle inventory storage area.

Comprehensive Plan Compliance: The proposed PUD zoning is consistent with the City's Commercial Land Use designation. The development plan shall not exceed the intensity allowed within the adopted Future Land Use designation.

Land Use Compatibility: The property fronts an urban principle arterial roadway (Semoran Blvd, S.R. 436). The properties to the south, east and west have established commercial uses.

Buffer yard Requirements: Areas adjacent to all road right of ways shall provide a minimum ten foot landscape bufferyard. Areas adjacent to residential uses or districts shall provide a six foot high masonry wall within a ten-foot landscape buffer.

**PROPOSED PUD RECOMMENDATIONS:** The PUD recommendations are that the zoning classification of the following described property be designated as Planned Unit Development (PUD), as defined in the Apopka Land Development Code, and with the following Master Plan provisions:

**Section I.** That the zoning classification of the following described property be designated as Planned Unit Development (PUD), as defined in the Apopka Land Development Code, and with the following Master Plan provisions subject to the following zoning provisions:

- A. The uses permitted within the PUD district shall be those allowed within the C-2 zoning category.
- B. All development standards set forth in the Land Development Code and Development Design Guidelines shall apply to development within the PUD unless as otherwise allowed and defined as follows:
  1. The truck display mountain shall not exceed a height of twenty-five (25) feet above ground elevation. (The vehicle is not considered part of the height of the truck display mountain when a truck(s) is parked on this structure.)
  2. Signage shall comply with the City's sign codes unless otherwise approved through a master sign plan. No business identification shall be placed on the vehicle display mountain or vehicles parked thereon.

3. No outdoor light poles shall be placed on the truck display mountain. Any ground lighting placed there on or projected on to the truck display mountain must be approved with a preliminary or final development plan.
  4. Outdoor display of new vehicles allowed within the display areas denoted as “Rock Area” on the Master Plan. No used or pre-owned vehicles shall be placed with the “Rock Area”. All vehicles shall only be parked or stored within paved parking areas or designated outdoor display areas appearing on the Master Plan. Landscape areas shall not be used for vehicle parking or storage.
  5. Outdoor illumination plan shall be provided with the preliminary or final development plan.
- C. The C-2 zoning standards shall apply to the development of the subject property unless otherwise established herein this ordinance.

**PUBLIC HEARING SCHEDULE:**

Planning Commission – August 25, 2015, 5:01 p.m.

City Council – September 2, 2015, 1:30 p.m. – First Reading

City Council – September 16, 2015, 7:00 p.m. – Second Reading

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**RECOMMENDED ACTION:**

The **Development Review Committee (DRC)** recommended approval of the Mullinax Ford PUD Master Plan Amendment for the property owned by Mullinax Ford of Central Florida, Inc., located north of S.R. 436, east of Roger Williams Road, subject to PUD Recommendations and the information and findings in the staff report.

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

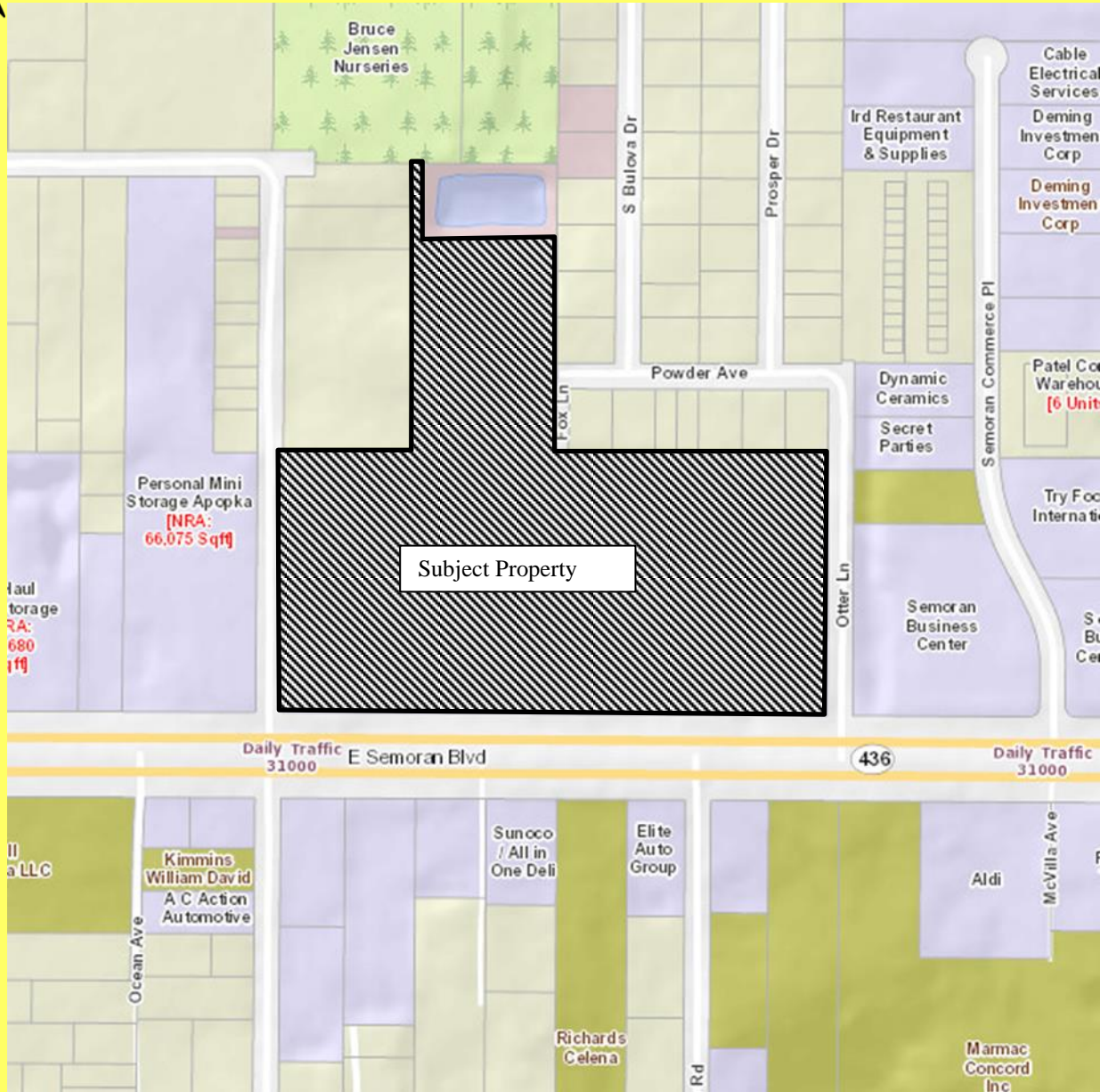
**Note:** This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.



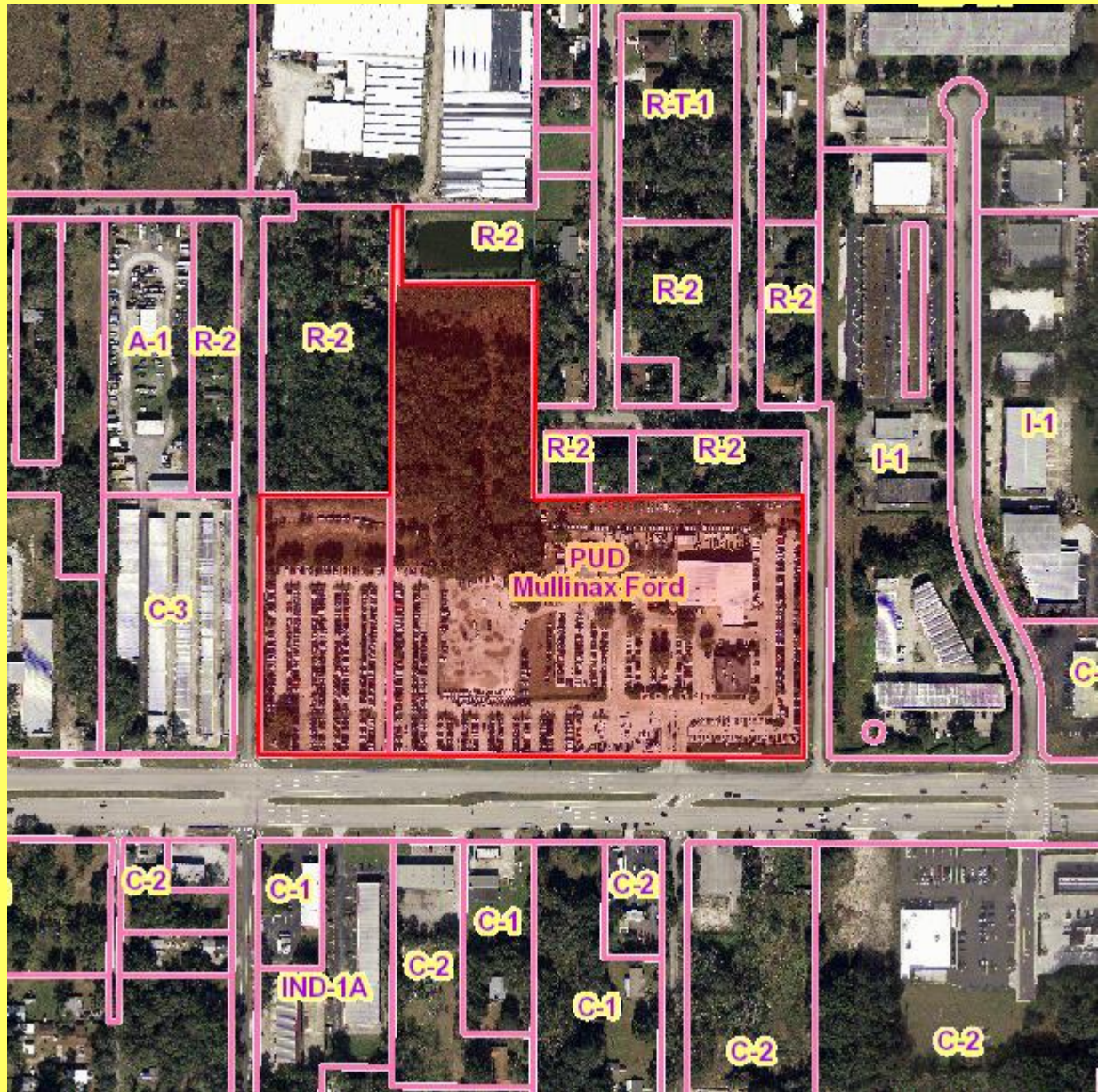
**Application:** PUD Master Plan Amendment  
**Owner:** Mullinax Ford of Central Florida, Inc.  
**Engineer:** American Civil Engineering Company c/o John Herbert, P.E.  
**Parcel ID Nos.:** 24-21-28-0000-00-002; 24-21-28-0000-00-049;  
24-21-28-0000-00-083; 24-21-28-0000-00-084  
**Total Acres:** 21.51 +/-



### VICINITY MAP

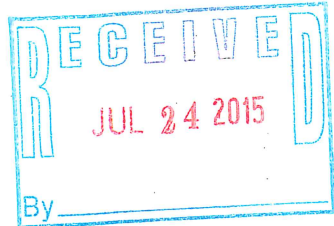


## ADJACENT ZONING MAP



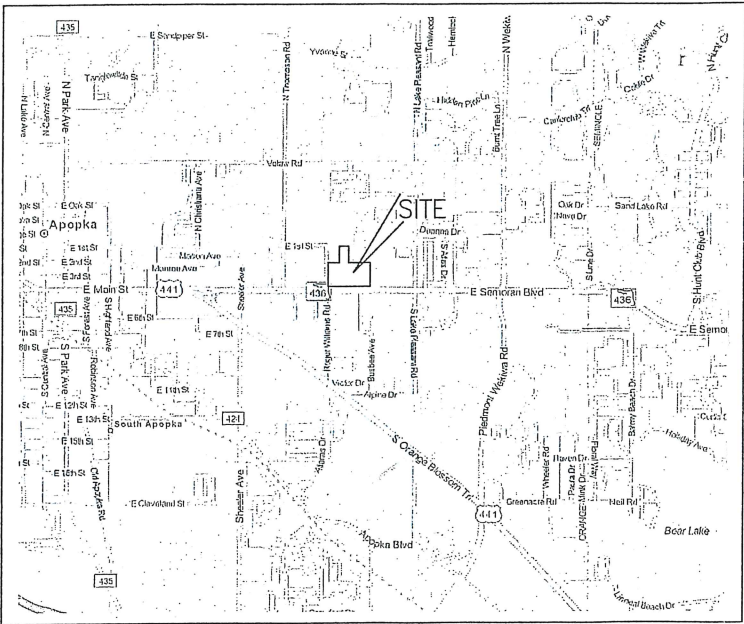


(2015) Amendment to Planned Unit Development (PUD)



Master Plan - Mullinax Ford

1551 E. Semoran Blvd, Apopka, Fl 32703



VICINITY MAP  
NOT TO SCALE  
SEC. 11 TWP. 21 S RGE. 28 E

LEGAL DESCRIPTION:

PARCEL 1:  
THE SOUTH 1/2 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 21 SOUTH, RANGE 28 EAST, LESS THE SOUTH 183.35 FEET OF THE WEST 104.35 FEET THEREOF, AND LESS ROAD RIGHT-OF-WAY ON SOUTH, AND LESS THE EAST 30 FEET FOR ROAD RIGHT-OF-WAY, ORANGE COUNTY, FLORIDA. PART OF THE CITY OF APOPKA. CONTAINING 8.747 ACRES MORE OR LESS.

TOGETHER WITH PARCEL 2:  
THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 (LESS RIGHT-OF-WAY ON SOUTH) AND (LESS THE NORTH 180 FEET LYING EAST OF THE WEST 20 FEET THEREOF), SECTION 11, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ALL IN ORANGE COUNTY, FLORIDA. PART OF THE CITY OF APOPKA. CONTAINING 8.528 ACRES MORE OR LESS.

TOGETHER WITH PARCEL 3:  
THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 21 SOUTH, RANGE 28 EAST, LESS THE WEST 30 FEET FOR ROAD RIGHT-OF-WAY AND LESS ROAD RIGHT-OF-WAY ON SOUTH, ORANGE COUNTY, FLORIDA. CONTAINING 4.241 ACRES MORE OR LESS.

TOGETHER WITH:  
THE QUARTER ACRE IN THE SOUTHWEST CORNER OF THE SOUTH 1/2 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4, SECTION 11, TOWNSHIP 21 SOUTH, RANGE 28 EAST (LESS RIGHT OF WAY FOR STATE ROAD 436), ORANGE COUNTY, FLORIDA.

AND

THE NORTH 50 FEET OF THE SOUTH 154.35 FEET OF THE WEST 104.35 FEET OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 (SE 1/4 OF NW 1/4 OF SE 1/4), SECTION 11, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA.

AND

THE NORTH 29 FEET OF THE SOUTH 183.35 FEET OF THE WEST 104.35 FEET OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA.

IRRIGATION PLAN

THE IRRIGATION PLAN WILL BE DESIGNED IN ACCORDANCE WITH CITY ORD. NO. 2069 AND WILL BE SUBMITTED AT THE TIME OF FINAL ENGINEERING WITH ALL OTHER DETAILED CONSTRUCTION PLANS. AT THIS TIME THE PROJECT IS BEING REVIEWED FOR ZONING ISSUES WHICH IRRIGATION IS NOT A ZONING ISSUE.

DEVELOPMENT SUMMARY

REQUEST TO AMEND CURRENT THE CURRENT PUD MASTER PLAN BY PAVING THE EMPLOYEE PARKING AREA AND CONSTRUCTING AN ELEVATED TRUCK DISPLAY.

PROJECT DIRECTORY

PROPERTY OWNER: Mullinax Ford of Central Florida, Inc.  
1551 E Semoran Blvd,  
Apopka, FL 32703  
(407) 565-2001

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

LAND SURVEYOR: American Surveying & Mapping Inc.  
3191 Maguire Blvd, Suite 200  
Orlando, Florida 32803  
(407) 426-7979

LANDSCAPE ARCHITECT: Katy Bojack  
Schweizer Bojack Landscape Arch., LLC  
P.O. Box 948383  
Maitland, Florida 32794-8383  
(407) 376-1423

INDEX OF SHEETS

SHEET	DESCRIPTION
1	COVER SHEET
2	BOUNDARY SURVEY
3	MASTER SITE PLAN
4	DETAILED SITE PLAN
5	ELEVATED TRUCK DISPLAY PLAN & PROFILE
L-1	LANDSCAPE - TREE MITIGATION PLAN
L-2	LANDSCAPE - LANDSCAPE PLAN
	ELEVATED TRUCK DISPLAY RENDERING

DATE	REVISIONS
6.12.15	second edition
9.20.14	first edition



Amendment to Planned Unit Development (PUD)

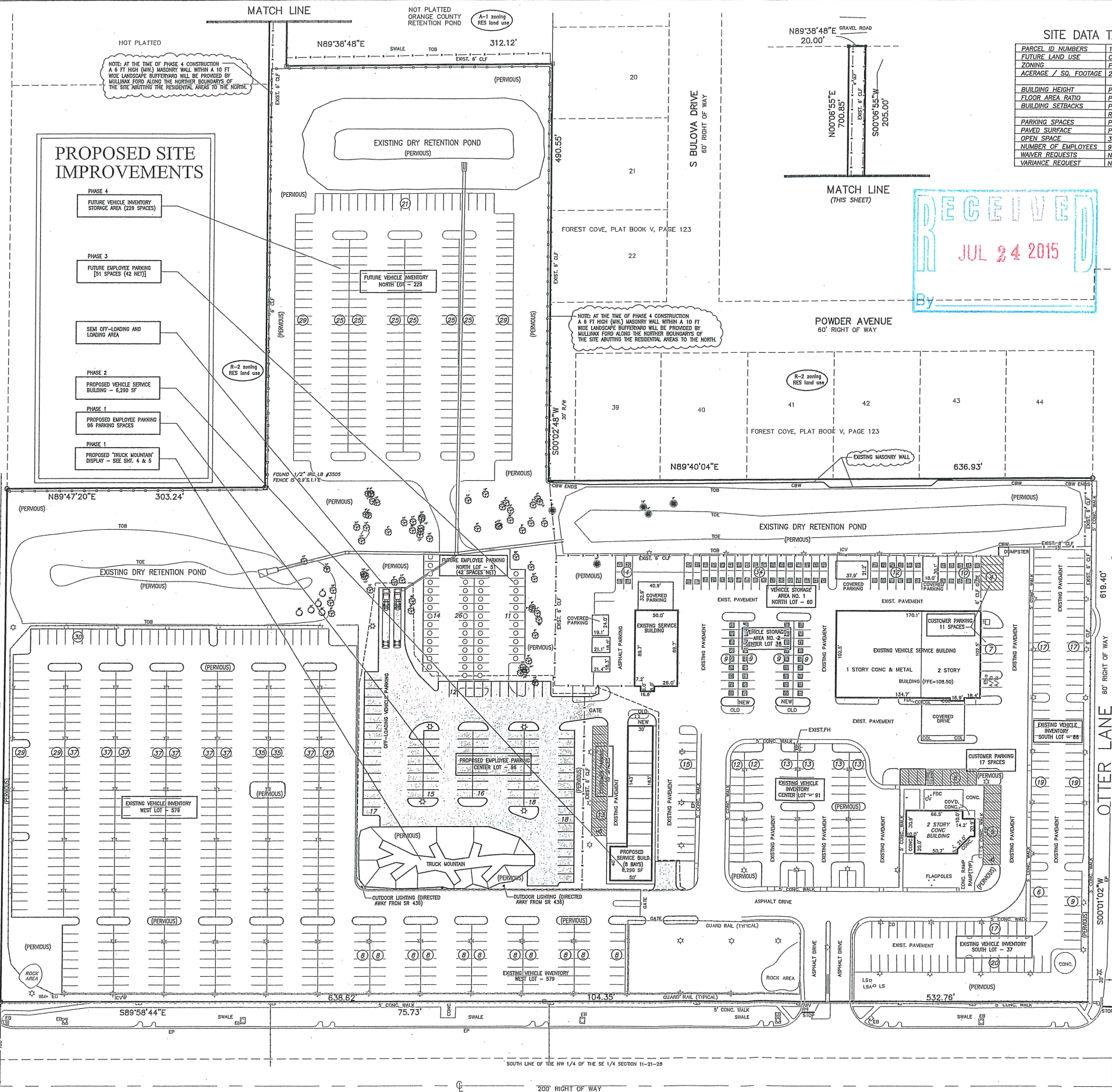
Master Plan - Mullinax Ford

1551 E Semoran Blvd, Apopka, FL 32703

Plans issued for:	Cover Sheet
<input type="checkbox"/> conceptual	project no. 13095
<input checked="" type="checkbox"/> PUD MASTER PLAN	1 of 5
<input type="checkbox"/> prelim. dev. plan	
<input type="checkbox"/> final engineering	
<input type="checkbox"/> construction	
<input type="checkbox"/> record drawings	



S ROGER WILLIAMS ROAD  
60' RIGHT OF WAY



SITE DATA TABLE

PARCEL ID NUMBERS	11-21-28-0000-00-065 & 066 & 068
FUTURE LAND USE	COM
ZONING	PUD
ACERAGE / SQ. FOOTAGE	21.51 AC 936,976 SF
BUILDING HEIGHT	PROPOSED: 23' MAX.: 35'
FLOOR AREA RATIO	PROPOSED: 0.042 MAX.: 0.60
BUILDING SETBACKS	PROPOSED: F=142', S=511', R=290'
PARKING SPACES	REQUIRED: F=10', S=15', R=30'
PAVED SURFACE	PROVIDED: 179 REQUIRED: 179
OPEN SPACE	PERVIOUS: 120 IMPERVIOUS: 142
NUMBER OF EMPLOYEES	90
WAIVER REQUESTS	NO
VARIANCE REQUEST	NO



GENERAL NOTES (from previous PUD Master Plan)

- 1.) ALLOWABLE USES FOR THE SUBJECT PROPERTY SHALL INCLUDE ALL PERMITTED C-2 USES AND ALL OTHER USES TYPICALLY ASSOCIATED WITH NEW AND USED AUTOMOBILE SALES, INCLUDING BUT NOT LIMITED TO, A PAINT AND BODY SHOP, QUICK LANE AND LIGHT REPAIRS.
- 2.) SIGNAGE:
  - a.) THE DEVELOPER SHALL BE PERMITTED TO OBTAIN AND/OR ALTER THE EXISTING SIGNAGE ON THE SITE PROVIDED THERE IS NO INCREASE IN COPY AREA OR HEIGHT EXCEPT TO ADD THE NEW FOOD/COD, FOR AS LONG AS THE EXISTING USES (AUTOMOBILE SALES, SERVICE, PAINT & BODY SHOP, AND QUICK LANE & REPAIRS)
  - b.) ANY NEW SIGNAGE SHALL BE INSTALLED CONSISTENT WITH THE FORD MOTOR COMPANY AND THE CITY REGULATIONS IN EFFECT AT THE TIME OF THIS AGREEMENT. (SEE MULLINAX FORD PROPOSED SIGNAGE CHART ON PAGE 3)
  - c.) MORE SPECIFICALLY AS FOLLOWS:
    - i.) EACH BUILDING ON SITE WILL BE PERMITTED A MAXIMUM OF 4 WALL SIGNS WITH THE EXCEPTION OF THE PROPOSED MULLINAX SHOWROOM BUILDING WHICH WILL BE PERMITTED 5 WALL SIGNS. THE SIGN COPY AREA IS CALCULATED AS TWO TIMES THE TOTAL BUILDING LINEAR FOOTAGE. THE TOTAL SIGN COPY AREA ON ANY ONE BUILDING MAY NOT EXCEED 300 SQUARE FEET. ALLOWABLE SQUARE FEET MAY BE TRANSFERRED FROM ONE BUILDING TO ANOTHER THROUGHOUT THE SUBJECT PROPERTY.
    - ii.) THE DEVELOPER IS PERMITTED TO INSTALL A POLE SIGN AT THE ROGER WILLIAMS ROAD ENTRANCE TO THE SUBJECT PROPERTY.
    - iii.) A MINIMUM OF 4 SECONDARY SIGNS:
      - A PRIMARY SIGN ON THE WEST PROPERTY LINE, AND
      - 1 SIGNIFICATION SIGN FOR THE PROPOSED QUICK LANE SHALL BE PERMITTED. THE SIGNS WILL COMPLY WITH FORD MOTOR COMPANY DESIGN AND SPECIFICATIONS.
    - iv.) ALL SIGNS ON THIS MASTER PLAN SUPERSEDE THE CODE AND REPRESENT THE MAXIMUM NUMBER OF SIGNS ALLOWED ON THE PROPERTY.
- 3.) ALL SITE LIGHTING SHALL COMPLY WITH THE CITY OF APOPKA DEVELOPMENT DESIGN GUIDELINES. PROPOSED SITE LIGHTING SHALL MATCH, AS CLOSE AS POSSIBLE TO THE EXISTING LIGHT FIXTURES.
- 4.) PROPOSED SHOWROOM BUILDING, QUICK LANE, PARKING AREAS, SIGNAGE, LIGHTING, AND STORM WATER RETENTION POND SIZES AND LOCATIONS ARE APPROXIMATE AND SUBJECT TO CHANGE. AT FINAL ENGINEERING DESIGN, N/A ABOVE ITEMS ARE CONSTRUCTED AND EXISTING.
- 5.) AN IRRIGATION PLAN WILL BE PROVIDED AT FINAL DEVELOPMENT PLAN SUBMITTAL.
- 6.) ALL EQUIPMENT (INCLUDING ROOFTOP) AND UTILITY BOXES MUST BE FULLY SCREENED FROM VIEW OF RIGHTS OF WAY AND ADJACENT PROPERTIES.
- 7.) AUTOMOBILES SHALL NOT BE ELEVATED ABOVE THE LANDSCAPING ALONG ALL ROAD RIGHTS OF WAY. THIS REVISED MASTER PLAN IS TO ALLOW THE ELEVATED VEHICLE DISPLAY AREA WHICH IS SETBACK FROM THE RIGHT-OF-WAY.
- 8.) THE TERMS AND CONDITIONS OF THE PUD MASTERPLAN SHALL BE IN ACCORDANCE WITH THE CITY'S LAND DEVELOPMENT CODE AND DEVELOPMENT GUIDELINES, EXCEPT AS SET-FORTH HEREIN.
- 9.) PUD TIME LIMITATIONS SHALL BE IN ACCORDANCE WITH ARTICLE II, SECTION 2.02.18.0 OF THE CITY'S LAND DEVELOPMENT CODE, EXCEPT AS PROVIDED FOR IN GENERAL NOTE NO. 13.
- 10.) POTABLE WATER TO BE PROVIDED BY CITY OF APOPKA.
- 11.) SANITARY SEWER CONNECTION SHALL BE IN ACCORDANCE WITH THE CITY OF APOPKA'S COMPREHENSIVE PLAN.
- 12.) STORMWATER MANAGEMENT TO BE PROVIDED BY ON-SITE STORMWATER RETENTION PONDS.
- 13.) PHASE 1 WILL COMMENCE CONSTRUCTION WITHIN 2 YEARS OF THE PRELIMINARY/FINAL CONSTRUCTION PLAN APPROVAL. PHASE 2 WILL COMMENCE CONSTRUCTION WITHIN 3 YEARS AFTER COMPLETION OF PHASE 1. PHASE 1 WILL CONSIST OF PARKING AND UTILITIES FOR NEW VEHICLE DISPLAY/INVENTORY WITHIN FUTURE PUD PHASE AND ADJACENT TO PROPOSED MULLINAX SHOWROOM. PHASE 2 WILL CONSIST OF PROPOSED MULLINAX SHOWROOM BUILDING AND PROPOSED EMPLOYEE/OVERFLOW PARKING. N/A
- 14.) BUSINESS OPERATION HOURS ARE AS FOLLOWS:
  - MONDAY-FRIDAY: 7:30AM-5:00PM
  - SATURDAY: 8:00AM-7:00PM
  - SUNDAY: 12:00PM-6:00PM
- 15.) THE HOURS THE EXTERIOR PARKING LIGHTS WILL BE ON, WILL BE FROM SUNSET TO 1:00AM. SECURITY LIGHTING (LESS THAN FIVE (5) FOOT CANDLES) WILL BE FROM SUNSET TO SUNRISE.
- 16.) THE CAFE WILL BE OPEN TO EMPLOYEES, AGENTS, AND CUSTOMERS ONLY.
- 17.) THE WESTERLY PARCEL (FUTURE PUD PHASE 1) IS INTENDED TO BE PART OF THE MASTER PLAN AT A LATER DATE. AS SOON AS THE AMENDMENT IS ADOPTED BY THE CITY OF APOPKA, THE WESTERLY PARCEL (FUTURE PUD PHASE 2) IS INTENDED TO BE PART OF THE MASTER PLAN AT A LATER DATE, AS SOON AS THE FUTURE LAND USE AMENDMENT TO COMMERCIAL IS ADOPTED BY THE CITY OF APOPKA. THIS REVISION TO THE MASTER PLAN IS TO ALSO RE-ZONE THE WEST PARCEL, (ZONED C-2) TO PUD BY INCLUDING IT INTO THE PUD FOR MULLINAX FORD.
- 18.) STORMWATER RETENTION PONDS WILL BE CONSTRUCTED WITH EACH DEVELOPMENT PHASE TO SUPPORT THE AMOUNT OF IMPERVIOUS AREA BEING CONSTRUCTED.
- 19.) TEMPORARY EMPLOYEE GRAVEL PARKING SHALL BE PERMITTED AS SHOWN ON SHEET 2 OF THE MASTER PLAN, UNTIL PHASE 2 CONSTRUCTION COMMENCES. THIS APPLICATION IS FOR EMPLOYEE PARKING IMPROVEMENT.
- 20.) IF SITE WORK FOR PHASE 2 DOES NOT COMMENCE WITHIN 3 YEARS OF MASTER PLAN APPROVAL, PROPERTY OWNER WILL BRING THE GRAVEL PARKING AREA TO COMPLIANCE WITH CITY OF APOPKA CODES.
- 21.) STORMWATER RETENTION WILL BE PROVIDED ON-SITE FOR THE AMOUNT OF IMPERVIOUS AREA BEING CONSTRUCTED FOR THE TEMPORARY GRAVEL PARKING.
- 22.) NO ELECTRIC CAR CHARGING STATIONS ARE PROPOSED AT THIS TIME.
- 23.) NO SIGNAGE WILL BE ALLOWED ON THE ELEVATED TRUCK DISPLAY.
- 24.) NO LIGHT POLES SHALL BE PLACED LESS THAN 30 FT FROM ALL RESIDENTIAL AREA.
- 25.) ALL NEW SIGNAGE SHALL COMPLY WITH THE CITY OF APOPKA CURRENT SIGN ORDINANCE.

PARKING SPACES SUMMARY CHART

STATUS	TYPE OF PARKING	NO. OF SPACES	LEGEND
EXISTING	INVENTORY / DISPLAY	795	
PROPOSED	INVENTORY / DISPLAY	12	
TOTAL	INVENTORY / DISPLAY	807	
EXISTING	CUSTOMER PARKING	28	
PROPOSED	CUSTOMER PARKING	13	
TOTAL	CUSTOMER PARKING	41	
TOTAL	PROVIDED HANDICAP PARKING	2	
EXISTING	VEHICLE STORAGE	96	
EXISTING	EMPLOYEE PAVED PARKING	0	
PROPOSED	EMPLOYEE PAVED PARKING	96	
TOTAL	EMPLOYEE PAVED PARKING	96	
FUTURE	EMPLOYEE PAVED PARKING	42	
TOTAL FUTURE	EMPLOYEE PAVED PARKING	138	
FUTURE	INVENTORY / DISPLAY	229	
TOTAL FUTURE	INVENTORY / DISPLAY	1,036	

DEVELOPMENT DATA

TOTAL OVERALL PROJECT AREA:	21.51 AC. / 936,976 SF
TOTAL AREA NEW CONST.:	2.14 AC. / 93,113 SF
ZONING:	PLANNED UNIT DEVELOPMENT
APPROVED LAND USES:	ALL PERMITTED C-2 USES, AND ALL OTHER USES TYPICALLY ASSOCIATED WITH NEW & USED AUTOMOBILE SALES
EXISTING USE:	NEW & USED VEHICLE SALES, AUTOMOBILE REPAIR
MAX BUILDING HEIGHT:	35'
BUILDING SETBACKS:	FRONT 10'
	SIDE 10' , 30' REAR ADJUTING RESIDENTIAL
	REAR 10' , 30' REAR ADJUTING RESIDENTIAL

WATER SERVICE:  
SEWER SERVICE:

POTABLE WATER SERVICE IS PROVIDED BY CITY OF APOPKA.  
SANITARY SERVICE WILL BE PROVIDED BY CITY OF APOPKA.

PUD MASTER PLAN

MULLINAX FORD

1551 SEMORAN BLVD., APOPKA, FLORIDA 32703

AMERICAN CIVIL  
ENGINEERING CO.






207 N. MOSS RD., SUITE 211, WINTER SPRINGS, FLA 32788  
PH. (407) 327-7700 FAX (407) 327-0927

NOTE: ALL INFORMATION CONTAINED HEREIN IS PROPERTY OF AMERICAN CIVIL ENGINEERING CO., ALL RIGHTS RESERVED. COPY RIGHT 2013.	ENGINEER: JOHN HERBERT, P.E.	CHECKED BY: TOM SKELTON, P.E.	TECHNICIAN: JAKE HERBERT	PROJECT NO. 13225
7/24/15 'CLOUDED' REVISIONS PER CITY COMMENTS				
6/12/15 REV. PER CITY OF APOPKA REVIEW COMMENTS				
DATE				

Master Plan  
project no. 13225  
sheet number  
3 of 5





-  - OAK TREE
-  - CYPRESS TREE
-  - PINE TREE
-  - MAGNOLIA TREE
-  - TREES TO BE REMOVED

TREES TO BE REMOVED:

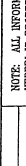
2 EA. 6" OAK  
1 EA. 7" OAK  
1 EA. 8" OAK  
1 EA. 12" OAK  
1 EA. 16" PINE  
1 EA. 18" OAK  
1 EA. 24" OAK

- 1.) ONLY EMPLOYEES OF MULLINAX FORD WILL BE PERMITTED TO BE ON THE ELEVATED TRUCK DISPLAY AREA. A 42" HIGH WROUGHT IRON STYLE FENCE AND SIGNAGE IS PROVIDED TO PREVENT CLIMBING.
- 2.) NO SIGNAGE WILL BE ADDED TO THE TRUCK DISPLAY AREA.
- 3.) THE TRUCK ELEVATED DISPLAY WILL BE CONSTRUCTED WITH STABILIZED COMPACTED FILL OVER LAYERED GEOTRID FABRIC. SEE PLAN SHEET 6 FOR ADDITIONAL INFORMATION.
- 4.) A LIGHTING PLAN IS REQUIRED PER THE CITY'S DEVELOPMENT DESIGN GUIDELINES. PARKING LOT LIGHT POLES AND FIXTURES MUST BE OF A DECORATIVE TYPE. LIGHT POLE FOOTCANS CANNOT BE EXPOSED ABOVE FINISH GRADE. EXAMPLES OF LIGHT POLES AND FIXTURES PROPOSED FOR THE SITE WILL MATCH THE EXISTING LIGHTING STYLES CURRENTLY ON THE PROPERTY. MANUFACTURERS CUT SHEETS SHOWING THE SIZE AND TYPE OF LIGHT FIXTURES WILL BE PROVIDED TO THE CITY FOR REVIEW AND APPROVAL AT TIME OF CONSTRUCTION PLAN SUBMITTAL.
- 5.) AT TIME OF FINAL ENGINEERING THE LANDSCAPE AND IRRIGATION PLANS SHALL BE IN COMPLIANCE WITH "WATER EFFICIENCY, 2008". IRRIGATION SYSTEMS TO BE DESIGNED WITH POP-UP TYPE DEVICES ONLY; RISERS ARE NOT ALLOWED. REQUIRED NOTE ON THE IRRIGATION PLAN SHALL STATE IN LARGE FONT: "IRRIGATION RISERS ARE NOT ALLOWED".

PUD MASTER PLAN - DETAILED SITE PLAN

**MULLINAX FORD**

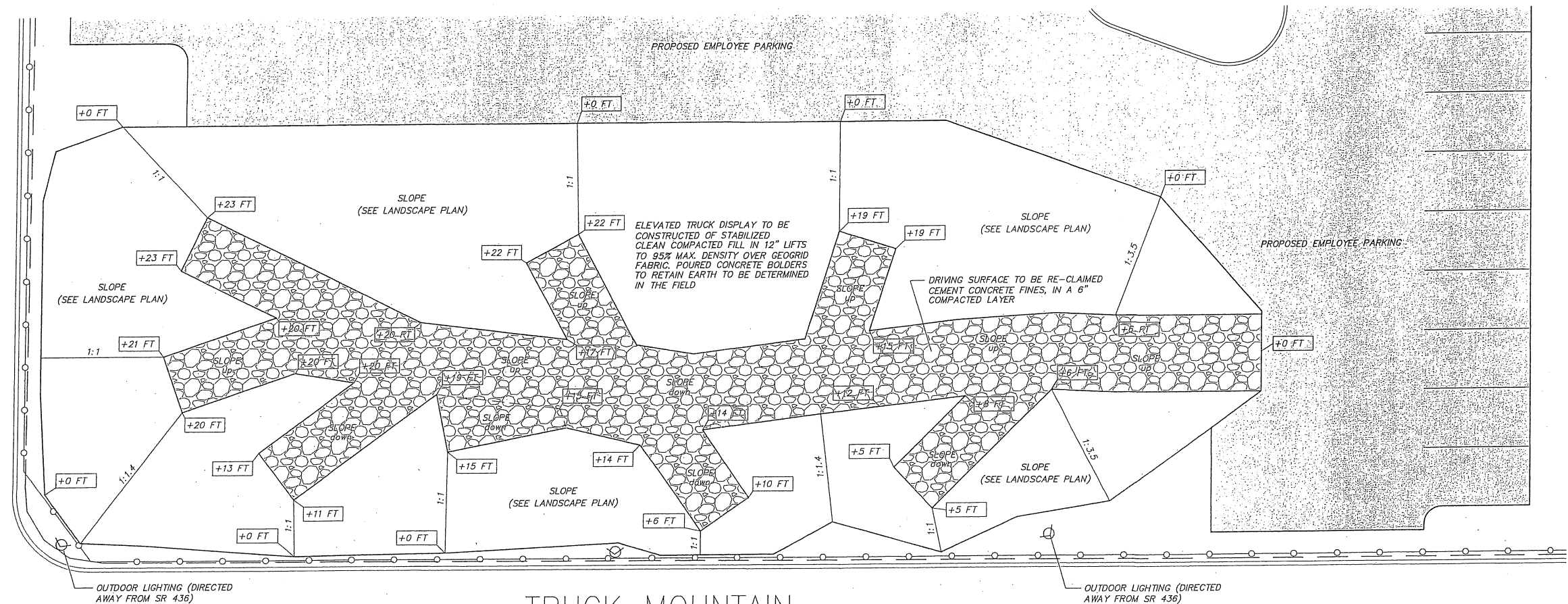
1551 SEMORAN BLVD., APOKA, FLORIDA 32703

	<b>AMERICAN CIVIL ENGINEERING CO.</b>		207 N. MOSS RD., SUITE 211, WINTER SPRINGS, FL 32709 PH. (407) 387-7700; FAX (407) 387-0227	
	Consent of authorization Number 0123			
	DATE _____			
	REVISIONS _____			
	PROJECT NO. 13225			
	TECHNICIAN: JANE HEBBERT			
	CHECKED BY: TOM SUTTON, P.E.			
	ENGINEER: JOHN HEBBERT, P.E.			
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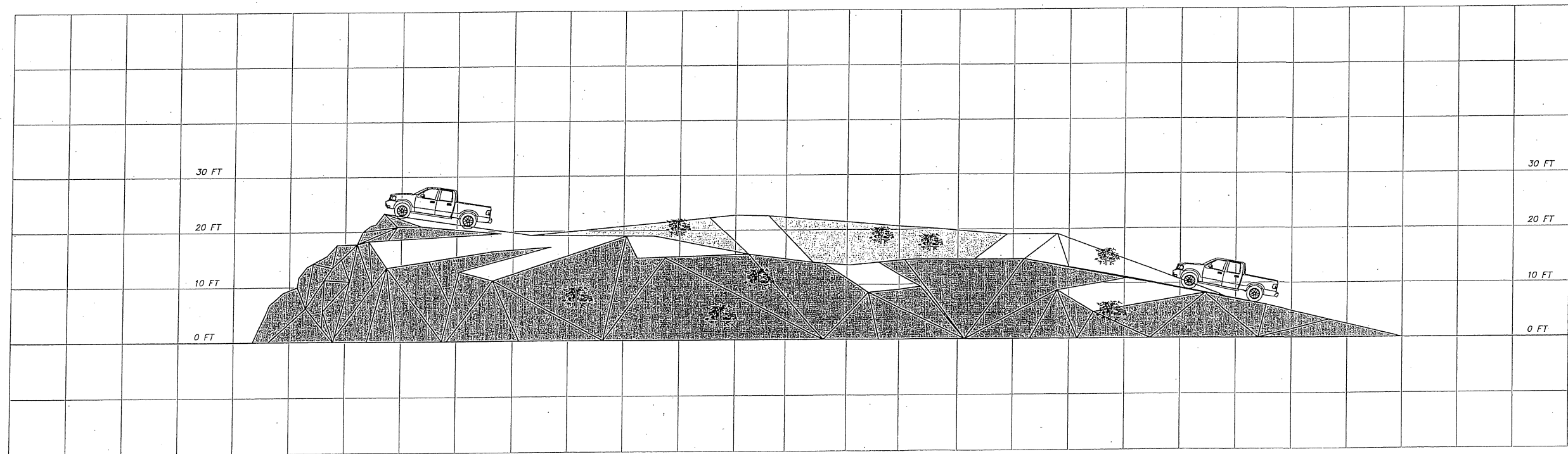
DETAILED SITE PLAN

project no. 13225

sheet number  
4 of 5



TRUCK MOUNTAIN



FRONT VIEW

SCALE: 1" = 10 FT

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ENGINEER: JOHN HERBERT, P.E.  
CHECKED BY: TOM SHELTON, P.E.  
TECHNICIAN: JAKE HERBERT

PROJECT NO. 13225

AMERICAN CIVIL  
ENGINEERING CO.

207 N. MOSS RD., SUITE 211, WINTER SPRINGS, FLA 32708  
FL (407) 327-1700; FAX (407) 327-0227

cert. of authorization  
number 8729

'TRUCK MOUNTAIN' DISPLAY FEATURE

**MULLINAX FORD**

1551 SEMORAN BLVD., APOPKA, FLORIDA 32703

display detail

project no. 13225

sheet number

5 of 5







**Backup material for agenda item:**

1. REVISED FINAL DEVELOPMENT PLAN – Northwest Distribution Facility Building “C” – Owned by Oakmont Apopka Road, LLC and located at 1349 Ocoee-Apopka Road (Between S.R. 451 and Ocoee-Apopka Road and east of Boy Scout Road). (PARCEL ID #: 17-21-28-5953-01-000)





## CITY OF APOPKA PLANNING COMMISSION

☒ PUBLIC HEARING  
☐ ANNEXATION  
☐ PLAT APPROVAL  
☒ OTHER: Final Development Plan

MEETING OF: August 25, 2015  
FROM: Community Development  
EXHIBITS: Vicinity/Aerial Map  
Site/Landscape Plans  
Building Elevations

**PROJECT: REVISED FINAL DEVELOPMENT PLAN - NORTHWEST  
DISTRIBUTION FACILITY BUILDING "C"**

**Request: RECOMMEND APPROVAL OF THE REVISED FINAL DEVELOPMENT  
PLAN FOR THE NORTHWEST DISTRIBUTION FACILITY BUILDING  
"C"**

### **SUMMARY:**

OWNER: Oakmont Apopka Road, LLC

APPLICANT: Oakmont Industrial Group c/o Thomas A. Cobb

ENGINEER: Highland Engineering, Inc. c/o Jeffery W. Banker, PE

ARCHITECT: Smallwood, Reynolds, Stewart, Stewart & Assoc., Inc.

LOCATION: 1349 Ocoee-Apopka Road  
(Between S.R. 451 and Ocoee-Apopka Road and east of Boy Scout Road)

PARCEL ID #: 17-21-28-5953-01-000

LAND USE: Industrial

ZONING: I-1

EXISTING USE: Vacant Land

PROPOSED USE: Industrial Warehouse (144,148 S.F.) w/ Office Complex (5,000 S.F.)

TRACT SIZE: 8.85 +/- acres

OVERALL SITE: 45.09 +/- acres

BUILDING SIZE: 149,148 sq. ft.

### **DISTRIBUTION**

Mayor Kilsheimer  
Commissioners (4)  
City Administrator Irby  
Community Dev. Director

Finance Director  
HR Director  
IT Director  
Police Chief

Public Ser. Director  
City Clerk  
Fire Chief

**RELATIONSHIP TO ADJACENT PROPERTIES:**

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Commercial Residential Medium (0-10du/ac)	C-1 R-3	Vacant Property Retention Pond
East (City)	Residential High (0-15du/ac)	PUD/R-3	Vacant Property
South (City)	Industrial	I-1	NW Distribution Bldg. A and B
West (City)	Commercial	C-1	Vacant Property

**ADDITIONAL COMMENTS:** The Northwest Distribution Facility Building C -Revised Final Development Plan proposes a 149,148 square foot industrial warehouse and office space.

**PARKING:** A total of 150 parking spaces are provided (300 required by code) of which 6 are reserved as a handicapped parking space. The applicant is requesting a waiver to reduce the parking space requirement for the site.

**ACCESS:** Access to the site is provided by a driveway cut along Ocoee-Apopka Road.

**EXTERIOR ELEVATIONS:** The height of the proposed building is 40' (top of parapet wall). The City approved a variance on October 10, 2006 for the overall building height for this project not to exceed 50'. The proposed height 40' is well below the maximum that could be built. Staff has found the proposed building elevations to be in accordance with the City's Development Design Guidelines.

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

**BUFFER/TREE PROGRAM:** A twenty-five foot landscape buffer is provided along Ocoee-Apopka 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.

Total inches on-site:	55
Total number of specimen trees:	0
Total inches removed	0
Total inches retained:	55
Total inches required:	340
Total inches replaced:	340
Total inches post development:	340

**WAIVER REQUESTS:**

1. Waiver Request #1: : LDC Section 6.03.02.A Requires the 2 parking spaces per 1000 square feet of gross floor area up to 150,00 square feet, plus 1 space for each vehicle operating from the premises. The applicant is requesting the required parking to be based on the number of employees working at the facility during the largest shift.

Justification: The proposed use of facility does not fit the description in the parking code for industrial/warehouse uses. The facility will be mostly used for storage of materials and will have a maximum of 90 employees working during the largest shift and no service provided to the general public.

DRC recommendation -- DRC supports this waiver request.

2. Waiver Request #2: LDC 5.08.01.C require a landscape island every 20 parking spaces and Development Design Guidelines Section 4.4 require a landscape island every 10 parking spaces. The applicant is requesting not to require landscape islands within the trailer parking and staging area.

Justification: Trailer parking/staging is not specifically addressed by the City of Apopka Code, but the 39 trailer staging spaces provided is a specific requirement of the tenant/occupant.

DRC recommendation – DRC supports this waiver request.

3. Waiver Request #3: The Development Design Guidelines Section 4.4 which require a landscape every 10 spaces. The applicant is requesting that a landscape island be required every 20 parking spaces for vehicular parking areas, which is consistent with code requirements in 5.08.01.C.

Justification: The City of Apopka Development Design Guidelines require no more than 10 parking spaces without a landscape island, which conflicts with the criteria specifically addressed by the City of Apopka Code, section 5.08.01.C; which require no more than 20 parking spaces without a landscape island.

DRC recommendation – DRC supports this waiver request.

4. Waiver Request #4: The applicant is requesting a waiver from LDC 5.01.10; which requires trees and scrubs to be placed on separate irrigation zones. The applicant is requesting to install bubblers on all trees which will connect to the nearest zone.

DRC recommendation -- DRC supports this waiver request.

**PUBLIC HEARING SCHEDULE:**

August 11, 2015 - Planning Commission (5:01 pm)

August 19, 2015 - City Council (7:00 pm)

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**RECOMMENDED ACTION:**

The **Development Review Committee** recommends approval of the **Northwest Distribution Facility Building C – Revised Final Development Plan**, subject to the findings of this staff report.

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

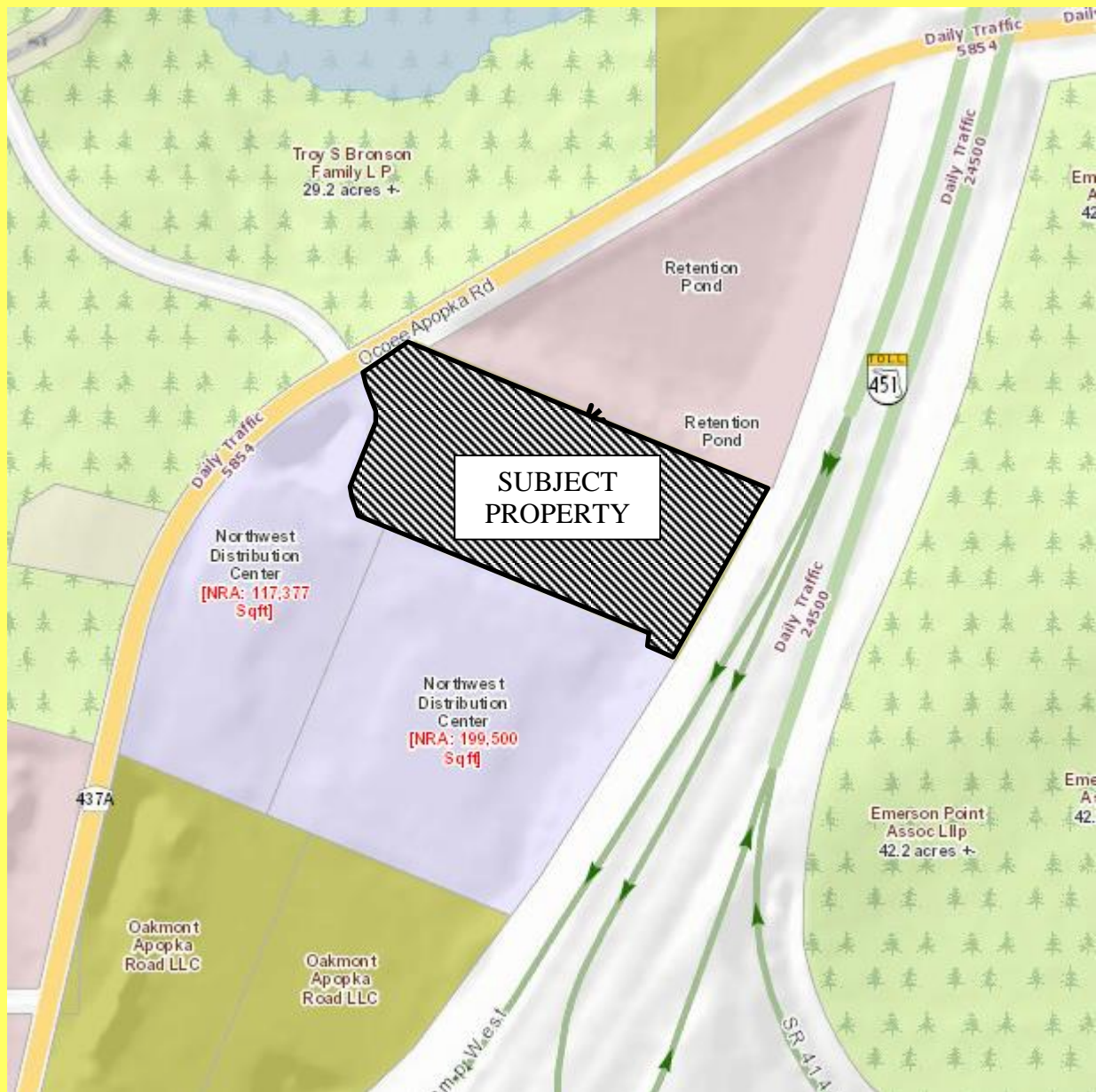
Recommend approval of the Northwest Distribution Building C – Revised Final Development Plan and the four waivers, subject to the findings of this staff report.

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

Application: Revised Final Development Plan  
Owner: Oakmont Road Property, LLC  
Applicant: Oakmont Industrial Group c/o Thomas A. Cobb  
Engineer: Highland Engineering, Inc. c/o Jeffery W. Banker, PE  
Parcel I.D. No: 17-21-28-5953-01-000  
Location: 1349 Ocoee-Apopka Road  
Acres: 8.85 +/-



## VICINITY MAP





Application: Revised Final Development Plan  
Owner: Oakmont Road Property, LLC  
Applicant: Oakmont Industrial Group c/o Thomas A. Cobb  
Engineer: Highland Engineering, Inc. c/o Jeffery W. Banker, PE  
Parcel I.D. No: 17-21-28-5953-01-000  
Location: 1349 Ocoee-Apopka Road  
Acres: 8.85 +/-

## AERIAL MAP





# REVISED FINAL SITE DEVELOPMENT PLAN FOR NORTHWEST DISTRIBUTION FACILITY BUILDING C

## Site Data Summary and Notes

- Parcel Identification No.: 17-21-28-5953-01-000
- Total Property Area: 45.09 Acres (1,964,120 SF)
- Project Area This Phase: 8.85 Acres (385,530 SF)
- Zoning: I-1 Restricted Industrial
- Future Land Use: Industrial
- Proposed Uses: Office/Warehouse Distribution:

BUILDING #	EMPLOYEES PROJECTED	OFFICE (SF)	WAREHOUSE (SF)	TOTAL (SF)
C	*90	5,000 +/-	144,148 +/-	149,148

\* Total number of employees is projected to be 160, operated by three different shifts. The maximum number of employees on the site for the largest shift is projected to be no more than 90 employees.

i. The proposed building will be construction type IIB and will be protected with an automatic fire suppression system.

- Project Phasing: The project will be constructed in 1 phase.
- Floor Area Ratio (FAR): 0.60 Max, 0.24 provided this phase plus previous phases.
- Site and Building Requirements: City of Apopka's Land Development Code and Development Design Guidelines
- Maximum Building Height:
  - Maximum: 50 Feet, A variance was approved by the City Land Development Review Board on October 10, 2006.
  - Proposed: 40 Feet

11. Maximum Impervious Coverage: Impervious coverage shall not exceed 80 percent of the total net developable land area.

- Maximum Allowable: 0.80 x 45.09 Acres = 36.07 Acres (80%)
- Impervious From Previous Phases: 15.35 Acres (34%)
- Impervious This Phase: Buildings = 3.42 Acres  
Pavement = 4.11 Acres  
Sub Total = 7.53 Acres (69%)

Total Impervious = 22.88 Acres (50%)

12. Parking Space Requirements:

BUILDING #	Employees	REQUIRED PARKING	PROVIDED PARKING	REQ. HANDICAPPED PARKING	PROVIDED HANDICAP PARKING
C	* 90	** 300	150	6	6

\* The proposed building is a build to suit and constructed to meet a specific use that does not fit the broad application of the parking code used by the City of Apopka for Industrial/Warehouse uses. Therefore a waiver is being requested to base the parking requirements on the number of employees working at the facility. The total number of employees is projected to be 160, operated by three different shifts, with the maximum number of employees on the site for the largest shift, projected to be 90 employee, leaving 60 parking spaces for visitor/guest parking.

\*\* Waiver requested

13. All loading and unloading of vehicles will be performed within the limits of the truck courts.

14. Building Setbacks:

- Front Yard, Ocoee Apopka Road (CR 437A): 25 feet from Right of Way  
Rear Yard, Western Bellway (SR 429): 25 feet  
Side Yard: 10 feet

15. Buffer Yards:

- Front Yard, Ocoee Apopka Road (CR 437A): 25 feet from Right of Way  
Rear Yard, Western Bellway (SR 429): 25 feet from Right of Way  
Side Yard: 10 feet

16. Allowable Vehicular Trips: A Traffic Study in accordance with Section 6.02.04 of the City of Apopka Land Development Code has been submitted in conjunction with the prior approved master development plan and was approved by the City of Apopka.

17. Stormwater Management: A master stormwater management facility has been provided onsite to accommodate water quality treatment and attenuation of peak discharge flows prior to discharge according to City of Apopka and Saint Johns River Water Management District criteria.

18. Erosion control will be addressed by the installation of a perimeter silt fence around the project limits.

19. There are no 100 year flood prone areas located on the subject property.

20. Water Service Provider: Apopka Utilities

21. Sewer Service Provider: Apopka Utilities

22. Reclaimed Water Provider: Apopka Utilities

23. Building and site signage shall comply with the City of Apopka's Land Development Code and Development Design Guidelines

24. Site lighting shall comply with City of Apopka's Land Development Code and Development Design Guidelines.

25. Buildings shall comply with the City of Apopka's Land Development Code and Development Design Guidelines.

26. Variance or Waivers Required:

Code#	Code Requirement	V / W	Request	Justification
6.03.02 A	300 spaces	W	Required parking will be based on the number of employees working during the largest shift and no services provided directly to the general public. A letter from the occupant has been provided to the City which outlines the number of employees on the largest shift.	The proposed use of the facility does not fit the description in the parking code for Industrial/Warehouse uses. The facility will be mostly used for dead storage of materials and will have a maximum of 90 employees working during the largest shift and no services provided directly to the general public. A letter from the occupant has been provided to the City which outlines the number of employees on the largest shift.
5.08.01 C and City of Apopka Development Guidelines Section 4.4	Landscape Island every 20 spaces vs. Landscape Island every 10 spaces	W	Not required for trailer parking/staging	Trailer parking/staging is not specifically addressed by the City of Apopka Code, but the 39 trailer staging spaces provided is a specific requirement of the tenant/occupant. Additionally, landscape islands provided between trailer staging spaces will become damaged overtime and it is requested that the requirement for no more than 10/20 parking spaces in a row without a landscape island be waived.
5.08.01 C and City of Apopka Development Guidelines Section 4.4	Landscape Island every 20 spaces vs. Landscape Island every 10 spaces	W	Request that a landscape island be required every 20 spaces for vehicular parking areas, which is consistent with the code requirements in 5.08.01 C.	The City of Apopka Development Guidelines require no more than 10 spaces without a landscape island, which conflicts with the criteria specifically addressed by the City of Apopka Code, section 5.08.01C, which requires no more than 20 spaces without a landscape island. A waiver is hereby requested, due to the industrial use of the facility and the fact that this facility does not serve the general public. Sufficient landscaping/ buffering is also provided around vehicular use areas to provide screening from public roadways.
5.01.10	Tree / Shrub Irrigation will need to be placed on separate irrigation zones from turf zones	W	Install bubblers on all trees which will be connected to the nearest zone	A waiver is requested to omit a separate zone of independently operated tree bubblers and to provide a more cost effective alternative by providing a tree bubbler at each tree supplied by the nearest irrigation line. This will save approximately 3,000 linear feet of redundant lateral pvc pipe. In addition, the soil backfill additives planted with the tree will aid in new root growth for quicker establishment of the trees. This waiver is a result of a conversation with Robert Elmquist as a supported alternative.

## PREPARED FOR OAKMONT INDUSTRIAL GROUP

3520 Piedmont Rd., Suite 100  
Atlanta, Georgia 30305  
Ph: 404-869-9990  
Direct: 404-869-9952  
Fax: 404-869-9996  
Contact: Thomas A. Cobb

OWNER OF RECORD

OAKMONT APOPKA ROAD LLC  
3520 Piedmont Rd., Suite 100  
Atlanta, Georgia 30305  
Ph: 404-869-9990

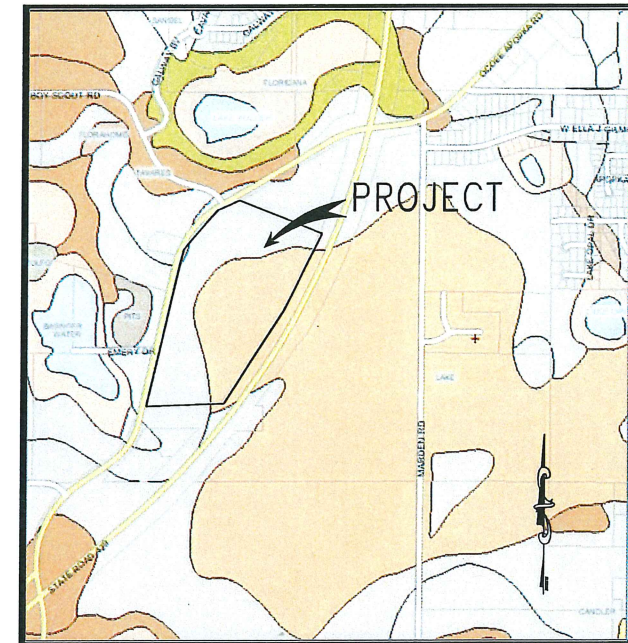
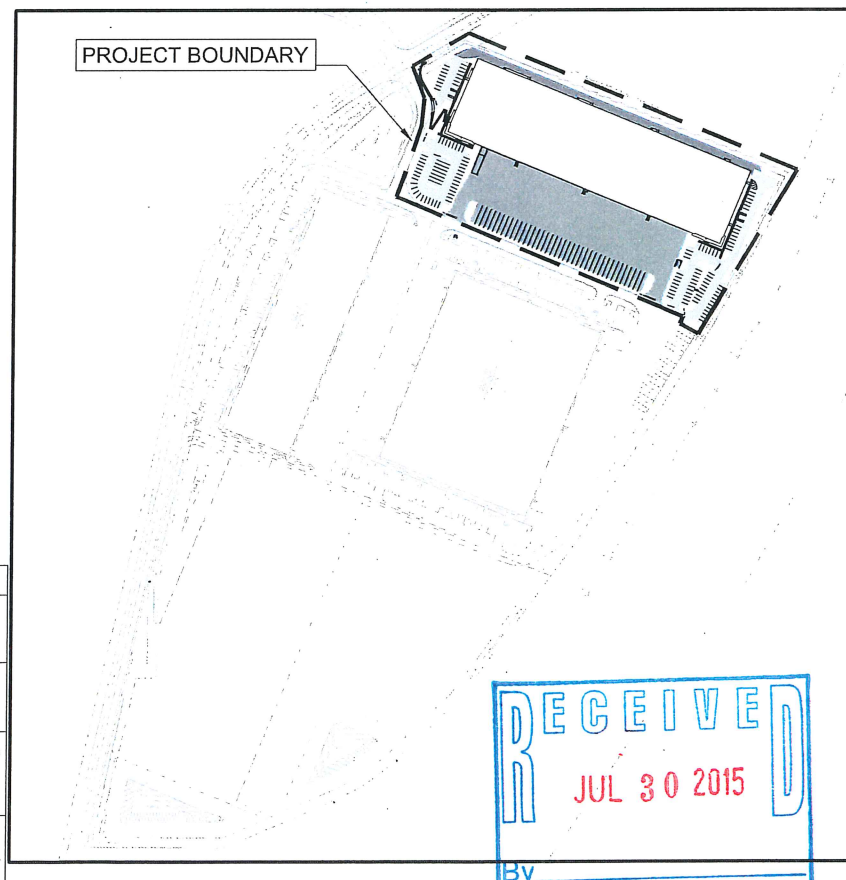
## SHEET INDEX

C-100	COVER SHEET
C-101	GENERAL NOTES
C-102	EROSION CONTROL PLAN & DEMOLITION PLAN
C-200	SITE PLAN
C-201	SITE PLAN
C-300	GRADING / DRAINAGE PLAN
C-301	GRADING / DRAINAGE PLAN
C-302	CROSS SECTIONS
C-400	UTILITY PLAN
C-401	UTILITY PLAN
C-402	OVERALL UTILITY / FIRE CIRCULATION PLAN
C-500	GENERAL DETAILS
L-1,L-2	LANDSCAPE PLAN
L-3,L-4	LANDSCAPE DETAILS & SPECIFICATIONS
L-5	IRRIGATION DETAILS & SPECIFICATIONS
L-6	PHOTOMETRIC PLAN
P-1	SURVEY
1-5	BUILDING ELEVATIONS
1-2	BUILDING ELEVATIONS

## POND 3 AND 4 MODIFICATIONS

C-600	COVER SHEET
C-601	GENERAL NOTES
C-602	EROSION CONTROL PLAN & DEMOLITION PLAN
C-603	GRADING & DRAINAGE DETAILS

## OVERALL SITE LAYOUT PLAN PARCEL ID #17-21-28-5953-01-000 SEC. 17, TSP 21S, R 28E. APOPKA, FLORIDA

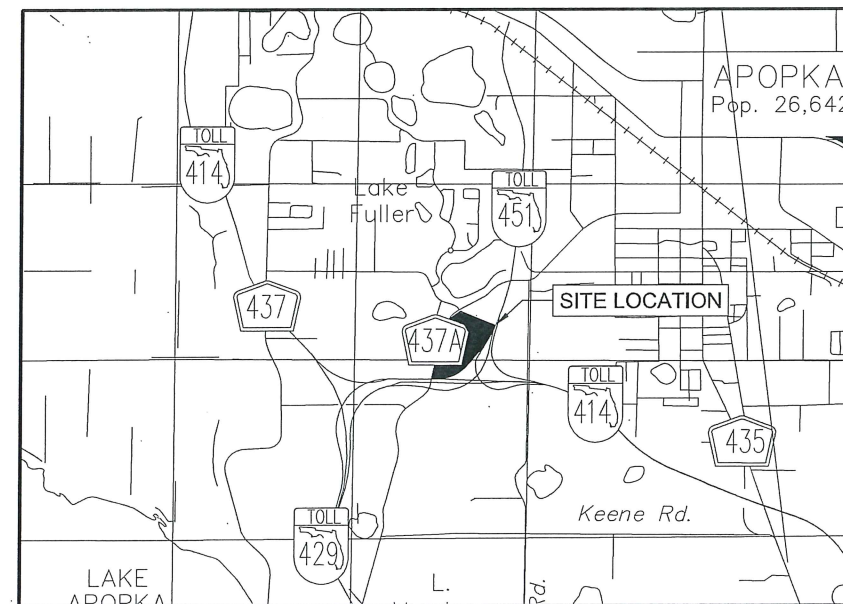


## SOILS MAP

LAKE:  
THE LAKE SERIES CONSISTS OF EXCESSIVELY DRAINED SOILS THAT FORMED IN SANDY MARINE SEDIMENT.  
THE SLOPES RANGE FROM 0 TO 5 PERCENT.  
HYDROLOGIC GROUP: A  
WATER TABLE: >6.0

CANDLER:  
THE CANDLER SERIES CONSISTS OF EXCESSIVELY DRAINED, VERY RAPIDLY PERMEABLE SOILS.  
THE SLOPES RANGE FROM 0 TO 12 PERCENT.  
HYDROLOGIC GROUP: A  
WATER TABLE: >6.0

## LOCATION MAP



NORTHWEST DISTRIBUTION CENTER - BUILDING C

COVER SHEET

**HEI**  
HIGHLAND  
ENGINEERING, INC.  
79 WEST ILIANA ST.  
Orlando, Florida 32806  
Office: (407) 275-2877  
Fax: (407) 275-7901  
CA No. 27612

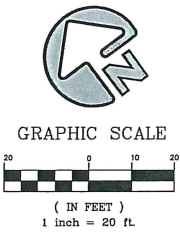
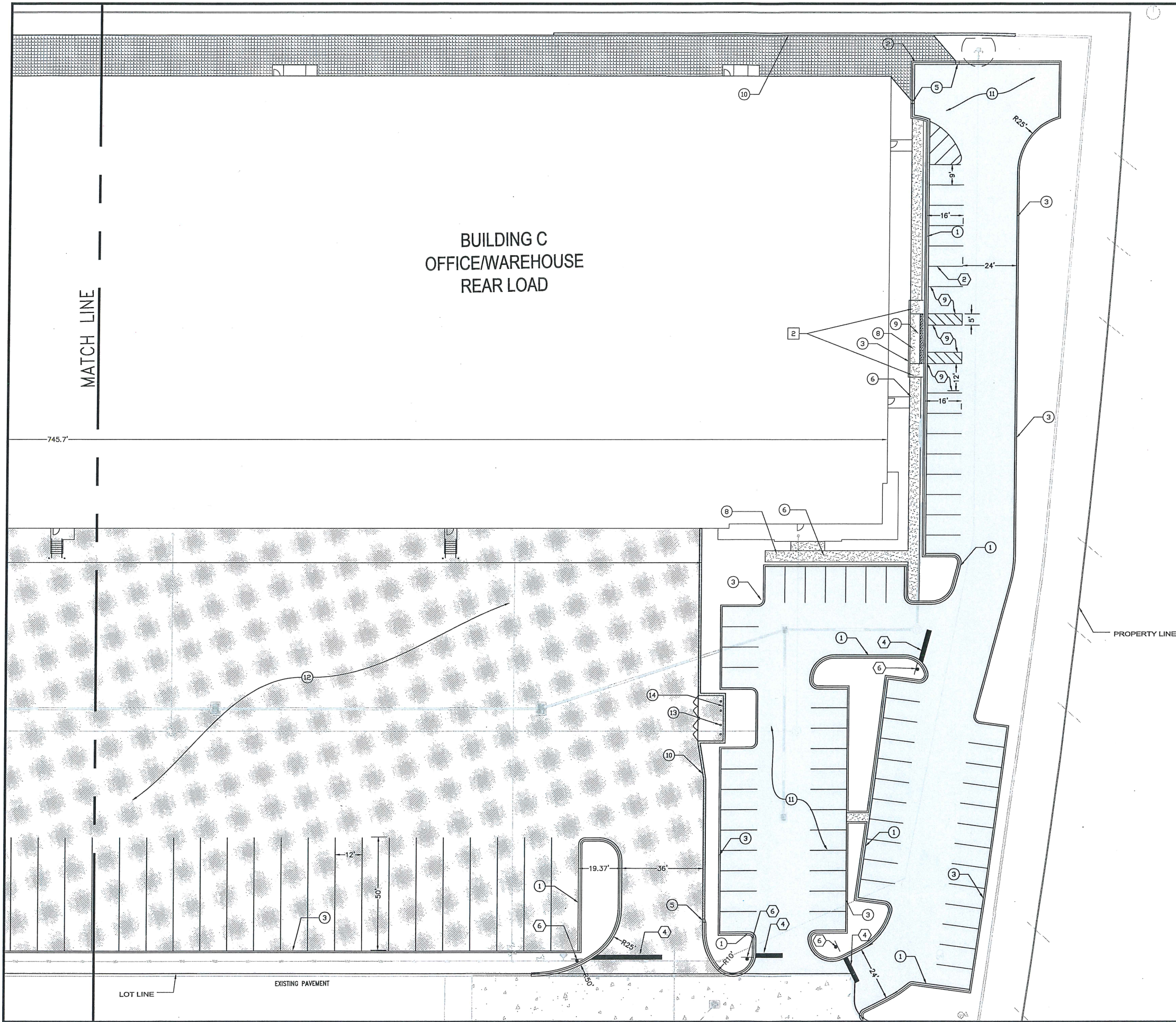
JOB No.: 016-002  
DESIGNED BY: JB  
DRAWN BY: DB  
APPROVED BY: JB  
DATE: 12-1-14  
SHEET: C-100

NOT FOR CONSTRUCTION  
UNLESS SIGNED AND SEALED  
JEFFERY W. BAKER, P.E.  
REGISTRATION No. 64122  
DATE: 12/1/2015









**LEGEND**

BSL - BUILDING SETBACK LINE  
LB - LANDSCAPE BUFFER  
RPM - REFLECTIVE PAVEMENT MARKER

CONCRETE PAVEMENT  
ASPHALT PAVEMENT  
FIRE TRUCK ACCESS PATH  
CONCRETE SIDEWALK

- SITE PLAN KEY NOTES**
- 1 MODIFIED TYPE "F" CURB
  - 2 TYPE "A" CURB
  - 3 TYPE "D" CURB
  - 4 2" VALLEY GUTTER
  - 5 CURB TRANSITION
  - 6 STANDARD CONCRETE SIDEWALK
  - 7 NOT USED
  - 8 FLUSH CONCRETE SIDEWALK
  - 9 2" DETECTABLE WARNING STRIP
  - 10 RETAINING WALL BY OTHERS
  - 11 ASPHALT PAVEMENT (SEE LIGHT AND HEAVY DUTY ASPHALT PAVEMENT DETAILS ON SHEET C601)
  - 12 CONCRETE PAVEMENT (SEE ARCHITECTURAL PLANS)
  - 13 BOLLARD
  - 14 6' HIGH DUMPSTER ENCLOSURE/RETAINING WALL (SEE BLDG PLANS FOR DETAILS, MUST MEET AT A MINIMUM CITY OF APOPKA STANDARD)

- MISC. KEY NOTES**
- 1 OMITTED THIS SHEET
  - 2 HANDICAP RAMP W/ DETECTABLE WARNING (FDOT INDEX 304 CR3)

- STRIPING AND SIGNAGE KEY NOTES**
- 1 HANDICAP PARKING SPACE (6" BLUE)
  - 2 PARKING STALL STRIPING (4" WHITE)
  - 3 STANDARD CROSS WALK STRIPING (PER FDOT INDEX 17346)
  - 4 STOP BAR (SEE DETAIL)
  - 5 CURB PAINTED YELLOW (30 LF CENTERED ON HYDRANT AND FDC IN ACCORDANCE WITH NFPA 1, CHAPTER 18)
  - 6 24" STANDARD INTENSITY STOP SIGN R1-1
  - 7 BLUE RPM
  - 8 FIRE LANE SIGN

NORTHWEST DISTRIBUTION CENTER - BUILDING C

SITE PLAN

**HEI**  
HIGHLAND  
ENGINEERING, INC.  
75 WEST ALAMA ST.  
Orlando, Florida 32806  
Office: (407) 275-7877  
Fax: (407) 275-7901  
CA No. 27812

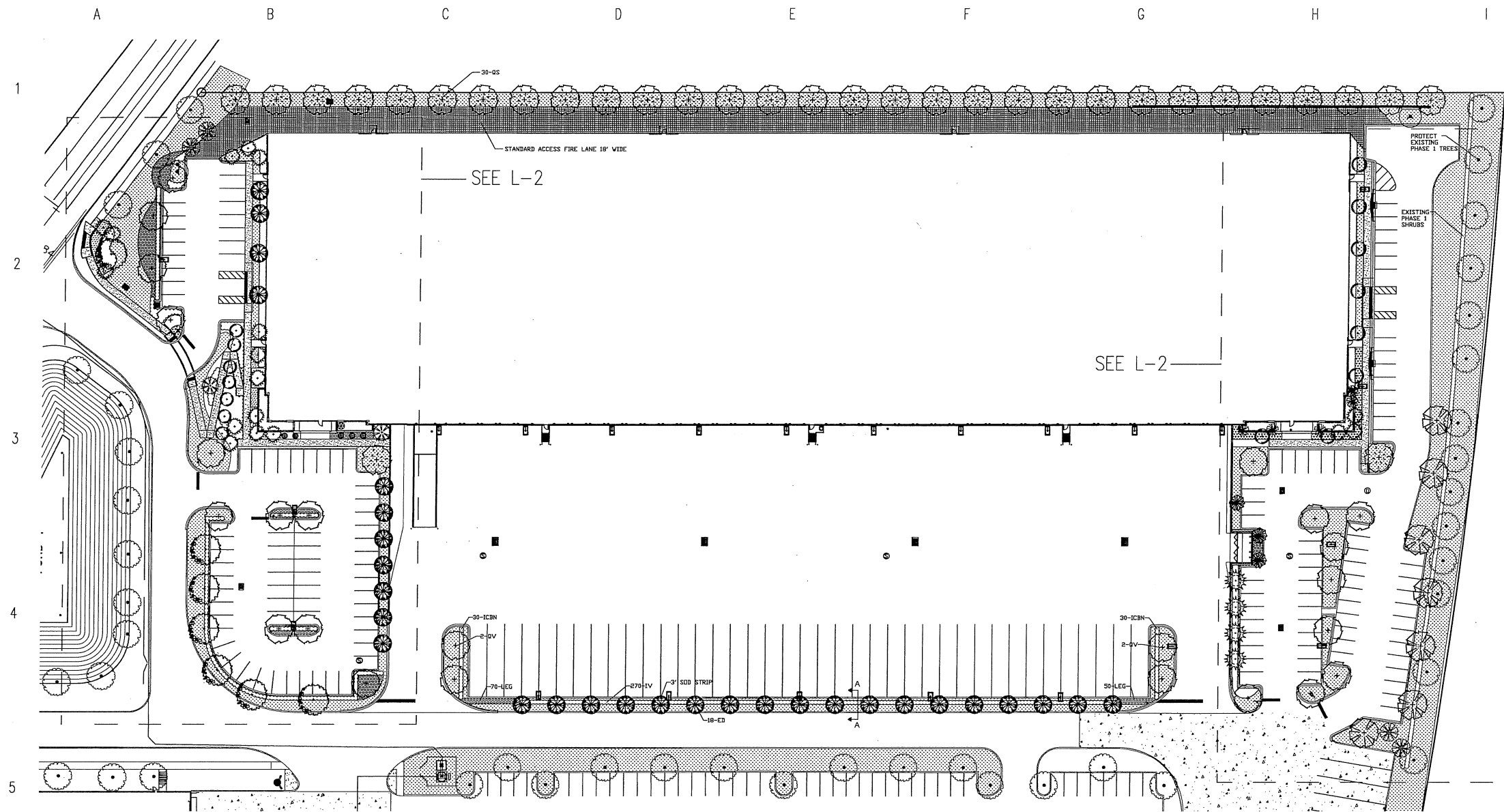
JOB No.: 016-002  
DESIGNED BY: JB  
DRAWN BY: DB  
APPROVED BY: JB  
DATE: 12-1-14  
SHEET: C-201

NOT FOR CONSTRUCTION  
UNLESS SIGNED AND SEALED

No. 64122  
JEFFERY W. BAKER, P.E.  
REGISTRATION No. 64122  
FLORIDA

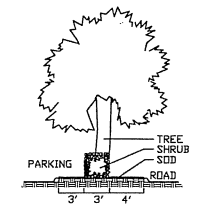
REV	DATE	DESCRIPTION	APP'D BY
1	2/16/2015	REVISED PER CITY OF APOPKA COMMENTS	JWB
2	6/26/2015	REVISED PER CITY OF APOPKA COMMENTS	JWB





TOTAL TREE INCHES ON-SITE: 0  
TOTAL NUMBER OF SPECIMEN TREES (24" OR GREATER): 0  
TOTAL NUMBER OF SPECIMEN TREES (24" OR GREATER) REMOVED: 0  
TOTAL NUMBER OF SPECIMEN TREES (24" OR GREATER) RETAINED: 0  
TOTAL TREE INCHES REMOVED: 0  
TOTAL TREE INCHES RETAINED: 55  
TOTAL TREE INCHES REPLACED: 0  
MAXIMUM TREE STOCK FORMULA AND CALCULATIONS: N/A  
TOTAL INCHES POST DEVELOPMENT: 340  
SITE CLEARING AREA IN SQUARE FEET AND ACRES ±8.7 ACRES.

SOD: 30,928.06 SQ. FT. 73.4%  
BEDS: 11,226.75 SQ. FT. 26.6%



SECTION AA  
SCALE: 1"=10'

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

SIGNATURE \_\_\_\_\_ REG. NO. \_\_\_\_\_ DATE \_\_\_\_\_

PLANT LIST				
KEY	TOTAL	BOTANICAL NAME	COMMON NAME	SIZE, HEIGHT, WIDTH
MG	7	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	2.5" DBH 12'-14' H.
QN	7	QUERCUS NUTTALLI	NUTTALL OAK	2.5" DBH 12'-14' H.
QS	32	QUERCUS SHUMARDII	SHUMARD OAK	2.5" DBH 12'-14' H.
QV	26	QUERCUS VIRGINIANA	WHITE OAK	2.5" DBH 12'-14' H.
CJ	1	CAMELLIA JAPONICA	JAPANESE CAMELLIA	7 GAL.
ED	29	ELAEAGARUS DECIPENS	JAPANESE BLUEBERRY	2.5" DBH 10' H.
EJ	3	ERICOTRYA JAPONICA	LOQUAT	2.5" DBH 10' H.
JS	4	JUNIPERUS SILICOLA	SOUTHERN RED CEDAR	2.5" DBH 10' H.
LI	15	LAGERSTROEMIA INDICA	CRABE MYRTLE	12' H. M.T.
LL	2	LIGUSTRUM LUCIDUM	GLOSSY PRIVET	8' H. x 6' SPD. M.T.
SP	17	SABAL PALMETTO	CABBAGE PALMETTO	16'-24' C.T.
TA	4	TAEBERUA ARGENTEA	COLD TRUMPET TREE	2.5" DBH 10'-12' H.
TF	5	TRACHYCARPUS FORTUNEI	WINDMILL PALM	7 GAL.
ICBN	86	ILEX CORNUTA 'BURFORDII NANA'	DWARF BURFORD HOLLY	18"-24" H. 30" O.C.
IV	270	ILEX VOMITORIA	YALPON HOLLY	30" H. 30" O.C.
JP	78	JASMINUM PUBESCENS	STAR JASMINE	24" H. 30" O.C.
LCZ	95	LORAPETALUM CHINENSES 'ZHOUZHOU'	ZHOUZHOU LORAPETALUM	20"-24" H. 30" O.C.
PM	188	PODOCARPUS MAKI	MAKI PODOCARPUS	30" H. 30" O.C.
RI	178	RHAPHIOLEPSIS INDICA	INDIAN HAWTHORN	12'-15' H. 30" O.C.
VOWC	215	VIBURNUM OBOVATUM 'WHORLED CLASS'	WHORLED CLASS VIBURNUM	12'-15' H. 30" O.C.
VS	43	VIBURNUM SUSPENSUM	SANDANKWA VIBURNUM	30" H. 30" O.C.
ZF	5	ZAMIA FLORIDANA	COONTIE	15' H. 30" O.C.
LEG	785	LIRIOPE MUSCARI 'EVERGREEN GIANT'	EVERGREEN GIANT LIRIOPE	1 GAL 18" O.C.
MI	256	MOREA IRIDODES	AFRICAN IRIS	1 GAL 12" O.C.
SB	419	SPARTINA BAKERI	SAND COROGRASS	1 GAL 24" O.C.
TAM	685	TRACHELOSPERMUM ASIATICUM 'MINIMA'	DWARF CONFEDERATE JASMINE	1 GAL 12" O.C.
TAMT	680	TRACHELOSPERMUM ASIATICUM 'MINIMA TRICOLOR'	TRICOLOR DWARF CONFEDERATE JASMINE	1 GAL 12" O.C.
SOD	AS REQ.	PASPALUM NOTATUM	COMMON BAHIA GRASS	SOD

PLANT LEGEND

MG

QN

QS

QV

ED

EJ

JS

LI

LL

SP

TA

TF

CJ

ZF

EXISTING TREE

**DALE & COMPANY**  
661 North Mills Avenue  
Orlando, Florida 32803  
Telephone (407) 884-1317  
Landscape Architecture Analysis Planning

LANDSCAPE PLAN FOR  
**NORTHWEST DISTRIBUTION CENTER**  
CITY OF APOPKA, FLORIDA

DESIGNED BY: RCD  
DRAWN BY: RSH  
CHECKED BY: RCD  
DATE: 11-14-14

REVISIONS  
1. 01-12-15  
2.  
3.  
4.  
5.  
6.

L-1 OF 6